



10 Commercial Avenue
Brooklyn, Wisconsin
53521-0189

Dane County Zoning and Land Regulation Committee
C/O County of Dane
City-County Building
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

December 15, 2020

Dear Dane County Zoning and Land Regulation Committee Members,

We are writing to you regarding Payne and Dolan's Petition CUP #2510 on behalf of the residents of the Village of Brooklyn. **NOTE** - the public notice stated written testimony must be submitted by December 15, however a cut-off time was NOT specified.

On December 14, 2020 the Village of Brooklyn board met and discussed Payne and Dolan's Petition CUP #2510 with our residents. As a result of that discussion, we created a survey (responses enclosed) so their views could be captured, quantified and shared with you.

On page 4 of Payne and Dolan's CUP application, number 2, they state, "The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use." The applicant has failed to provide ANY support from certified appraisers that an asphalt plant located within 340 yards of a residence will NOT devalue said property. There are 93 residences and a daycare center 340 to 638 yards due south of the facility. ALL of those properties WILL be DEVALUED by this proposed plant, which WILL cause the Village of Brooklyn to lose property tax revenue. The applicant makes NO mention of compensation for these losses to either the property owners or the Village of Brooklyn.

On page 5 of Payne and Dolan's CUP application, number 3, they state, "The land uses on the surrounding properties are predominantly agriculture. The land use on the property to the south is a reclaimed mineral extraction site." The applicant has OMITTED the fact that 93 residences and a daycare center are 340 to 638 yards due south of the facility and the Elementary school is 880 yards south west of the facility and WILL be negatively impacted by the proposed plant.

The proposed asphalt plant is a portable plant and will not be run year round. It is our understanding the applicant intends to operate the proposed asphalt plant mostly during the summer when the families that live in the 93 residences 340 to 638 yards due south would like to enjoy their yards. Despite the odor mitigation proposed, smells will still be carried to the adjacent residences by the wind. Regardless of how often the proposed plant is used, it WILL STILL DEVALUE the surrounding properties.

Even the best mitigation strategies are not 100% effective; petroleum based products can seep into the ground water and lead to illness, cancer and other long term health problems.

During the first five hours our survey was open, we received 131 responses. Of the 131 responses, 113 opposed this CUP application. We have attached the survey summary for your review.

We will keep the survey open until December 18th and present updated results to this committee during the December 22nd meeting.

On behalf of the residents of the Village of Brooklyn, we respectfully request this CUP application be denied.

Sincerely,

The Village of Brooklyn Board Members

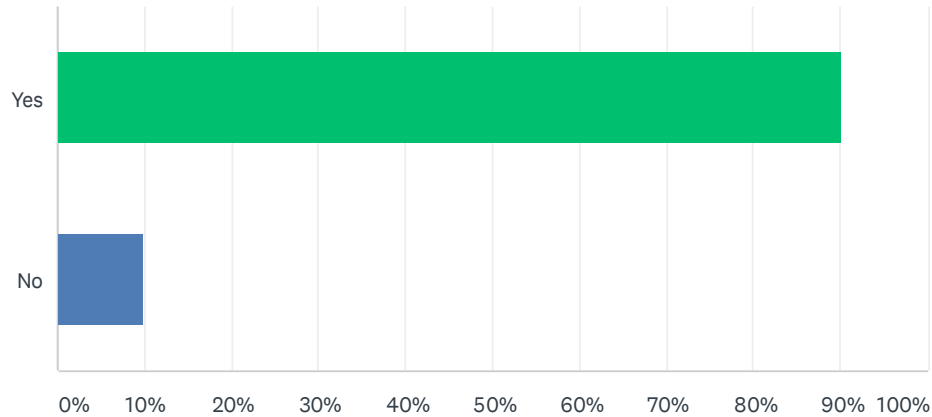
and

Brit Springer

Brit Springer
President, Village of Brooklyn

Q1 Do you understand the proposed Payne & Dolan hot-mix asphalt plant is located in the Town of Oregon immediately adjacent to our northern border and is therefore OUTSIDE the Village of Brooklyn's jurisdiction?

