
SPECIAL PLANNING COMMISSION

PUBLIC MEETING

QUARRY EXPANSION BY PAYNE & DOLAN

Monday, July 9, 2018

6:00 p.m. to 9:56 p.m.

Village of Caledonia
5043 Chester Lane
Caledonia, WI

Reported by Kara D. Shawhan, CMR, CRR, RPR

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A P P E A R A N C E S

MR. JIM DOBBS,
VILLAGE PRESIDENT.

MR. THOMAS KNITTER.

MR. KEVIN WANGGAARD,
VILLAGE TRUSTEE.

MR. JARMEN CZUTA,
ZONING ADMINISTRATOR.

MR. JOSEPH MINORIK.

MR. BILL FOLK.

MR. DUANE MICHALSKI.

MR. LEE WISHAU,
VILLAGE TRUSTEE.

MR. DAVE PROTT,
VILLAGE TRUSTEE.

MS. FRAN MARTIN,
VILLAGE TRUSTEE.

MR. DALE STILLMAN,
VILLAGE TRUSTEE.

MR. JAY BENKOWSKI,
VILLAGE TRUSTEE.

MR. TONY BUNKELMAN,
UTILITY DISTRICT DIRECTOR.

MR. TIM PRUITT,
VILLAGE ATTORNEY.

MS. KARIE TORKILSEN,
VILLAGE CLERK.

MS. TONI MUISE,
ASSISTANT ADMINISTRATOR.

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06:05 1 The second thing we'll be doing then
06:05 2 after Jarmen gives some introductory comments will
06:05 3 be a presentation by Payne & Dolan of their plan
06:05 4 that the board members have all received and that
06:05 5 the planning commission members have received, and
06:06 6 we will get everybody here in the audience an
06:06 7 update on what they want to do.

06:06 8 After initial questions from the planning
06:06 9 commission of Payne & Dolan, we will then enter the
06:06 10 public hearing phase. I will go through several
06:06 11 different phases. I will ask three times for
06:06 12 anybody who wants to come up and speak in favor of
06:06 13 this, and then after all those people are done, we
06:06 14 will go and ask three times if anybody wants to
06:06 15 come up here in opposition to this.

06:06 16 Anybody who wants to speak should have
06:06 17 filled out a form which should be out in the
06:06 18 hallway. We want one of these on file so that the
06:06 19 court reporter can get everybody's name and what
06:06 20 they want to say.

06:06 21 Any comments or questions you have will
06:06 22 be directed to this commission and not to the
06:06 23 representatives from Payne & Dolan. If there's any
06:06 24 questions that you have that we or Payne & Dolan
06:06 25 can answer, we will ask them to answer them at

06:06 1 another time. We don't want direct communication
06:06 2 between the audience and the Payne & Dolan members,
06:07 3 just to keep things calm.

06:07 4 I'll also note that the Caledonia board
06:07 5 is also here this evening. They will be listening
06:07 6 and may interject from time to time also so they
06:07 7 can, you know, see what happens at this public
06:07 8 hearing tonight so they're more informed when they
06:07 9 have to make a decision what the planning
06:07 10 commission does.

06:07 11 I think that's all I have to start out
06:07 12 with. Jarmen?

06:07 13 MS. TORKILSEN: I just want to call the
06:07 14 board to order. Can you hear me?

06:07 15 MR. DOBBS: Yes.

06:07 16 MS. TORKILSEN: I'm going to call the
06:07 17 roll call for the village board. Trustee
18 Benkowski?

19 MR. BENKOWSKI: Here.

20 MS. TORKILSEN: Trustee Stillman?

21 MR. STILLMAN: Here.

22 MS. TORKILSEN: Trustee Martin?

23 MS. MARTIN: Here.

24 MS. TORKILSEN: Trustee Prott?

25 MR. PROTT: Here.

1 MS. TORKILSEN: Trustee Wishau?

06:07 2 MR. WISHAU: Here.

06:07 3 MS. TORKILSEN: Thank you.

06:07 4 MR. CZUTA: Thank you, President Dobbs.

06:07 5 As you've already mentioned, the applicant did

06:07 6 prepare a very detailed binder. Each one of you

06:08 7 should have a copy in front of you. It's labeled

06:08 8 "Racine Quarry Project, Village of Caledonia,

06:08 9 Racine County, Wisconsin," and it outlines exactly

06:08 10 what they are requesting, and at this time I think

06:08 11 it would be appropriate to allow the applicant to

06:08 12 present before the planning commission and the

06:08 13 village board what their desires are. Thank you.

06:08 14 MR. DOBBS: Representatives of Payne &

06:08 15 Dolan come forward, please. And if you would,

06:08 16 state your names for the record.

06:08 17 MR. ENDRES: Sure. Good evening. Thanks

06:08 18 for your time tonight. My name is --

19 AUDIENCE MEMBER: Can you speak up? We

20 can't hear you.

06:08 21 MR. ENDRES: Okay. How is this? Better?

06:08 22 MR. DOBBS: Yeah. Make sure they can

06:08 23 hear you.

06:08 24 MR. ENDRES: Testing one, two, three.

06:08 25 Mic check. Thank you for your time tonight. My

06:08 1 name is Brian Endres. I'm with Payne & Dolan.
06:08 2 Along with me tonight is Clint Weninger, and
06:09 3 running the computer is Ethan Courter.

06:09 4 Like I said, we appreciate your time in
06:09 5 advance to go through our project. There's been a
06:09 6 lot of differing information out there. I think
06:09 7 when we get done tonight, you should at least
06:09 8 understand from our perspective what we're looking
06:09 9 at.

06:09 10 So the status of our project right now,
06:09 11 we're pursuing to do the final and further
06:09 12 development of the Racine Quarry. We did hold a
06:09 13 public hearing May -- or excuse me, not a public
06:09 14 hearing -- an informational session with neighbors
06:09 15 that we noticed -- the same notice that was given
06:09 16 for this meeting just to get our project out there
06:09 17 and take input from neighbors, see if they had any
06:09 18 ideas that we could incorporate, and there were
06:09 19 some good ones. I'm glad we had that meeting. We
06:09 20 did incorporate those into our application which
06:09 21 you all have.

06:09 22 So tonight we're actually applying for
06:09 23 the -- as you said, for the land use amendment
06:09 24 rezoning, a conditional use permit, and
06:09 25 modification of the nonmetallic mining permit

06:09 1 through the Village of Caledonia and also an
06:10 2 amended reclamation plan through Racine County.

06:10 3 So to start off, I thought the best thing
06:10 4 to do was just an aerial. Everything outlined in
06:10 5 blue is property that's owned by Payne & Dolan.
06:10 6 The area in orange with the red dashed line is what
06:10 7 we call the project area that we'll be discussing
06:10 8 in detail tonight.

06:10 9 I'd like to -- The pointer doesn't work
06:10 10 real well from what I'm told, so Ethan will use the
06:10 11 mouse.

06:10 12 Charles Street is located in the orange
06:10 13 area running up and down the page there, and then
06:10 14 right at the top, the next street to the north is
06:10 15 Ellis Avenue area, and then continuing to the west
06:10 16 would be Douglas Avenue coming down and then
06:10 17 hitting 3 Mile and coming back to the east to
06:10 18 Charles Street. So really the intersection of
06:10 19 Charles and 3 mile and Ellis and Charles would kind
06:10 20 of be the project area.

06:10 21 So tonight, just a quick outline, a
06:11 22 little bit about our company, who we are and the
06:11 23 history of the Racine Quarry, the need for the
06:11 24 products that come out of that quarry, our current
06:11 25 operation, the details of the project and then some

06:11 1 end use reclamation options.

06:11 2 So who is Payne & Dolan? Well, we're a
06:11 3 third-generation family-owned company that started
06:11 4 in 1930 with deep roots in Racine County.
06:11 5 Actually, our founder, Walter Bechthold, was the
06:11 6 Racine County highway commissioner and then bought
06:11 7 Payne & Dolan in 1930.

06:11 8 We're now headquartered in Waukesha,
06:11 9 Wisconsin, with operations in northern Illinois,
06:11 10 Wisconsin, upper Michigan and upper and lower
06:11 11 Michigan, which is still considered very upper
06:11 12 Michigan.

06:11 13 We are a leading producer of construction
06:11 14 aggregates: asphalt, concrete, and our northern
06:11 15 operations, agricultural lime. We also do the
06:11 16 construction ourselves. We have several customers
06:11 17 from the private sector, from municipalities,
06:12 18 state, federal, and we have a design-build side
06:12 19 with engineers that actually does work across the
06:12 20 country.

06:12 21 We are a proven company with decades of
06:12 22 experience opening, operating and reclaiming
06:12 23 nonmetallic mines like this.

06:12 24 I thought this was important to throw up,
06:12 25 our core values. We take these things very

06:12 1 seriously, especially the last two. "Treat
06:12 2 everyone with respect" is very important to me, and
06:12 3 we live that every day with the people that are
06:12 4 around us in the communities that we work and
06:12 5 operate in.

06:12 6 And then "Supporting ideas that
06:12 7 strengthen the communities we serve," we also take
06:12 8 that very seriously. I think there have been some
06:12 9 letters submitted to you on our behalf on different
06:12 10 nonprofit organizations that we've been involved
06:12 11 with that we've helped out, and every area that we
06:12 12 do operate in, we do try and be strong corporate
06:13 13 citizens.

06:13 14 We're also a fairly large employer and we
06:13 15 have many local employees in the greater Racine
06:13 16 County area and locally in Caledonia and the city
06:13 17 of Racine, but this quarry has been here 165 years,
06:13 18 and it also supports many jobs from many different
06:13 19 companies that rely on the products that come out
06:13 20 of this business for the business that they do.

06:13 21 MR. WENINGER: Brian introduced me
06:13 22 before, but I'd just like to introduce myself
06:13 23 again. I'm Clint Weninger. I'm a geologist with
06:13 24 Payne & Dolan. I'd briefly like to talk about some
06:13 25 of the history with the quarry. The quarry was

06:13 1 started in 1853, and originally the original quarry
06:13 2 was between Douglas Avenue and the railroad track,
06:13 3 which is no longer active. The east quarry was
06:13 4 started in 1905. The west quarry was started in
06:13 5 the '60s. The tunnel that connects the two under
06:13 6 the Douglas Avenue railroad tracks was put in in
06:13 7 the '70s.

06:14 8 Vulcan purchased the quarry in 1958 from
06:14 9 The Consumers Company and continued to operate it
06:14 10 until 2013. And at that point in time Payne &
06:14 11 Dolan purchased the quarry, and we've operated it
06:14 12 ever since.

06:14 13 So that gives a long history of 165 years
06:14 14 that this quarry has been in operation providing
06:14 15 valuable construction materials which have allowed
06:14 16 Racine County, the village of Caledonia, the city
06:14 17 of Racine and surrounding areas to grow.

06:14 18 A couple pictures that I threw up here
06:14 19 just sort of show the change in technology over
06:14 20 time. The top right picture is an old railcar back
06:14 21 in the early 1800s, 1900s, done by rail, and then
06:14 22 it switched to shovels, and that is a single-axle
06:14 23 truck, but at that time that was the biggest truck
06:14 24 that was available.

06:14 25 In 1910, the picture in the upper left is

06:14 1 showing the crushing plant that they had at the
06:15 2 time. And that's looking to the south. So you're
06:15 3 in the east quarry looking to the south. There's a
06:15 4 railroad grade that goes up that fed the crusher.
06:15 5 That crusher was actually at the grade of 3 Mile
06:15 6 Road. And then the bottom right picture from 1970
06:15 7 is actually a railcar pulling -- or a locomotive
06:15 8 pulling railcars, and the road that you see right
06:15 9 in front is actually 3 Mile Road. So the railroad
06:15 10 was almost right on top of the 3 Mile Road at that
06:15 11 time. You also notice a lot of stockpiles behind
06:15 12 the railcar as well.

06:15 13 1950 -- or sorry. 1955, this is a
06:15 14 picture of the quarry and the surrounding area. As
06:15 15 Brian mentioned, the property in blue is our
06:15 16 property. You'll notice that there's very little
06:15 17 development surrounding the quarry at this time.
06:15 18 Down in the lower right-hand corner, which is
06:16 19 towards the southeast, that's the city of Racine
06:16 20 area, you'll see it's all farm field. There's no
06:16 21 residential in that area. And then if go
06:16 22 counterclockwise, you'll see that there's no
06:16 23 residential straight east of the quarry. In the
06:16 24 northeast corner there's no residential. The only
06:16 25 residential really at that point in time is some

06:16 1 along Ellis Avenue straight north of the quarry.
06:16 2 And then if you go over towards the west quarry on
06:16 3 the far upper left-hand corner, you'll see there's
06:16 4 no residential there. A little bit starting on the
06:16 5 far left side of the page, far west side of the
06:16 6 property, and then the south or southwest corner
06:16 7 you'll see there's no residential, and the airport
06:16 8 is not there as well.

06:16 9 The east quarry is the one that's
06:16 10 operating in this picture. The original quarry in
06:16 11 the middle has not been operating. It's full of
06:16 12 water now in this picture. You'll notice that the
06:16 13 quarry mined right up to the property lines at that
06:16 14 time. There was no setback requirements, no
06:16 15 zoning, no rules, no regulations for that kind of
06:17 16 development, so they worked right up to the extent
06:17 17 of the property that was owned at that time.

06:17 18 You'll also notice that the -- what we
06:17 19 called the Charles Street Yard on the east side of
06:17 20 Charles Street is active, and they piled a lot of
06:17 21 materials there. They located plants there at
06:17 22 times.

06:17 23 The crushing plant too was actually just
06:17 24 north of 3 Mile Road and just west of Charles
06:17 25 Street in that area right on grade in that area.

06:17 1 So let's fast-forward 60 years. That
06:17 2 brings us to 2015. You'll see that there's been
06:17 3 substantial development around the quarry. And all
06:17 4 those areas that we mentioned before to the
06:17 5 southeast, the northeast, the northwest and the
06:17 6 southwest as well. And you'll see the airport in
06:17 7 there as well.

06:17 8 The quarry hasn't stopped any development
06:17 9 from coming up close to the quarry. You'll also
06:18 10 notice that the operations now, the crushing plant
06:18 11 in the mid-'90s was moved from on top by 3 Mile
06:18 12 Road down to about 120 feet below the quarry in the
06:18 13 middle of the east quarry section.

06:18 14 You'll see the west quarry. If you look,
06:18 15 there's more green space around that. That's
06:18 16 because that was developed at a later time when
06:18 17 there was more setbacks that were required
06:18 18 surrounding that quarry.

06:18 19 Here's a picture looking from about
06:18 20 Charles Street and 3 Mile. If you were to go up,
06:18 21 it's an aerial photo looking to the northwest. So
06:18 22 this is the east quarry. You'll see all the
06:18 23 crushing plant in the bottom right-hand corner of
06:18 24 the picture. And there you'll see a lot of
06:18 25 stockpiles right along the road. The railroad is

06:18 1 right adjacent to 3 Mile Road and then Douglas
06:18 2 Avenue is on the top of the picture, and the old
06:19 3 original quarry is just above that.

06:19 4 Now, in the bottom left-hand corner,
06:19 5 there's a building that's actually still there
06:19 6 today, and that's in the far left, right next to
06:19 7 the stockpile.

06:19 8 Oops. Sorry. Now, here is a photo from
06:19 9 this spring, 2018, almost the same direction. The
06:19 10 building in the bottom left is the building we
06:19 11 pointed out in the last picture. You'll notice
06:19 12 that here all the operations have been moved down
06:19 13 into the forward quarry. The railroad is no longer
06:19 14 accessing around 3 Mile Road. There's fencing,
06:19 15 there's berms and fencing along 3 Mile Road, and
06:19 16 the blue building that you see is actually our shop
06:19 17 facility, and just below that is the wheel wash
06:19 18 facility.

06:19 19 The only operations that take place at
06:19 20 street level now are either maintenance and/or
06:19 21 parking of equipment in addition to scaling of
06:20 22 trucks.

06:20 23 So you might ask "Why are we here?"
06:20 24 Well, we're here because there's a great need by
06:20 25 our society to build things -- the streets we drive

06:20 1 on, the homes we live in, the buildings that we go
06:20 2 to work in, the buildings our kids go to school in,
06:20 3 and these construction activities require a
06:20 4 tremendous amount of crushed stone products.

06:20 5 So a few facts I threw up here that some
06:20 6 of you might not know is that 95 percent of asphalt
06:20 7 is crushed stone. The rest is asphalt cement.
06:20 8 90 percent of concrete is crushed stone materials.
06:20 9 It takes almost 30 million tons or 30 million
06:20 10 pounds of aggregate to build a typical school,
06:20 11 340 tons to build a typical house. And here's an
06:20 12 interesting stat from 2016, which is the last year
06:21 13 these were available, but in Wisconsin, there was
06:21 14 over 56 million tons of crushed stone that were
06:21 15 needed just for that one year to keep our society
06:21 16 going, whether it was building new things or
06:21 17 maintaining and repairing our existing
06:21 18 infrastructure. That equates to almost 20,000
06:21 19 pounds for every person in this room and then
06:21 20 throughout the state as well.

06:21 21 So these boxes I mentioned go to all
06:21 22 different kinds of uses: highways, the parking lot
06:21 23 for the village hall here, St. Rita's, bridges,
06:21 24 commercial buildings, homes, and most of the things
06:21 25 that are constructed within the city of this quarry

06:21 1 use products directly from this quarry.

06:21 2 Here are some of the larger projects we
06:21 3 supplied products to over the last few years. You
06:21 4 might recognize a lot of these names. Amazon,
06:21 5 Uline, the Village of Caledonia, the city of
06:21 6 Racine, Case, Johnson, the upcoming Foxconn project
06:22 7 that's going on now, the DOT, Racine County. Those
06:22 8 are some of the local projects you might recognize.

06:22 9 Now, one of the reasons this site is
06:22 10 important is because aggregates aren't found
06:22 11 everywhere or the potential to even open a quarry
06:22 12 isn't found everywhere. This is a map that I
06:22 13 obtained from the geologic survey, and it shows the
06:22 14 potential -- and this is just potential for crushed
06:22 15 stone availability. So any limestone deposits that
06:22 16 are close by, those are highlighted in gray in this
06:22 17 picture.

06:22 18 You'll see that most of the potential
06:22 19 areas for Racine County are in the far western
06:22 20 part. Now, this is just potential. It doesn't
06:22 21 take into any account any surface features like
06:22 22 wetlands, parcel sizes, roadways, anything like
06:22 23 that that might limit you further.

06:22 24 So on the far right side in red is Racine
06:22 25 Quarry, and you'll see that that's the only area

06:23 1 around here. Ideally, if we had the opportunity to
06:23 2 go out in the middle of a farm field in the middle
06:23 3 of Racine County and open a quarry, we would do
06:23 4 that.

06:23 5 Unfortunately, the material isn't there
06:23 6 to be able to do that. And one of the reasons that
06:23 7 this quarry started was the rock was within three,
06:23 8 four feet back in the day. If you get in some of
06:23 9 those other areas, there's up to 200 feet of
06:23 10 overburden on top, and if the thickness of stone
06:23 11 underneath is very minimal there, it doesn't pay to
06:23 12 open a quarry there.

06:23 13 Now, one of the reasons it's important to
06:23 14 have an aggregate source close is the cost of
06:23 15 trucking. Many of you might know that aggregates,
06:23 16 crushed stone, it's a high volume, low unit cost
06:23 17 type of material which means transportation costs
06:23 18 play a significant impact on the cost of those
06:23 19 materials to the end user.

06:24 20 A majority of those end users end up
06:24 21 being the towns, the villages, county, state, and a
06:24 22 lot of the road projects and infrastructure
06:24 23 projects that occur. So this map here shows if you
06:24 24 had a typical job in the middle of the village of
06:24 25 Caledonia, symbolized by the Caledonia symbol, what

06:24 1 the additional cost would be per truckload to haul
06:24 2 from these other crushed stone sites. So you'll
06:24 3 see the only other quarry in Racine County is in
06:24 4 Burlington. So to haul from there to that job
06:24 5 would be \$120 per truckload. So if you had 100
06:24 6 truckloads for that job, you'd have to multiply
06:24 7 that by another hundred. So -- And as fuel costs
06:24 8 go up, those prices go up proportionately with
06:24 9 those increased fuel costs.

06:24 10 So the closer you be to the end users is
06:24 11 going to save everybody money whether it's the
06:24 12 consumer or the taxpayers.

06:25 13 MR. ENDRES: So we'll get into our
06:25 14 current operations right now. And like the slide I
06:25 15 showed before, this is an outline of all the
06:25 16 property that Payne & Dolan owns. 349 acres total.
06:25 17 In Caledonia, 319 acres. In the city of Racine,
06:25 18 30 acres.

06:25 19 What I want to do is just point out what
06:25 20 we're currently doing. And if we can work from the
06:25 21 right side of the picture to the left, you'll see
06:25 22 our Charles Street yard. That is -- In some of
06:25 23 Clint's pictures before, the railcars were parked
06:25 24 and they were stockpiling material. And then right
06:25 25 in the intersection of 3 Mile and Charles Street is

06:25 1 our main entrance and office and scale. And then
06:25 2 if you follow the dashed red line down, that's the
06:25 3 ramp that goes down into the quarry.

06:25 4 And at the bottom of the east quarry we
06:25 5 have our crushing and stockpiling area. That will
06:26 6 not change with our proposal tonight. That will
06:26 7 stay there. The red line is the tunnel that
06:26 8 connects the two quarries. And then on the north
06:26 9 end of the west quarry is where we load railroad
06:26 10 cars and we ship to customers via rail.

06:26 11 Regulations. We are a heavily regulated
06:26 12 industry, and we have a great track record of
06:26 13 compliance. Blasting, air and water, reclamation,
06:26 14 trucking are the majors. The Village of Caledonia
06:26 15 has a blasting ordinance that we follow and we take
06:26 16 very seriously. And with this project and the
06:26 17 perimeter of the quarry changing slightly, the
06:26 18 notification radius for the blasting permit will
06:26 19 increase, so there will be new people that are now
06:26 20 within the radius, and those people would be
06:26 21 offered the same things we offered, you know,
06:26 22 previous people that have been within our
06:26 23 operation.

06:26 24 We can have -- We hire a third company --
06:27 25 a third-party independent company to come out and

06:27 1 perform pre-blast surveys of your home, they can
06:27 2 document the existing conditions, and it's a report
06:27 3 you can keep. It actually protects the homeowner,
06:27 4 and it also protects us because the Caledonia
06:27 5 blasting permit is very good one -- the ordinance
06:27 6 is a very good one, and we're very confident that
06:27 7 we will do no damage as long as we stay within
06:27 8 those parameters.

06:27 9 Air and water, we have an awesome
06:27 10 reputation with the DNR, and we take a lot of pride
06:27 11 in that.

06:27 12 Reclamation, Racine County, we've got
06:27 13 several sites that we have operated and reclaimed
06:27 14 within County of Racine, and I think we're well
06:27 15 respected at the county level.

06:27 16 And trucking, we take that very seriously
06:27 17 too. We don't always hire all the trucks. We have
06:27 18 limited control over them, but we've had neighbors
06:27 19 and residents complain about, for example, trucks
06:27 20 on 3 Mile that weren't supposed to be hauling that
06:27 21 way. So we put together a flyer, explained the
06:27 22 truck route, explained where they couldn't go, and
06:27 23 for a week every truck that left that quarry,
06:27 24 whether they were making seven trips in a day, they
06:28 25 all got that flyer just in an effort to try and be

06:28 1 good neighbors.

06:28 2 So how do we have such a good record?

06:28 3 Well, many different ways. We incorporated our
06:28 4 B&Ps right out of the gate with our site designs.

06:28 5 Paved entrances, landscaping, putting up big berms,
06:28 6 wheel washes, putting our operations down in the
06:28 7 hole, and then applying operational controls like
06:28 8 watering, speed limits, hitting transfer points
06:28 9 with water, sweeping, things of that nature.

06:28 10 So now we'll get into the project
06:28 11 overview. You know, the area that we're asking
06:28 12 for, a rezone, the project development plan, our
06:28 13 reclamation plan and some conceptual end uses.

06:28 14 So here is the zoomed-in area that I
06:28 15 started out with from the east and northeast
06:28 16 portion of our property. The rezoned acres is --
06:28 17 are 31. So the area in orange is the area where
06:28 18 we're requesting a rezone, and the area in yellow
06:29 19 is 20 acres that is currently zoned M-4 quarry
06:29 20 district, so we'll mine that at some point.

06:29 21 What we're trying to do is incorporate a
06:29 22 plan here that gives a better end use to the quarry
06:29 23 when both of those are done. So the area in the
06:29 24 red dashed line, that's the proposed quarry limits,
06:29 25 meaning there will be no mining farther than that

06:29 1 red line. The orange area goes further than that
06:29 2 for the rezone, but that's just for buffer land.

06:29 3 So something I wanted to point out, you
06:29 4 saw all the land that we do own. The 31 acres that
06:29 5 we're asking for a rezone in is only 25 percent of
06:29 6 the land that we own to the north and the northeast
06:29 7 of our existing quarry. I mean, it's only
06:29 8 9 percent of the total property we own, but in this
06:29 9 general area, it's only 25 percent of what we
06:29 10 currently have out there.

06:29 11 And this slide shows it a little bit
06:29 12 better. So here the area in red is the area that
06:29 13 we're asking for CUP for extraction, the area that
06:30 14 we would like to go into, add on to our current
06:30 15 nonconforming acreage on the south. So it's
06:30 16 14 acres out of a total of 122 acres that we own.
06:30 17 The farm fields to the north and to the east, they
06:30 18 all have stone underneath them, but we really put a
06:30 19 lot of time and thought into how could this be a
06:30 20 win-win for the community and for us, so we truly
06:30 21 believe is that the 14 acres we're asking for is
06:30 22 reasonable.

06:30 23 I'd like to point out that the area on
06:30 24 the south that's hashed in light blue, that's
06:30 25 3 acres that's currently zoned M-4 that with this

06:30 1 project and proposal we would be giving up to have
06:30 2 additional buffer on the south side and the east
06:30 3 side for our neighbors. So again, that 14 acres is
06:30 4 only 11 percent of the total area that we own north
06:30 5 and east.

06:30 6 So here. This -- I'd like to walk
06:30 7 through some bullets here and point out some
06:31 8 things. Like I said, we had the public
06:31 9 informational meeting which was really advantageous
06:31 10 for us, to hear some ideas from the community that
06:31 11 we've been able to incorporate into here. There
06:31 12 were some really good ideas.

06:31 13 So starting out with No. 1, obviously,
06:31 14 relocating Charles Street. It currently goes
06:31 15 straight north and south. Now we're proposing a
06:31 16 little bend to the east and then going south.
06:31 17 Along with realigning Charles Street, we're going
06:31 18 to add a bike path. There's currently no
06:31 19 off-street bike lane, so we're going to put in a
06:31 20 right-of-way -- a six-foot-wide bike path
06:31 21 connecting the Ellis neighborhood to the south.

06:31 22 Item No. 3, a landscaped operations berm.
06:31 23 Right now you have a beam guard on Charles Street
06:31 24 and a roughly 200-foot vertical drop, and there's
06:31 25 nothing we can do about that. That will be there

06:31 1 until, well, we're long gone.

06:31 2 With this new proposal, we have the
06:31 3 ability to apply today's best practices to how you
06:31 4 set up and operate mines, and we can put in a very
06:32 5 nice landscape berm that's got trees on it and
06:32 6 provides a really nice buffer going forward.

