

I am Henry Spelter, I live in McFarland. I own the land next to the parcel under Petition 11919.

I oppose this rezoning in Petition #11919, not the mining. I have never objected to the existing mine, am not objecting now, nor will I object in the future as long as the operators comply with all applicable ordinances, statutes and regulations.

It is my understanding that Mr. Hahn may continue to mine the existing quarry even if he does not obtain the rezone, because the mine is a nonconforming use. My opposition to date has been limited to the neighboring field contained within the prior but now rescinded CUP #2563.

What is the reason for this rezone? According to the staff report, "the rezoning would facilitate a Conditional Use Permit (CUP) for the quarry operation (that) the applicant has submitted in proposed CUP #2582."

How will this rezone accomplish that?

To answer that you need some context.

In 1988 when I bought the field, it was landlocked with access only by an easement through the quarry.

This access ruled out improvement options.

To correct this, the quarry owner and I exchanged equal areas of land, one a 66' wide access strip for me, the other a 33' wide buffer between the quarry and the field for them.

Along with that I had to sign a covenant agreeing to the continued use of the 9-acre pit, and only the 9-acre pit defined as Lot 1 of CSM #2590, as a quarry.

Rezoning and including this pit with CUP #2582 clouds my ability to oppose the CUP without seeming to object to quarrying on Lot 1 as well. By packaging these two approvals together, the County makes it more difficult for me to express my opinions.

This rezoning then is a tactic to stifle my opposition and deny my right to petition the Government. I request the Committee therefore deny Petition 11919. The Committee should not allow itself to be made into something resembling a de facto party to this dispute by combining the two parcels. A permit to mine the adjoining 37-acre parcel should be made independent of its legacy nonconforming mine.