

Lane, Roger

From: jayne a <jaynearvold@gmail.com>
Sent: Thursday, August 14, 2025 1:22 PM
To: Lane, Roger
Subject: Revocation of CUP 2582

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Mr Lang,

I am writing to be on record as being in support of the Revocation of CUP 2582. The multiple violations in the past two years are sufficiently adequate to revoke this CUP. I strongly encourage the ZLR committee to vote to revoke it.

Thank you.

Jayne Arvold

Lane, Roger

From: (null) (null) <mjarvold@yahoo.com>
Sent: Thursday, August 14, 2025 1:28 PM
To: Lane, Roger
Subject: Revocation of CUP 2582

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Mr Lang,
I am writing this email to be on record as being in support of the Revocation of CUP 2582. The multiple violations in the past two years are extensive and enough to revoke this CUP. I am encouraging the ZLR committee to vote to revoke CUP 2582.
Thank you.
Sincerely,
Mark Arvold

Lane, Roger

From: Samuel Christel <samuel.christel@gmail.com>
Sent: Thursday, August 14, 2025 12:57 PM
To: Lane, Roger
Subject: Please revoke CUP 2582

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Dear Mr. Lang,

I am writing to be on record as being in Support of the revocation of CUP 2582. The violations in the last two years are more than enough to revoke this CUP. I encourage the ZLR committee to vote to revoke it due to clear violations of the agreement.

In regards,

Samuel T. Christel

Lane, Roger

From: Jodi Igl <jodis@mail61@gmail.com>
Sent: Sunday, August 24, 2025 4:50 PM
To: Planning & Development; Everson, Daniel; Lane, Roger
Subject: CUP 2582 violation complaint August 2025

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CUP 2582 - Mineral Extraction

Dane County Zoning Committee,

After 2 years of continuous violations, with zoning staff conducting numerous visits and issuing corrections, ZLR staff has concluded that there is not only a management issue, but that the entire operation is not in compliance with its original plan.

As of July of 2025, the operator continues to operate as if this is a non-conforming quarry. The operator continues to violate conditions as well as the 8 standards. The violation list is long and well-documented by zoning staff.

For community health and safety it is essential to have the phase 1 mountain excavated to remove the Comstock tire building material which likely contains lead pipe and asbestos. The UW Madison, & State street de-construct materials that went into this hill may also be of similar substance. Zoning staff questioned the operator as to why this area was filled, with the operators answer being vague with an avoidance to defining its purpose.

In addition, the North-East portion of the older part of the quarry has not had updates. This area has sharp elevations, noxious weeds, & erosion. Zoning staff has been busy with the newer area of operations, though they may have noted the undersized 6' berm which closed the North gate.

It is evident the fixes that zoning staff have offered the operator over the past 2 years have either been ignored by the operator or he just simply cannot comply, as his fixes to the issues created additional violations.

Dane County Zoning has an obligation to the community to which they serve. Standards 1 & 2 have been impacted by this operator's non compliance.

For 2 years the community has endured diminished use, value, and enjoyment of our property by continuous operations outside of operating hours, quality of air & life by excessive fly dust covering roads & neighboring properties, and much greater truck traffic. Landfill material dumping that may contaminate our water is very concerning.

Dane County Zoning Committee must hold the operator accountable for the repeated non-compliance of numerous standards and conditions. Despite implementing some of the solutions recommended by the ZLR, history indicates that the violations and mismanagement will continue and therefore the revocation CUP 2582 is justified for the safety and well-being of the Town of Rutland community.

Submitted by,

Jodi Igl

County Rd. A
Oregon, WI
Town of Rutland

345 Center Road Quarry North-West corner Phase 1.



11/14/24

July 18, 2025 - North gate berm



August 18, 2025 - North gate berm



August 18, 2025 - North gate berm



August 16, 2025 - North & N.W. quarry berms - 345 Center



rd.