06:32 7 Item No. 5 -- Or excuse me. Item No. 4.
06:32 8 This here came out of the informational meeting
06:32 9 with the community. It was great. So some people
06:32 10 were concerned with the realignment of Charles
06:32 11 Street, if cars were coming to the north at night,
06:32 12 they might be shining headlights in people's
06:32 13 windows, so we said, "Okay. What if we put a
06:32 14 six-foot-high berm and put trees along it so we can
06:32 15 shelter any light coming into your house?" And
06:32 16 people thought that would be great. So No. 4 is
06:32 17 actually something that came right out of the
06:32 18 informational meeting we had with our neighbors.

06:32 19 5 also came out of that meeting. So we
06:32 20 have some neighbors to Racine that aren't governed
06:32 21 by the Village of Caledonia but still matter, so
06:32 22 there was an area of vegetation currently between
06:32 23 the city of Racine property and our Charles Street
06:32 24 yard that's really overgrown, buckthorn and nasty
06:32 25 trees, old tires, who knows what's in there, and a

06:32 1 citizen came up and said, "Hey. You know, we'd
06:32 2 really like to see that cleaned up." So as part of
06:33 3 this proposal here, we'll wipe out all the bad
06:33 4 stuff, clean up all the garbage and plant it with a
06:33 5 new, nice vegetative buffer, adding a nice 50-foot
06:33 6 buffer between the relocated Charles Street and our
06:33 7 neighbors in Racine to the east.

06:33 8 Then Area 6 I'd like to point out in our
06:33 9 project area. That's where the overburden is going
06:33 10 to come from. So what I'd like to point out is
06:33 11 there's probably an average of 30 to 40 feet of
06:33 12 overburden on top of the rock. So from Charles
06:33 13 Street, you go up 15 feet or so with a nice
06:33 14 landscape berm and then you remove the overburden,
06:33 15 you're going to be, you know, 30 to 50 feet below
06:33 16 grade before you get to the top of the limestone.
06:33 17 So we're already going to be well below like what
06:33 18 people see up on Charles Street. So we use that
06:33 19 Area 6 for overburden to build our berms along the
06:33 20 perimeter of the property, and then Area No. 7 is
06:33 21 basically Area 6 minus the overburden. That's the
06:33 22 top of the limestone where we start to mine over
06:33 23 the next 20 , 25 years.

06:33 24 Area -- or Bullet Point No. 8 is our
06:34 25 current crushing and stockpiling area. That will

06:34 1 not change with this proposal. That will stay
06:34 2 there. That is permanent, in concrete footings, so
06:34 3 that will stay there.

06:34 4 And then 9, the sales and trucking area,
06:34 5 that will remain where it is with a slight
06:34 6 realignment with 3 Mile Road being rebuilt next
06:34 7 year as well.

06:34 8 And the last thing that I'd like to point
06:34 9 out that I really thought was a great idea that
06:34 10 came from the neighbors and I hope shows our
06:34 11 commitment to trying to find a win-win is Bullet
06:34 12 Point No. 10. We're willing to deed restrict the
06:34 13 remaining field to the north and to the east of
06:34 14 Charles Street there from mining. So we can't --
06:34 15 We'll put in there that we can't come back and ask
06:34 16 you guys to relocate Charles Street again to go
06:34 17 after that.

06:34 18 So we thought that was a very important
06:34 19 thing to -- a good faith effort with the community
06:34 20 to show that we're serious about this being the
06:34 21 final development phase of our quarry.

06:34 22 MR. WANGGAARD: How many acres total?

06:34 23 MR. ENDRES: So 122 acres total, and the
06:35 24 CUP area we're asking is 31 acres, and so, you
06:35 25 know, 90-ish. I can get you the exact. I don't

06:35 1 know off the top of my head.

06:35 2 MR. WANGGAARD: Thank you.

06:35 3 MR. WENINGER: So what happens when we're
06:35 4 done mining with this site? That's basically --
06:35 5 For most people that don't know, that's called the
06:35 6 reclamation phase of it. And if you don't know,
06:35 7 all aggregate sites in the state now have to have a
06:35 8 reclamation plan. This site has a reclamation plan
06:35 9 that the village has seen before, and it has been
06:35 10 approved. We would have to modify that plan now to
06:35 11 include this portion.

06:35 12 So what happens at the end is we're going
06:35 13 to take that screening berm completely down. We're
06:35 14 going to take it down to the level of the existing
06:35 15 grade that's out there now, and we're going to
06:36 16 grade the slope that's going to go down into the
06:36 17 quarry. What's going to happen is we're going to
06:36 18 turn the pumps off because in order to keep the
06:36 19 quarry dry, we have to pump it down, similar to
06:36 20 like your sump pump in your house.

06:36 21 We'll turn the pumps off, the water will
06:36 22 come up, and it's going to come up to about five,
06:36 23 six feet below the elevation of the existing grade
06:36 24 along Charles Street. So perimeter berms are
06:36 25 removed, there will be a 101-acre lake just in the

06:36 1 east quarry. But the important part, there's going
06:36 2 to be 17 acres of improved use. So if you look at
06:36 3 the map that's in front of you now, if you go from
06:36 4 Charles Street along 3 Mile to the east and then go
06:36 5 completely to the north along the newly located
06:36 6 Charles Street, wrap around all the way behind
06:36 7 St. Rita's, that area in green is all going to be
06:36 8 available for future use. That's approximately
06:36 9 4,200 feet of shoreline that would then be
06:37 10 available.

06:37 11 So I'm going to go to a cross-section in
06:37 12 the next slide, and that cross-section takes place
06:37 13 about where the Charles Street yard is down in the
06:37 14 southeast corner. It will go through the
06:37 15 extraction area and the reclamation area, through
06:37 16 the relocated Charles Street and to the east
06:37 17 property line.

06:37 18 So starting on the top picture to the
06:37 19 right is to the east, if you would. So that's our
06:37 20 east property line, and that's our existing
06:37 21 conditions. We currently have that area of trees
06:37 22 there. There's a small little berm in the middle,
06:37 23 and then you hit our Charles Street yard where we
06:37 24 do stockpiling in that area, and that's
06:37 25 approximately 500 feet from the left side of that

06:37 1 slide over to Charles Street from there.

06:37 2 The next slide down is showing that
06:37 3 cross-section during operations. So the 50-foot
06:37 4 buffer on the far right that Brian mentioned behind
06:37 5 those homes that we clean up, that's that area of
06:37 6 trees that you see there. We would have a 76-foot
06:38 7 right-of-way where Charles Street would be
06:38 8 relocated. That's consistent with the existing
06:38 9 right-of-way.

06:38 10 On the west side of that, we would have a
06:38 11 six-foot bike path. And then we would hit -- We'd
06:38 12 have a 25-foot setback from there. We'd hit a
06:38 13 safety fence, and then our screening berm from
06:38 14 there. So you'll see the trees planted obviously
06:38 15 on the public view side of the screening berm.

06:38 16 And from the top of the berm going to the
06:38 17 left is a slope down to the top of rock. So by the
06:38 18 time you get to the far left hand, that's the
06:38 19 actual extraction area. And if you go across the
06:38 20 top of the page, you'll see there's a 200-foot
06:38 21 minimum extraction set back from our property line,
06:38 22 and that's by your zoning ordinance that we have to
06:38 23 maintain.

06:38 24 If you go to the bottom slide, that's
06:38 25 reclamation when it's complete. You'll see that

06:38 1 the berm is completely removed, taken down to
06:39 2 grade. The portion of the slope that goes from
06:39 3 that grade down into the water will extend down
06:39 4 into the water, making a safety shelf, so safe
06:39 5 access, and then you'll see that it's nice and
06:39 6 sloped down to the top of rock, and then the water
06:39 7 is going to fill in in an area approximately
06:39 8 30 feet or so above the top of the rock.

06:39 9 So the area that you see between the
06:39 10 water's edge and our east property line would now
06:39 11 be available for future development. What that
06:39 12 future development looks like is really up to the
06:39 13 Village of Caledonia.

06:39 14 Here is a conceptual end use showing
06:39 15 residential. We just threw some single-family
06:39 16 homes in there surrounding the property. Here is a
06:39 17 mixed use with some park land and some residential
06:40 18 -- park land up on the north and residential. Now,
06:40 19 we're not showing this as a final condition because
06:40 20 we're not sure what the community is going to want.

06:40 21 Typically, what we've done in this
06:40 22 instance, we can either delay that final concept
06:40 23 until the end so the community at that time can
06:40 24 dictate what it is, or we can set aside certain
06:40 25 areas for certain uses at this time depending on

06:40 1 what the board's desires and the village's desires
06:40 2 are.

06:40 3 Now, this is our current reclamation
06:40 4 plan. The reason I wanted to show this is because
06:40 5 if you look on the east quarry starting at about
06:40 6 our entrance into the site going all the way to the
06:40 7 north along the east edge and along the north
06:40 8 boundary, then you'll see that there's no green at
06:40 9 all. Well, the reason is because that area has
06:40 10 been mined up so close to those property lines that
06:40 11 we can never go back and touch that and do any
06:40 12 reclamation with the site as it is exists right
06:41 13 now.

06:41 14 The west quarry is a little different.
06:41 15 You'll see more green space around there. Well,
06:41 16 that quarry was developed later. Ample space was
06:41 17 left, and we have nice slopes to the top of rock
06:41 18 that can be seeded, be vegetated, and that's why
06:41 19 that green area shows there.

06:41 20 So under our current reclamation plan,
06:41 21 this is a shot looking to the -- If we were in the
06:41 22 open field looking to the southeast, you'll see our
06:41 23 Charles Street yard in that middle picture. You'll
06:41 24 see the berm with trees on it and then Charles
06:41 25 Street, and then you can see it's pretty much a

06:41 1 steep drop-off from our fence line down to the top
06:41 2 of the rock. There's nothing that can ever be done
06:41 3 with that.

06:41 4 The top picture in the top right, that's
06:41 5 from this spring showing its guardrail, you've got
06:41 6 10, 15 feet of green space, and then you've got a
06:41 7 fence, and then it's a steep drop-off.

06:41 8 Now, in our proposed reclamation plan,
06:41 9 all that area that you see in green in the east
06:42 10 quarry will now have a nice, gentle slope going
06:42 11 down to lake elevation, similar to what this
06:42 12 picture shows here. That area that you see then in
06:42 13 green will be able to be developed and have a
06:42 14 future end use. That's currently not available
06:42 15 here.

06:42 16 Payne & Dolan has a long history of
06:42 17 reclaiming sites. I think Brian mentioned that
06:42 18 earlier. Would have a long history with the Racine
06:42 19 County. They do a lot of our site inspections,
06:42 20 look at our reclamation. And we've done things
06:42 21 anywhere from agricultural reclamation to
06:42 22 development reclamation as well.

06:42 23 This is one of our most recent projects
06:42 24 that occurred in a heavily developed area in the
06:42 25 village of Big Bend, so just west of Muskego in the

06:42 1 southwest corner of Waukesha County. And this
06:42 2 project entailed taking a reclaimed gravel pit or
06:42 3 an unreclaimed gravel pit, sorry, on the far
06:43 4 southeast corner in a farm field, excavating quite
06:43 5 a bit of material, creating a 29-acre of lake and
06:43 6 then developing single-family homes around it upon
06:43 7 completion. This project added approximately
06:43 8 \$16 to \$18 million of valuation to the village, and
06:43 9 this was just completed -- I think they started
06:43 10 like -- It will be two years now. They had -- All
06:43 11 the lots were sold out in a year surrounding this
06:43 12 project.

06:43 13 So we can develop these things and do a
06:43 14 final end use that's going to be conducive to what
06:43 15 the village's needs are and what their vision is in
06:43 16 the future as well.

06:43 17 MR. ENDRES: Thanks, Clint. So just some
06:43 18 additional photos that Clint must have had in here
06:43 19 for the Lake Park development from the air. You
06:44 20 can see the home sites being built around it. The
06:44 21 bottom left is the way we left it, and then we put
06:44 22 the road around it, and now the homes are going in.

06:44 23 So again, thank you for your time, and I
06:44 24 want to end with the benefits to the community from
06:44 25 our perspective. Growth is happening, and it's

06:44 1 going to continue to happen, and a local source of
06:44 2 aggregates will provide the best, lowest cost
06:44 3 infrastructure to the community, and it will be a
06:44 4 continued source of local aggregates.

06:44 5 New infrastructure will be supplied as
06:44 6 part of this project. Charles Street and all the
06:44 7 utilities that were underneath it will be new.

06:44 8 We've all seen the horror stories across the
06:44 9 country of aging utilities, sinkholes and pipes
06:44 10 blowing out. This will all be a new section.

06:44 11 The operational buffer that we'll create
06:44 12 with the berm and the trees I think will really be
06:44 13 an added benefit. The deed restriction of limiting
06:44 14 future mining, I think that's a very important part
06:44 15 and a very big bonus and benefit to the community.
06:45 16 As Clint said, the future development value for the
06:45 17 Village of Caledonia, that will be decided by the
06:45 18 village, what they would like to see along that
06:45 19 area when we're finished.

06:45 20 A continued source of local jobs in the
06:45 21 community -- not for just our employees, but for
06:45 22 the many, many employees whose companies depend on
06:45 23 our quarry to provide the materials for what they
06:45 24 do. And then the potential for public amenities
06:45 25 including a park, public access to that lake, and a

06:45 1 bike path. With that, we really thank you for your
06:45 2 time and appreciate your attention.

06:45 3 MR. DOBBS: Thank you, Brian. Is there
06:45 4 any questions right now before we get into the
06:46 5 public comments section from the commission? Any
06:46 6 questions before we get into the public session?
06:46 7 Duane?

06:46 8 MR. MICHALSKI: Just out of curiosity, as
06:46 9 far as the utilities and infrastructure being
06:46 10 moved, who is going to be paying for that?

06:46 11 MR. ENDRES: That would be at our
06:46 12 expense.

06:46 13 MR. WANGGAARD: That's it?

06:46 14 MR. DOBBS: That's it. Mr. Wanggaard?

06:46 15 MR. WANGGAARD: Can you put that slide
06:46 16 back up for the -- Can you expand that area,
06:46 17 please?

06:46 18 MR. ENDRES: This one?

06:46 19 MR. WANGGAARD: Yes. That will work.
06:46 20 Where do you guys plan to start mining and where
06:46 21 would your end point be in the mining process?

06:47 22 MR. ENDRES: So what we do with this, in
06:47 23 Area 6 and 7, once the overburden is stripped off
06:47 24 and we have the berms built, what we would do is we
06:47 25 would work this site basically north and south so

06:47 1 that we're not staying in one area for too long.
06:47 2 So the idea would be to get -- We're going to be 30
06:47 3 or so feet below grade to start and probably
06:47 4 50 foot when we go to the top of the berm, but
06:47 5 we'll want to get that down lower because the lower
06:47 6 we can get in there, the less potential noticing of
06:47 7 us around will be.

06:47 8 So we'll try and take that down in
06:47 9 layers, you know, starting from the south, working
06:47 10 to the north or depending on, you know, how we put
06:47 11 our ramps in there, but it will go down in layers.

06:47 12 MR. WANGGAARD: Okay. Because I guess
06:47 13 I'm asking, what -- How long is a typical -- How
06:47 14 long would it typically take you to move -- let's
06:47 15 say to clear 15 feet off of that whole area or 15
06:47 16 feet, whatever it is for the blasting?

17 MR. ENDRES: So --

06:47 18 MR. WANGGAARD: Do you hear where I'm
06:47 19 going?

06:47 20 MR. ENDRES: No.

06:47 21 MR. WANGGAARD: I'm trying to figure out
06:48 22 where you would -- in 20 years -- over 20 years --

06:48 23 MR. ENDRES: So the -- That's about 20 to
06:48 24 25 years of reserves in that area, in 6 and 7. We
06:48 25 will deplete that in about 20 or 25 years at

06:48 1 current market conditions.

06:48 2 MR. WANGGAARD: And that goes down --

06:48 3 MR. ENDRES: That's about 200 feet deep,
06:48 4 Clint?

06:48 5 MR. WENINGER: About 240.

06:48 6 MR. ENDRES: About 240 feet deep.

06:48 7 MR. WANGGAARD: Okay. So you'd be going
06:48 8 -- You take everything off, and then you'd start
06:48 9 going from the top straight across and kind of
06:48 10 leveling it out, basically?

06:48 11 MR. ENDRES: So we'd strip off all the
06:48 12 overburden and have the top of rock exposed, and
06:48 13 then what we would do is we would be mining from
06:48 14 top down in different areas of the quarry so that
06:48 15 we can be going down in benches.

06:48 16 So, you know, we can start at the north
06:48 17 end and work to the south and then at the south
06:48 18 turn around and go back to the north kind of a
06:48 19 thing. So you're going to work it down in
06:48 20 probably, you know, 20- to 40-foot benches.

06:48 21 MR. WANGGAARD: Okay. So I guess my
06:48 22 question would be when you're going to get it over
06:48 23 to the crushers, the crushers would be on the site.
06:48 24 Correct?

06:48 25 MR. ENDRES: So what you'll see there is

06:48 1 you'll have a big high wall. So what we'll have to
06:49 2 do is we'll build a ramp down so that our haul
06:49 3 trucks will be hauling down to the crusher, not
06:49 4 unlike what they do right now hauling from west to
06:49 5 east quarry.

06:49 6 MR. WANGGAARD: Okay. And then the
06:49 7 300-foot buffer that you put up there --

06:49 8 MR. ENDRES: To the north? Yeah.

06:49 9 MR. WANGGAARD: To the north. Now, that
06:49 10 300-foot buffer is from the end of your berm to the
06:49 11 residential area?

06:49 12 MR. ENDRES: So our property line at the
06:49 13 north, 300 feet south will be the edge of the
06:49 14 mineral extraction. So that will be the quarry --
06:49 15 The new quarry wall on the north end will be
06:49 16 300 feet. By ordinance, it only has to be
06:49 17 200 feet, but we went an extra 100 feet just to be
06:49 18 away from those homes and put a nice, you know, big
06:49 19 buffer and berm in there, so we stayed an extra
06:49 20 100 feet south.

06:49 21 MR. WANGGAARD: Okay. The water wash
06:49 22 that you've got is going to -- And you guys --
06:49 23 Explain a little bit what you've been doing as far
06:50 24 as the water wash and what you've been doing as far
06:50 25 as controlling dust. I know there were some issues

06:50 1 that were brought up prior when we were talking
06:50 2 about the blasting permit itself --

06:50 3 MR. ENDRES: Yeah. You bet.

06:50 4 MR. WANGGAARD: -- with some of the area
06:50 5 residents.

06:50 6 MR. ENDRES: Yeah.

06:50 7 MR. WANGGAARD: Speak a little bit about
06:50 8 that.

06:50 9 MR. ENDRES: Yeah. So we have -- On this
06:50 10 site we implement our best management practices for
06:50 11 fugitive dust, and we have permits through the DNR
06:50 12 that we have to follow. So our foreman is
06:50 13 responsible to making sure our water truck is
06:50 14 watering our site, our ramps coming in and out and
06:50 15 also our transfer points, where it's going from one
06:50 16 conveyor to another and there could be dust, we
06:50 17 have water systems down there to control that dust.

06:50 18 So when a truck is coming up and out of
06:50 19 the hole, it could pick up some dust or mud from
06:50 20 having moist roads. It's got a wheel wash that
06:50 21 sprays up on that truck with high pressure to knock
06:50 22 off that dust, and then they leave clean. But we
06:50 23 also have a fleet of sweeper trucks that make
06:50 24 regular swings through the roads coming in and out
06:51 25 of the quarry and up and down Douglas.

06:51 1 We also load railcars from our west
06:51 2 quarry up to the rail line, and we did have a
06:51 3 neighbor along Douglas Avenue that had -- was
06:51 4 perceiving that he had a dust problem from us, and
06:51 5 so we spent a lot of time with them and actually
06:51 6 even while we were investigating on our own side of
06:51 7 the coin trying to figure out what could this be --
06:51 8 Because we couldn't find a source that was coming
06:51 9 from us. So we even gave him a couple months of
06:51 10 car washes while we were doing some investigation
06:51 11 on our own side.

06:51 12 We have increased water systems on that
06:51 13 high-angle conveyor where it loads the railcars.
06:51 14 There's a spray system that goes right there. So
06:51 15 we feel like we've eliminated any variable that
06:51 16 could have possibly been even transmitting dust
06:51 17 even though we didn't honestly notice.

06:51 18 Because the operator who is loading the
06:51 19 railcars is physically sitting right above the cars
20 when he's loading it. So if he were to see any
21 dust, he's supposed to report it, and he hadn't
06:51 22 seen any. So we've gone above and beyond there,
06:52 23 but we've also increased the area that we sweep.
06:52 24 Because there is a lot of construction traffic in
06:52 25 and around this quarry that is not necessarily

06:52 1 related to our quarry, but if our sweeper is going
06:52 2 up Douglas, it doesn't hurt us to go another block
06:52 3 further and then come back down to the south. So
06:52 4 we've just done that.

06:52 5 So by following our, you know, dust
06:52 6 control measures of watering inside the pit,
06:52 7 watering at our transfer points, adding a couple
06:52 8 additional watering spots on our high-angle
06:52 9 conveyor, we feel we've got a very good handle on
06:52 10 that.

06:52 11 MR. WANGGAARD: I've got a couple more
06:52 12 questions here.

06:52 13 MR. ENDRES: Sure.

06:52 14 MR. WANGGAARD: You're monitoring for the
06:52 15 vibrations after you blast or while you blast.

06:52 16 MR. ENDRES: Yep.

06:52 17 MR. WANGGAARD: How -- Where have you got
06:52 18 -- Explain to me or to everybody here what that
06:52 19 entails as far as where those -- when you do that,
06:52 20 how it's measured.

06:52 21 MR. ENDRES: Sure.

06:52 22 MR. WANGGAARD: Where you've got
06:52 23 measuring stations, if you've got measuring
06:52 24 stations close by --

06:52 25 MR. ENDRES: Yeah.

06:52 1 MR. WANGGAARD: -- where that would be in
06:52 2 this projected expansion.

06:53 3 MR. ENDRES: So we hire an outside
06:53 4 company called Vibra-Tech to set up and monitor our
06:53 5 blasting operations, and they use what's called a
06:53 6 seismograph that measures the ground vibration.
06:53 7 And they're set up -- I don't have a slide that
06:53 8 shows exactly where they are, but they have to be
06:53 9 set up at the closest point to the blast that we
06:53 10 don't own, so they move around once in a while.

06:53 11 So what we would do over here is we would
06:53 12 work with Vibra-Tech and property owners and the
06:53 13 villages to set up permanent seismographs here that
06:53 14 will, you know, monitor our operations. And the
06:53 15 nice thing about hiring a third party company like
06:53 16 Vibra-Tech -- and we do this in the Franklin and in
06:53 17 the Waukesha quarries -- is as soon as you have
06:53 18 your blast event, the seismograph reads it and it's
06:53 19 e-mailed. And it can go to the village, it goes to
06:53 20 us, it goes to Vibra-Tech, and it also goes to the
06:53 21 State of Wisconsin. Because we have to report
06:53 22 every blast to the State of Wisconsin.

06:53 23 So there's no chance that we could ever
06:54 24 influence the results of that. Like it is what it
06:54 25 is. We have to live with it. So if we ever made a

06:54 1 mistake, it would be right there. So we would be
06:54 2 putting up the same technology with the same third
06:54 3 company to monitor this area when we'd be blasting
06:54 4 in there.

06:54 5 And without going too deep in your
06:54 6 question, the science behind blasting and vibration
06:54 7 is very proven and very detailed, and there are
06:54 8 things out there, the U.S. Bureau of Mines, the
06:54 9 State of Wisconsin DSPS -- There's the office that
06:54 10 regulates blasting -- They know us well, and we
06:54 11 have a really, really good track record with them.

06:54 12 And it's -- I'm up here speaking as the
06:54 13 fox guarding the henhouse, I understand that, but
06:54 14 there's science out there that we can prove that
06:54 15 our operations are not damaging your foundation. I
06:54 16 grew up next to a quarry in Madison, actually, and
06:54 17 that's what my parents thought when we grew up.
06:54 18 But it can be proven that we're not doing that.

06:54 19 And any homes that are within our
06:54 20 proposed operation area here that are now within
06:54 21 the ordinance radius, they can get the pre-blast
06:55 22 inspections of their basement that can provide them
06:55 23 a really nice security blanket for them.

06:55 24 MR. WANGGAARD: I know you're going to
06:55 25 get some of that tonight, but -- you know, as far

06:55 1 as people saying that -- mentioning that there
06:55 2 potentially could be damage to their basement so
06:55 3 I'd be prepared for that one. But --

06:55 4 MR. ENDRES: Yep.

06:55 5 MR. WANGGAARD: -- have you got any
06:55 6 physical stations set up currently now? I know
06:55 7 that you may have had one by a gentleman who read
06:55 8 about a quarry.

06:55 9 MR. ENDRES: Yeah. Nathan Splice. We
06:55 10 had one. And then Derek, our blasting manager, is
06:55 11 not here, but Clint, do you know the exact --

06:55 12 MR. WENINGER: So we have right now --
06:55 13 Because most of -- Well, since we've owned it, all
06:55 14 the blasting has been in the west quarry. We have
06:55 15 two permanent seismographs set up over there.
06:55 16 One's at 2520 3 Mile Road, I believe, and up by the
06:55 17 property to the northwest corner by the old fire
06:56 18 station training facility or whatever you want to
06:56 19 call that piece up there.

06:56 20 So those are two permanent seismographs,
06:56 21 but we also have the flexibility to set up portable
06:56 22 ones. If we have neighbors call and say, "Hey, I'd
06:56 23 like you to measure it at my house," we can take a
06:56 24 portable one, set it and get a portable one in
06:56 25 addition to the permanent ones. Those are the two

06:56 1 that we have right now.

06:56 2 MR. WANGGAARD: Okay. And then one last
06:56 3 question here. Dust monitor. What are we doing --
06:56 4 What's being done for dust monitoring? I know
06:56 5 that's -- Again, that's going to be another thing
06:56 6 that's going to be brought up, and I'm going to ask
06:56 7 you now what we're doing for dust monitoring here
06:56 8 within the village and how that works.

06:56 9 MR. ENDRES: Sure. So what we do right
06:56 10 now is we have an environmental department. So
06:56 11 with the State of Wisconsin and the permits that we
06:56 12 have, with our track record with them and with the
06:56 13 status of the operation that we are, we're
06:56 14 considered a low-volume potential for any kind of
06:57 15 pollution.

06:57 16 So we have trained people that do visual
06:57 17 emissions testing. So all the pieces of equipment
06:57 18 have to be visually inspected for dust and opacity
06:57 19 along with filling out our daily workplace
06:57 20 inspections, and all this stuff gets submitted to
06:57 21 the DNR, and that's how they monitor us through our
06:57 22 own environmental department. So there's daily,
06:57 23 weekly, and monthly reports that we have to submit
06:57 24 to the DNR, and then there's our environmental
06:57 25 managers that have to actually go down and visually

06:57 1 inspect all of the equipment.

06:57 2 MR. WANGGAARD: Okay. That's all I have
06:57 3 for now. Thank you.

06:57 4 MR. MINORIK: Can you put the slide up on
06:57 5 the screen -- the property you owned in the '40s or
06:57 6 '50s?

06:57 7 MR. ENDRES: Yeah. Sure.

06:57 8 MR. MINORIK: The two that go from '55 to
06:57 9 '15.

06:57 10 MR. ENDRES: That one?

06:58 11 MR. MINORIK: So that's the property that
06:58 12 you owned back in 1955?