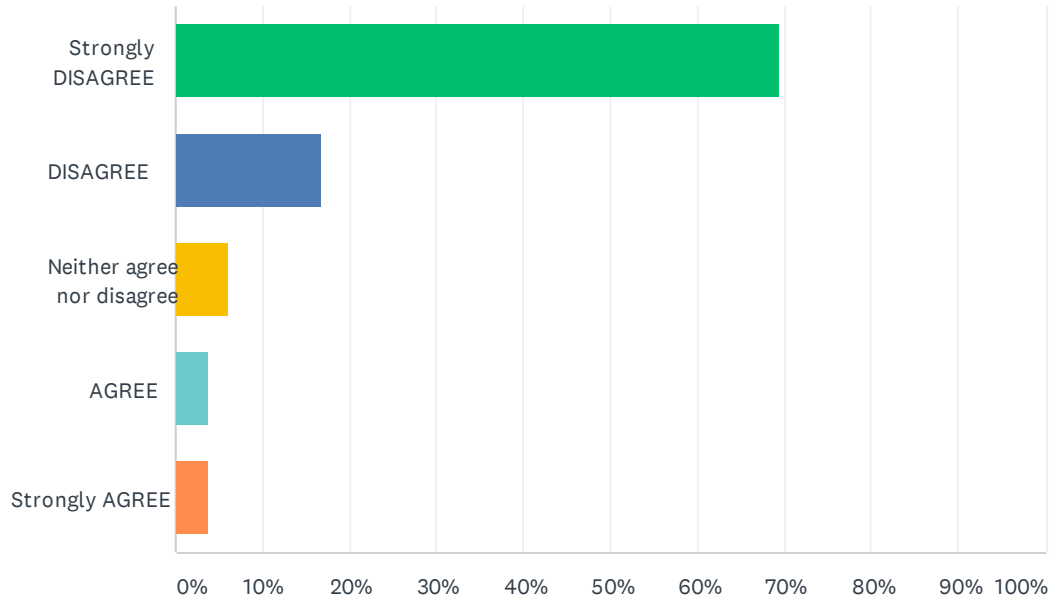
Answered: 131 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	90.08%	118
No	9.92%	13
Total Respondents: 131		

Q2 Payne and Dolan assert that the uses, values, and enjoyment of other property in the neighborhood (e.g., the ~93 residences and daycare center from 340 to 638 yards away and the Elementary school 880 yards away) for purposes already permitted shall be in NO FORESEEABLE MANNER SUBSTANTIALLY impaired or diminished by the establishment, maintenance or operation of the proposed hot-mix asphalt plant.

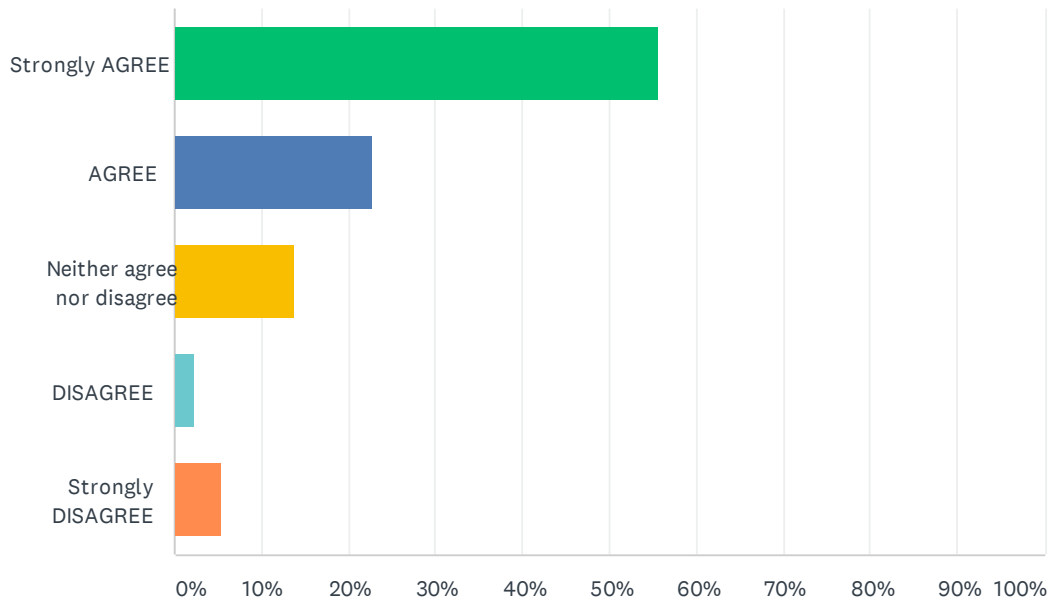
Answered: 131 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly DISAGREE	69.47%	91
DISAGREE	16.79%	22
Neither agree nor disagree	6.11%	8
AGREE	3.82%	5
Strongly AGREE	3.82%	5
Total Respondents: 131		

Q3 The proposed hot-mix asphalt plant will SUBSTANTIALLY impair my ability to enjoy my property in the Village of Brooklyn.