August 16, 2025 - North & N.W. quarry berms - 345 Center



rd.

Lane, Roger

From: Phillip Knutson <asgardholdingsllcstoughton@gmail.com>
Sent: Thursday, August 14, 2025 10:28 AM
To: Lane, Roger
Subject: Revocation of CUP 2582

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Dear Mr. Lang,

I am writing to be on record as being in Support of the revocation of CUP 2582. The violations in the last two years are more than enough to revoke this CUP. I encourage the ZLR committee to vote to revoke it.

Phillip Knutson

Lane, Roger

From: Mary Knutson <mjknute4061@gmail.com>
Sent: Monday, August 25, 2025 11:32 AM
To: Lane, Roger
Subject: Revocation of CUP 2582

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Dear ZLR Staff and Committee Members,

I am writing to urge you to revoke CUP 2582 for K and D Stone due to ongoing violations since the permit was granted two years ago. The required standards are not being met, and these violations have directly affected my daily life and the enjoyment of my property.

When this CUP was approved, the quarry owner received even more than originally requested. Yet despite this, he has repeatedly disregarded the conditions set by the ZLR Committee and staff. His continued violations show a lack of respect for the process, and his excuses no longer carry any weight. You relied on ZLR staff recommendations when this CUP was granted and now I am asking you to rely on the staff recommendations to revoke the CUP.

I understand that he is pressuring you by indicating that your decision to revoke will impact his family and employees. However, he should have considered these consequences before violating the CUP conditions. This responsibility rests with him—not with the ZLR Committee.

Thank you for taking the time to consider my concerns.

Respectfully,

Mary Knutson, a resident of Rutland Township

Lane, Roger

From: Jamie Wood <jamie.wood2727@gmail.com>
Sent: Tuesday, August 19, 2025 3:32 PM
To: Lane, Roger
Subject: Revocation of CUP 2582

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Dear Mr. Lang,

I am writing to be on record as being in support of the revocation of CUP 2582. The violations in the last two years are more than enough to revoke this CUP. For example, the operator has had 2-1/2 years to complete the berm, and it is not yet complete. Another example is the acceptance of solid waste material for fill, and the resale of topsoil that is trucked in. I encourage the ZLR committee to vote to revoke it.

Thank you,

Jamie Hannah

Lane, Roger

From: Robyn Wood <rwood9399@gmail.com>
Sent: Monday, August 25, 2025 9:58 AM
To: Lane, Roger; Violante, Todd; Doolan, Michele; Everson, Daniel; Bollig, Jerome; Ritt, Michele; Postler, Don
Subject: CUP 2582

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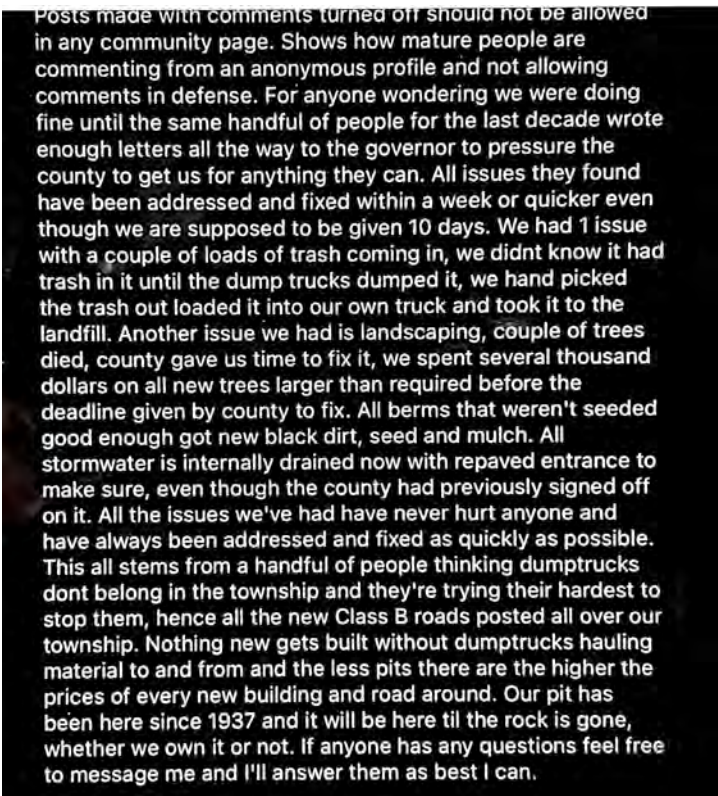
Dear Roger Lane and ZLR Committee members,