06:58 13 MR. ENDRES: No. That's the property
06:58 14 that we own now. It was just showing an air photo
06:58 15 from 1955.

06:58 16 MR. MINORIK: Okay. Could you maybe help
06:58 17 us understand what you owned in 1955?

06:58 18 MR. ENDRES: Off the top of my head I
06:58 19 can't tell you exactly what we owned in 1955
06:58 20 because we acquired this from Vulcan in '13, and we
06:58 21 have not purchased any new land since we bought it
06:58 22 from Vulcan. So we can get you that if you want to
06:58 23 know exactly what was what.

06:58 24 MR. WENINGER: I don't have it, but I
06:58 25 think the village attorney has a map that has the

06:58 1 property we bought. Well, we can get you that.

06:58 2 MR. MINORIK: All right. And I guess you
06:58 3 mentioned that if you were to develop the -- I
06:58 4 think it's 14 acres to the east, that it would --
06:58 5 It would prolong operation for 20 to 25 years.

06:58 6 MR. WENINGER: Yeah.

06:58 7 MR. MINORIK: If, for whatever reason,
06:58 8 this is not granted, how many years -- how many
06:59 9 months, days do you have left of operation with the
06:59 10 current --

06:59 11 MR. ENDRES: Yeah. So that's been a
06:59 12 misnomer out there. We have a permanent crushing
06:59 13 spread that's set up down in the hole that's on
06:59 14 concrete footings and electrical. And if we take
06:59 15 that down, then -- Ethan is going to get his
06:59 16 pointer going there -- then we can mine all the
06:59 17 reserves underneath that, and we still have our
06:59 18 20 acres on the east of Charles Street to mine.

06:59 19 So we're saying we have two or three
06:59 20 years left before we have to take that crushing
06:59 21 spread down and then mine the stuff with portable
06:59 22 stuff. Take out the permanent stuff, bring in our
06:59 23 portable operations and continue mining.

06:59 24 MR. MINORIK: So the answer is between
06:59 25 two and three years?

06:59 1 MR. ENDRES: No. So the answer is
06:59 2 there's probably another seven, eight years
06:59 3 underneath that.

06:59 4 AUDIENCE MEMBER: On the east or the
06:59 5 west? On the east hole or the west hole?

06:59 6 MR. MINORIK: If you were not to have any
07:00 7 additional permitting for mining, you're saying
07:00 8 that you've got enough granite or stone here to
07:00 9 work another seven or eight years? Is that what
07:00 10 you're saying?

07:00 11 MR. ENDRES: Yes. But that would be a
07:00 12 considerable cost to take down the permanent
07:00 13 crushing equipment that's there. So without boring
07:00 14 you with too many details, when you're set up with
07:00 15 permanent stuff, it's much larger. So the impact
07:00 16 of taking out the large operation and bringing in
07:00 17 portable stuff is it's much slower production, so
07:00 18 then the end cost to the user goes up as well. So
07:00 19 it's much more efficient to do what we have there
07:00 20 right now.

07:00 21 MR. MINORIK: All right. And you also
07:00 22 had a slide that talks about number of employees.

07:00 23 MR. ENDRES: Um-hum.

07:00 24 MR. MINORIK: Can you bring that slide
07:00 25 up?

1 MR. ENDRES: Sure.

07:00 2 MR. MINORIK: Okay. So there's 1,376
07:00 3 employees within Payne & Dolan's company.

07:01 4 MR. ENDRES: Um-hum.

07:01 5 MR. MINORIK: And you mentioned that
07:01 6 you're in Wisconsin, you're in Michigan, upper
07:01 7 Michigan and that sort of thing. How many FTEs
07:01 8 work at this quarry?

07:01 9 MR. ENDRES: So the full-time --

07:01 10 MR. MINORIK: -- currently?

07:01 11 MR. ENDRES: -- employees at the Racine
07:01 12 quarry I think are 12 right now. It varies because
07:01 13 depending on what projects we're working on, we
07:01 14 might move some of our employees in or out. So
07:01 15 it's on average at least 8, and it could be upwards
07:01 16 of 12.

07:01 17 MR. MINORIK: And if this all moves
07:01 18 forward and you get all your necessary permits, how
07:01 19 many employees would you have at that point? Is it
07:01 20 consistent? Would it grow?

07:01 21 MR. ENDRES: It's consistent. It would
07:01 22 keep the employees that we have there. We wouldn't
07:01 23 have to add more.

07:01 24 MR. MINORIK: Okay.

07:01 25 MR. DOBBS: Mr. Wanggaard?

07:01 1 MR. WANGGAARD: Just to follow up on
07:01 2 Joe's question as far as for the mining area or the
07:01 3 area that you'd have to mine, is that the area that
07:01 4 you're going to basically vacate if you get the
07:02 5 expansion?

07:02 6 MR. ENDRES: Shall we pull up an aerial
07:02 7 on that?

07:02 8 MR. WANGGAARD: Yeah. Whichever one that
07:02 9 shows the part you're going to lose or you're go to
07:02 10 dedicate to -- I'm not sure which one it was.

07:02 11 MR. ENDRES: Sure. You can go to that
07:02 12 one. So in this slide here --

07:02 13 MR. WANGGAARD: Yeah. That one.

07:02 14 MR. ENDRES: We have the -- The bottom
07:02 15 central area is the 20 acres that we currently have
07:02 16 M-4 zoning on. The 14 acres in red is our -- what
07:02 17 we're requesting for the CUP. That area in red is
07:02 18 the only area that would be additional reserves
07:02 19 mined from what we can already mine. And then
07:02 20 Charles Street is that squiggle -- you know, the
07:02 21 curve in the middle.

07:02 22 So everything to the east in that farm
07:02 23 field that says "Deed restricted, no future
07:02 24 mining," that's what we're, in theory, giving up.

07:02 25 MR. MINORIK: The non-conforming portion.

07:02 1 MR. ENDRES: Oh. The non-conforming
07:03 2 portion is the hashed blue. There's 3 acres of
07:03 3 non-conforming that we would be giving up to have
07:03 4 an additional buffer on the east and on the south.

07:03 5 MR. WANGGAARD: Do you have to give that
07:03 6 up?

07:03 7 MR. ENDRES: No. No. We could draw that
07:03 8 line and be --

07:03 9 MR. WANGGAARD: So that's something you
07:03 10 could mine.

07:03 11 MR. ENDRES: Yes.

07:03 12 MR. WANGGAARD: What do you think you
07:03 13 would get out of there?

07:03 14 MR. ENDRES: Now you're going to make me
07:03 15 do math.

07:03 16 MR. WANGGAARD: No. No.

07:03 17 MR. ENDRES: It would be -- If it's --

07:03 18 MR. WENINGER: It's 3 acres, and the rest
07:03 19 is about 30. It's about 10 percent of the total
07:03 20 project.

07:03 21 MR. ENDRES: So about 10 percent of the
07:03 22 20 million ton, so a couple million ton.

07:03 23 MR. WANGGAARD: And then I've got just
07:03 24 more that I forgot to ask before. The reclamation,
07:03 25 you've got in here that National Assurance has

07:03 1 posted with Racine County to make sure reclamation
07:03 2 is completed. How does that work?

07:03 3 MR. ENDRES: Jarmen may answer that
07:03 4 better than us, but we're --

07:04 5 MR. WENINGER: I can give it to you. So
07:04 6 every aggregate site, as I mentioned before, in the
07:04 7 state of Wisconsin has had to have financial
07:04 8 assurance in place. So if somebody just walks away
07:04 9 that there's monies there that the reclamation can
07:04 10 make good.

07:04 11 So we use what we call reclamation bonds
07:04 12 and put those in place. Right now the current one
07:04 13 is, I think, approximately \$327,000 that's in
07:04 14 place. We would have to increase that amount, and
07:04 15 I included that in the application materials even
07:04 16 though that's done by Racine County. Racine County
07:04 17 is the one that holds that bond because they have
07:04 18 the NR135 reclamation permit. So we'd have to
07:04 19 increase that bond. I think the number was
07:04 20 slightly over \$500,000. So we'd be increasing it
07:04 21 by about 55 percent over what's there today.

07:04 22 But I think a lot of those development
07:04 23 activities -- Actually, the reclamation gets done
07:05 24 -- a good portion of that, with the exception of
07:05 25 taking the berm out, while we're actively

07:05 1 operating.

07:05 2 MR. WANGGAARD: Is that reclamation --

07:05 3 It's an ongoing reclamation or is that reclamation

07:05 4 after 20 years or is that reclamation after --

07:05 5 MR. WENINGER: The final reclamation here

07:05 6 would be at the completion of the life of the site

07:05 7 so because we'd want to leave those berms up until

07:05 8 all the rock is extracted in that site because

07:05 9 they're providing a good visual buffer from the

07:05 10 road in there, so it wouldn't make any sense if we

07:05 11 just mined this portion out and then reclaimed it

07:05 12 because you would just be able to see in there

07:05 13 until we mined out the portion underneath the

07:05 14 crushing plant that Brian mentioned earlier.

07:05 15 So you'd leave that up until all that

07:05 16 rock was complete, and then you would reclaim the

07:05 17 slopes at that time, take the berms down, the

07:05 18 planted things down, and grade it off at that time.

07:05 19 I'm not sure if I'm --

07:05 20 MR. WANGGAARD: Well, I'm just trying to

07:05 21 figure out if that's -- you know, does the money --

07:06 22 How do you keep current on what that -- You know,

07:06 23 \$527,000 to me doesn't seem a lot potentially later

07:06 24 on to reclaim. So that's what I'm trying to grasp

25 at.

07:06 1 MR. WENINGER: Okay. So there's -- The
07:06 2 reclamation ordinances allow for adjustments to
07:06 3 those bonds over time to allow for increased costs.
07:06 4 So just because that's the amount that's proven out
07:06 5 and the cost of living or the consumer price index
07:06 6 goes up, that bond can then be adjusted, and it
07:06 7 follows that to make sure that it covers the actual
07:06 8 reclamation cost.

07:06 9 MR. WANGGAARD: Do we track? Does the
07:06 10 county track that?

07:06 11 MR. WENINGER: Racine County tracks that
07:06 12 per their reclamation ordinance, and it's their
07:06 13 responsibility to do that. But we combined that
07:06 14 and did that in conjunction here because those were
07:06 15 questions that we knew you were going to ask, and
07:06 16 we wanted to make sure that we knew how that part
07:06 17 worked. So that's why we included that reclamation
07:06 18 section in our application as well.

07:06 19 MR. WANGGAARD: Okay. Thank you.

07:06 20 MR. DOBBS: I have a follow-up question
07:06 21 in reference to Joe's question just so everybody
07:06 22 understands, and I think I do. The bottom
07:07 23 right-hand portion here to the east of Charles
07:07 24 where they used to have a work yard out there, you
07:07 25 can mine that right now, and that's where you would

07:07 1 get your seven years out of, something more in the
07:07 2 hole.

07:07 3 MR. ENDRES: Correct.

07:07 4 MR. DOBBS: You can dig another hole, so
07:07 5 Charles Street would have a big hole on both
07:07 6 sides --

07:07 7 MR. ENDRES: Correct.

07:07 8 MR. DOBBS: -- right now.

07:07 9 MR. ENDRES: Yes.

07:07 10 MR. DOBBS: I have a bunch of questions
07:07 11 too. From your manual that you provided us, if you
07:07 12 can grab a copy of that. I wanted to ask you on a
07:07 13 couple pages.

07:07 14 Section 2, Page 18, "Special Situations,"
07:07 15 something about the village engineer or I could
07:07 16 authorize you to do some over hours of work. Has
07:07 17 that ever happened?

07:07 18 MR. WENINGER: No, not since we have
07:07 19 owned the property. That was hours that were
07:07 20 agreed to with Vulcan. I'm not sure when. We kept
07:07 21 that consistent with what was in their proposal at
07:07 22 that time, but we have never asked in the five
07:08 23 years we've owned it.

07:08 24 MR. DOBBS: Okay. Section 2, Page 19,
07:08 25 No. 12, there's some reference there to trucks

07:08 1 using Charles Street. If there's a new Charles
07:08 2 Street, they will no longer use Charles Street.
07:08 3 Correct?

07:08 4 MR. WENINGER: The only -- That was just
07:08 5 referring to the entrance just maybe 50 or 100 feet
07:08 6 off of 3 Mile Road.

07:08 7 MR. DOBBS: Right now?

07:08 8 MR. WENINGER: Right now.

07:08 9 MR. DOBBS: But if there's a new Charles
07:08 10 Street, trucks will have no need to go there.
07:08 11 There will be no exit there.

07:08 12 MR. WENINGER: Correct. Yeah.

07:08 13 MR. DOBBS: Okay. Section 2, Page 20
07:08 14 references "Rules and Regulations." You noticed --
07:08 15 You mentioned earlier you have a lot of different
07:08 16 people that you report to. Have you ever been
07:08 17 cited by any of these agencies at this site since
07:08 18 you took over?

07:08 19 MR. ENDRES: No.

07:08 20 MR. DOBBS: Section 3, Page 6, you
07:08 21 mentioned that you take out of this mine .8 to
07:08 22 1.2 million tons of stone per year. Where does
07:09 23 that go? Wisconsin? Illinois? All around the
07:09 24 country? Any rough guesstimates?

07:09 25 MR. ENDRES: Sure. Predominantly

07:09 1 Wisconsin, and we do ship some via rail into
07:09 2 Illinois. I would say greater than 60 percent of
07:09 3 it is locally here. If Illinois has a spike year,
07:09 4 it could be 40 percent, but it's usually only like
07:09 5 25 percent.

07:09 6 MR. DOBBS: With the new area opening up,
07:09 7 what volumes would you produce and where will it
07:09 8 go?

07:09 9 MR. ENDRES: We actually think the
07:09 10 volumes will be consistent because right now the
07:09 11 area that's requiring aggregate, they're pulling a
07:09 12 lot of it from western Racine County, and we
07:09 13 actually, because of this project, have been
07:09 14 conserving our reserves for our local customers
07:09 15 instead of, you know, some of the additional work
07:09 16 that's there. So we think that, you know, that
07:09 17 range of, you know, 800 to 1.2 is a range that will
07:09 18 be consistent going forward.

07:09 19 MR. DOBBS: Of the current volumes
07:09 20 shipped, what percent is trucked and what percent
07:10 21 is sent out via railcars?

07:10 22 MR. ENDRES: Oh, man. It does vary, but
07:10 23 I would say it's probably on the high end
07:10 24 80 percent trucked, 20 percent railed; and on the
07:10 25 low end for trucking probably 60 percent and

07:10 1 40 percent rail, but that depends on the economy in
07:10 2 Illinois and the local economy up here. We're not
07:10 3 the end user in Illinois. We actually, as odd as
07:10 4 it sounds, sell to Vulcan Materials in a rail yard
07:10 5 they own in Illinois.

07:10 6 So what I can say to that, though, is the
07:10 7 proposed project area will not be adding truck
07:10 8 traffic to the area. It is going to be consistent
07:10 9 with what we're doing now. We're just increasing
07:10 10 the life that we have at this quarry.

07:10 11 MR. DOBBS: That was my next question.
07:11 12 Blasting. I think Mr. Wanggaard touched on that.
07:11 13 How far away from a blast can you actually feel it
07:11 14 or hear it? How many blocks away?

07:11 15 MR. ENDRES: So there are many factors
07:11 16 that can affect that. On a cloudy day or an
07:11 17 overcast day, the air blast can travel, so you'll
07:11 18 notice it more like a thunderstorm. What I can
07:11 19 tell you is -- I can't give you an exact lineal
07:11 20 distance, but what I can tell you is that the
07:11 21 reason you have seismographs right at the property
07:11 22 lines like that is to get the maximum possible peak
07:11 23 velocity in hertz that could be leaving your
07:11 24 property because, like anything else, it dissipates
07:11 25 over distance. So if you have your readings right

07:11 1 at your own property line, there's no way it can be
07:11 2 higher farther away.

3 MR. DOBBS: It would be interesting to
4 see, with some of the folks out there talking and
07:11 5 getting unnerved, if you live close to those
07:12 6 railroad tracks too, I'd be curious to see if you
07:12 7 feel that every day -- I was just wondering -- and
07:12 8 with the airport, the planes flying over, if you
07:12 9 feel the vibrations from that. I'm curious what
07:12 10 the differences are.

11 Verifying -- And you mentioned you would
12 do a pre-survey of anyone's home prior to new
07:12 13 blasting?

14 MR. ENDRES: Yeah. So what we've done in
15 other operations is, like I said, we hire a
16 third-party outside company that comes in at the
17 homeowner's request. If you don't want it, you
18 don't have to have it, but they perform a pre-blast
19 survey where they look through the entire house,
20 the basement up through the stories, and they
21 document video any cracks, crevices, anything
22 that's there, and then you'd have a baseline.
23 You'd have a record that can help you prove if you
24 think you have a claim going forward.

25 And also, we're big fans of it because it

07:12 1 helps us as well. Because without going on too big
07:12 2 of a tangent, and I know it's hard to believe, but
07:12 3 just living in Wisconsin and going from today of
07:12 4 hot and humid to minus 15 and dry, the
07:13 5 environmental strains that Mother Nature puts on
07:13 6 our homes are multiples more, multiples more than
07:13 7 what we do.

07:13 8 It doesn't mean you don't notice us. It
07:13 9 doesn't mean you don't, you know, feel it like a
07:13 10 thunderstorm, but we can prove with science that's
07:13 11 not created by ourselves that we're not physically
07:13 12 damaging your property.

07:13 13 MR. DOBBS: I thought it interesting you
07:13 14 said that you will verify and contact people via
07:13 15 phone or text when you plan to blast. You
07:13 16 mentioned "phone."

17 MR. ENDRES: Um-hum.

07:13 18 MR. DOBBS: You currently offer this
07:13 19 service, and only four people have opted in?

07:13 20 MR. ENDRES: Yeah. We have -- It's part
07:13 21 of the ordinance. We do have a -- Whoever is in
07:13 22 our radius for the blasting ordinance, you can opt
07:13 23 in to be in that if you want, and we do make those
07:13 24 calls or texts.

07:13 25 MR. DOBBS: Okay. Section 3, Page 14,

07:13 1 No. 4, Sub 0. I just wrote down "Meaning." I
07:13 2 didn't know what that meant, whatever it was. Let
07:13 3 me find it. I wasn't sure what that -- Could you
07:14 4 read it? What is it in plain English for me
07:14 5 whatever that was supposed to be?

07:14 6 MR. WENINGER: So 4, Sub 0?

07:14 7 MR. DOBBS: Section 3, Page 14, Sub 4,
07:14 8 Sub 0.

07:14 9 MR. WENINGER: Right at the bottom of the
07:14 10 page?

07:14 11 MR. DOBBS: Yes. In green.

07:14 12 MR. WENINGER: That's actually the
07:14 13 language that's in your mining ordinance. So all
07:14 14 this in green is language from there. And I think
07:14 15 it's just in there because we say, you know, we can
07:14 16 have .8 million one year to 1.2. Well, what
07:14 17 happens if we come in at .65 million tons per year?
07:15 18 That's what we know based on market conditions at
07:15 19 this point in time. They're going to vary some.
07:15 20 We all understand that, but you asked for some
07:15 21 baseline information, so we were trying to provide
07:15 22 it.

07:15 23 MR. DOBBS: Thank you. Earlier we were
07:15 24 talking about 25 to 30 years of quarry life if this
07:15 25 is approved. How many years would it take after

07:15 1 you're done to fill up with water?

07:15 2 MR. ENDRES: Well, that, obviously, will
07:15 3 be based on a little bit of Mother Nature, but it
07:15 4 will be at least ten years. And I will go back.
07:15 5 On the blasting --

07:15 6 Ethan, can you pull up that slide? Just
07:15 7 to frame up what we're talking about here, on
07:15 8 average, I know it probably seems like a lot, but
07:15 9 we have -- That one.

07:15 10 So this is a four-year average: 2014,
07:15 11 '15, '16, '17. The number of blasts per year, the
07:15 12 days that we did the blasts, and the number of
07:15 13 blasts per day. So if you take a four-year
07:15 14 average, we're talking about 65 blasts over 32 days
07:16 15 out of 365 days a year.

07:16 16 So we understand that that's the most
07:16 17 probably noticeable part of our operation. We take
07:16 18 great strides to minimize any adverse, you know,
07:16 19 annoyance factor that we can have. We know we're
07:16 20 not damaging structures, but a snapshot just for a
07:16 21 picture of what we're actually doing.

07:16 22 Thanks, Ethan.

07:16 23 MR. DOBBS: And I just had one question
07:16 24 about when this is all done. There will be enough
07:16 25 room if the village or someone at that point

07:16 1 chooses to put homes along that lake. The lots are
07:16 2 big enough?

07:16 3 MR. ENDRES: Yeah. Those will be -- I
07:16 4 don't have the dimensions off the top of my head.
07:16 5 Clint, I don't know if you know, but it's at least,
07:16 6 what, 200 feet?

07:16 7 MR. WENINGER: No. I think it's about
07:16 8 120, I think.

07:16 9 MR. ENDRES: Yeah. Depth or width?

10 MR. WENINGER: Depth.

07:16 11 MR. ENDRES: 120 feet deep at least. So,
07:17 12 I mean, you can do any kind of mixed development
07:17 13 there, whether you're doing condos or single-family
07:17 14 or mixed use with a park. It would be pretty nice,
07:17 15 actually. And that will be a 200-some-foot-deep
07:17 16 lake. It will probably have lake trout in it.

07:17 17 MR. DOBBS: That's all the questions I
07:17 18 have. Anyone else from -- Do the commissioners
07:17 19 have any other questions?

07:17 20 MR. FOLK: I just have one question, and
07:17 21 it's a follow-up to President Dobbs' question. You
07:17 22 did make comment that there's been no citations
07:17 23 made from the EPA, the DNR, et cetera. How many
07:17 24 formal complaints have been filed with that
07:17 25 organization for this site?

07:17 1 MR. ENDRES: So I will say, with Clint
07:17 2 backing me up, we have received none through the
07:17 3 DNR, and only locally recently what we spoke about
07:17 4 on Douglas Avenue that we've been working very
07:17 5 diligently to resolve.

07:17 6 MR. FOLK: Thank you.

07:17 7 MR. DOBBS: Anyone else from the
07:17 8 commissioners? Any trustees have any questions at
07:18 9 this point? Fran? You have to speak up. I don't
07:18 10 think you have a mic.

07:18 11 MS. MARTIN: No, I don't have a
07:18 12 microphone either but I'll stand up.

07:18 13 MR. DOBBS: We'll bring one to you so
07:18 14 people can hear you.

07:18 15 MS. MARTIN: I'll shout. Oh, okay. Fran
07:18 16 Martin speaking in case you're in the hall and you
07:18 17 can't see me. I have some post-reclamation
07:18 18 questions both if you do or if you don't get added
07:18 19 area. So if you don't get the added area, what --
07:18 20 tell us basically what the reclamation plan is.
07:18 21 What would be left?

07:18 22 MR. ENDRES: Sure. Ethan, can you pull
07:18 23 that one up?

07:18 24 MS. MARTIN: And that's for the west side
07:18 25 of Douglas Avenue and the east side of Douglas

1 Avenue.

07:18 2 MR. ENDRES: Yeah. Go back to the
07:18 3 earlier one. So we'll start with the west one.
07:18 4 What we would do is turn off the pumps, let it fill
07:18 5 up with water, and the area you can see in green
07:18 6 around would be sloped in to the quarry, because
07:19 7 that is a -- part of the quarry that was developed
07:19 8 later where there actually were some reclamation
07:19 9 guidelines. So we've inherited that from Vulcan.
07:19 10 We would just slope that in it, and it would be
07:19 11 done.

07:19 12 The area to the east --

07:19 13 MS. MARTIN: Let me stop you for a
07:19 14 minute. Is there room in that area, in that kind
07:19 15 of margin around it that's in green, to put homes
07:19 16 in or what is that? What could become of that?

07:19 17 MR. WENINGER: Is your question in the
07:19 18 west quarry, is there room?

19 MS. MARTIN: Yeah. The one on the other
20 side of Douglas.

07:19 21 MR. WENINGER: No. There would not be
07:19 22 any room to do that. Most of the room between the
07:19 23 rock and the property line will be taken up with a
07:19 24 safety shelf and then a nice slope to the property
07:19 25 line.

07:19 1 MS. MARTIN: So what would it be, just a
07:19 2 landlocked lake, basically, or what?

07:19 3 MR. ENDRES: Yeah. It will just be a
07:19 4 graded and seeded slope to the water that, you
07:19 5 know, you couldn't build anything on.

07:19 6 MS. MARTIN: Okay. So --

07:19 7 MR. ENDRES: And those are the limits
07:19 8 that we inherited from Vulcan when they went
07:20 9 200 feet off. And due to the top of the rock and
07:20 10 top of the overburden or the dirt, the angle to get
07:20 11 any kind of a reclaimed slope is so wide that it
07:20 12 doesn't allow you any buildable space there. So
07:20 13 that's what in our proposal we're actually doing
07:20 14 differently so that the end use there's actually
07:20 15 flat area as you saw that's buildable space.

07:20 16 So the west quarry as it -- or excuse me
07:20 17 -- east quarry as it sits, because of it's starting
07:20 18 free any NR135, there's only one little area on the
07:20 19 south side that would be available for anything
07:20 20 green, so to speak. Everything else would just be
07:20 21 vertical walls.

07:20 22 MS. MARTIN: Okay. Because one of my
07:20 23 concerns is that we currently have a quarry, a
07:20 24 quarry park, so we have some experience with a
07:20 25 reclaimed quarry. And that quarry was wonderful

07:20 1 and beautiful to swim in 20 years ago because I
07:20 2 swam in it, and then it became a disaster.

07:20 3 So one of my concerns is what would
07:21 4 happen to these quarries? Who would own them? Who
07:21 5 would be responsible for maintaining them?

07:21 6 MR. ENDRES: Sure. Well, I don't -- I
07:21 7 think Quarry Park is considerably smaller. Right?
07:21 8 It's not a 101-acre body of water.

07:21 9 MS. MARTIN: It's not 101 acres, I'm
07:21 10 sure.

07:21 11 MR. ENDRES: So I think -- So depending
07:21 12 on -- And that's -- The reason that we didn't come
07:21 13 with an end use plan to get approved now is we
07:21 14 really want to give the village the opportunity to
07:21 15 dictate what they'd like to see down the road.

07:21 16 So if there's public access with a boat
07:21 17 landing, then it becomes basically a DNR body of
07:21 18 water. So, you know, it would be a body of water
07:21 19 of the state.

07:21 20 So with respect to this type of a lake,
07:21 21 101 acres, 250 feet deep, I think it's going to be
07:21 22 some really nice water. If you're -- If Quarry
07:21 23 Park has got a bunch of like algae and weeds, if
07:21 24 that's the concern, I don't think you're going to
07:21 25 have that this with.

07:21 1 MS. MARTIN: It did not, but it does now,
07:21 2 and that's a county park. And my concern is,
07:22 3 again, the county owns that park. It decided at
07:22 4 some point to stop maintaining it. It required
07:22 5 maintenance. And I'm not confident that this
07:22 6 wouldn't also require maintenance or be left to
07:22 7 become kind of a sinkhole. That's a serious
07:22 8 concern of mine. So I'm just wondering what
07:22 9 assurances you can give me that that wouldn't
07:22 10 happen other than saying you don't think it would?

