

Lane, Roger

From: Mary Knutson <mjknute4061@gmail.com>
Sent: Sunday, January 15, 2023 3:41 PM
To: Planning & Development
Subject: comment on CUP 02582 K and D Stone LLC

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Dear members of Dane County ZLR board,

My name is Mary Knutson and I live at 4061 Old Stone Road in Rutland township. I am against CUP 2582 because it does not meet **Standard 2:** The uses, values and enjoyment of other properties in the neighborhood already permitted shall be in no foreseeable manner be substantially impaired or diminished by establishment, maintenance or operation of the proposed conditional use.

Currently, K&D's back side of their quarry is the borrow site that they have been extracting sand. This is part of the quarry in this CUP. Mr. Hahn has been busy moving sand out of this area (which is about 350 yards away from our land) up until his last CUP was revoked. My main concern is noise. The constant sound of beeping trucks backing up, the clanging of the truck's end gate slamming shut, and the shaking of the dump trucks when they are done dumping fill in the old quarry has been unbearable on the days of operation. I used to be able to tolerate it, but as time went on, the noise has taken its' toll on me. I love to spend time outside in my gardens. I raise vegetables and flowers. With the ongoing noise, I am finding myself not enjoying being outside. I have tried keeping noise cancelling headphones on, but I must admit, it really isn't fun wearing those while gardening. My stress level has increased because of the noise, and I had just started to take an anti-anxiety med right before the quarry was shut down when it was revoked. After raising my own vegetables most of my adult life (44 years!) I have made the decision to stop raising them this coming summer, to decrease the time I spend outside...in my own yard...on my own property...because my neighbor may get a CUP to build a ghastly 30 acre quarry on farmland that was set up to be preserved as farmland. I never thought I would succumb to something like this when we built our home in the country in 2006. We have loved living in Rutland Township and we knew there was a small 7-9 acre quarry on Center Road when we built our home, but we never thought that the adjacent land, in a farm preservation site, would become a future 30 acre quarry! K&D Stone says that berms will alleviate the noise. There currently is a berm around the borrow site of this quarry and his old quarry and I still hear the noise! They state that they will "utilize alternative MSHA approved backup alarms (in lieu of beeping)". This has NO credibility because elsewhere in the application they hedge by saying "pending

approval by MSHA”. This was a proposal over a year ago with the prior CUP and it has neither been vetted nor implemented, so the statement of intent is NOT credible. The noise mitigation measures are vague and inadequate. They failed to systematically measure their sound output under varying environmental conditions and at what level will they maintain it at? Dane County ordinance 10.102(6) states: **Noise levels SHALL be set to the db(a) decibel scale and should be APPROPRIATE to the background noise level of the surrounding area,”** Well, background noise is around 65db(a), so that is the level they need to contain their noise level at. This noise is so very annoying, causing this new stress in my life. We rent out some of our land to a local farmer and when his equipment comes to either plant or harvest the crop the time frame that his machinery makes noise is tolerable. I actually enjoy seeing him put in the crop and harvest it. What is so intrusive of the quarry noise is that it is usually an all day event and with the operating hours 7-7, six days a week that the CUP states, is not very neighborly. Hearing beeping of the trucks backing up and the other noises that the machinery makes, 12 hours of my day just makes me sick.

CUP 2582 also states that the current quarry is surrounded by berms and cannot be seen by any neighbors. This is NOT TRUE! We see his old quarry from our home and the machinery and will also see the expanded quarry. I have photos to prove this. They promise to build an 8-10’ berm at least initially then reduce it when the pit goes deeper. This will not be enough to block the view from our home, so we will continue to see it (our home is on a hill...too bad we didn’t know there would be a 30 acre quarry in the preserved farm land that we enjoyed looking at when we built it in 2006). Allowing this CUP DOES diminish my enjoyment of my property that I was permitted when we built our home. An 8-10’ berm is not sufficient enough to block the moonscape that will be created with this 30 acre quarry. To sufficiently block our view a berm of 20’ would be necessary and it should most definitely remain permanent. Not decrease it as the pit goes lower.