There are a few people who have said that only a small handful of Rutland residents are against the K & D Stone quarry. In fact, there are more Rutland residents opposed to it than support it. At this point though, the possible revocation is based on facts and violations, not support or opposition.

The main fact is that the CUP was approved based on mis-truths and partial truths, and has not been followed. I will discuss 9 examples of how the CUP has not been followed. I apologize for the length of this letter.

1. On September 30, 2020, 16 concerns were brought by the ZLR, including truck traffic, road safety, groundwater contamination, intensity, reclamation, pumping of water, and more.
 - a. Some of these concerns were again noted in June 2025.
2. The CUP stated the site was to be developed incrementally. Phase 1 has not been correctly filled as of July 29, 2025. The solution given by ZLR is that “the operator should return a portion of the site to an agricultural use within 6 months”. The owner/operator stated at the July 22, 2025 ZLR Meeting that he did not understand “how long it takes to reclaim the area”.
3. The CUP stated that the pit may be filled with topsoil and general fill, but no trash or solid waste. However, the ZLR found that the owner/operator was filling some areas of the pit with waste, not general fill. Surprisingly, the operator did not know, according to their Aug 7, 2025 Facebook post, that “a couple loads of trash” came in. It is concerning if the pit owner/operator does not know what is being deposited on his property and, if true, shows a lack of oversight and control over his operation. Either he has no control over his pit or he is not being truthful about knowing whether the trash was dumped. Either way it should be concerning to the county.

4. The August 7, 2025, Facebook post stated that the pit has been in use since 1937 and that residents moved to this area knowing the pit has been in use. This is another misstatement. The pit in question has been in use since 2023, not 1937. The original 7-acre pit was nearly depleted, so more land was purchased next to it. While technically in use, the original pit was used rarely, just enough to keep it active. When residents moved to the area, they expected to live near a dormant pit that had negligible use at the end of its life, not a highly active pit.