07:22 11 MR. ENDRES: Well, the assurance I can
07:22 12 give you is that in the end when we reclaim, we'll
07:22 13 still own all the land around it, and the Village
07:22 14 of Caledonia at that time can say, "Absolutely
07:22 15 nothing can go on here. You own it." Then it's
07:22 16 our problem forever.

07:22 17 MS. MARTIN: Well, Payne & Dolan or your
07:22 18 successor, whoever you sell it to.

07:22 19 MR. ENDRES: Correct. If we're going to
07:22 20 sell, yeah. It would still be their responsibility
07:22 21 until something is developed there.

07:22 22 MS. MARTIN: And again, because in my
07:22 23 past life I was a lawyer and I know that bad things
07:22 24 happen, one of my concerns would be that it gets
07:22 25 spun off to some entity that then goes bankrupt and

07:22 1 then the village is left with a big hole in the
07:23 2 ground and no assets to maintain it. So I am
07:23 3 hoping you can provide some assurance, and perhaps
07:23 4 your restoration bond would do that?

07:23 5 MR. ENDRES: Sure. Our reclamation bond
07:23 6 will assure the village through the county that it
07:23 7 will be reclaimed when we're done. And since there
07:23 8 is no end reclamation development plan being
07:23 9 proposed here and hypothetically approved through
07:23 10 this process, we're going to be owning the land.

07:23 11 So if we sold it to someone else, they
07:23 12 would have to come through the village and get
07:23 13 approval for whatever they want to build in there,
07:23 14 so you'd still have that leverage over whoever
07:23 15 bought it from us to supply some sort of guarantee
07:23 16 that it's not going to fall into the village's
07:23 17 hands. Make sense?

07:23 18 MS. MARTIN: Well, my concern is that it
07:23 19 could be spun off into an entity that then files
07:23 20 bankruptcy and then is done, because that happens.

07:23 21 MR. ENDRES: Sure. But -- Yeah.

07:23 22 MS. MARTIN: I'm just trying to look down
07:23 23 the road 20 years from now and say "Did we leave
07:24 24 Caledonia" -- I won't be around, but "Did we leave
07:24 25 Caledonia with a big hole in the ground?"

07:24 1 MR. WENINGER: Well, the project that we
07:24 2 did in Big Bend that we showed you had, you know, a
07:24 3 29-acre lake on there, and we had an interesting
07:24 4 discussion at this point of the process there,
07:24 5 "Should it be a public body of water or should it
07:24 6 be private?" And in the end, the village didn't
07:24 7 want anything to do with it because they felt they
07:24 8 had enough park land by the river, so they said,
07:24 9 "We're going to keep it private."

07:24 10 So actually, all of those homes that have
07:24 11 part ownership in there, we were able to provide
07:24 12 maintenance to that was also then put into the
07:24 13 developer's agreement and to the deed restrictions
07:24 14 on all those property lots. So if we have
07:24 15 substantial property here that we can develop at
07:24 16 the end with that 17 acres, there's going to be
07:24 17 people that are going to want to live on that lake
07:25 18 and take ownership and maintain it just for their
07:25 19 own benefit and recreational purposes.

07:25 20 MS. MARTIN: That would then be their
07:25 21 responsibility?

07:25 22 MR. WENINGER: Correct.

07:25 23 MS. MARTIN: Another concern I have, and
07:25 24 it may be overly technical, but deed restrictions,
07:25 25 in my experience, can be lifted by the property

07:25 1 owner. They're not the same thing as something
07:25 2 that's imposed upon it by the -- by any
07:25 3 governmental entity.

07:25 4 So what assurance do we have that it's a
07:25 5 deed restriction that can't be lifted by whoever
07:25 6 owns it?

07:25 7 MR. ENDRES: Are you talking about the
07:25 8 take now or what we're proposing?

07:25 9 MS. MARTIN: No. The property afterwards
10 that can never be mined.

07:25 11 MR. ENDRES: You tell us. We're telling
07:25 12 you on record here that we're not going to come
07:25 13 back and ask to mine that. So if it's something
07:25 14 other than a deed restriction -- And I'm speaking
07:25 15 to an attorney. You probably know better than I.

07:25 16 MS. MARTIN: It's not my area, but --

07:25 17 MR. ENDRES: Whatever counsel for
07:25 18 Caledonia wants to call it, we'll call it that. We
07:25 19 were just, for my own layperson speak, trying to
07:25 20 prove a point that we're not going to come back and
07:26 21 try to go east of Charles Street.

07:26 22 MS. MARTIN: Okay. That's fine.

07:26 23 MR. DOBBS: Mr. Pruitt?

07:26 24 MR. PRUITT: The deed restriction could
07:26 25 not be lifted by Payne & Dolan, at least the way

07:26 1 that we draft them. It would have to be lifted by
07:26 2 the village. Sometimes you put on a super majority
07:26 3 voting requirement to make it difficult for a
07:26 4 future village board to lift it. But ultimately,
07:26 5 to be deleted or lifted, it would require the
07:26 6 village to act on that, but it would not be
07:26 7 something that the property owner, Payne & Dolan,
07:26 8 or your successor could do on its own.

07:26 9 MR. DOBBS: Thank you. Any other
07:26 10 questions from the village board? Mr. Wishau?

07:26 11 MR. WISHAU: Well, Fran, asked most of my
07:26 12 questions. However, I do have a couple more.
07:26 13 Section 10. You've got reclamation examples here.
07:27 14 We talked about the Village of Big Bend decided not
07:27 15 to own the property. When was this completed?

07:27 16 MR. WENINGER: As far as the Village of
07:27 17 Big Bend project?

07:27 18 MR. WISHAU: Yes.

07:27 19 MR. WENINGER: The grading was completed
07:27 20 approximately 2008, 2009, and that was right at the
07:27 21 time when the housing market went way down, as we
07:27 22 all know. So the village and us worked together on
07:27 23 putting that on hold until the market bounced back.
07:27 24 And then when it looked like things were coming
07:27 25 back, we finished that off. It would have been two

07:27 1 years ago now that we've finished that off and sold
07:27 2 that off.

07:27 3 MR. WISHAU: Okay. And what have your
07:27 4 maintenance costs been since you've finished it
07:27 5 off, roughly?

07:28 6 MR. WENINGER: We don't have any
07:28 7 maintenance costs to it because all those lots have
07:28 8 been sold. It's -- The homeowners are now
07:28 9 responsible for everything.

07:28 10 MR. WISHAU: Okay.

07:28 11 MR. WENINGER: The only cost that the
07:28 12 village has there is maintaining the streets
07:28 13 similar to any other subdivision; snow plowing.

07:28 14 MR. WISHAU: Okay. Let's back up one
07:28 15 page. You've given some additional examples here.
07:28 16 Klahn pit in Dane County. There's several pictures
07:28 17 here. It looks like it's completed. Is that
07:28 18 correct?

07:28 19 MR. WENINGER: Correct. Yes, sir.

07:28 20 MR. WISHAU: And who owns the property on
07:28 21 this parcel?

07:28 22 MR. WENINGER: That is a private piece of
07:28 23 property. So the landowner that -- We leased that
07:28 24 piece of property, operated it under a mineral
07:28 25 extraction lease, and then the owner maintained

07:28 1 that ownership through the whole process and still
07:28 2 owns it today.

07:28 3 MR. WISHAU: Okay. So it's not the
07:28 4 homeowners that own it.

07:28 5 MR. WENINGER: No. Those homeowners are
07:29 6 actually in the village, and that pit is actually
07:29 7 in the township. So it's right on the
07:29 8 village/township border.

07:29 9 MR. WISHAU: But the land -- the lake
07:29 10 itself is privately owned by whomever you leased it
07:29 11 from.

07:29 12 MR. WENINGER: Correct.

07:29 13 MR. WISHAU: And are they the ones
07:29 14 responsible for the maintenance costs?

07:29 15 MR. WENINGER: Yes, sir. We did all the
07:29 16 reclamation, so there's really no maintenance costs
07:29 17 except for if they decide to mow the grass around
07:29 18 it or anything like that.

07:29 19 MR. WISHAU: Well, how deep is this pond
07:29 20 in Dane County?

07:29 21 MR. WENINGER: This pond is approximately
07:29 22 35 feet at its deepest.

07:29 23 MR. WISHAU: Okay. And there's no
07:29 24 problems with invasive species or any of the
07:29 25 problems we're seeing in the Racine County quarry?

07:29 1 MR. WENINGER: No.

07:29 2 MR. WISHAU: None?

07:29 3 MR. WENINGER: No.

07:29 4 MR. WISHAU: Would it be possible to view
07:29 5 this property? Could you give us the address of
07:29 6 where it's at?

07:29 7 MR. WENINGER: I sure can. I can do that
07:29 8 for you.

07:29 9 MR. WISHAU: Okay. Another question.
07:29 10 The Prager pit, is that completed?

07:30 11 MR. WENINGER: The Prager pit reclamation
07:30 12 is not complete yet. We are currently selling off
07:30 13 stockpile materials there on the portion that we
07:30 14 can't reclaim yet, but it is predominantly -- Most
07:30 15 of the mineral extraction has occurred, so we've
07:30 16 got stockpiles we're selling off, and then those
07:30 17 areas where those stockpiles are need to be
07:30 18 reclaimed yet.

07:30 19 MR. ENDRES: So Prager is a good example.
07:30 20 We reclaim as we go, so we don't just leave an open
07:30 21 scar until the end and then try to reclaim
07:30 22 everything. So -- We can pull up some of the
07:30 23 pictures. When we're done with an area and we
07:30 24 can't get it reclaimed, we want to get it reclaimed
07:30 25 and back to farmland, in this example, as fast as

07:30 1 we can. So we can see some pictures here we're
07:30 2 mining, we're mining beneath the water, and then
07:30 3 the picture below is in the fall, so we had just
07:30 4 gotten it top soiled and seeded, and then now it's
07:30 5 back into the crop rotation, actually, as we're
07:30 6 continuing to the south.

07:30 7 There's another picture. The top picture
07:30 8 is while we were currently mining. The bottom
07:31 9 picture is reclaimed and ready to be start growing.

07:31 10 MR. WISHAU: Just so I understand
07:31 11 correct, do you own the property?

07:31 12 MR. ENDRES: No. This is another site
07:31 13 that we lease from call it a farmer that owns a
07:31 14 couple-hundred-acre field. It's got sand and
07:31 15 gravel on it. We leased it from him. We do the
07:31 16 all the work, all the reclamation, and then they
07:31 17 farm it.

07:31 18 MR. WISHAU: Do you have any examples of
07:31 19 reclamation projects where you still own the
07:31 20 property and maintain the property?

07:31 21 MR. ENDRES: We have partials, like where
07:31 22 we're currently still mining like in the --

07:31 23 MR. WISHAU: None that are completed?

07:31 24 MR. ENDRES: Well, what I'll say is like
07:31 25 the Village of Rochester in Waterford, we have a

07:31 1 600-acre site that we're currently mining. It's
07:31 2 going to last for many, many years, but we have
07:31 3 sections of it that we've reclaimed as we go, and
07:31 4 the body of water, if you want to see it, you can
07:31 5 see it.

07:31 6 MR. WISHAU: Please give me the address.

07:31 7 MR. ENDRES: Sure. Afterwards we can
07:31 8 talk to you.

07:31 9 MR. DOBBS: Okay. Thank you. Anyone
07:31 10 else from the board or the commission?
07:31 11 Mr. Wanggaard?

07:31 12 MR. WANGGAARD: I just have one comment
07:32 13 that either way, I mean, this goes to Fran's -- Her
07:32 14 comments that she was talking about. I mean, that
07:32 15 was one question I asked you about the funding and
07:32 16 the reclamation, you know, what that was going to
07:32 17 take care of. But either way, we're going to have
07:32 18 two lakes or two bodies of water there no matter
07:32 19 what. Correct?

07:32 20 MR. ENDRES: Correct.

07:32 21 MR. WANGGAARD: Okay. That's something
07:32 22 that we have to deal and whether they're going to
07:32 23 be, as you say, the body of water that's going to
07:32 24 be more -- you know, be in our control or private.
07:32 25 But --

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MR. ENDRES: Yes.

MR. WANGGAARD: But either way we're going to have two.

MR. DOBBS: You could have three here because of Charles.

MR. WANGGAARD: I just want to get -- No matter what, we're going to have two.

MR. ENDRES: Correct. And I think this proposed plan allows for the best end use of one of them because the eastern one with its high walls is going to have very little ability to do anything with it.

MR. WANGGAARD: Okay. Thank you.

MR. DOBBS: Okay. I think we're ready to go into the public comments.

MR. BENKOWSKI: No.

MR. DOBBS: Mr. Benkowski?

MR. BENKOWSKI: Could you bring up the --

MR. DOBBS: Before we go to the public comments section, I was wondering, does our court reporter need to take a five-minute break?

COURT REPORTER: I'm okay.

MR. DOBBS: You're okay?

MR. BENKOWSKI: Could you bring up the Charles Street yard that would be if -- If this

07:33 1 project didn't go forward as you're proposing, the
07:33 2 approximately, as you said, it was 14 acres?

07:33 3 MR. ENDRES: That one there or the one
07:33 4 just above it, Mr. Benkowski?

07:33 5 MR. BENKOWSKI: No. It would be in
07:34 6 the --

07:34 7 MR. ENDRES: That one?

07:34 8 MR. BENKOWSKI: Yeah. It's the yellow.

07:34 9 MR. ENDRES: Okay.

07:34 10 MR. BENKOWSKI: So currently if you go
07:34 11 back to what you're actually allowed, the red
07:34 12 dashed line is showing what you're proposing to be
07:34 13 a setback. However, you would have the ability to
07:34 14 come 200 feet above every boundary. Correct?

07:34 15 MR. ENDRES: Correct.

07:34 16 MR. BENKOWSKI: And that's -- So in terms
07:34 17 of what I'm looking at right now with that diagram,
07:34 18 where is 200 feet? Is that that orange --

07:34 19 MR. WENINGER: Are you talking on the
07:34 20 yellow part or --

07:34 21 MR. BENKOWSKI: Correct.

07:34 22 MR. WENINGER: So on the yellow part,
07:34 23 because is non-conforming use, the 200-foot setback
07:34 24 requirement doesn't apply to that, so we can mine
07:34 25 up as close to the property line as we physically

07:34 1 can and still reclaim, similar to what the rest of
07:34 2 the quarry has done.

07:34 3 MR. BENKOWSKI: So the characteristic of
07:34 4 that east yard, which is the Charles Street yard,
07:34 5 let's call it, would be consistent with to the
07:34 6 west, which is what you're calling the east quarry?
07:34 7 What would be the setback or what would your --
07:34 8 What would your setbacks from your adjacent
07:34 9 properties be at 3 Mile Road, be at Charles or be
07:35 10 at the Racine -- city of Racine landowners?

07:35 11 MR. WENINGER: There are no established
07:35 12 setbacks per the zoning ordinance, so we could get
07:35 13 as close to the properties as we can get a
07:35 14 reclaimed slope in there.

07:35 15 MR. BENKOWSKI: So I'm asking you the
07:35 16 question. What is it?

07:35 17 MR. WENINGER: I don't have the figure
07:35 18 right off the top of my head.

07:35 19 MR. ENDRES: It would be less than the
07:35 20 200 and as close to -- you know, probably, I'm just
07:35 21 guessing, 50 to 100 feet.

07:35 22 MR. BENKOWSKI: But I'm confused because
07:35 23 I thought you said that the Village of Caledonia
07:35 24 had very good ordinances or a very good ordinance,
07:35 25 and there was a recital of a 200-foot number.

1 So --

07:35 2 MR. ENDRES: This area is non-conforming.

3 AUDIENCE MEMBER: What does that mean?

07:35 4 MR. ENDRES: So it predates the

07:35 5 ordinance.

07:35 6 MR. BENKOWSKI: So we have no

07:35 7 jurisdiction. You could do what you want. So

07:35 8 effectively, you could repeat what we're calling

07:35 9 the east quarry. You could come --

07:35 10 MR. ENDRES: Yes.

07:35 11 MR. BENKOWSKI: -- whatever that setback

07:35 12 is off of Charles Street similar to what was done

07:36 13 on Douglas Avenue --

07:36 14 MR. ENDRES: Yes.

07:36 15 MR. BENKOWSKI: -- and put up a jersey

07:36 16 barricade. Would you do that?

07:36 17 MR. ENDRES: It wouldn't be preferred,

07:36 18 but we could.

07:36 19 MR. BENKOWSKI: You didn't answer my

07:36 20 question. Would you do that?

07:36 21 MR. ENDRES: Well, we'll see how this

07:36 22 goes, and then I'll answer that.

07:36 23 MR. BENKOWSKI: I'm asking you a

07:36 24 question. Would you do that?

25 AUDIENCE MEMBER: Wow!

07:36 1 MR. ENDRES: It depends. If we could get
07:36 2 a good slope in there and reclaim it and there was
07:36 3 a need, there's a possibility. Not a good one,
07:36 4 though.

07:36 5 MR. BENKOWSKI: But you have the ability
07:36 6 to do whatever because that doesn't exist. So I'm
07:36 7 asking you -- I'm putting you on the spot.

8 MR. ENDRES: Yeah. I know.

07:36 9 MR. BENKOWSKI: How would you -- If this
07:36 10 project were denied, the proposal, the greater
07:36 11 proposal, how would you handle that specific site?

07:36 12 MR. ENDRES: So what I would do is I'd
07:36 13 investigate it further because I'd have to see
07:36 14 exactly how deep the overburden is and what the top
07:36 15 of rock is and compute a good reclaimed slope when
07:36 16 we're done. So I'd have to get back to you, which
07:36 17 I can do.

07:36 18 MR. BENKOWSKI: But your default position
07:37 19 is what you initially stated?

07:37 20 MR. ENDRES: Well, my default position is
07:37 21 if we can't further develop this and we have a need
07:37 22 for aggregate, we're going to have to look at how
07:37 23 to maximize the area we have to get as many
07:37 24 reserves out as we can, looking for an end use
07:37 25 which we can actually get a reclaimed slope in.

07:37 1 Without having the exact geological area there
07:37 2 memorized, I can't tell you exactly how far up the
07:37 3 property line it would be until we investigate it
07:37 4 further, but I can tell you that after further
07:37 5 investigation.

07:37 6 MR. BENKOWSKI: Could the attorney for
07:37 7 the village tell me how this parcel is different
07:37 8 from the west pit where we had a 200-foot setback?
07:37 9 Do you agree with their interpretation?

07:37 10 MR. PRUITT: I do. In 1985 Racine County
07:37 11 took prior owners to court regarding their
07:37 12 non-conforming use rights. The county wanted that
07:37 13 owner to go through the conditional use process,
07:38 14 and the Court sided with the quarry owner saying
07:38 15 that their use had predated county zoning which
07:38 16 came into effect in 1970. And so this particular
07:38 17 parcel that we're talking about here was purchased
07:38 18 by Vulcan I believe in '55 or in the mid-50's. So
07:38 19 they are granted legal non-conforming status which
07:38 20 means they can continue to mine that parcel; in
07:38 21 fact, that's already zoned M-4.

07:38 22 MR. BENKOWSKI: But to continue, do you
07:38 23 agree even though there's better practice in terms
07:38 24 of safety standards, that would not apply here?

07:38 25 MR. ENDRES: Well, it's not a safety

07:38 1 standard. It's an end use reclamation standard
07:38 2 that's different now, and we can still get an end
07:38 3 use reclamation that doesn't provide for future
07:38 4 development but is still safe when we're done.

07:38 5 So that's the difference there, and
07:38 6 that's what we would have to calculate with
07:38 7 actually physically knowing how deep the stone is
07:39 8 from the top. So whatever we do there, it will be
07:39 9 safe and environmentally friendly. It's just there
07:39 10 may not be any area for future development like we
07:39 11 currently have along Charles Street.

07:39 12 MR. BENKOWSKI: Okay. Another question
07:39 13 for our counsel. In view of Act 67, is there any
07:39 14 ability that the lands which would be dedicated if
07:39 15 the proposed project which would be the section of
07:39 16 land which would either have a deed restriction or
07:39 17 have some sort of limit on it, in your
07:39 18 interpretation of Act 67, is there a way that that
07:39 19 could be mutated? Because that's very new
07:39 20 territory within the state.

07:39 21 MR. PRUITT: Well, in terms of the deed
07:39 22 restriction, they're offering it up voluntarily.
07:39 23 We would be accepting that offer. You, as a plan
07:39 24 commission, and the village board, are entitled to
07:39 25 put conditions on these types of uses. The uses

07:39 1 have to be allowed by the ordinance, and the
07:39 2 conditions that you place have to be based on
07:40 3 substantial evidence under Act 67, which means that
07:40 4 you have to, to the extent possible, base your
07:40 5 conditions on quantifiable-type elements.

07:40 6 For example, if we're talking about
07:40 7 noise, what does that mean? What kinds of
07:40 8 restrictions would you put on this particular use
07:40 9 in terms of noise? Dust. You know, there's been a
07:40 10 good discussion about dust control. Those are the
07:40 11 kinds of things that go into the conditions. So
07:40 12 you are -- You still have flexibility. It's just
07:40 13 that Act 67 took away, I think, some of the prior
07:40 14 flexibility of the municipalities to rely solely on
07:40 15 the feelings or the passions of the nearby
07:40 16 residents.

07:40 17 That is something I think you can still
07:40 18 take into account, but you have to look at what
07:40 19 exactly are the people upset about and focus on
07:40 20 each of those elements. And so I think you can
07:41 21 still get where you need to be as long as you're
07:41 22 putting reasonable conditions on the particular
07:41 23 use.

07:41 24 Those are things that would be drafted
07:41 25 then by the staff -- not tonight, of course. Our

07:41 1 recommendation is that you would, after the public
07:41 2 hearing is done and you have your discussion and
07:41 3 you give direction to the staff, that we draft
07:41 4 conditions to address the concerns that are raised.

07:41 5 MR. BENKOWSKI: Thank you. And then not
07:41 6 to belabor a point, but there were questions asked
07:41 7 specifically about Chapter 3. Lest, let it be
07:41 8 noted on the record that in order for a complaint
07:41 9 to be filed through DNR, it has to be reported to
07:41 10 the DNR. And historically, any complaints that
07:41 11 have been lodged have been given to the village.
07:41 12 The village did not forward to the DNR.
07:41 13 Consequently, there are no complaints lodged with
07:41 14 DNR. You are right that you self-regulate. That's
07:41 15 correct. But just for the record, the complaint
07:41 16 needs to go with DNR. So if DNR does not get the
07:42 17 complaint, such as what happened with Mr. West on
07:42 18 Douglas Avenue, you do not have -- You have a clean
07:42 19 record. You are absolutely correct in saying that.
07:42 20 But there's a glitch in the manner in which it's
07:42 21 done because the Village of Caledonia did not do
07:42 22 its due diligence to report those incidents to DNR.
07:42 23 I'm done. Thank you.

07:42 24 MR. DOBBS: All right. We're now going
07:42 25 into the phase of the public hearing. I'm going to

07:42 1 -- As I talked earlier, I'm going to read -- at
07:42 2 least three times ask for anybody in the audience
07:42 3 who wants to speak in favor of this concept and
07:42 4 then after that we'll do the same thing with those
07:42 5 who have opposition to this. I want everybody to,
07:42 6 you know, be nice and gentle here. Let's not raise
07:42 7 our voices. Say your points. Address us. If we
07:43 8 have some questions that we don't know the answer
07:43 9 to, if you have a specific question, we can maybe
07:43 10 ask those gentlemen, but we will ask them. I don't
07:43 11 really want you guys bombarding the staff.

07:43 12 We're going to start off -- And when you
07:43 13 come up, you'll tell the clerk your name and
07:43 14 address clearly, and then you can say your piece.
07:43 15 So we'll start off -- Is there anyone --

07:43 16 First, before I start off, I have several
07:43 17 letters that I got in favor. I'll just read these
07:43 18 quickly. I got a letter from a person named Gene
07:43 19 Page1 who is the chairperson of the Quarry Advisory
07:43 20 Board who voiced support for Payne & Dolan's Racine
07:43 21 Quarry project. "The Quarry Advisory Board was
07:43 22 established approximately 15 years ago with Vulcan
07:43 23 Materials for the purpose of working with the
07:43 24 neighbors and the quarry operator to help address
07:43 25 issues or complaints that may arise. Members of

07:43 1 this group attended a public information meeting
07:43 2 that was in May, and they basically believe that
07:43 3 this is a good project."

07:44 4 I also got a letter from Stepping Stones
07:44 5 Farm School of Horsemanship, Franksville,
07:44 6 Wisconsin, thanking Payne & Dolan. They said
07:44 7 "They're a good corporate citizen" and have donated
07:44 8 materials to help do some outreach programs for
07:44 9 them.

07:44 10 And one other letter that I received that
07:44 11 I had asked for after our last meeting on this for
07:44 12 the blasting permit, there were some allegations
07:44 13 that the dust was injuring people and different
07:44 14 things such as that. I asked our health department
07:44 15 if they had any information to that, and Margaret
07:44 16 Gesner of the health office said "Regarding your
07:44 17 question, it appears that we do not have any
07:44 18 records of complaints regarding the quarry in
07:44 19 Caledonia." That was her response to that.

07:44 20 So anyone who would like to speak in
07:44 21 favor of this, please raise your hand, and I'll
07:44 22 call on you, and you can state your name.

07:44 23 Ma'am, can you come on up?

07:44 24 AUDIENCE MEMBER: Can I just make a
07:44 25 comment first?

07:44 1 MR. DOBBS: No. You can speak in favor
07:44 2 or against. We're doing "in favors" now. Who
07:44 3 wants to speak in favor? Mr. Weatherston?

07:45 4 MR. WEATHERSTON: Thank you,
07:45 5 Mr. President. I'm Tom Weatherston, State
07:45 6 Representative and occupant of Caledonia. And
07:45 7 actually, I don't live too far from the quarry.
07:45 8 I've had two homes right near the quarry -- the
07:45 9 second one even closer to it.

07:45 10 I see my friend the alderman from the
07:45 11 city of Racine is here. I'd like to thank the guys
07:45 12 at Payne & Dolan for putting together a great plan
07:45 13 and coming to us and presenting that plan.
07:45 14 Projecting out 20, 25 years, I think even us, we
07:45 15 would have trouble projecting our life for 25
07:45 16 years. But a corporation that can see 25 years in
07:45 17 advance and make a good plan and present it in a
07:46 18 professional manner? That should be complimented,
07:46 19 so thank you, gentlemen, from Payne & Dolan for
07:46 20 doing so.

07:46 21 In light of the current situation where
07:46 22 they could go ahead and quarry on the other side of
07:46 23 Charles and just do it and don't really need our
07:46 24 permission to do it, they've come together with a
07:46 25 plan to do it in a reasonable manner, to reclamate

07:46 1 it properly afterwards. You know, we're kind of
07:46 2 funny people. We complain about potholes, but then
07:46 3 we bitch when all the orange barrels come out.

07:46 4 You know, we build our homes next to
07:46 5 pre-existing buildings that are businesses that are
07:46 6 already there, and then we complain about the
07:46 7 business that we built next to.

07:46 8 When I was on the villages board, we had
07:46 9 a nice lady that built a home -- a beautiful home
07:46 10 between two farms, and then she came back to the
07:46 11 village board and bitched about the chickens making
07:46 12 noise. I mean, these things happen.

07:46 13 All of us in this room own homes in that
07:46 14 district. We all knew the quarry was there when we
07:46 15 bought those homes or had them built. The quarry
07:47 16 has been there forever. It was one of the first
07:47 17 things I noticed when I moved to Wisconsin back in
07:47 18 '77.