Answered: 131 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly AGREE	55.73%	73
AGREE	22.90%	30
Neither agree nor disagree	13.74%	18
DISAGREE	2.29%	3
Strongly DISAGREE	5.34%	7
Total Respondents: 131		

Q4 Please list the specific aspects of the proposed hot-mix asphalt plant that will negatively impact your ability to enjoy your property.

Answered: 83 Skipped: 48

#	RESPONSES	DATE
1	Mess, air quality, noise	12/15/2020 6:10 PM
2	Smell and any potential environmental impacts known or currently unknown.	12/15/2020 5:51 PM
3	Concerns over noise, traffic, and smell	12/15/2020 5:38 PM
4	Smell noise traffic	12/15/2020 5:32 PM
5	Quality of air by introducing known carcinogens into the environment.	12/15/2020 4:53 PM
6	Noise, smell	12/15/2020 4:46 PM
7	Noise, air pollution, odorous smell, increase traffic on 2 lane roads.	12/15/2020 4:26 PM
8	Dust and sand piles are currently blowing from Payne& Doyle sand quarry into our homes and lungs. They claim non existent tree berms will also protect us from asphalt plant. The small trees they planted are dead and not shielding us now!	12/15/2020 4:25 PM
9	Asphalt plants are known to produce airborne carcinogens.	12/15/2020 4:20 PM
10	Decreased property value. Hours of operation being abused as current jake break ordinances are by current semis going through. Roads will be effected and ruined. Potential air quality concerns.	12/15/2020 4:17 PM
11	The smell will make it difficult to enjoy being outside on our property, and we are concerned about carcinogens	12/15/2020 4:03 PM
12	Beyond the impact of my properties value, noise, etc., the increase of truck traffic to and from the plant would cause additional safety concerns.	12/15/2020 4:01 PM
13	Pollutants in the air are dangerous for everyone including my animals	12/15/2020 4:00 PM
14	air quality	12/15/2020 3:49 PM
15	Chemicals being released into the air, diminishing property values	12/15/2020 3:36 PM
16	I have concerns with noise levels, debris causing discoloration of my property, air quality and increased traffic. Also, the glaring obvious concern of the disrupted view out of my patio door, bedroom and living room windows.	12/15/2020 3:34 PM
17	sight sound smell breath maybe even taste ,probably all basic senses...traffic etc etc	12/15/2020 3:27 PM
18	The toxic chemicals that are released.	12/15/2020 3:25 PM
19	Pollutants and decrease value on home	12/15/2020 3:25 PM
20	Toxic fumes known to cause health problems, reduction in property value, & noise pollution.	12/15/2020 3:23 PM
21	asphalt smells - even with the suppressor (the oxygen scavenger). Petroleum derivatives and particles are bad for the water and air quality.	12/15/2020 3:22 PM
22	Cancer causing chemicals in the air.	12/15/2020 3:20 PM
23	Property value, smell, fumes, etc	12/15/2020 3:19 PM
24	bad smell, debris, noise, pollution	12/15/2020 3:18 PM
25	Truck traffic. Both with noise and increased traffic.	12/15/2020 3:18 PM
26	This is basically in my backyard. I don't want the smell, any pollution, additional noise, or additional truck traffic. The current site and the farm located on that site are already enough of problem, burning trash, and causing noise pollution.	12/15/2020 3:14 PM
27	smell (their mitigation strategy is NOT as effective as their application portrays), environmental (petroleum based products like asphalt negatively impact water and air quality)	12/15/2020 3:12 PM
28	I'm concerned about the potential for dust, and chemicals being used to conceal the smell (also concerned for the smell that may be stronger than the chemical used to conceal.	12/15/2020 3:07 PM
29	Smell, noise, air quality	12/15/2020 3:05 PM
30	Air quality, smell, and noise.	12/15/2020 3:05 PM