Under the CUP page 14 of 16, it says, 3. Noise. “Nelson has not received any complaints of noise in the past prior to public hearing”. This is referring to the April 28, 2022, public hearing. This is totally FALSE (in other words, a LIE). Please read the following emails I sent to our town board officials . Both were dated BEFORE the April 28th, 2022, public hearing. (We have also been hesitant to complain directly to Mr. Hahn, as we have texts from him saying that we are “harassing” him. We also have testimony from neighbors who were out walking their dog on a Rutland township road, that were verbally attacked by Mr. Hahn from his dump truck, because they had complained about noise and increased traffic.) When Mr. Hahn says, “I’m just trying to be a good neighbor”, I beg to differ. **He is not a “good neighbor” and I am afraid of him.**

In closing, I would just like to remind you that granting this CUP must be made solely on whether it meets ALL 8 Standards. Your decision should not be based on if rock from quarries is needed. It should not be based on the fact that this CUP was granted previously (the 8 standards were not discussed separately at the ZLR working meeting, other than

mentioned in “yes, the standards were met”.) It also should not be based on the fact that this almost exact CUP was turned down by the Rutland board (it didn’t meet 6 of the 8 standards) the first time Mr. Hahn applied for this CUP. It also shouldn’t be based on Mr. Hahn’s description that he uses for his business “we are just a small family business” and he “wants to be a good neighbor”. It can only be granted by meeting ALL 8 STANDARDS! Please take the time to read the 8 standards and also Rutland Township’s Comprehensive plan that was adopted by Dane County. Your decision is something that the Rutland residents will have to live by for the rest of our life time.

Thank you.

The emails that I sent to our town board are following: please notice the dates.

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- [To:supervisor@town.rutland.wi.us](mailto:supervisor@town.rutland.wi.us)

Wed 6/17/2020 6:46 PM

Hi Deana, I’m not sure who I should address this email to, so if you aren’t the correct person, could you please forward this email to whoever should hear my concern? Thank you.

It’s such a beautiful evening to sit outside after a days work and enjoy the wonderful weather and quietness of the countryside, except it isn’t quiet. The noise from the quarry is loud and banging, and the beeping sound of a truck backing up is frustrating and very annoying, especially at this time of day (early evening at 6:30). This just isn’t what is happening tonight, but it happens quite frequently. The noise starts up around 5:30-6:00 a.m., and is loud right during the dinner hour. I worry about what it will be like when and if the quarry is expanded.

Anyway, I just wanted to let you know of my concerns. My complaint seems so minimal when there is so much unrest in the world, but to be able to sit out in our yard in peace and quiet in the evening, in the country, is important to me. Thank you for taking the time to read this.

Mary Knutson
4061 Old Stone Road

• To: Deana Zentner:chair@town.rutland.wi.us+4 others

Thu 4/21/2022 7:49 PM

Dear Town of Rutland board.

First of all, I want to thank you for your service to the Town of Rutland. I know your job must seem thankless much of the time, so I want to say thanks! I also want to tell you what a wonderful day it was today. I have written you a few times before, with my complaints about noise from the quarry and I always hate to complain, so this time I won't! I'm going to tell you how wonderful it was today as I was working outside. There wasn't any noise from the quarry and it was glorious! The only way I can describe it, is not having a dull, constant toothache today, after having an aching tooth ache for days. It was a relief! I'm not sure why they weren't working today, but I totally enjoyed living in this rural township today. I even had my windows open and it was glorious! I just wanted to share this with you!

Sincerely,
Mary Knutson
4061 Old Stone Road
Oregon, WI

From: [Mary Knutson](#)
To: [Planning & Development](#)
Subject: Fwd:
Date: Sunday, January 15, 2023 4:13:12 PM

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These are the photos that were taken from our home at 4061 Old Stone Road. It proves the point that I made in my comments of CUP 02582 in regards that I do see the quarry on Center road (photos with machinery) and will see the expanded quarry (photos with bare land). These photos were take on April 21, 2022

Thank you, Mary

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