07:47 19 The thing is, Payne & Dolan is a great
07:47 20 corporate citizen, they pay great taxes, they have
07:47 21 family-supporting wages at that place. And today I
07:47 22 was out -- I'm building a new home in Franksville.
07:47 23 Behind my house is an empty lot. It's in the
07:47 24 industrial park. And I was thinking about this
07:47 25 subject today while I was out there. And I was

07:47 1 thinking, "Am I going to come back in a couple
07:47 2 years and bitch at you guys because somebody built
07:47 3 a factory in the industrial park behind my house?"
07:47 4 No. I mean, it's ridiculous.

07:47 5 Obviously, somebody sometime, especially
07:47 6 with Foxconn coming, somebody is going to build a
07:47 7 small factory behind my new home. It's already
07:47 8 there. It didn't affect my property value.
07:47 9 There's already an industrial park behind it. So
07:47 10 it doesn't really make a big difference to me. I
07:47 11 know it's there. I know that risk is there that
07:47 12 somebody is going to build a factory.

07:48 13 Today I received in the mail petitions
07:48 14 against the proposal. And the reason for the
07:48 15 petition is that the expansion will create dust,
07:48 16 traffic, noise, on and on and on. It will not
07:48 17 create these things. They already exist. We
07:48 18 already have trucks, occasional dust once in a
07:48 19 while. Noise. We all have noise. It's already
07:48 20 there.

07:48 21 So Act 67, which we've talked about
07:48 22 before, explicitly falls right under this category.
07:48 23 These are pre-existing conditions in the quarry
07:48 24 already. They are not new things. And therefore,
07:48 25 to me, in my view, as a state representative, the

07:48 1 only real thing this village board has to do is
07:48 2 approve moving Charles and adding on a little bit
07:48 3 or letting the quarry have the piece they already
07:48 4 have. There's really not a lot of decision there.

07:48 5 But I want to thank you for holding this
07:48 6 meeting tonight and listening to all the citizens
07:49 7 and all the comments they have. So thank you very
07:49 8 much.

07:49 9 MR. DOBBS: Thank you. Anyone else in
07:49 10 the audience that would like to speak in favor of
07:49 11 this?

07:49 12 Sir? Your name and address, please?

07:49 13 MR. PAGEL: Gene Pagel, Ellis Avenue.
07:49 14 I'm one that sent you that letter from the Quarry
07:49 15 Advisory Board. I've lived on Ellis for 17-plus
07:49 16 years. My house is over seven years old. Plastic
07:49 17 cracks, the foundation settled. It's not the
07:49 18 quarry. I've never had a problem with the quarry.
07:49 19 All the blasting they used to do on the east side
07:49 20 originally, I never had a problem with it. I never
07:49 21 had foundation fall down, never had sewers crack,
07:49 22 anything like that.

07:49 23 Most of their property is already in the
07:49 24 land use plan as far as mining goes, so they're
07:50 25 only asking for a small addition to extend jobs,

07:50 1 make things cheaper in the long run for another 20
07:50 2 to 25 years.

07:50 3 Payne & Dolan already goes way beyond
07:50 4 what I consider necessary in the community by doing
07:50 5 the best they can to keep us calm by watering the
07:50 6 roads and doing all the on-site tire wash they
07:50 7 installed years ago in addition to the rare time
07:50 8 that a truck has spilled contents on a public road.
07:50 9 They go out and clean it up anyway. They don't
07:50 10 have to, but they do just to make them good
07:50 11 corporate citizens. And that's it.

07:50 12 MR. DOBBS: Thank you. Anyone else who
07:50 13 would like to say anything in favor of this? In
07:50 14 the red?

07:51 15 MR. HOKANSON: My name is Kevin Hokanson.
07:51 16 I live at 2721 Manor Avenue, Mount Pleasant. I
07:51 17 work for a local Racine company called A.W. Oakes &
07:51 18 Son. We haul a lot of material out of Payne &
07:51 19 Dolan right now. We need that quarry to stay in
07:51 20 business. The road projects, the industrial parks,
07:51 21 the homes, streets, the driveways, the sidewalks,
07:51 22 all need these materials to get constructed
07:51 23 properly. And every time we restrict a quarry from
07:51 24 withstanding or utilizing the natural resources,
07:51 25 the taxpayers and private citizens pay.

07:51 1 Every time we have to truck farther, we
07:51 2 put more trucks on the road, expose people to that
07:51 3 hazard, we pay more for fuel, we pay more for
07:51 4 insurance, and the taxpayers and developers pay
07:52 5 more for products. And what that does is it costs
07:52 6 us jobs because people develop less.

07:52 7 We've been coming in and out of the
07:52 8 Payne & Dolan quarry for years. If you notice when
07:52 9 you go by, you don't see dust on the roads on a
07:52 10 normal basis. Everything is nice and landscaped.
07:52 11 It looks much better than it did when it was Vulcan
07:52 12 Materials, who I thought did a great job also.
07:52 13 Payne & Dolan takes pride in their properties.
07:52 14 They take pride in the community, and they go above
07:52 15 and beyond.

07:52 16 Our trucks did get those notices when the
07:52 17 trucking routes were pointed out. Every driver had
07:52 18 a pile of them. Every driver was advised if they
07:52 19 break it, they would be turned in. Payne & Dolan
07:52 20 stepped up. They decided that everybody needed to
07:52 21 follow the rules. We followed the rules. The
07:52 22 other trucking companies followed the rules, and we
07:52 23 did the right thing.

07:52 24 My kids drive past the quarry every
07:52 25 single day going to school during the school year,

07:52 1 and I don't worry about dust; I don't worry about
07:52 2 traffic. Payne & Dolan controls the inbound and
07:53 3 outbound traffic extremely well. They keep the
07:53 4 roads clear. The intersection is never a hassle.
07:53 5 I don't worry about my kids driving by there every
07:53 6 day.

07:53 7 Payne & Dolan has been a great ally for
07:53 8 us with the jobs that it creates for us. We employ
07:53 9 a lot of people -- a lot of Caledonia residents,
07:53 10 Mount Pleasant, City of Racine, Kenosha. Those
07:53 11 people count on that quarry being open so we can do
07:53 12 more business, expand our trucking, and we can put
07:53 13 more people to work.

07:53 14 That's why we're in favor of it.

07:53 15 MR. DOBBS: Thank you. Anyone else like
07:53 16 to speak in favor? Sir?

07:53 17 MR. JUNG: I am Tom Jung. I own a
07:53 18 trucking business in Racine. I've been in business
07:53 19 for 40 years. And Payne & Dolan, they run a pretty
07:53 20 tight operation. I get my trucks, and they've got
07:54 21 to go through a truck wash before they even hit the
07:54 22 road. It gets all underneath washed. I mean, you
07:54 23 come up from the bottom, they got it all laid down
07:54 24 so the dust comes up. You get up to the top.
07:54 25 You've got to go through the washer, then you've

07:54 1 got to go across the scale, let all the water drip
07:54 2 off, and then hit the road, so there's nothing --
07:54 3 no dust. Because they're real conscious about
07:54 4 their dust control, that it don't go up in the air.

07:54 5 You know, and I've been out of that
07:54 6 quarry for over 40 years myself. So I'm in favor
07:54 7 of it. They run a pretty tight operation all the
07:54 8 way around.

07:54 9 I mean, I go to their other pits out
07:54 10 west, up to Lannon, I mean, Waukesha, they're all
07:54 11 over the state, and I haven't been to one of their
07:54 12 pits that hasn't been in the top-notch shape, you
07:54 13 know, and that's just coming from personal
07:54 14 experience. And I think they do a real good job of
07:54 15 what they do.

07:55 16 So I'm in favor of it for that. Plus,
07:55 17 all these communities around here with the natural
07:55 18 resources -- I mean, you go from Oak Creek all the
07:55 19 way down to Pleasant Prairie, they use that stone
07:55 20 along this lakefront. I don't care where you go.
07:55 21 I mean, you've got to go way west. I mean, you're
07:55 22 talking about \$7, \$8 a ton difference in trucking
07:55 23 if you start pulling it from other different
07:55 24 places.

07:55 25 Everyone in the municipalities are going

07:55 1 to take effect on that. You know, so for tax
07:55 2 purposes or whatever you want to call it, building,
07:55 3 you know, whatever you want to say, it's better off
07:55 4 I think if you have stuff for 20, 25 years coming
07:55 5 down the road, then you know what your costs are
07:55 6 going to be at.

07:55 7 So thank you for your time.

07:55 8 MR. DOBBS: Thank you. Anyone else in
07:55 9 the audience that would like to -- Sir? Name and
07:55 10 address, please?

07:56 11 MR. KOCOUREK: Scott Kocourek,
07:56 12 4801 Bannoch Drive. I live just north of the
07:56 13 quarry. I'm also -- Not only do I live near the
07:56 14 quarry, I also own a small business here in Racine
07:56 15 -- Caledonia. We use stone for residential
07:56 16 construction, water main break repairs for the
07:56 17 village, sewer repairs.

07:56 18 The quarry here is extremely important
07:56 19 not only to the employees that work at the quarry
07:56 20 but for my employees that work at G&F Excavating.
07:56 21 It keeps my truck off the roads more if we can buy
07:56 22 the material where we use it. I have been hauling
07:56 23 out of that quarry for about 26 years myself, and I
07:56 24 can tell you over the years the progression of the
07:56 25 amount of water used to keep the dust down, the

07:56 1 trucks washed.

07:57 2 I personally built my house 18 years ago
07:57 3 on Bannoch Drive. We've never had an issue with
07:57 4 foundation problems. We don't have problems with
07:57 5 noise. I think the biggest issue we've had over
07:57 6 the 18 years is once in the morning you can hear
07:57 7 the backup alarms when the equipment fires up, and
07:57 8 you can hear the backup alarms when they park them
07:57 9 in the evening, and that's about the extent of
07:57 10 noise issues we've had.

07:57 11 Thank you.

07:57 12 MR. DOBBS: Thank you. Anyone else that
07:57 13 would like to speak in favor of this? Sir?

07:57 14 MR. REESMAN: Greg Reesman with Reesman's
07:57 15 Excavating & Grading. I'm at 28815 Bushnell Road,
07:57 16 Burlington, Wisconsin. As a heavy construction
07:58 17 contractor, materials like this are a vital
07:58 18 resource to most every activity that we perform on
07:58 19 a daily basis. It's one of our largest input
07:58 20 items.

07:58 21 I currently have contracts with the
07:58 22 village here. We do a lot of work in Racine. If
07:58 23 these materials weren't available and we'd have to
07:58 24 haul that material from the western side of the
07:58 25 county, that starts having a big impact on the cost

07:58 1 structure to the consumer and the municipalities
07:58 2 and also starts to impact a lot of other people if
07:58 3 we're hauling it from the other side of the county
07:58 4 versus using a local resource where we can impact a
07:58 5 lot less people.

07:58 6 The other thing, these resources are
07:58 7 where they're found, they're naturally occurring.
07:58 8 They have to be utilized where they're at, and
07:58 9 they're limited. We can't take resources like this
07:58 10 and continue to, you know, inhibit their use and
07:59 11 build houses on it. Someday we're going to be
07:59 12 taking houses down to get at these type of
07:59 13 materials. We need to have the foresight to
07:59 14 preserve and make available for future generations
07:59 15 reserves and deposits like this.

07:59 16 We can't -- It's going to get to the
07:59 17 point -- We can't continue to inhibit the use of
07:59 18 these materials. You need to take a long view at
07:59 19 this. Use them where they're available, protect
07:59 20 them where they're available, and look out for
07:59 21 everybody's future and look out for the current
07:59 22 taxpayers and what it costs to provide
07:59 23 infrastructure and services to everybody. Thank
07:59 24 you.

07:59 25 MR. DOBBS: Thank you. Anyone else like

07:59 1 to speak in favor? Sir in the hat?

07:59 2 MR. MAREMA: Good evening. I'm Robert
07:59 3 Marema. I'm the site foreman over at Payne &
08:00 4 Dolan. I live over in Yorkville. I just wanted to
08:00 5 bring a human side of it. You know, I'm one of the
08:00 6 employees that are employed at that property.

08:00 7 I've got ten guys there that depend on
08:00 8 that place every day. You know, we take it
08:00 9 seriously. Payne & Dolan treats us pretty well,
08:00 10 and they make sure that we have all the, you know,
08:00 11 tools that we need to keep the dust down and keep
08:00 12 the noise down and keep crushing, and I just wanted
08:00 13 to -- Everybody seems to be kind of hard on big
08:00 14 companies these days, and they're a pretty good
08:00 15 corporate citizen across the entire state.

08:00 16 All they're asking to do is a little bit
08:00 17 more business right here. I've been employed at
08:00 18 that quarry for 23 years. My father worked there
08:00 19 for 18 years, and I have two brothers that have
08:00 20 started their career in mining at that place. So
08:00 21 it's kind of got a spot -- I'd just like to ask you
08:01 22 guys to, you know, consider their offer, and
08:01 23 hopefully we all can keep doing what we do best.
08:01 24 Thank you.

08:01 25 MR. DOBBS: Thank you. Anyone else? Way

08:01 1 in the back. Name and address, please?

08:01 2 MS. SCHULTZ: My name is Lisa Schultz,
08:01 3 and I live on Heidi Drive just on the other side of
08:01 4 the park. I'm here today to support the Racine
08:01 5 project. I'm a lifelong resident of Caledonia.
08:01 6 I've owned three homes in Caledonia, all within
08:01 7 two-and-a-half miles of the quarry.

08:01 8 The Racine quarry has been a financial
08:01 9 support to my family for many years. In fact, my
08:01 10 family is a third generation. I have worked for
08:01 11 the quarry for 38 years, five years being with
08:01 12 Payne & Dolan. Payne & Dolan is a great company to
08:01 13 work for. They operate the quarry in a very
08:01 14 environmental friendly way and are very good to the
08:01 15 citizens around us.

08:01 16 This is a much needed project that will
08:02 17 benefit in the community, including myself, my
08:02 18 fellow employees, and the surrounding areas, so I
08:02 19 ask that you please approve the Racine project
08:02 20 request. Thank you.

08:02 21 MR. DOBBS: Thank you. Would anyone else
08:02 22 like to speak in favor? Second request. Anyone
08:02 23 else like to speak in favor of this? Third and
08:02 24 final request. Anyone else like to speak in favor?

08:02 25 Seeing none, we move on to those that

08:02 1 would like to speak against this. I will start out
08:02 2 by mentioning a few of the letters or e-mails that
08:02 3 I got that I will introduce into the record. I
08:02 4 received one from Ryan Brooks. He's against the
08:02 5 expansion based on the reason the properties will
08:02 6 not pay enough taxes, the entire region suffers
08:02 7 economically because of this mine, dust, the
08:02 8 property value loss, the constant large truck
08:03 9 traffic. And that was Ryan Brooks, 4642 Carter
08:03 10 Drive.

08:03 11 Another one from Dave Sandgren, "Proposed
08:03 12 Quarry Expansion," he does not support it, from the
08:03 13 dust, noise, blasting, quality of life, wall
08:03 14 cracks, endless dust and dirt on the windows, and
08:03 15 he believes this area should be for residential
08:03 16 use.

08:03 17 Military Veteran e-mail, I'm not sure
08:03 18 what the name is, reduction of property values of
08:03 19 current businesses and residential properties, the
08:03 20 loss of property tax revenue and approval of the
08:03 21 zoning change will affect government tax revenue.
08:03 22 The noise, dust, damage to properties' walls,
08:03 23 glass, foundations, et cetera.

08:03 24 And then Mr. Weatherston had mentioned
08:03 25 that we got -- Oh. Here is another one that I just

08:03 1 got today. It's from a gentleman named Phil
08:03 2 Fountain who was a pilot, and he had an issue back
08:04 3 in the 1970s where he is alleging that the airflow
08:04 4 from it may have interfered a little bit with his
08:04 5 landing. He says to look at the FAA. I'm not
08:04 6 aware of the issue there.

08:04 7 Then we had the thing Mr. Weatherston
08:04 8 mentioned from Richard and Barbara Nyklewicz who
08:04 9 went out and got 150-plus signatures from neighbors
08:04 10 opposing this. Just out of a show of hands, who
08:04 11 signed this so I know who would know what was in
08:04 12 it? Okay. So about three-fourths of the crowd
08:04 13 signed this? Okay. So same type of things that
08:04 14 Mr. Weatherston mentioned, some of the dust and
08:04 15 different issues. Those are the ones that I got
08:04 16 that I want to introduce into the record.

08:04 17 And we'll take -- Who wants to speak
08:05 18 against this? Right there in the blue shirt. Name
08:05 19 and address, please.

08:05 20 MR. FOUNTAIN: I'm Phil Fountain, 4625
08:05 21 North St. Clair Street. And if anybody needs any
08:05 22 more copies of this, I'd be happy to hand them out
08:05 23 to you.

08:05 24 AUDIENCE MEMBER: We can't hear you.

08:05 25 MR. DOBBS: Speak in the mic.

08:05 1 MR. FOUNTAIN: I'm Phil Fountain,
08:05 2 4625 North St. Clair Street. Can you hear me?

3 MS. MARTIN: Closer still.

08:05 4 MR. FOUNTAIN: I'm about as close as you
08:05 5 can get.

08:05 6 MR. DOBBS: There you go.

08:05 7 MR. FOUNTAIN: Phil Fountain, 4625 North
08:05 8 St. Clair Street. Would anybody be interested in
08:05 9 any more of these handouts?

08:05 10 AUDIENCE MEMBER: I'll take one.

08:05 11 MR. DOBBS: You can just leave some at
08:05 12 the end of the table and if somebody wants one --
08:05 13 This is about the pilot situation.

08:05 14 MR. FOUNTAIN: Okay. I flew for Tenneco
08:05 15 for 30 years, 13 years out of Racine, and I was a
08:06 16 trained pilot on the Fairchild F-27 with 16,000
08:06 17 hours of flying. This incident that I'm reporting
08:06 18 to you people is an event where I had come in over
08:06 19 the quarry in strong winds, and all airplanes are
08:06 20 required or recommended practice is to fly with
08:06 21 approximately a 3-degree slope through the runway
08:06 22 and be configured for landing at about a 5-mile
08:06 23 distance.

08:06 24 I came across the northeast corner of the
08:06 25 quarry on Charles, and the wind was blowing from

08:06 1 the southwest. When it comes from the southwest,
08:06 2 it comes across Douglas and 3 Mile Road and it goes
08:06 3 down in the quarry and comes up on the northeast
08:06 4 side.

08:07 5 I entered the northeast side of the
08:07 6 upwind, and it blew the whole plane up, and I had
08:07 7 to pull the power back, get the nose of the
08:07 8 airplane down to maintain that 3-degree slope so
08:07 9 you can land at the airport. You come across the
08:07 10 southwest corner of the airport, and the power is
08:07 11 back and the nose down. Now, the wind is blowing
08:07 12 the airplane down into the quarry, so you've got to
08:07 13 add more power and bring the nose back up to
08:07 14 maintain that 3-degree slope.

08:07 15 When you get clear of the quarry at
08:07 16 3 Mile and Douglas, the nose is up, the power is
08:07 17 up, and you have to do a third configuration change
08:07 18 to get the nose down and land at a reasonable point
08:07 19 on the airport.

08:07 20 Now, what my concern is, is, what will
08:07 21 this quarry be like when it expands -- when the
08:08 22 quarry expands? Okay? Would it be worse? I
08:08 23 recommend that Caledonia and Payne & Dolan have --
08:08 24 go to someone at like NASA -- they are very good at
08:08 25 wind tunnel tests -- and build a model of the

08:08 1 quarry at the various stages of development and do
08:08 2 wind tunnel testing so they can determine what is
08:08 3 safe and what isn't safe.

08:08 4 Because I flew out of here for 13 years.
08:08 5 I knew about it, and I still had my hands full
08:08 6 here. Somebody who is not familiar can have real
08:08 7 problems.

08:08 8 MR. DOBBS: Did you make a report of this
08:08 9 to the FAA at the time? Did anybody look into it?

08:08 10 MR. FOUNTAIN: No.

08:08 11 MR. DOBBS: No? Okay.

08:08 12 MR. FOUNTAIN: There are a lot of things
08:08 13 that happen that aren't reported, but it doesn't
08:08 14 mean that they don't happen.

08:08 15 MR. DOBBS: Thank you. Okay. Anyone
08:08 16 else? Name and address?

08:09 17 MR. HOOYMAN: My name is Jerry Hooyman.
08:09 18 I live at 3900 Wilshire Drive in Racine, and I'm a
08:09 19 resident. I'm not an employee of Payne & Dolan. I
08:09 20 also -- I think most of you probably received
08:09 21 copies of the minutes of the November 27, 1996,
08:09 22 minutes when Vulcan was talking about expanding the
08:09 23 quarry. They never went through with it.
08:09 24 Basically, they had, from my understanding from the
08:09 25 newspaper articles, 60 to 70 people, which I think

08:09 1 there's probably more than that here, were against
08:09 2 it, so Vulcan never went through trying to get the
08:09 3 expansion and the zoning change and so forth.

08:09 4 Also, when I was working -- I'm presently
08:09 5 retired. I used to negotiate contracts. One thing
08:10 6 you don't do is give negativity when you're trying
08:10 7 to negotiate a contract. And what intrigued me
08:10 8 with Payne & Dolan, they showed what the residences
08:10 9 were when the quarry started and so forth and back
08:10 10 in the '50s, and they showed what it is now, which
08:10 11 is basically residences. You know, so -- And also
08:10 12 in the meeting minutes, basically a five-page memo
08:10 13 that the gentleman was allowed to present, he
08:10 14 mentioned the property in question has been zoned
08:10 15 an R-4 for a decade, and he emphasized a decade.
08:10 16 Now it's been over three decades. So --

08:10 17 And I know Payne & Dolan is saying,
08:10 18 "Well, we're going to, you know, deed something and
08:10 19 so forth." As we all know, laws can change and so
08:10 20 forth.

08:10 21 But when the quarry began, as I
08:10 22 mentioned, there were no homes and businesses in
08:10 23 the area. Now all areas around the quarry have
08:10 24 homes and businesses. So I think that's something
08:10 25 that Caledonia should really look at. When the

08:11 1 quarry expansion, as I mentioned, was killed in '96
08:11 2 or didn't go forward -- And I don't know if anybody
08:11 3 has, you know, done their research.

08:11 4 I mean, I went through the minutes and
08:11 5 sent -- you know, scanned them in and sent copies
08:11 6 to basically all of you. Now, their presentation,
08:11 7 too, they indicated -- and I went to the May 3
08:11 8 presentation. Basically, they offer very few local
08:11 9 jobs as far as in the quarry.

08:11 10 Now, there's people that made a
08:11 11 presentation that they have, you know, truck -- you
08:11 12 know, quarry product out and so forth. But again,
08:11 13 as Payne & Dolan showed, they have quarries all
08:11 14 over the area. So yeah, it may cost a few dollars
08:11 15 more and stuff, but such is life.

08:11 16 I've talked to some of the current
08:11 17 residents who live close to the current quarry.
08:11 18 They've stated wall cracks, window cracks,
08:11 19 foundation cracks, problems from past and current
08:11 20 mining, and, you know, if we expand the quarry and
08:12 21 stuff, there's a potential that's going to happen.

08:12 22 I know that Payne & Dolan on May 3 in
08:12 23 their presentation, they said "We have new
08:12 24 technology," that it's not a problem with blasting
08:12 25 and so forth.

08:12 1 They also used to put in seismographs.
08:12 2 This was before I think Payne & Dolan even came,
08:12 3 when Vulcan was here in Vidian-Cheska Park. I
08:12 4 haven't seen those in a long time.

08:12 5 Also, the blasting and so forth, to me,
08:12 6 since the downturn in the economy, there hasn't
08:12 7 been a lot of construction. Now we're talking
08:12 8 about Foxconn. That could be a potential problem
08:12 9 and so forth if they get, you know, contracts and
08:12 10 so forth.

08:12 11 And when Payne & Dolan bought the
08:12 12 property they're saying in 2013, so five years ago,
08:12 13 a reasonable man would have looked at it and known
08:12 14 at that point in time that you have a limited
08:12 15 lifestyle -- life cycle on the quarry. So
08:12 16 basically now they're talking, you know, five to
08:13 17 seven years and so forth. So I'm assuming -- I
08:13 18 haven't checked into it, but I assume they bought
08:13 19 the quarry very cheap because it was a limited life
08:13 20 cycle and so forth. Why they waited five years to
08:13 21 try to get, you know, a change to the zoning and so
08:13 22 forth, which the zoning, you know, as I mentioned,
08:13 23 has basically been about 30 years now, you know, to
08:13 24 me doesn't make a lot of sense. It doesn't sound
08:13 25 like good business practice.

08:13 1 The other thing I read on the Internet
08:13 2 with Google search about lawsuits, and a lot of
08:13 3 times the village or the cities and so forth are
08:13 4 sued along with, you know, the owner, like Payne &
08:13 5 Dolan. So that's something you may want to
08:13 6 consider. And one thing I learned in college in
08:13 7 business law, if you want to sue somebody, you
08:13 8 bring everybody in and sue them. You can always
08:13 9 take people out, but it's hard to get them in
08:13 10 later. I'm not an attorney, but that's what I was
08:14 11 taught.

08:14 12 Also, I provided information and so forth
08:14 13 and some links, and I asked the city assessor what
08:14 14 the value of -- property values would go down if
08:14 15 you're close to the quarry. I haven't gotten an
08:14 16 answer back yet, but the links that I sent and so
08:14 17 forth indicated that you could get a 40 percent
08:14 18 reduction in property values, which means also a
08:14 19 40 percent reduction in your property taxes. And I
08:14 20 know Rick and his wife, you know, they did
08:14 21 different studies. What Payne & Dolan is paying in
08:14 22 property taxes and what property owners are paying
08:14 23 and so forth, Payne & Dolan is paying a negligible
08:14 24 amount compared if you basically changed those --
08:14 25 or, you know, keep the resident zoning and open it

08:14 1 up to building. And as they showed, they show very
08:14 2 limited, you know, jobs in the quarry. And back in
08:15 3 '96, the gentleman -- You know, and most of you
08:15 4 have read the minutes and the memo -- indicated
08:15 5 that there would be fantastic number of jobs, like
08:15 6 Korndoerfer is doing, you know, too, bringing
08:15 7 people in.

08:15 8 I just have -- And actually, Payne &
08:15 9 Dolan is only asking for a rezoning now of a
08:15 10 specific area, but what is guaranteed in the
08:15 11 future? I mean, like Act 67 and so forth, too.
08:15 12 You can change the laws or you can change different
08:15 13 requests.

08:15 14 And also when they talked about trucking,
08:15 15 you know, I live only a couple blocks away from the
08:15 16 quarry, so I go by 3 Mile quite often. I very
08:15 17 seldom see a trucker that has covers on their
08:15 18 trucks. So we've got dust and so forth. I don't
08:15 19 know what the state laws or if there is a state law
08:15 20 and stuff, but, you know, that's not going to get
08:16 21 better as far as I'm concerned.

08:16 22 And like I say, the seismographs and so
08:16 23 forth, I don't know what happened to those, you
08:16 24 know, what's going on. I heard at that time, you
08:16 25 know, a number of years ago that the state required

08:16 1 and so forth because of some complaints, you know,
08:16 2 of noise and stuff. And again, if you -- Like I
08:16 3 say, I'm retired. When I was working, no, I didn't
08:16 4 notice blasting and so forth because I was working
08:16 5 during the work hours and stuff.