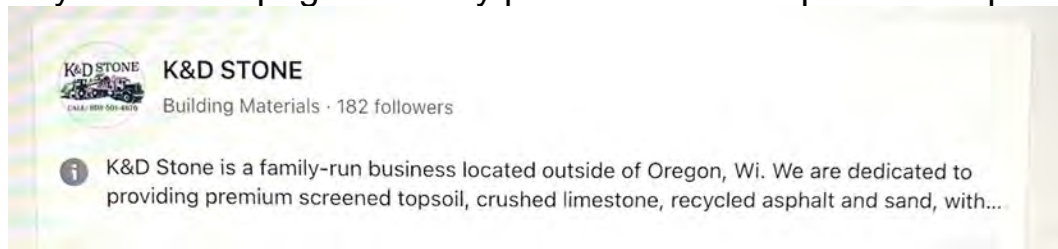


Posts made with comments turned off should not be allowed in any community page. Shows how mature people are commenting from an anonymous profile and not allowing comments in defense. For anyone wondering we were doing fine until the same handful of people for the last decade wrote enough letters all the way to the governor to pressure the county to get us for anything they can. All issues they found have been addressed and fixed within a week or quicker even though we are supposed to be given 10 days. We had 1 issue with a couple of loads of trash coming in, we didnt know it had trash in it until the dump trucks dumped it, we hand picked the trash out loaded it into our own truck and took it to the landfill. Another issue we had is landscaping, couple of trees died, county gave us time to fix it, we spent several thousand dollars on all new trees larger than required before the deadline given by county to fix. All berms that weren't seeded good enough got new black dirt, seed and mulch. All stormwater is internally drained now with repaved entrance to make sure, even though the county had previously signed off on it. All the issues we've had have never hurt anyone and have always been addressed and fixed as quickly as possible. This all stems from a handful of people thinking dumptrucks dont belong in the township and they're trying their hardest to stop them, hence all the new Class B roads posted all over our township. Nothing new gets built without dumptrucks hauling material to and from and the less pits there are the higher the prices of every new building and road around. Our pit has been here since 1937 and it will be here til the rock is gone, whether we own it or not. If anyone has any questions feel free to message me and I'll answer them as best I can.

5. The Aug. 7 Facebook post stated the new weight limits on our Town roads are due to a handful of residents, not the truck load (“hence all the new Class B roads posted all over our township”). The speed limit was changed due to increased traffic, not complaints from a handful of residents. Again, a misstatement.

6. Further, they were selling topsoil and had to be told to stop immediately, as selling topsoil is prohibited under the CUP. The owner/operator announces on the

company Facebook page that they provide screened premium top



soil.

7. Stormwater is pumped offsite, and the owner/operator stated on July 22, 2025, he thought the “temporary” fix from the DNR was “permanent”. Again, if he does not know or understand the conditions....

8. The reclamation plan is not followed. Condition 16 states “Reclamation shall meet **all** requirements of Chapter 74 of the Dane County Code of Ordinances. ...All reclamation plans must meet certain standards. On July 22, 2025, the owner/operator stated he did not know how long it takes to reclaim the area.

9. At the Jan 24th, 2023 Town Meeting the owner/operator claimed they were a “small, father-son operation with 3 employees.” This small, father-son operation now has 9 employees.

a. While the small father-son operation only has one truck, as stated at the Jan 24th Town Meeting, they actually employ or hire many more, which is not how the application was presented. He is now (July 2025) concerned for the welfare of his 9 employees.

10. At the same Jan 24th meeting, the owner/operator claimed they blasted only 2-3 times in 2022, and that they would rarely have to blast more than 2x per year, as this was the amount of blasting necessary to crush all material for a year. This was the blasting level that the CUP was approved on. However, they blasted at least 15 times from March 18, 2024 until Aug 5, 2025. This is about 7x more than they originally represented. Again, this is not how the application was presented.

11. At the same January 24 2023 meeting, the owner/operator promised they would create a “visually appealing” berm that would help with noise, be seeded and mulched, and set back from the fence. However, there is nothing “visually appealing” about the berm. Until recently there were no trees, and then it was planted with trees that were less than 4 feet in height, and died shortly after being planted, it was not seeded or mulched, it had noxious weeds, and it does not help buffer the noise. The noxious weeds were only recently cut down. The berm at the ‘old’ north entrance to the pit is not 8’ tall, and has no trees. Still, after the July 29, 2025 letter the owner/operator hasn’t fixed the issues completely, even with the threat of revocation. And, even if the owner/operator has made minimal improvements, he waited over 2 years to do so, until after the county threatened revocation of his permit. This does not create confidence that he will act in good faith in the future and follow his CUP plan, without the county

Lane, Roger

From: jennifer anderson <andersonsonthego@icloud.com>
Sent: Tuesday, August 26, 2025 5:45 PM
To: Lane, Roger
Subject: Support of Revocation for CUP #DCPCUP-2022-02582

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Greetings Mr. Lane,

We are Rob and Jennifer Anderson who reside at 4307 Oak Lane Road, Township of Rutland.

We are writing to you today to show our deepest support for the revocation of the above referenced CUP.