Village of Brooklyn - Payne and Dolan Asphalt Questionnaire

31	Safety – industrial activity immediately adjacent of residential neighborhood, elementary school, and daycare Pollution - Asphalt plants are known to produce toxic air pollutants, including arsenic, benzene, formaldehyde, and cadmium, that may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation. Noise & odor - Unpleasant odor emitting from: the asphalt plant, asphalt being loaded into trucks, asphalt being transported, and diesel fumes from trucks. Traffic - Increased truck traffic on MM, 92, 104. Truck traffic on these routes has been increasing for years thanks to businesses such as the Paine & Dolan gravel pit, and industrial dairy farms off 104 to the south. This will only increase that traffic. Trucks deteriorate roadways and impact quality of life within the village limits (speeding, jack brakes, etc.). Property values - The hot mix asphalt plant activity will negatively affect the value of properties all around its perimeter and of Brooklyn as a whole.	12/15/2020 2:59 PM
32	Noise, smell, traffic	12/15/2020 2:55 PM
33	Traffic on MM is already congested enough and poses a traffic risk. In addition, concern with toxins that will be released by the plant.	12/15/2020 2:53 PM
34	Reduction of air quality, and an increase in noise pollution and odor.	12/15/2020 2:51 PM
35	Pollution/smell/noise, traffic/congestion on MM, worry about carcinogens in air and property devaluation potential	12/15/2020 2:50 PM
36	toxic air pollutants with potential for long term damage - including cancer, central nervous system problems, liver damage, respiratory problems, etc.; Also, fumes/smell, pollution, noise, lower property values,	12/15/2020 2:46 PM
37	Smell	12/15/2020 2:38 PM
38	Not only will are there noise and odor concerns but there environmental concerns, specifically groundwater and air quality issues.	12/15/2020 2:35 PM
39	Smell, noise and concern for pollution.	12/15/2020 2:32 PM
40	Fumes, potentially harmful off gassing, traffic	12/15/2020 2:32 PM
41	It is a risk for health and property value.	12/15/2020 2:30 PM
42	Property value decrease alone negatively impacts the enjoyment of my property. The chemicals released in the air negatively effect my health, my children's health. We moved here to enjoy our outdoor space. This plant will not allow us to do that.	12/15/2020 2:29 PM
43	it's not about "enjoying" my property - it's about the severe health implications for all that come from being so close to a manufacturing facility that will produce known air pollutants and carcinogens. This is especially unconscionable when children - the people most vulnerable to toxins - will be directly impacted	12/15/2020 2:28 PM
44	None	12/15/2020 2:24 PM
45	Noise,smell,traffic	12/15/2020 2:18 PM
46	Smell	12/15/2020 2:11 PM
47	Is there a plan for chemicals released into the air? What specific benefits would there be for residents of Brooklyn?	12/15/2020 2:10 PM
48	Possibly more traffic as I do not live close	12/15/2020 2:07 PM
49	Possibly traffic. And the smell	12/15/2020 2:05 PM
50	Smell	12/15/2020 2:05 PM
51	The health risks of my family.	12/15/2020 2:05 PM
52	Traffic in and out, noise of trucks and odor	12/15/2020 2:03 PM
53	HEALTH: Asphalt plants release millions of pounds of chemicals to the air, including many Cancer-causing toxic air pollutants such as arsenic, benzene, formaldehyde and cadmium. Exposure to these toxics may cause cancer, central nervous system problems, liver damage, respiratory problems and skin irritation. The proposed location is absolutely the worst for the community, due to many houses including a day care center are within less than a block. PORPERTY VALUE: A study on the adverse impacts on property values and health for	12/15/2020 2:02 PM

Village of Brooklyn - Payne and Dolan Asphalt Questionnaire

residents living near asphalt plants, documented losses of up to 56 percent because of the presence of a nearby asphalt plant.