08:16 6 And when I sit on my patio in summer,
08:16 7 I've got -- the ground shakes. And I'm not that
08:16 8 close now to where they're mining, but the new
08:16 9 mining area and stuff, you know, I'll be very
08:16 10 close.

08:16 11 So like I say, I'm a resident. I'm not
08:16 12 an employee. I don't work, you know, for a company
08:16 13 that hauls stuff and so forth. So my concern is as
08:16 14 a resident and stuff for my property values. And
08:16 15 as I've indicated to the city and stuff too, if the
08:16 16 quarry -- if this is approved, I'm going to request
08:16 17 that my property taxes and my assessment go down.
08:17 18 Thank you.

08:17 19 MR. DOBBS: Thank you. Anyone else that
08:17 20 would like to speak? Name and address?

08:17 21 MR. NITSCH: Hello. My name is Keith
08:17 22 Nitsch. I live at 4602 Charles Street. One of the
08:17 23 -- I have pictures back in 2002 that I replaced two
08:17 24 foundation walls on my house. All right? It was
08:17 25 cracked from the -- Let's see. That's the

08:17 1 southeast corner from the top all the way down to
08:17 2 the basement floor. It cost me \$15,000 because of
3 Vulcan.

08:17 4 And another thing is, you know, this
08:17 5 company says "Okay. Well, 40 percent of this
08:17 6 gravel is going to Illinois." Well, why don't we
08:17 7 just keep it here instead of shipping it out?

08:18 8 Let's see. I had a couple other points
08:18 9 but I can't even remember. I'm getting too old.
08:18 10 But I have pictures if anybody wants to see the
08:18 11 work I had on my foundation. I think that, you
08:18 12 know, seven, eight years of work still, that's more
08:18 13 than a lot of people have. So, you know, let them
08:18 14 go for seven years, and then let's bring it back
08:18 15 up, and I think this should go to the voters.
08:18 16 Thank you.

08:18 17 MR. DOBBS: Thank you. Ma'am? Name and
08:18 18 address?

08:18 19 MS. BUCKLEY-HUNTER: Hi. My name is
08:18 20 Lavetta Buckley-Hunter. I live at 4623 LaSalle
08:18 21 Street right across the street from the Maple Park
08:18 22 subdivision.

08:18 23 In 2007 my husband and I bought our dream
08:18 24 home in Caledonia. At the point -- At that time we
08:18 25 didn't think that we had a quarry in our backyard,

08:19 1 but now it looks like we may have a quarry in our
08:19 2 backyard. We're not happy about it. We do feel
08:19 3 the blasts all the way on LaSalle Street. Our
08:19 4 neighbor actually had his foundation crack. I
08:19 5 don't know what the source of it was, but he has
08:19 6 since sold the home. He did have a crack in his
08:19 7 foundation -- a new construction home. I'm sure it
08:19 8 can happen, but I'll tell you a little story.

08:19 9 I had surgery about a week-and-a-half
08:19 10 ago. I had pain at the incision site and then I
08:19 11 had what you call "referred pain." Payne & Dolan
08:19 12 for the people that live on Ellis, all of those
08:19 13 that are very close to where they are considering
08:19 14 expanding, I'm asking the village and whoever else
08:19 15 are decision-makers here to not let Payne & Dolan
08:19 16 become a pain in the rear end for us because again,
08:19 17 remember, there's pain, and there's referred pain,
08:19 18 and we do feel those things.

08:19 19 We deal with the dust and debris when we
08:19 20 drive down 3 Mile Road. We have to deal with those
08:20 21 things. And there's vacant lots right now on Ellis
08:20 22 in the Maple Park subdivision. For all of those
08:20 23 who indicated, you know, "Don't build a home with a
08:20 24 quarry in the backyard" or, you know, are
08:20 25 considering building other places, I challenge you

08:20 1 to build your house on Ellis in the backyard where
08:20 2 the quarry is planning to be.

08:20 3 So those are all the things that I have
08:20 4 to say. I definitely oppose this. I can
08:20 5 appreciate all of the employees from Payne & Dolan
08:20 6 who came up and spoke. It was a very informative
08:20 7 presentation that was presented, but at the end of
08:20 8 the day, I do have to oppose it. When I bought my
08:20 9 home, my husband and I, we never intended for a
08:20 10 quarry to be in our backyard, so I strongly oppose
08:20 11 it.

08:20 12 MR. DOBBS: Thank you. Name and address?

08:20 13 MR. WALKER: My name is Dennis Walker. I
08:20 14 live at 1636 Ellis Avenue. A couple things.
08:20 15 Obviously, property assessment is my concern, but
08:21 16 what gets me more is a couple years ago they
08:21 17 proposed curb and gutter on Ellis Avenue. I
08:21 18 brought over 80 percent signatures against it. You
08:21 19 were on the board, Dobbs and you guys, and you
08:21 20 basically told me "Well, you know, the citizen may
08:21 21 be able to do it anyway." My concern is have you
08:21 22 made this decision already to go ahead or are you
08:21 23 going to listen to the people?

24 AUDIENCE MEMBER: That's right.

08:21 25 MR. WALKER: That really pissed me off,

08:21 1 and 80-some percent that signed that petition. You
08:21 2 looked right at me and pointed, "We're going ahead
08:21 3 with it anyway." That is fucking wrong.

08:21 4 MS. LOCKWOOD: Hi. I'm Denise Lockwood.
08:21 5 I am actually by day the owner of the Racine County
08:21 6 Eye, a news website, but I'm not here as a
08:21 7 journalist. I'm actually a resident at
08:21 8 4622 Lora Street.

08:21 9 One of the things that I really wanted to
08:22 10 kind of introduce was a little bit of science with
08:22 11 regards to the difference between dust and
08:22 12 particulate matter because while, if you don't
08:22 13 know, dust is actually particulate matter, the
08:22 14 science version of what that looks like.

08:22 15 And so particulate matter is a different
08:22 16 term that the World Health Organization and also
08:22 17 the National Institutes of Health has actually
08:22 18 indicated that there are significant health impacts
08:22 19 from what's called particulate matter. But it's
08:22 20 actually the size of the particulate matter that's
08:22 21 the problem. So there's these little baby dust
08:22 22 particles that come out. Actually, your hair --
08:22 23 the size of your hair follicle is PM10. Okay? So
08:22 24 PM10 and less to 2.5 actually gets into your nose
08:22 25 and causes respiratory issues: bronchitis, asthma,

08:22 1 all sorts of issues with regards to breathing
08:23 2 problems.

08:23 3 If it's less than 2.5, it gets into your
08:23 4 deep lungs and causes issues. It also gets into
08:23 5 your bloodstream if it's -- That's what's called
08:23 6 ultrafine particulates. There's coarse, which is
08:23 7 10 and above, there's fine, which is 2.5 to 10 --
08:23 8 PM10. Less than 2.5 actually causes significant
08:23 9 health issues. That has not even been discussed.

08:23 10 I know this because I'm a journalist, and
08:23 11 I cover a lot of We Energies. Now, there's the
08:23 12 size that is the problem; there's also the make-up
08:23 13 of the minerals. So when you're talking about coal
08:23 14 dust, it's got a lot of heavy metals in it. And
08:23 15 what I want to understand better is -- and maybe
08:23 16 Payne & Dolan can explain this a little better --
08:23 17 is the mineral make-up between -- the difference
08:23 18 between limestone and coal dust. Because obviously
08:23 19 you don't necessarily have heavy metals, but I'm
08:24 20 certainly not a science guru, so I really want to
08:24 21 understand that as well.

08:24 22 The other point about this is that when
08:24 23 I've done stories around We Energies, the DNR --
08:24 24 You guys -- Payne & Dolan keeps talking about how
08:24 25 they adhere to the best practices within the DNR,

08:24 1 and there's no particulate matter testing in this
08:24 2 entire county at all. That's the problem. So I
08:24 3 want to encourage every single one of you to look
08:24 4 at this also from a health issue standpoint, and
08:24 5 the reason is because I'm not only a journalist,
08:24 6 but I live here and I care deeply about the people
08:24 7 behind me and around here, and I want to make sure
08:24 8 that we don't have kids that have asthma, that we
08:24 9 don't have bronchitis, that we don't have all of
08:24 10 these health issues because of this, because it's
08:24 11 actually a very similar narrative that I have
08:25 12 actually witnessed with the We Energies properties.

08:25 13 And We Energies itself says "They don't
08:25 14 cause a problem." But you know what? I actually
08:25 15 was in those houses when We Energies -- which said
08:25 16 as well that they didn't cause any problems, that
08:25 17 the biggest problem with the narrative was that the
08:25 18 particulate matter was too big to cause human
08:25 19 health problems they said, that it was absolutely
08:25 20 scientifically not inhalable, but I actually have
08:25 21 every single one of those reports, and they are
08:25 22 wrong.

08:25 23 Not only are they wrong, but their
08:25 24 behavior said something entirely different because
08:25 25 they have literally bought up 200 acres around that

08:25 1 power plant, and every one of you guys knows this
08:25 2 because I've talked to you for seven years about
08:25 3 this. I do not want to become that with regards to
08:26 4 this power -- this quarry.

08:26 5 Now, I don't know all the science with
08:26 6 regards to how particulates float out, but I do
08:26 7 know that I have had discussions with the National
08:26 8 Institutes of Health, with a guy by the name of
08:26 9 Dr. Nadir who was formally with the EPA. And at
08:26 10 the end of the day, particulates can travel tens of
08:26 11 miles to hundreds of miles, and your lungs do not
08:26 12 care where that comes from.

08:26 13 So it is all around us, and I want to
08:26 14 make sure that you're looking at it from that kind
08:26 15 of perspective, and that's what I have to say. So
08:26 16 I know you care about us and yourselves, and I want
08:26 17 to make sure that that continues, so that's what I
08:26 18 wanted -- That's what I want to say.

08:27 19 MS. ROUNDY: My name is Cheryl Roundy,
08:27 20 and I live at 1215 Ellis Avenue. We just purchased
08:27 21 that home just recently, so the invitation to the
08:27 22 May 8 meeting missed us, I guess --

23 AUDIENCE MEMBER: Us too.

08:27 24 MS. ROUNDY: So be attentive to that.
08:27 25 But I guess one of the things that I'm questioning,

08:27 1 that's my backyard. That's our backyard. So
08:27 2 regardless of when the home was purchased, I think
08:27 3 that you should have made a better effort to
08:27 4 contact people who are going to be directly
08:27 5 affected by your moving into the neighborhood
08:27 6 there.

08:27 7 Also, if this doesn't get approved, what
08:27 8 are your intentions for that area, the ones that
08:28 9 aren't under your M-4 zoning currently? So what --
08:28 10 If you got turned down, then what? What's going to
08:28 11 happen to that area? Who are you going to sell it
08:28 12 to? Are you going to keep it? That would be
08:28 13 another question.

08:28 14 And then I guess to piggyback on what she
08:28 15 was asking, have there been any surveys? Have
08:28 16 there been any levels of safety studies for the
08:28 17 community for Maple Park area and the community
08:28 18 that's up and coming and growing there? During
08:28 19 your blasting and whatnot, the dust can't be
08:28 20 contained with water immediately after that, so the
08:28 21 dust particles are going to go up into the air, and
08:28 22 how is that going to affect us, our families and
08:28 23 our children and our health?

08:28 24 And I guess if you need me to reach out
08:29 25 to you to get that pre-blast survey that you're

08:29 1 offering or anything else that you're offering,
08:29 2 again, you're in my backyard. So if you could
08:29 3 contact us, my name again is Charlie. I'll be
08:29 4 looking forward to speaking with you.

08:29 5 And I guess I would just be concerned
08:29 6 about with them being 100 feet is it, did they say,
08:29 7 100 feet to where they'll be able to blast? Where
08:29 8 -- How will that be -- our foundation that we just
08:29 9 bought the house to, how is that going to be
08:29 10 affected? I need to know. We need to know these
08:29 11 things before everybody goes up in arms as well.
08:29 12 Excuse me. I'm a little nervous.

08:29 13 And I guess that's about it. Where do
08:30 14 you get the water from to control the dust? Where
08:30 15 is that coming from?

08:30 16 MR. DOBBS: They get it from the rain
08:30 17 water and the ground water that's in the hole.

08:30 18 MS. ROUNDY: The groundwater? So it's
08:30 19 not using any additional resources?

08:30 20 MR. DOBBS: From what I read in the book,
08:30 21 no.

08:30 22 MS. ROUNDY: Okay. That's good. And
08:30 23 then what was the percentages of materials that
08:30 24 you're going to be getting out of the current M-4
08:30 25 zoned area is the question.

08:30 1 MR. DOBBS: How many years?

08:30 2 MS. ROUNDY: How many -- What's the
08:30 3 percentage of material that's going to be coming
08:30 4 out of the current M-4 zoned area?

08:30 5 MR. DOBBS: I don't know if he
08:30 6 specifically had a number for us.

08:30 7 MS. ROUNDY: Okay. And then in addition
08:30 8 to what would be the percentage coming from the
08:30 9 proposed area is another question.

08:30 10 MR. WANGGAARD: Percent of what?

08:30 11 MS. ROUNDY: The material that they're
08:31 12 going to be pulling out of there.

08:31 13 MR. WANGGAARD: How many pounds -- How
08:31 14 many tons?

08:31 15 MS. ROUNDY: Yes.

08:31 16 MR. DOBBS: The numbers were .8 to
08:31 17 1.1 million tons a year, so they would slowly be
08:31 18 extracting that from that area for the next 20
08:31 19 years.

08:31 20 MS. ROUNDY: Okay. All right. I'm
08:31 21 sorry. I guess I was just scribbling there, but
08:31 22 yes. So I'll be looking forward to getting
08:31 23 contacted for that pre-blast survey.

08:31 24 MR. DOBBS: I'm sure they will if you
08:31 25 have her -- Do you have her address?

08:31 1 MS. ROUNDY: 1215 Ellis Avenue.

08:31 2 MR. DOBBS: Okay. They got it?

08:31 3 MS. ROUNDY: Thank you.

08:31 4 MR. DOBBS: Sir, in the back standing up.

08:31 5 MR. NYKLEWICZ: Hi, Mr. President,

08:31 6 members. I appreciate the opportunity to address

08:31 7 you tonight. I'd like to read a statement first

08:31 8 and then I'd like to distribute some material. The

08:32 9 requested actions are not consistent with the land

08:32 10 use plan for 2006.

08:32 11 MR. BENKOWSKI: Excuse me. Can you say

08:32 12 who you are?

08:32 13 MR. NYKLEWICZ: I'm sorry. My name is

08:32 14 Richard Nyklewicz. I reside at 4601 Kenrich Drive.

08:32 15 My wife, Barb, and I live there. We are the ones

08:32 16 that circulated the petition that was provided to

08:32 17 you and you summarized it, but there's more to it,

08:32 18 and I would appreciate if you did include it in the

08:32 19 record.

08:32 20 The requested actions are not consistent

08:32 21 with the Caledonia land use plan from 2006,

08:32 22 especially the rezoning request of Residential R-4

08:32 23 from residential to excavation. There was comments

08:32 24 made regarding a deed restriction. I would

08:32 25 encourage the staff if you have not already done so

08:32 1 to research the deed restrictions that are
08:32 2 currently on the land that is zoned Residential 4
08:33 3 but is being currently used as farming and
08:33 4 generating farming tax revenues.

08:33 5 The area homes built after 1996 and all
08:33 6 those built prior were aware of residential zoning.
08:33 7 The water retention area north of Johnson Street
08:33 8 was built and designed to satisfy the runoff and
08:33 9 flooding issues plus the planned addition of
08:33 10 180-plus homes that we were told when we purchased
08:33 11 our home in 2015, and we were told that from
08:33 12 village officials.

08:33 13 We also inquired and were told that the
08:33 14 land south of our home on Kenrich Drive was zoned
08:33 15 residential. We bought as others built on the
08:33 16 belief and understanding that the zoning of the
08:33 17 village, and prior to that the town, had been
08:33 18 adopted and was in effect.

08:34 19 The previous quarry operators, however,
08:34 20 bought land zoned residential being fully aware
08:34 21 that it was intended to be used for residential
08:34 22 purposes as planned and adopted by the village.
08:34 23 Payne & Dolan also had to know that with their
08:34 24 teams of legal and lobby staff and PR staff that
08:34 25 the zoning and restriction on future use prior to

08:34 1 the purchase of this land for \$3.5 million.

08:34 2 The dust obvious on the local roads does
08:34 3 not stay within the quarry boundaries. Just wipe
08:34 4 the dust from your home, your car windows or the
08:34 5 roadway and note the reflective sparkle in the dirt
08:34 6 on your fingertip. It's not fairy dust. It's
08:34 7 quarry dust. It is not, as the speaker previously
08:34 8 pointed out earlier, not good to be breathing that
08:35 9 stuff inside your lungs.

08:35 10 The concerns of residents before had been
08:35 11 loud and clear and unwavering. No more quarry
08:35 12 expansion. The minutes as referenced earlier of
08:35 13 the 1996 public town hall meeting I think
08:35 14 beautifully captures the essence of that time.
08:35 15 There was a presentation by the quarry. It was
08:35 16 announced that the public was not allowed to speak,
08:35 17 but a community statement was read and fortunately
08:35 18 for all of us recorded into the public record.

08:35 19 That record has been distributed to you
08:35 20 previously, and I will distribute it to you again
08:35 21 tonight, that speech by that individual family on
08:35 22 behalf of the residents of that time. I'd
08:35 23 encourage you not only to read it but to read it
08:36 24 aloud. It's prophetic. It raises the very same
08:36 25 issues that you are again facing tonight: the

08:36 1 protection of home and property, owner's local
08:36 2 planned use and zoning versus the financial and
08:36 3 personal interests of others.

08:36 4 The residents and town prevailed then and
08:36 5 our Caledonia village's community should again
08:36 6 tonight. Place this on file. It's inconsistent
08:36 7 with the planned use. Move us forward to a better
08:36 8 future -- a better, brighter future,
08:36 9 environmentally, economically, and as a growing,
08:36 10 thriving community.

08:36 11 After listening to the public tonight and
08:36 12 reviewing the public records as relates to revenues
08:36 13 being generated for the community by residential
08:36 14 property versus the quarry and the land -- and
08:36 15 their land-holding practices, it would be very
08:36 16 clear and very easy to vote to place this entire
08:37 17 matter on file tonight.

08:37 18 It's clearly in the best financial
08:37 19 interest of the community as a whole and, better
08:37 20 yet, although very, very unlikely, Payne & Dolan
08:37 21 should consider withdrawing their request and
08:37 22 recognize that the best thing for this community is
08:37 23 to allow us to fulfill our adopted plan and for
08:37 24 residential use to be done and implemented as
08:37 25 adopted in the strategic plan.

08:37 1 Now, in the comparison of residential and
08:37 2 property, Payne & Dolan previously -- The previous
08:37 3 quarry operator is a significant property holder
08:37 4 within the community. From what was provided to me
08:37 5 through the assessor of Caledonia, the total
08:37 6 acreage owned by Caledonia -- in Caledonia of the
08:37 7 quarry is 363.6 acres. The total assessment is
08:37 8 about \$2.6 million. The total taxes paid, all tax
08:37 9 units -- property taxes, \$68 million -- or excuse
08:38 10 me, \$68,000.

11 AUDIENCE MEMBER: What?

08:38 12 MR. NYKLEWICZ: \$68,000. The total
08:38 13 revenue that Caledonia as a village is realizing
08:38 14 from these 363 acres owned by the quarry,
08:38 15 \$21,742.44.

16 AUDIENCE MEMBER: Oh, my --

08:38 17 MR. NYKLEWICZ: By comparison, if you
08:38 18 take the land owned by taxpayers and property
08:38 19 owners south of Johnson Street to Ellis Avenue, the
08:38 20 west side of Erie to the east side of Charles
08:38 21 Street, 34 acres, the total assessment,
08:38 22 \$18.3 million. Total taxes generated, \$389,666.92.
08:38 23 Our Caledonia taxes? \$124,303. Pretty obvious.

08:39 24 If you want to go a little broader and go
08:39 25 from 4 Mile to Ellis Avenue, the west side of Erie

08:39 1 to Charles Street, 104 acres, total assessment,
08:39 2 \$41,967,000. Total taxes generated, \$890,362.49.
08:39 3 Total Caledonia taxes, \$284,025.

08:39 4 Now, there's one parcel of land that I
08:39 5 think clearly demonstrates the frustration that I
08:39 6 think all of us share, and I share it with you as a
08:39 7 former elected official myself. Farmland values
08:39 8 when used for land banking or residential, what
08:39 9 have you, it's a state statute. The primary of the
08:39 10 land that they want to use or the portion thereof
08:39 11 that they want to use is the parcel that I've got
08:40 12 in hand, and I'll distribute these to you so you've
08:40 13 got it to look at at your leisure.

08:40 14 But it's about 60 acres in the center of
08:40 15 the parcel east of Charles. It goes all the way to
08:40 16 Ellis Avenue, all the way to Erie -- excuse me, all
08:40 17 the way to Erie. It's from Thunderbird to about
08:40 18 the middle of that field, the area that they drew
08:40 19 that line that they wanted to run the road in.
08:40 20 They're paying on that parcel of land \$333.89
08:40 21 total. Total. Okay? And that's the state
08:40 22 statute. Okay? We all understand that. It's
08:40 23 being used as farmland, but it's zoned residential.

08:40 24 And I ask you to consider the former plan
08:40 25 this village adopted. If this land is developed in

08:40 1 keeping with the zoning that's in place, if Payne &
08:40 2 Dolan would allow us to develop it consistent with
08:40 3 what's going on in Maple Park -- and the developer
08:41 4 I hope is here to speak. I've included some
08:41 5 samples of their property. The minimum property
08:41 6 value of the homes they're selling today in Maple
08:41 7 Park, \$250,000 apiece. Now, ask yourself as a
08:41 8 neighbor, as a resident, as leaders in our
08:41 9 community, what would you rather have? Would you
08:41 10 rather have more homes with families contributing
08:41 11 to the vitality of the community, the builders that
08:41 12 go into those homes, whether it's the people
08:41 13 putting in the foundations, constructing the walls
08:41 14 or putting up the roofs?

08:41 15 That's far more economic advantage and
08:41 16 benefit to our community long term than what's
08:41 17 going on there today. I appreciate very much your
08:41 18 time and the opportunity to address you. I just
08:41 19 simply ask you to review the materials and take
08:41 20 them into consideration when you vote. Thank you.

08:42 21 MR. DOBBS: Sir in the back?

08:42 22 MR. VANDERHOEF: We're getting tired.
08:42 23 It's time to fire up the crowd.

08:42 24 AUDIENCE MEMBER: Ooh! Yee-haw!

08:42 25 MR. VANDERHOEF: My name is Tim

08:42 1 Vanderhoef. I represent the home and property
08:42 2 located at 1439 Ellis Avenue. I became the
08:42 3 executor of the Vanderhoef home upon the death of
08:42 4 my father in January 2018. I represent the
08:42 5 remaining 16 children of Willis and Ruth
08:42 6 Vanderhoef. We are 16 voices. We all raise our
08:42 7 hands as well as all the citizens in this room. We
08:42 8 are opposed to the quarry expansion.

08:42 9 Now, we listened to a lot of history from
08:42 10 the Vulcan quarry and the Payne & Dolan, so now
08:42 11 you're going to hear a little bit of history strung
08:43 12 through this letter I've written. A few things I
08:43 13 probably should just take out because some of it's
08:43 14 been covered, but I'm just going to go right
08:43 15 through it.

08:43 16 My parents bought our home in November
08:43 17 1948. That's 69 long years. With more children
08:43 18 being added each year, my father, with the help of
08:43 19 his uncle and family members, added the living room
08:43 20 and the front room and eventually an upstairs
08:43 21 comprised of five bedrooms.

08:43 22 Our home was the center of the
08:43 23 neighborhood activity because we had a child in
08:43 24 every age group stretching 19 years. I stress we
08:43 25 did not just live in a house. It was our home. I

08:43 1 still feel it every time I go into that home. It
08:43 2 lived and breathed, as we do now, and the
08:43 3 neighborhood called the Kremer Estates or Kremer
08:43 4 Addition is still a viable neighborhood, and it
08:44 5 breathes, and we live there, but now we feel the
08:44 6 danger.

08:44 7 Our property is directly in the path of
08:44 8 the quarry expansion. I do want to tell a story.
08:44 9 It may not make sense at first. I have always been
08:44 10 annoyed by people who want to live in the country,
08:44 11 buy a home in a neighborhood next to a farmer's
08:44 12 property when they owned -- that they've owned for
08:44 13 100 years, have 20 cows and a couple of pigs,
08:44 14 chickens, and the residents complain of the smell
08:44 15 that we in Wisconsin call our dairy air.

08:44 16 The comparison or analogy to that small
08:44 17 farmer is now Payne & Dolan, the quarry, who wants
08:44 18 to expand the little farm. Now this little farmer,
08:44 19 i.e., the quarry, wants to expand the farm fields
08:44 20 he has purchased over the last 50 years. Now he
08:44 21 wants 200 cows, 50 pigs and 30 chickens, so the
08:45 22 analogy ends right here.

08:45 23 Payne & Dolan will be blasting obnoxious
08:45 24 clouds of dust, grinding large chunks of rocks into
08:45 25 smaller stones, and drive more and more loud trucks

08:45 1 that create dust and possible pollution, causing
08:45 2 noise pollution, also.

08:45 3 What about the toxins from the metal and
08:45 4 the particulates and the rocks blasted into the
08:45 5 air? Does the Payne & Dolan quarry follow any
08:45 6 guidelines from the EPA? And only you could answer
08:45 7 that for me.

08:45 8 And who follows up on these activities?
08:45 9 Who on the Racine County board, the Caledonia
08:45 10 Village board? How much blasting does it -- does
08:45 11 the quarry allow it to do, and who keeps track of
08:45 12 it? How do they report it to the federal
08:45 13 government? How much noise is too much noise, and
08:45 14 how much blasting is too much blasting?

08:45 15 So going back in history, like I promised
08:45 16 you, let me tell you what it was like back in the
08:46 17 1950s and '60s when the quarry blasted. Our
08:46 18 experience was when we attended weekday Mass at
08:46 19 St. Rita's Church -- that's the old church -- an
08:46 20 explosion would occur, the walls and chandeliers
08:46 21 would shake and sway, and women and people who were
08:46 22 not used to the blasting would literally scream out
08:46 23 loud. We were kids. We adjusted. We got used to
08:46 24 it, but it was a harrowing experience. I recall it
08:46 25 very vividly.

08:46 1 MR. DOBBS: Let's try to keep things
08:46 2 current. I don't want to have a history -- They
08:46 3 don't do blasting that way anymore. Let's try
08:46 4 to --

08:46 5 MR. VANDERHOEF: I understand. They got
08:46 6 to tell their history. I get to tell my history,
08:46 7 with all due respect. I'm going to be done. I
08:46 8 really promise.

08:46 9 I do remember -- And you aren't going to
08:46 10 like this either, sir. I do remember having the
08:46 11 roof repaired at old St. Rita's Church because of
08:46 12 the cracks from vibrations, and I was told there
08:46 13 were occasions when the rock had been blasted up
08:47 14 and over the quarry walls onto the roof. I was
08:47 15 told, but I wasn't there.

08:47 16 Now, let us not forget the relocation of
08:47 17 the child care playground at St. Rita's Church now.
08:47 18 The playground is now on the east side. Oh.
08:47 19 That's right. That's going to be closer to the new
08:47 20 blasting. It's going to be closer again to the new
08:47 21 St. Rita's Church. What is the quarry thinking?
08:47 22 Money over children?