As you are aware this community has been through very tough times in reference to the operation of K&D Stone. I won't repeat the reasons, because you have heard them many times over. The reasons for revocation run deep and will never change.

Please know we support the revocation for every right reason on all levels from environmental disaster, to road safety to poor air and noise pollution. I hope you too, as well as the board strongly feel the reasons are as accurate as the township residence feel.

Again, we like to thank you for all the time you and the board have put in on this highly important situation.

Sincerely,
Rob and Jennifer Anderson
Sent from my iPhone

Lane, Roger

From: Planning & Development
Sent: Wednesday, August 27, 2025 11:13 AM
To: Lane, Roger
Subject: FW: Revocation of CUP #2582

Thank you,
Sam Haack

Planning and Development
Clerk IV
608-266-4253

From: Jim Hughes <ajimhughes@gmail.com>
Sent: Wednesday, August 27, 2025 10:51 AM
To: Planning & Development <plandev@danecounty.gov>
Subject: Revocation of CUP #2582

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To the Members of the Zoning and Land Regulation Committee,

In August 2024, when the committee reviewed violations of CUP #2582, the message to the CUP holder was clear: "This is your warning." Unfortunately, the pattern of violations has persisted.

In a letter to the committee dated July 21, 2025, attorney Mitchell Olson did not acknowledge that the committee had given K&D Stone this warning.

Instead of demonstrating that there would be no further violations, Mr. Olson requested that K&D Stone be given 30 days to correct future violations, three times the 10-day correction period specified in the zoning ordinance.

The 10-day correction period is not a grace period. The committee can revoke CUP #2582 for any violation, corrected or not, as the ordinance allows. Otherwise, a CUP holder could commit intentional violations, correct them within 10 days if caught, and face no consequences..

An example of an intentional violation, K&D Stone installed an unauthorized pipe, discharging water and sediment into a public right-of-way, connecting eventually to the Yahara River.

Mr. Olson cited potential job and supply losses if CUP #2582 is revoked. However, the violator, not the committee, bears responsibility for such impacts. Moreover, allowing habitual violations could undermine

county enforcement, emboldening opponents to block new quarries. This would cause far greater job and supply losses countywide.

Revoking CUP #2582 is essential to uphold the zoning ordinance and protect our community from further harm.

Sincerely,

Jim Hughes

continuously threatening to revoke his permit. To continually have to keep tabs on this business to ensure the rules are followed and the standards are met is not a good use of county resources.

12. From a note on truck traffic March 7, 2023, where a concern was raised about Condition 30 of the CUP (The condition will ensure that the operation is kept at the activity level that is **currently** occurring): The owner/operator's response was there were only 2 Saturdays during the sample period (no date for the sample period) in which the owner/operator completed trucking and 12 instances in which more than 50 loads were hauled from the site with a weekday average of 20 loads per day. In fact, well over 300 trucks per day were using the roads in 2024. Truck traffic was not just hauling from the site, they were also hauling in.

a. The operator claims that this traffic was coming from an unrelated nearby pit, but actually the 300 trucks per day were running *before* the other neighborhood pit was up and running. The traffic was therefore from him.

The owner/operator has consistently shown that he would rather apologize and ask for forgiveness than follow the CUP. This has happened multiple times. He says people here (nine employees) depend on him. The time to be concerned with employee welfare was long before he repeatedly violated the terms of the CUP. The time to understand the conditions of the CUP was at adoption, not at a revocation hearing. The CUP was approved based on his plan, his statements. He is not following it.

The violations are beyond the concerns of the "small handful" of residents. The consequences are not the responsibility of anyone but the operator.

It is not easy to get a CUP, but we all expect that it will be fully followed. The operator stated he is "watched like a hawk", but still did not comply. The operator has stated that he "sits down and works with ZLR and does everything" he is asked. Yet he does not comply.

We ask that you follow the recommendation of Staff and revoke CUP 2582.

Thank you for your time.

Robyn Wood

Town of Rutland