08:47 23 Recently I've heard a quote that these
08:47 24 people bought homes around this quarry and that
08:47 25 they knew what was going to happen. No, we did

08:47 1 not. We did not know.

08:47 2 Currently, I have lost a prospective
08:47 3 buyer for my parents' home on Ellis Avenue. They
08:47 4 are afraid of the unknown, and only you can
08:47 5 determine what is unknown at this point.

08:47 6 We had no idea who owned that land. We
08:48 7 thought it was farmers. We just enjoyed the sights
08:48 8 of the large trees on St. Rita's property which was
08:48 9 once a cemetery, and we enjoyed the quiet sounds of
08:48 10 the pheasants and sights of deer and geese who
08:48 11 lived in those fields.

08:48 12 A distance of 100 feet from a man-made
08:48 13 berm is too close to our property. 300 feet is too
08:48 14 close to be blasting. Let me make this perfectly
08:48 15 clear to those who live on the east side of Charles
08:48 16 Street. They will go right up to your backyard
08:48 17 too. It is preposterous to move Charles Street
08:48 18 over to the east and push traffic directly against
08:48 19 the neighborhood to the northwest of LaSalle
08:48 20 Street. If the quarry owns land up to Erie Street,
08:48 21 how long will it take to move to the east again?

08:48 22 Payne & Dolan quarries has removed enough
08:48 23 of Mother Earth and rock that was formed millions
08:48 24 and millions of years ago. You've had enough. We
08:49 25 thought you were done ten years ago. We thought

08:49 1 your business was at its end. Now I've heard you
08:49 2 would have a four-year supply of rock available.
08:49 3 Please be gracious and know when to say when. Let
08:49 4 your employees know it's coming to an end. And now
08:49 5 I'm going to invoke my father's name. He died at
08:49 6 the age of 97 in January, and everybody said "He
08:49 7 had a long run." So I'm saying to Payne & Dolan,
08:49 8 "Your run has ended. You've had a long run. Let's
08:49 9 get it closed. Let's get it done." I plead with
08:49 10 the board to oppose the quarry expansion, please.
08:49 11 Thank you.

08:50 12 MR. DOBBS: Name and address?

08:50 13 MS. SARGEANT: Hi. Name is a Sarah
08:50 14 Sergeant, and I just recently bought my first home
08:50 15 at 1015 Ellis Avenue. We are new to this
08:50 16 neighborhood, so a lot of the history is quite
08:50 17 frankly new to me. However, I do have a few points
08:50 18 that I would just like the planning commission to
08:50 19 consider when they're making this decision.

08:50 20 I don't know if these answers have
08:50 21 already been provided to you or not, but I am
08:50 22 hoping that if they have not been provided, that
08:50 23 you would look into them.

08:50 24 I ask that you approach this decision
08:50 25 with a healthy amount of skepticism, that you look

08:50 1 at what the company provides to you and ask
08:50 2 questions and look at it as if it was your
08:50 3 backyard, because it is my backyard. It's my
08:50 4 brand-new backyard that is going to potentially
08:50 5 have a road going where currently there is a
08:50 6 beautiful farm field.

08:50 7 I ask you that you look at the numbers
08:51 8 and statistics related to vibration and to noise
08:51 9 and to dust and some of the things that my
08:51 10 neighbors have already mentioned here tonight. But
08:51 11 additionally, I would challenge a few points that
08:51 12 have been made.

08:51 13 While it is wonderful that the company
08:51 14 would provide reports and notices of blasting area,
08:51 15 as an attorney, I know what that report would do.
08:51 16 If there was a crack in my foundation, I would have
08:51 17 that report if I was in the blasting zone, and if I
08:51 18 could show in a court of law that Payne & Dolan was
08:51 19 responsible for that crack, I would have to take
08:51 20 that report, and we would take that report through
08:51 21 expensive litigation that perhaps my insurance may
08:51 22 or may not carry, and then we would have a battle
08:51 23 of the experts.

08:51 24 That would mean that we would have a
08:51 25 battle on whether that report was correct , whether

08:52 1 that report showed the current conditions or it
08:52 2 didn't, whether the vibrations could have caused
08:52 3 something.

08:52 4 This is not something that your average
08:52 5 homeowner may or may not know. They may not have
08:52 6 the ability to go through expensive litigation. I
08:52 7 have seen it in my daily life, that people just
08:52 8 don't want to go down that path, whether it's an
08:52 9 insurance company covering the home or the
08:52 10 homeowner themselves. So while it's wonderful
08:52 11 that, you know, you can say "Oh, look. I have this
08:52 12 report," it doesn't really do much to protect you
08:52 13 if you have actual damage to your home.

08:52 14 And additionally, the homeowner would
08:52 15 have to know that that would be something that they
08:52 16 could raise, that, "Oh, maybe I need to hire
08:52 17 somebody to come out and do an evaluation of this
08:52 18 foundation to see if vibrations from blasting
08:52 19 caused this." So I ask you to consider these
08:52 20 things when you're looking at this decision.

08:53 21 Additionally, I would challenge the
08:53 22 concept that "This is currently happening, so what
08:53 23 does it matter?" It matters because there is a
08:53 24 deadline. There is a finish line in sight, and we
08:53 25 are moving that finish line. And additionally,

08:53 1 we're moving into ground that has previously not
08:53 2 been mined before. So these are things that maybe
08:53 3 while, yes, there's things going on in the quarry
08:53 4 now, we're extending that out. So it is not a fair
08:53 5 representation to say that nothing is going to
08:53 6 continue further. It's not going to get any worse
08:53 7 because one, we don't know; and two, we're
08:53 8 extending it over a period of time.

08:53 9 My main concern is my property value. As
08:53 10 a first-time homeowner, I bought in the Caledonia
08:53 11 area for the investment on my property because I
08:53 12 knew this area was up and coming, because I knew
08:54 13 that I could make a good investment with this
08:54 14 purchase of my home. So I just ask that before you
08:54 15 make a decision, that you have those numbers in
08:54 16 front of you. What will it look like to my home in
08:54 17 value? What will that look like? What will those
08:54 18 numbers do?

08:54 19 I think we already touched on the
08:54 20 potential tax revenues, but I think we need to
08:54 21 remember too what would be the property -- what
08:54 22 would be the loss to those homeowners, and does
08:54 23 that loss in property value comply with all
08:54 24 constitutional takings?

08:54 25 I am not a constitutional lawyer, so I

08:54 1 could not answer that question for you. However, I
08:54 2 would ask that the planning commission does
08:54 3 consider those things when evaluating this
08:54 4 decision.

08:54 5 Additionally, I would like to speak
08:54 6 briefly on the deed restriction that is proposed.
08:54 7 Since Payne & Dolan currently owns the land, they
08:54 8 themselves can remove -- put on a deed restriction
08:55 9 and remove that deed restriction unless there is a
08:55 10 condition in the variance grant that would limit
08:55 11 them to do this. So I'd just ask that if you do go
08:55 12 forward with allowing this, that you ensure that
08:55 13 the legal work is there so that we can make sure
08:55 14 that that deed-restricted land is going to remain
08:55 15 deed restricted and that any agreement going
08:55 16 forward would also be subject to that deed
08:55 17 restriction. It's not something that Payne & Dolan
08:55 18 can later decide to remove themselves.

08:55 19 Now, I know I may have missed a few
08:55 20 points because I was out in the hallway because not
08:55 21 all of the concerned citizens could fit into the
08:55 22 hearing room today, so excuse me if I doubled back
08:55 23 on any of the presentation that was made as I could
08:55 24 not see it, and I would note that a few of my
08:56 25 concerned neighbors could not sit, see or stand

08:56 1 during the presentation, so they left, maybe
08:56 2 perhaps unable to voice what they were saying, and
08:56 3 I would just like to note that perhaps the room was
08:56 4 not big enough for all of us to be heard.

08:56 5 I ask that you not only consider the
08:56 6 macro level points that Payne & Dolan made and some
08:56 7 of the business owners made, but you consider those
08:56 8 micro points about what it will do to our home
08:56 9 values and really dig into the statistics and
08:56 10 science behind your decision. I mean, that is all
08:56 11 I can ask you to do, and I appreciate your time.
08:56 12 Thank you.

08:56 13 MR. KJELL ERLANDSSON: Okay. My name is
08:56 14 Kjell Erlandsson, and I reside at 6208 Highway 31,
08:57 15 and I promise to be brief and no -- cite no
08:57 16 numbers. So -- I do understand that there is a
08:57 17 need for aggregate and crushed stone and things,
08:57 18 and I do think that Payne & Dolan is a fine
08:57 19 company, a fine company to work with, they meet all
08:57 20 the high standards, and they -- you know, they
08:57 21 practice with -- employing best practices in
08:57 22 everything they do, but I don't believe that the
08:57 23 change in zoning and land use here is in the best
08:57 24 interest of the citizens, and I think this is a
08:57 25 case where the citizens -- the interest of the

08:57 1 citizens has to override any other interest that
08:57 2 the leaders of the village has, and we are not
08:57 3 Mount Pleasant, and I don't think we want to be
08:57 4 Mount Pleasant.

08:57 5 The quarry doesn't belong in the middle
08:57 6 of a residential area. There's no such thing as a
08:57 7 dust-free quarry. I drove down 5 Mile -- or I'm
08:58 8 sorry -- 3 Mile Road today within the speed limit,
08:58 9 and it's a paved road, and I stirred up a cloud of
08:58 10 dust behind me. You know, I don't -- Normally you
08:58 11 don't see a cloud of dust when you drive on a paved
08:58 12 road, but I saw it today.

08:58 13 And I think it's time for the village to
08:58 14 look at the long-term use of the land in question.
08:58 15 Foxconn is coming in, and there's going to be a lot
08:58 16 of demand on land around here, and I don't believe
08:58 17 that the quarry is in the best interest -- is -- I
08:58 18 don't think a quarry is any longer the best use of
08:58 19 that land.

08:58 20 We heard some tax numbers quoted by a
08:58 21 private speaker, and so I think in terms of
08:58 22 numbers, I don't think it adds up that well for the
08:58 23 village either. Thank you.

08:58 24 MS. LEMKE: Thank you. My name is
08:58 25 Melissa Lemke. I live at 815 3 Mile Road. Ladies

08:59 1 and gentlemen of the village plan commission and
08:59 2 trustees, thank you for allowing me to speak here
08:59 3 tonight. My name is Melissa Lemke, and I am a City
08:59 4 of Racine alder for the 15th District. I'm not
08:59 5 here on behalf of the City, but I am here because
08:59 6 my neighbors know me, and they've asked me to voice
08:59 7 some of their concerns.

08:59 8 The 15th District which I represent is
08:59 9 adjacent to Caledonia's border. It's the
08:59 10 Thunderbird Avenue area and obviously 3 Mile where
08:59 11 the quarry is being proposed to expand, and as an
08:59 12 alder, I understand that you have a lot of
08:59 13 competing issues to address, a lot of competing
08:59 14 voices, so I appreciate you hearing all of our
08:59 15 comments.

08:59 16 I wanted to register my opposition to the
08:59 17 quarry rezoning. Currently, I think the neighbors
08:59 18 expected, given that it is zoned urban residential,
08:59 19 that a quarry would not be put in their backyard.
08:59 20 I don't think that the taxpayers expected that when
08:59 21 purchasing their home, and I've heard many of my
08:59 22 constituents raise concerns, I'll be brief, because
09:00 23 a lot of them have been brought up, their issues
09:00 24 including, but not limited to, impact on home
09:00 25 values, noise, traffic, air quality, blasting,

09:00 1 reclamation plans, infrastructure, and a number of
09:00 2 other concerns.

09:00 3 Given that I've heard those and I'm in
09:00 4 the city of Racine, I'd venture to guess that a lot
09:00 5 of these constituents who signed up to speak have
09:00 6 similar concerns as the people who circulated the
09:00 7 petitions as well. And so as a result of the
09:00 8 feedback from my neighbors in this area, I would
09:00 9 ask you not rezone the mentioned land parcels, and
09:00 10 I appreciate your time and consideration.

09:00 11 MR. DOBBS: Thank you. Right there.

09:00 12 MS. NITSCH: Hi. My name is Denise
09:00 13 Nitsch. I live at 4602 Charles Street. My husband
09:00 14 was up here previously, but I have a couple things
09:00 15 I would like to add.

09:00 16 First of all, my husband's grandfather
09:01 17 built our house, so -- and he built the house next
09:01 18 door. We wanted to stay married -- Well, yeah --
09:01 19 live in that house, and we have made a promise to
09:01 20 our son and our grandsons that that house would
09:01 21 never be sold. So I'm going to make it real here.
09:01 22 Everyone talks about a 20-year plan and, you know,
09:01 23 a vibrant job and this and that. Well, I can tell
09:01 24 you, I worked for 20 years at an organization, and
09:01 25 you know what? My job was eliminated. Okay? So I

09:01 1 get how everyone is feeling about the quarry going
09:01 2 away. I totally get that. It sucks.

09:01 3 Anyways, you know, our grandchildren love
09:01 4 our house. You know, we've been there. We have
09:01 5 changed every wall, two cement walls. We have
09:01 6 changed so much. We have expanded, we have done so
09:01 7 much because we love Caledonia. We love where we
09:01 8 live. You know, it's -- You know, we have kids in
09:01 9 the neighborhood. We don't have a high crime rate,
09:02 10 so when you started moving things around and -- you
09:02 11 know, it's going to happen. And I guess part of it
09:02 12 is, we're damned if we do and damned if we don't.
13 Let's face it.

09:02 14 Because if we don't approve this, then
09:02 15 they're just going to take what they own, and
09:02 16 they're just going to start blasting that again.
09:02 17 So when I was working, I worked at home. A blast
09:02 18 happened, a clock fell off the wall and almost hit
09:02 19 me in the head. I called, never heard back.

09:02 20 Driving on -- Driving -- Going on 3 Mile,
09:02 21 those trucks going in and out, they've cut in front
09:02 22 of me, almost nailed me a couple times. I called.
09:02 23 I've never heard back. So that -- It's sad. But
09:02 24 -- And I know that in the wintertime, you've got
09:02 25 big holes and, you know, you've got big drifts and

09:02 1 everything. I mean, it is a quarry. It is what it
09:02 2 is, so some of the things we just have to accept.
09:02 3 So I guess --

09:02 4 And I also did hear that your decision
09:03 5 was already made, that you wanted it to go through.
09:03 6 Whether that is true or not I do not know. Time
09:03 7 will tell. But I'm hoping that a decision -- you
09:03 8 know, everybody can work together and come up with
09:03 9 a plan because we know what they're going to do.
09:03 10 They will blast, and we're going to end up, you
09:03 11 know, with big holes of water, you know. So what
09:03 12 do we do then? You know, I don't want to move, but
09:03 13 if this quarry does go in, my husband and I have
09:03 14 talked, and we will move.

09:03 15 I don't -- I love that house. My
09:03 16 husband's grandfather -- husband's grandfather
09:03 17 actually made the tools to build the house. So,
09:03 18 you know, you have all that history and you have
09:03 19 all that background, and I'm sure it's not just me.
09:03 20 You know, across the street, the Pishneys, you
09:03 21 know, he was into construction. You know, he built
09:03 22 a lot. So we are very much a neighborhood, and
09:03 23 we're very much a community, and we do care about
09:03 24 each other, you know, so that's just my two cents.
09:04 25 That's all I have. Thanks.

09:04 1 MR. DOBBS: Any other perspectives? Sir?

09:04 2 MR. DECHECK: Mark DeCheck, 4403 Ruby
09:04 3 Avenue. I built my house before the quarry which
09:04 4 is across the street from my boys. I'm opposed to
09:04 5 having the quarry any closer to my home than it
09:04 6 already is. I hear them grinding at night. I'm
09:04 7 not home during the day to hear the blasting.

09:04 8 I heard a subtle threat about going ahead
09:04 9 and cornering the corner of Charles and 3 Mile. My
10 understanding has always been that that piece of
09:04 11 land isn't big enough for the quarry unless we give
09:04 12 up Charles Street. I'm just disturbed by that kind
09:05 13 of a threat because at that point, what else are
09:05 14 they going to do that's not in the best interest of
09:05 15 the community? I would just ask the Caledonia
09:05 16 leadership to show some leadership and block this
09:05 17 application and not let them bring the quarry any
09:05 18 closer to our homes.

09:05 19 MR. DOBBS: Thank you.

09:05 20 MS. THIELEN: My name is Eve Thielen. I
09:05 21 live at 4127 Monterey Drive, and I just would like
09:05 22 to say the bottom line is this. Whose side are you
09:05 23 guys on? We've got all these people. I haven't
09:05 24 heard very many people that don't live in the area
09:05 25 for that quarry. We don't want it. You've heard a

09:05 1 lot of good arguments. So the bottom line is the
09:05 2 people who elect you are the people you represent.
09:05 3 You don't represent the quarry. They don't bring
09:05 4 in the tax revenue that all the residential people
09:05 5 do. We should have the final say. And I think you
09:06 6 should be considering that over everything because
09:06 7 election does come up, and I'm not making a threat.
09:06 8 I don't even vote for you guys. I'm on the Racine
09:06 9 side. But you represent us, these people. You
09:06 10 don't represent the quarry. I mean, whose side are
09:06 11 you on? That's the bottom line.

09:06 12 MS. BALLEWSKE: Good evening. My name is
09:06 13 Christine Ballewske. I live at 1613 Wedgewood
09:06 14 Drive, and I'd just like to say my entire
09:06 15 neighborhood, if you go around there, you'll see
09:06 16 what has happened because of the rock quarry.
09:06 17 Every single neighbor, unless they've had it fixed
09:06 18 -- And Joe, you know this -- the sidewalks are
09:06 19 sunk, there's cracks in our walls. When they
09:06 20 blast, stuff falls off of my walls. And it seems
09:06 21 like since Payne & Dolan took over, it's gotten
09:07 22 worse with stuff falling off the walls. I don't
09:07 23 know if they're blasting harder or what the deal
09:07 24 is, but, I mean, I'm not even on Ellis. I'm three,
09:07 25 four blocks away from there, and you can hear the

09:07 1 rocks falling. You can hear the grinding. You can
09:07 2 hear everything. And this fact that everything is
09:07 3 sinking and all this stuff falling off my walls all
09:07 4 the time, you know, what -- What more can we do to
09:07 5 stop this?

09:07 6 This is -- Like Eve just said, you guys
09:07 7 are here because of us. I voted for you, I voted
09:07 8 for Kevin, I voted for Fran, I voted for Jay and
09:07 9 Mr. Wishau, I voted for him too. So I'm a voter.

09:08 10 MR. STILLMAN: You didn't vote for me.
09:08 11 Thanks.

09:08 12 MS. BALLEWSKE: I don't know about you.
09:08 13 Dale Stillman. Okay. Yes, I did vote for you.

09:08 14 MR. STILLMAN: Okay. I'll let you go
09:08 15 then.

09:08 16 MS. BALLEWSKE: But I'm just saying,
09:08 17 we're here because we're concerned. My house isn't
09:08 18 -- It's not a mansion. We've lived there for 34
09:08 19 years. We bought our house with intentions on
09:08 20 moving, but we loved the area. We love Caledonia.
09:08 21 We just want you guys to do what is best for us,
09:08 22 and that's it.

09:08 23 MR. DOBBS: Anybody else in the audience
09:08 24 like to say anything? Sir?

09:08 25 MR. SEBASTIAN: Scott Sebastian,

09:09 1 3840 LaSalle Street, City of Racine. I also own a
09:09 2 business at 6025 Douglas Avenue in the village of
09:09 3 Caledonia. I haven't heard from any other business
09:09 4 people from Caledonia this evening, so I wanted to
09:09 5 make my voice heard as a business person and the
09:09 6 fact that I live two blocks south of 3 Mile Road.

09:09 7 There's no question there's a dust
09:09 8 problem. There's no question there's a noise
09:09 9 problem. There's no question that there's a
09:09 10 quality of life problem with expansion and
09:09 11 extending the life of this quarry.

09:09 12 Anybody in this room or anybody who has a
09:09 13 clue understands that. That directly reflects on
09:09 14 doing business in the village of Caledonia as well.
09:09 15 Quality of life issues not only affect the
09:09 16 residents, the people in this room, they also
09:09 17 affect business owners and operators in the village
09:09 18 of Caledonia, and that's pretty much all I have to
09:09 19 say. Thank you.

09:10 20 MR. DOBBS: Sir?

09:10 21 ANDREW: My name is Andrew. I live in
09:10 22 the Maple Park subdivision. I think the issue at
09:10 23 hand here is, you know, a quarry near a residence.
09:10 24 Has Payne & Dolan, other than their convenience,
09:10 25 let's say, looked at having -- I mean, they said

09:10 1 they lease in Dane County. Have they -- Has the
09:10 2 city of Racine -- or not Racine -- I mean the
09:10 3 Village of Caledonia or, you know, Payne & Dolan
09:10 4 looked at leasing in not such a residential area
09:10 5 that would, you know, that way Payne & Dolan can
09:10 6 keep their subs around the area? Because I mean --
09:10 7 But I mean, that's the issue at point.

09:10 8 I mean, I've been around blasting. It
09:10 9 can either cause like an earthquake feeling or it's
09:10 10 just a small little "PFFT." And, you know, the
09:10 11 issue is, you know, the kids at Maple Park, the
09:10 12 kids at the church, you know, is there more of a
09:11 13 nonresidential area that they could maybe just, you
09:11 14 know, move to other than the one, you know, next
09:11 15 door to where they're at? Have they looked at
09:11 16 possibly other sites than, you know, closer to
09:11 17 homes maybe in people's backyards? Has that been
09:11 18 looked at?

09:11 19 MR. DOBBS: I think they covered that in
09:11 20 their presentation.

09:11 21 ANDREW: I'm sorry. I was out in the
09:11 22 hall, and I didn't hear.

09:11 23 MR. DOBBS: There are only so many places
09:11 24 that God put the stone, and much of it already has
09:11 25 houses over it, and there's not many resources

09:11 1 readily available is what I got out of it.

09:11 2 ANDREW: I'm sorry. I was out in the
09:11 3 hall so I couldn't attend the presentation at all.
09:11 4 So that was all.

09:11 5 MR. DOBBS: All right. In the back?

09:11 6 MS. WEISENSEL: My name is Sue Weisense1.
09:11 7 I live at 5431 Charles Street, which is a little
09:11 8 farther out from the quarry. My concern is my
09:12 9 faith home, St. Rita's Church. I've been a member
09:12 10 of St. Rita's for about 40 years. We built a new
09:12 11 church in 2005. It had a quarry directly to the
09:12 12 south of it. Now it's proposed that we will have a
09:12 13 quarry directly to the east of it, and I would like
09:12 14 to ask you fellows from Payne & Dolan, how would
09:12 15 you feel if that was your faith home?

09:12 16 MR. DOBBS: We're not going to direct
09:12 17 questions to them. Thank you. Anyone else?
09:12 18 Second request. Anyone else in opposition?

09:13 19 MR. MIKE VANDERHOEF: My name is Mike
09:13 20 Vanderhoef. I live at 1503 Ellis Avenue which is
09:13 21 next door to 1439. I grew up there at 1439, have
09:13 22 lived at 1503 for 30 years now, which is the back
09:13 23 side 100 feet from the berm you guys want to
09:13 24 build -- a nice berm is what I'm told. That's my
09:13 25 sight line. For 30 years, that's been my -- A

09:13 1 field is open. Trees, the old St. Rita's Church,
09:13 2 the woods that were there. That's a habitat for a
09:13 3 lot of animals -- deer coming through, fox, the
09:13 4 coyotes. Birds come in my backyard, they feed, go
09:13 5 back into them woods. It's a natural berm. It's a
09:13 6 shame that somebody had to rip it out.

09:14 7 I guess my question is to Payne & Doyle
09:14 8 (sic), was this expansion inspired by the Foxconn
09:14 9 job? And I say Fox "con" job. I think that's
09:14 10 about it.

09:14 11 MR. DOBBS: Thank you. Anyone else?
09:14 12 Sir?

09:14 13 MR. STEVENS: My name is Anthony Stevens.
09:14 14 I live at 4618 Carter Drive. My wife and I are 31
09:14 15 years old. We're millennials with two very young
09:14 16 children. Maybe people in this room see us walking
09:14 17 the kids around from time to time. But, you know,
09:14 18 listening to everybody and hearing the
09:14 19 presentations and everything, I feel like we're
09:15 20 underrepresented, and I think that's one of the
09:15 21 bigger issues here.

09:15 22 You know, you want people like us excited
09:15 23 to move to an up-and-coming neighborhood and
09:15 24 up-and-coming area where the home prices will rise.
09:15 25 This is an economic issue. Payne & Dolan -- It was

09:15 1 a very good presentation. You guys are just doing
09:15 2 your job. I get that. But to weigh the cost of
09:15 3 construction companies and whoever needs to get
09:15 4 that aggregate and that stone to do their projects
09:15 5 versus turning our neighborhood and a developing
09:15 6 neighborhood where people are trying to build homes
09:15 7 and develop the businesses around so that more
09:15 8 money comes into the area, to weigh that versus
09:15 9 their trucking costs? That's really short-sighted.

09:16 10 So, you know, health reasons or
09:16 11 foundation reasons or whatever the different
09:16 12 reasons are aside, I think the bigger picture is
09:16 13 you want the type of people that are excited to
09:16 14 live in an area and have kids in that area coming
09:16 15 in. So I think that's something to definitely
09:16 16 consider with this. Thank you.

09:16 17 MR. DOBBS: Anyone else? Anyone else
09:16 18 like to say anything? Third request. Anyone else
09:16 19 like to say anything in opposition? With that, the
09:16 20 public comments session is over. Thank you. Let's
09:17 21 take a five-minute recess for the court reporter.

09:20 22 (A break was taken.)

09:22 23 MR. DOBBS: We're back in session with
09:22 24 the planning commission. Considering the amount of
09:23 25 information that we just got, I'm quite sure that

09:23 1 we cannot make an informed decision tonight. What
09:23 2 I would recommend, and see what you think, is to
09:23 3 have Jarmen present the documents that he does for
09:23 4 many of these types of planning commission things
09:23 5 where he'll give us a list of potential reasons why
09:23 6 the village could accept this and other reasons
09:23 7 that we could potentially deny this. With all the
09:23 8 things that were said tonight, I'm sure Jarmen has
09:23 9 kept good notes, and I have too, of the reasons, if
09:23 10 we would be able to mitigate the reasons or
09:23 11 eliminate the reasons against or if we wouldn't be
09:23 12 able to. I think that's my initial thoughts. Does
09:24 13 anybody have anything to add to that?

09:24 14 MR. WANGGAARD: I do. I would just like
09:24 15 to make sure that, you know, we don't go through
09:24 16 another public hearing, that this is done. And I
09:24 17 agree with you that we ought to have this done and
09:24 18 Jarmen ought to work -- you know, I hate to put it
09:24 19 all on Jarmen, but, you know, I think to have, you
09:24 20 know, conditions also there and for us to get the
09:24 21 paperwork or get, you know, the transcript of this
09:24 22 so we can look through this again also, and also
09:24 23 the village board can look through that and have
09:24 24 that poured on the village board.

09:24 25 MR. DOBBS: How long would it take for a

1 transcript to be done for something like this?

2 COURT REPORTER: About a week to ten
3 days.

09:24 4 MR. DOBBS: Our meeting would be on the
09:24 5 30th, so I assume that's when we'll bring this
09:24 6 back. Jarmen will present this with some pros and
09:24 7 cons if we would or wouldn't accept this, and we
09:25 8 can kick it around that night. It would not be a
09:25 9 public session. Could we --

09:25 10 MR. WANGGAARD: Could we get a transcript
09:25 11 out as soon as it's available?

09:25 12 MR. DOBBS: Right. Anybody else?
09:25 13 Thoughts?

09:25 14 MR. MINORIK: I guess I have a question.
09:25 15 There was a -- There was an individual that
09:25 16 presented, I believe, against that had a lot of
09:25 17 financial facts, right, as it related to acts and
09:25 18 impact to the community, and I'm wondering if
09:25 19 somebody can confirm that and maybe put that out to
09:25 20 us that we could either take his consideration or
09:25 21 discard it if it's not factual.

09:25 22 MR. DOBBS: Okay. Tony, can you -- Tony,
09:25 23 can you check with our assessor and the information
09:26 24 that that gentleman was quoting I believe we got
09:26 25 tonight from him? I think it was this pack here.

09:26 1 Yeah. Is it in here?

09:26 2 MR. FOLK: It's in this packet.

09:26 3 MR. DOBBS: If we can have this and get
09:26 4 some updated figures on that. And the other thing
09:26 5 is --

09:26 6 MR. FOLK: Hold on. Can I add to that?

09:26 7 MR. DOBBS: Sure.

09:26 8 MR. FOLK: Make sure we have impact costs
09:26 9 though, too. So if we're just talking dollars and
09:26 10 cents here, that's not enough. The impact of
09:26 11 services provided by Caledonia to that business
09:26 12 versus the residential cost impact. So if we're
09:26 13 going to do a financial analysis, you actually have
09:26 14 to go through and realize the fact that those
09:26 15 communities, as was stated, you know, \$100,000 is
09:26 16 paid by that person, \$21,000, but the financial
09:26 17 impact of those residents is different than the
09:27 18 financial impact. So if we're going to have some
09:27 19 type of analysis done, we're going to have that
09:27 20 detail.

09:27 21 MR. MINORIK: Right. The full story.

09:27 22 MR. DOBBS: Sure. The financial services
09:27 23 required, you're saying.

24 MR. FOLK: Yes.

09:27 25 MR. MINORIK: The other thing is, is

09:27 1 somebody mentioned a 2006 land use plan, and my
09:27 2 guess is that that's public record someplace, and
09:27 3 maybe I can just come in and see you, Tony, and see
09:27 4 how that relates to what we have?

09:27 5 MR. DOBBS: Jarmen?

09:27 6 MR. CZUTA: I believe -- You know, we
09:27 7 would have to look at the minutes from the planning
09:27 8 commission, but I believe the village voted to no
09:27 9 longer recognize the 2006 land use plan and solely
09:27 10 recognize the 2035 plan since you've been on here,
09:27 11 Joe.

09:27 12 MR. KNITTER: I believe that's correct.

09:27 13 MR. BUNKELMAN: And I have both, Joe. I
09:28 14 still have the 2006 plan, so if you want to see it,
09:28 15 I could pull that out for you, but the 2035 plan is
09:28 16 the plan that we've been using for the past two,
09:28 17 three years at least.

09:28 18 MS. MARTIN: I was working on that. The
09:28 19 2035 plan -- When the 2006 plan was rejected, we
09:28 20 were told that the 2035 plan incorporated the 2006
09:28 21 plan into it. So I think the zoning, when we're
09:28 22 taking about the zoning of the 2006 plan, I think
09:28 23 that's the same as the zoning in the 2035 plan,
09:28 24 unless it was subsequently amended. There were
09:28 25 some tweaks, but.

09:28 1 MR. BUNKELMAN: Well, we've got it. And
09:28 2 I think, Tim, you've got it at your offices.
09:28 3 Right?

09:28 4 MR. PRUITT: Correct. I'd just like to
09:28 5 add something. All the letters that were put in,
09:28 6 e-mails, any documents either for or against, we
09:28 7 need to have one person accumulating those so that
09:28 8 if this goes up on appeal, we've got a good record.

09:29 9 MR. DOBBS: I gave all the ones to the
09:29 10 court reporter. She's going to give them
09:29 11 eventually to Karie.

09:29 12 MR. PRUITT: Great.

09:29 13 MR. DOBBS: Some folks tonight brought up
09:29 14 DNR, EPA, and I haven't really heard any
09:29 15 information from either of those agencies. I guess
09:29 16 I did read one e-mail a while back when Jay brought
09:29 17 something up that they don't seem to govern or deal
09:29 18 with or do much with dust. Is that true? I mean,
09:29 19 who -- To answer that question, who are we going to
09:29 20 talk to to see if dust from streets, from farm
09:29 21 fields, from grass cutting, from trees, from stone,
09:29 22 from everything is hurting us or not and what we
09:29 23 can do about it? I don't know if anybody is going
09:29 24 to answer that question for us.

09:30 25 Melissa?

09:30 1 MS. LEMKE: So I don't -- Thank you for
09:30 2 allowing me to speak. One potential resource to --
09:30 3 I was going to say if you were interested in some
09:30 4 factual information about what kinds of dust might
09:30 5 be harmful versus what might not be harmful, one of
09:30 6 the folks that I might reach out to is there's an
09:30 7 environmental health group -- There's Zilber School
09:30 8 of Public Health in Milwaukee. So they're our
09:30 9 next-door neighbors, and they'd probably have some
09:30 10 information about that because they have an
09:30 11 environmental health division. I don't know if
09:30 12 there's anyone that specializes in dust, but they
09:30 13 might be a resource.

09:30 14 MR. DOBBS: Toni, could you get that
09:30 15 information and see if somebody from the village
09:30 16 can follow up on that? That's one of the strong
09:30 17 contentious points is dust, but other than getting
09:30 18 it on your cars, is it harmful? I haven't seen
09:31 19 that it is. I don't know.

09:31 20 MR. MICHALSKI: Jim? I've been living
09:31 21 around quarries for 20 years, and I'm the pillar of
09:31 22 health.

09:31 23 MR. DOBBS: You look good for 85. What
09:31 24 else was brought up tonight that we need to do a
09:31 25 little more research on?

09:31 1 MR. FOLK: I do believe they made
09:31 2 reference that we need to ensure that any
09:31 3 stipulations that we have as far as conditions are
09:31 4 specific enough that they address the current
09:32 5 statutes. Correct? Such as noise, dust, the
09:32 6 traffic impact, et cetera.

09:32 7 MR. PRUITT: Right. You try to make them
09:32 8 as objective as possible. Single out all the
09:32 9 issues that have been raised, what steps can be
09:32 10 taken to address them, and make those conditions --
09:32 11 As long as they're reasonable, then they'd have to
09:32 12 be complied with.

09:32 13 MR. DOBBS: Toni M., I'd also like you to
09:32 14 talk with our assessor to see if there's any
09:32 15 evidence that he could find that would affect
09:32 16 property values. I know that these folks have
09:32 17 reached out to the city of Racine via an e-mail,
09:32 18 their assessor, to see if their properties on their
09:32 19 side would be affected at all, and I don't think
09:32 20 they got an answer back yet. I'd be interested if
09:32 21 anybody could --

09:32 22 MR. WANGGAARD: Melissa could probably
09:32 23 find that out --

09:32 24 MS. LEMKE: I probably could look.

09:32 25 MR. WANGGAARD: -- as an alderman.

09:32 1 MS. MARTIN: They did provide links to
09:33 2 studies that were done.

09:33 3 MR. DOBBS: There was an interesting
09:33 4 study, and I actually read that one study that
09:33 5 gave all of the houses that went down in this area.
09:33 6 Then you read the asterisk at the bottom. "Reader
09:33 7 is advised that not all sales and resales of
09:33 8 properties within the influence of the quarry
09:33 9 resulted in a loss of price. However, the above 19
09:33 10 did." They didn't mention the ones that didn't get
09:33 11 batted around. They just mentioned the ones that
09:33 12 went down. So I'm not so sure that study was --

09:33 13 MS. MARTIN: Well, there were a couple of
09:33 14 links that looked pretty --

09:33 15 MR. STILLMAN: Have any of those
09:33 16 assessments in the neighborhood dropped in the last
09:33 17 five years or is it steadily increasing or are
09:33 18 property taxes dropping? I can't --

09:33 19 MR. DOBBS: It would be good to have our
09:33 20 assessor do some kind of reports for us and what
09:33 21 his thoughts on this whole thing are. Maybe I'll
09:33 22 talk to him and try to tell him what I need.

09:34 23 MR. PRUITT: Just one suggestion.
09:34 24 Tonight was a night for public hearing and
09:34 25 testimony to be presented for or against. To the

09:34 1 extent we bring back new information, we may have
09:34 2 to open that up and present it in a fashion that
09:34 3 Payne & Dolan can respond or perhaps others that
09:34 4 have questions about new information that you're
09:34 5 bringing to the table. I know you wanted to cut
09:34 6 off the public hearing as of tonight, but that
09:34 7 would mean that you just make your decision based
09:34 8 on what was presented here tonight.

09:34 9 So I don't think it's a bad idea to do
09:34 10 this extra investigation. I'm just saying that if
09:34 11 you do that and if you get reports from your
09:34 12 assessor or from a health professional about
09:34 13 particulate matter and that kind of thing and we
09:34 14 have a presentation, I think then you may need to
09:35 15 give an opportunity to the applicants to respond
09:35 16 and perhaps members of the public. So we'll have
09:35 17 to think that through.

09:35 18 MR. DOBBS: Mr. Wanggaard?

09:35 19 MR. WANGGAARD: Tim, I concede with the
09:35 20 applicant, you know, having that response as the
09:35 21 individuals of the public are the ones that ask the
09:35 22 questions to drive those answers, but I think also
09:35 23 that's why it's imperative, I think, we get the
09:35 24 transcript. Because if we get that transcript, I
09:35 25 think that individual that asked that question

09:35 1 might be the one that, you know, follows up on that
09:35 2 question. Is that -- Because otherwise you're
09:35 3 going to open it up to everybody again. You're
09:35 4 going to have another public hearing.

09:35 5 MR. PRUITT: Right. And again, I believe
09:35 6 the conference when we were hammering about Act 67,
09:35 7 this very issue came up in terms of what kind of
09:35 8 evidence is needed to pass the substantial evidence
09:35 9 test. If somebody stands up and talks about a
09:36 10 concern about particulate matter, is that enough or
09:36 11 do you need someone with expertise in that field to
09:36 12 present?

09:36 13 Is it enough for a person who owns
09:36 14 property to express concern about their property
09:36 15 values? Is that enough or do they have to present
09:36 16 someone who's got expertise, such as an assessor or
09:36 17 an appraiser to say "Yeah, I've done a study, and
09:36 18 it is going to affect property values by X
09:36 19 percent." So these are questions that we have, and
09:36 20 unfortunately we're all grappling with them. So
09:36 21 I'm hesitant to say that, you know, you just
09:36 22 necessarily need to go back to the person who
09:36 23 raised the question because I'm not sure that --
09:36 24 Those are all good points that were made and good
09:36 25 questions, but that person didn't necessarily have

09:36 1 the expertise to present or rebut.

09:36 2 MR. KNITTER: It's more opinion than
09:36 3 factual.

09:36 4 MR. WANGGAARD: But is that considered a
09:37 5 public hearing then? Is that something that we
09:37 6 have to post again?

09:37 7 MR. PRUITT: If we decide to do a public
09:37 8 hearing, we have to post it again, yeah.

09:37 9 MR. WANGGAARD: That's what I'm trying to
09:37 10 get at. Because if we have to -- If you're going
09:37 11 to come back and say "We're going to do this" and
09:37 12 open it up, is it considered public comment or is
09:37 13 it considered a public hearing?

09:37 14 MR. PRUITT: Those are two different --

09:37 15 MR. WANGGAARD: So the legalese part, so
09:37 16 we're falling in line to -- you know, that we were
09:37 17 the -- "We were noticed properly" or we didn't have
09:37 18 to notice.

09:37 19 MR. PRUITT: Right. I think if we're
09:37 20 bringing new information to the table, it should be
09:37 21 part of the record, which means it should be part
09:37 22 of your public hearing so that people can hear it
09:37 23 and be aware of the fact that you are bringing new
09:37 24 information, and that brings people out, you know,
09:37 25 in the audience. They can ask the tough questions

09:37 1 of the presenter or the information that's
09:37 2 presented. So unfortunately, that seems to be the
09:37 3 direction we're going. And again, I don't know
09:38 4 that this is what was intended by legislature when
09:38 5 we did Act 67, but it's kind of what we're dealing
09:38 6 with.

09:38 7 MR. WANGGAARD: But what time period? Is
09:38 8 that Class 1?

09:38 9 MR. PRUITT: I think we typically do a
09:38 10 Class 2 notice for a public hearing. Jarmen, you
09:38 11 know that.

09:38 12 MR. CZUTA: Two post days. Correct?
09:38 13 Seven days before and then the week before that.
09:38 14 Tim, is that what you're talking about?

09:38 15 MR. PRUITT: Right. We already did the
09:38 16 Class 1 notice for the land use plan, which was 30
09:38 17 days in advance, so this would become a
09:38 18 continuation of the public hearing if we decide to
09:38 19 go that route.

09:38 20 MR. FOLK: But I would argue that this is
09:38 21 due diligence at this point. I mean, the reality
09:38 22 is they brought up the questions, we had the public
09:38 23 hearing. Everything you're saying is accurate. We
09:38 24 received the information. We're not really getting
09:38 25 additional new information. We're getting the

09:38 1 information that they asked. We're doing due
09:38 2 diligence as part of our job and for the board's
09:38 3 job because if they ask the question, it's our
09:39 4 responsibility to get that, review it and make a
09:39 5 decision on it. So to your point, we've heard from
09:39 6 the village. We know what they want. We need the
09:39 7 data to actually make that informed decision.

09:39 8 MR. PRUITT: Great point. And we talked
09:39 9 about that too, the fact that pre-Act 67 is exactly
09:39 10 what you'd be doing. You're doing your due
09:39 11 diligence, you heard the people, you got the
09:39 12 information, you made the best decision based on
09:39 13 that information.

09:39 14 Now they're talking across the state as
09:39 15 this being more of a due process hearing where
09:39 16 you're supposed to be making a decision based on
09:39 17 the evidence that was presented at the public
09:39 18 hearing. And so to the extent you end up making
09:39 19 your decision based on evidence that you have
09:39 20 discovered later on, you're taking stuff that
09:39 21 happened outside the public hearing, and it opens
09:39 22 you up to a challenge later on if someone says
09:39 23 "Hey, I was at the public hearing. I heard all
09:39 24 this stuff, and they went and did another
09:39 25 investigation, and they made their decision based

09:40 1 on something that wasn't presented."

09:40 2 MR. FOLK: Okay. I'm not an attorney,
09:40 3 but hearsay. I mean, so "My foundation is
09:40 4 cracked." I have to count it as fact? Come on.
09:40 5 That's not --

09:40 6 MS. MARTIN: He's right.

09:40 7 MR. FOLK: I'm not saying that he's
09:40 8 wrong.

09:40 9 MS. MARTIN: Call up the legislator and
09:40 10 ask him why they drafted the statute that way.

11 MR. FOLK: Trust me, I will.

12 MS. MARTIN: Everybody should.

09:40 13 MS. PRUITT: And thank you to the village
09:40 14 board for attending tonight. That was the other
09:40 15 thing that came out of that. The general
09:40 16 prevailing wisdom now is that the same body that
09:40 17 hears the public hearing should make the decision
09:40 18 because it's now become a quasi-judicial hearing.
09:40 19 So that was a big groan at the conference because
09:40 20 everybody has clients, they all have village boards
09:40 21 that make recommendations -- or I'm sorry, plan
09:40 22 commissions that make recommendations to the
09:40 23 village board.

09:40 24 So the counter to that was "Let's have
09:40 25 both bodies hear the same stuff," the same

09:40 1 evidence, so to speak, so that when the decision is
09:40 2 made, you're acting with a good foundation.

09:41 3 So that's why we're all here tonight and
09:41 4 we're struggling through all of this, but I'm just
09:41 5 warning you that that's an issue that's out there,
09:41 6 that we need to make sure that the evidence that
09:41 7 was presented is what we base our decision on.

09:41 8 MR. FOLK: So I guess procedurally, do we
09:41 9 have to make a motion to table this to the next
09:41 10 meeting? Do we have to make this a public hearing
09:41 11 or is that still TBD?

09:41 12 MR. PRUITT: I think it depends on what
09:41 13 information we get. If we have something that's
09:41 14 worth presenting, then we'll have to make that
09:41 15 decision on whether we should notice it up as a
09:41 16 public hearing. But I do think that it's
09:41 17 appropriate at this time to adjourn to a day
09:41 18 certain -- in this case I believe the 30th is your
09:41 19 next date.

09:41 20 MR. FOLK: I would make such a motion.

09:41 21 MR. MICHALSKI: Second.

09:41 22 MR. DOBBS: If you were to post it up
09:41 23 early now and saying that we have -- you know,
09:41 24 we're going to research some of the questions that
09:42 25 they had that would include dust, that would

09:42 1 include property values, tax base, and that we will
09:42 2 present that information at the meeting and there
09:42 3 will be time for people to speak -- not really a
09:42 4 public hearing, per se, but we'll give them two
09:42 5 minutes to add something to whatever evidence we
09:42 6 find and that we present that night, would that be
09:42 7 sufficient?

09:42 8 MR. PRUITT: I think you could narrow it
09:42 9 and just say we can do an additional public
09:42 10 hearing. It will be just as to new evidence or new
09:42 11 testimony that's presented so that we're not
09:42 12 plowing new ground, so to speak.

09:42 13 MS. MARTIN: That's assuming you can get
09:42 14 that within two weeks.

09:42 15 MR. DOBBS: Right. I don't know what
09:42 16 we're going to find. Do you guys -- Does Payne &
09:42 17 Dolan have any information from dust? What kind of
09:42 18 research have you guys done? There's got to be
09:42 19 something out there, something you can show us,
09:43 20 some studies and whatever, that is going to either
09:43 21 kill you or not kill you.

22 MR. ENDRES: Sure. Yeah.

23 MR. DOBBS: There's got to be something
24 out there.

09:43 25 MR. ENDRES: Yeah. Sure. We can get you

09:43 1 guys some stuff.

09:43 2 MR. CZUTA: There's going to have to be a
09:43 3 decision made on this like right away because the
09:43 4 public -- If this has to be posted in the paper --
09:43 5 And I just know this because I started preparing a
09:43 6 legal notice for July 30. It has to be submitted
09:43 7 to the newspaper by the 12th. So I don't -- We're
09:43 8 not going to be able to -- if that's the route that
09:43 9 it needs to go, I don't know how this all comes
09:43 10 together.

09:43 11 MR. PRUITT: Then maybe you try to get
09:43 12 your new information for the next meeting, and then
09:43 13 take it up at a subsequent plan commission meeting.
09:43 14 I don't know.

09:43 15 MR. DOBBS: How about post it now as
09:43 16 there may be a limited time for the public to speak
09:44 17 if this board presents new evidence of information
09:44 18 that we've discovered in our research in the next
09:44 19 two weeks?

09:44 20 MR. CZUTA: The other thing is cost. Who
09:44 21 is ordering it? The village? Payne & Dolan? I
09:44 22 mean, you're talking about dollars and cents of
09:44 23 putting another notice in the paper, which we've
09:44 24 never done before. That's another decision that
09:44 25 would need to be made now.

09:44 1 MR. DOBBS: Act 67, unfunded mandate.

09:44 2 MR. BENKOWSKI: Something -- What you're
09:44 3 not even considering is before you can go forward,
09:44 4 you as a body should identify the things that
09:44 5 you're going to vet, that you're going to go
09:44 6 forward with. You as a body have to take apart the
09:44 7 minutes from this meeting in a rational manner and
09:44 8 say "This is what we're going to look into" and
09:44 9 create the operating. Because right now you're "Do
09:44 10 this. Tony, do this. Oh. Talk to the assessor."

09:44 11 You know, you can look at the assessor in
09:45 12 terms of valuations and lost depreciation in
09:45 13 comparison to a larger aggregate sample area. You
09:45 14 have to do a study about lost economic impacts.
09:45 15 What is being impacted because this is going
09:45 16 forward? What lost revenue? What lost property
09:45 17 valuations? What remodeling that didn't occur?
09:45 18 What other aspects?

09:45 19 I mean, if you're really going to start
09:45 20 to take this apart, you have to take it apart and
09:45 21 you have to package it and break it and figure out
09:45 22 what you're going to do and what you're not going
09:45 23 to do. Otherwise, as our attorney is telling us ,
09:45 24 Act 67, you're automatically making a decision that
09:45 25 this is irrelevant or that's relevant or that's

09:45 1 factual or that's not factual. Payne & Dolan has
09:45 2 to have the ability to rebut anything that you
09:45 3 bring forward. This is not a process which is
09:45 4 going to occur in a timely, clean, efficient
09:45 5 manner. This is -- We're talking at least two
09:45 6 months. This is not "The next meeting we're going
09:45 7 to have it resolved." And then after that it's
09:45 8 going to go to the board, and it's going to get
09:46 9 sloppy again. This is not clean. This is not
09:46 10 easy.

09:46 11 MR. DOBBS: No, it's not.

09:46 12 MR. BENKOWSKI: And then we've got the
09:46 13 citizens to deal with. So potentially you're going
09:46 14 to have two or three of these public meetings with
09:46 15 the information that's being presented and sort of,
09:46 16 I guess, in the words of Xiaoping, "You're going to
09:46 17 cross the river by feeling the stones." This is
09:46 18 not two, three things and let's go meet again. I
09:46 19 think you really do have to digest that document.

09:46 20 It's up to you as the board -- Maybe the
09:46 21 board has to be present too, but it's up to you as
09:46 22 the plan commission to create that vet. It's these
09:46 23 ten items. You have to create a rationale that's
09:46 24 defensible, and the attorney has to be part of it.

09:46 25 MS. MARTIN: It's asking you to sit as a

09:46 1 judge without knowing the rules of evidence.

09:46 2 MR. DOBBS: Well, what's interesting is,
09:47 3 typically in court, there would be people bringing
09:47 4 us facts on both sides. We didn't have a lot of
09:47 5 facts out there. We had a lot of things about --
09:47 6 We have to pay to go get the facts?

09:47 7 MS. MARTIN: That's the problem. The
09:47 8 rules of evidence --

09:47 9 MR. DOBBS: We've never done it this way.
09:47 10 Somebody should provide us with facts on one side
09:47 11 and facts on the other and we --

09:47 12 MS. MARTIN: That's how judges do it.

09:47 13 MR. DOBBS: We don't have them.

09:47 14 MR. MICHALSKI: We have some facts.

09:47 15 MR. DOBBS: What are we thinking?

09:47 16 MR. FOLK: A motion was already made to
09:47 17 table it until the 30th and seconded.

09:47 18 MR. MINORIK: Seconded.

09:47 19 MR. DOBBS: The motion is seconded to
09:47 20 table this until the 30th where we will have
09:47 21 gathered some new information that we will digest,
09:47 22 and we will post that there may be a public hearing
09:47 23 on any new information that we present.

09:48 24 MR. KNITTER: I don't know about that.
09:48 25 You can't post "may be."

09:48 1 MR. DOBBS: Mr. Attorney, help me here.

09:48 2 MR. MICHALSKI: You can't do "maybes."

09:48 3 MR. PRUITT: Yeah. I actually think the
09:48 4 gentleman is correct. We're in for a longer
09:48 5 process. I don't like to drag these things out,
09:48 6 but we need to do it right, and it's not fair to
09:48 7 either side to make decisions without all the
09:48 8 information. So I think we should forge ahead and
09:48 9 try to get the information that we need, the
09:48 10 transcript, and you're going to have fun doing the
09:48 11 transcript, I'm sure, but some of the information
09:48 12 that we start gathering information from Payne &
09:48 13 Dolan on some of the issues raised and then other
09:48 14 suggestions that were made in terms of the health
09:48 15 aspect and see what we have at the 30th. And once
09:48 16 we have a game plan, then go ahead with public
09:48 17 hearing.

09:48 18 Maybe we bring somebody in from the NIH
09:49 19 or -- you know, I don't know. Maybe we'll find the
09:49 20 right person to come in and talk about whether this
09:49 21 is something we need to worry about or not.

09:49 22 MR. FOLK: How much notice has to be
09:49 23 given to cancel the public hearing?

09:49 24 MS. TORKILSEN: Are we going to be
09:49 25 expected to notify everybody by mail again too?

09:49 1 Because that's the other thing. The 500 -- That
09:49 2 will take some time.

09:49 3 MR. CZUTA: I've got to jump in with
09:49 4 possible -- Procedurally, if we're going back to
09:49 5 the public hearing route now, granted, this is
09:49 6 layover and things, but Karie brings up a great
09:49 7 point in terms of notification and things like
09:49 8 that. We're past the filing deadline for the July
09:49 9 30 meeting. That was July 3. So maybe a motion to
09:49 10 lay this over for up to two more meetings to
09:49 11 provide further time for acquiring this information
09:49 12 that it sounds like you desire to, you know -- I
09:50 13 just think it's too utterly gone to automatically
09:50 14 say "We'll bring it back on 30th" if --

09:50 15 MR. FOLK: Let me cut you off. I'm
09:50 16 willing to amend my motion to say August -- the
09:50 17 August meeting.

09:50 18 MR. MINORIK: And considering that
09:50 19 information, I will second that as well.

09:50 20 MR. FOLK: Because you make a very valid
09:50 21 point. It gives everybody enough time to get the
09:50 22 filing, get the information we've requested from
09:50 23 the individual parties, time enough to review the
09:50 24 matter. I apologize to Payne & Dolan, but that's
09:50 25 the reality here. Plus, the opportunity to maybe,

09:50 1 once again, vet whether or not this actually needs
09:50 2 to be a public hearing. I mean --

09:50 3 MR. KNITTER: Yeah. I don't know if we
09:50 4 can avoid that.

09:50 5 MR. FOLK: I would completely agree. I
09:50 6 believe this is due diligence for our board -- for
09:50 7 this committee and for the board as a whole.

09:50 8 MR. DOBBS: Why don't we leave this on
09:50 9 the agenda for discussion to see what we've
09:50 10 learned --

09:51 11 MR. KNITTER: Like a status report?

09:51 12 MR. DOBBS: -- in three weeks, and if
09:51 13 there's anything else that we need to do that we
09:51 14 haven't gotten yet, and then by then we'll
09:51 15 determine by the August meeting if we need to do
09:51 16 another public meeting.

09:51 17 MR. FOLK: For the motion, though, I
09:51 18 believe we need to table this because no action
09:51 19 will be taken at the 30th meeting one way or the
09:51 20 other. So the motion I believe to delay this until
09:51 21 August's meeting is to take action on it. I agree
09:51 22 we should have something --

09:51 23 MR. DOBBS: We'll put it on the agenda.

09:51 24 MR. FOLK: -- something separate from my
09:51 25 motion.

09:51 1 MR. KNITTER: Why don't we just put it on
09:51 2 the agenda as an update?

09:51 3 MR. DOBBS: A discussion to update where
09:51 4 we're at. Okay. Did you get that motion? Got it.
09:51 5 Now we've got to vote on it. All those in favor?

6 (Simultaneous "Ayes.")

09:51 7 MR. DOBBS: Opposed? The "Ayes" have it.
09:51 8 Motion to adjourn?

09:51 9 MR. FOLK: So moved.

09:51 10 MR. DOBBS: All those in favor?

09:52 11 (Simultaneous "Ayes.")

09:52 12 MR. DOBBS: The "Ayes" have it. Thank
09:52 13 you.

09:56 14 (Proceedings concluded at 9:56 p.m.)

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