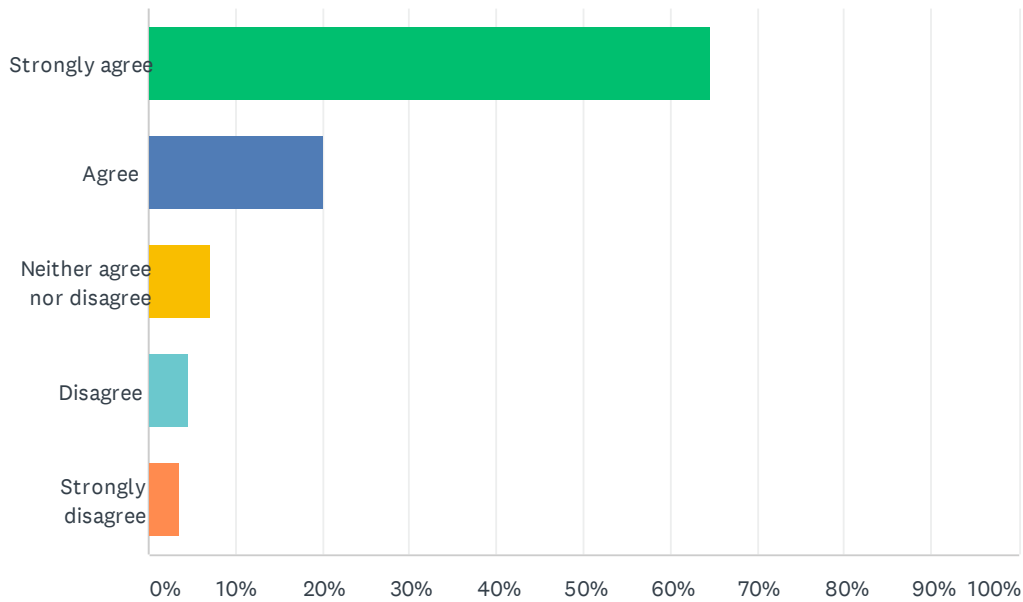
54	Odor and noise.	12/15/2020 1:59 PM
55	Previous studies have shown hazardous emissions from asphalt plants and a almost guaranteed reduction in property value.	12/15/2020 1:56 PM
56	We, as residents, pay an exorbitant amount of property taxes for very little village amenities. Having an asphalt plant in our neighborhood is another hit to our village. It will cause families to possible want to stay more indoors due to the smell & deter families from wanting to move to our village. Please reconsider this plan, as it is not a good place for this plant.	12/15/2020 1:56 PM
57	SMELL Unsure of noise levels.	12/15/2020 1:51 PM
58	Smell, noise, trucks in and out of the plant, potential pollutants, decreased property value, visual pollution	12/15/2020 1:48 PM
59	The smell and noise. Air quality	12/15/2020 1:46 PM
60	None	12/15/2020 1:44 PM
61	Traffic and noise.	12/15/2020 1:42 PM
62	Strong smell, noise, and reduce my property value as well as deter new residents to Brooklyn.	12/15/2020 1:40 PM
63	Noise, air, water pollution.	12/15/2020 1:40 PM
64	-peace and quiet -the smell -the increased use of roads	12/15/2020 1:40 PM
65	The plant will in my view directly out my front window from my living room. Not to mention the fact that this will more than likely take my property value down...that is unacceptable. I have worked hard to earn a nice house and I will be dammed if some company will bring that value down!!	12/15/2020 1:37 PM
66	Noise. Truck traffic and smell.	12/15/2020 1:34 PM
67	The smell of the asphalt and the additional trucks on are road to Brooklyn.	12/15/2020 1:24 PM
68	The smell of the asphalt gives me headaches.	12/15/2020 1:22 PM
69	Smell, safety and noise	12/15/2020 1:17 PM
70	Carcinogens, noise, unpleasant smells, concern for how they manage their equipment and waste for environmental concerns.	12/15/2020 1:15 PM
71	Chemical pollution, noise pollution, property devaluation	12/15/2020 1:14 PM
72	Concern over asphalt odor from the plant and increased semi truck traffic.	12/15/2020 1:12 PM
73	Smelling hot tar fumes is not compatible with how close this is to a residential neighborhood. Having a plant like this near our homes will reduce property values since people will be concerned with smoke, noise and smells.	12/15/2020 1:11 PM
74	Odor, but primarily the known health effects of living near one and the carcinogenic materials that they give off.	12/15/2020 1:10 PM
75	I don't foresee it negatively impacting me. I like nice roads so there needs to be a place to do that plus this is only temporary	12/15/2020 1:06 PM
76	Smell, air quality	12/15/2020 1:01 PM
77	Noise pollution. Added traffic to the already many dump trucks coming in and out of quarry. Added smell	12/15/2020 1:00 PM
78	Smell, noise	12/15/2020 12:55 PM
79	This will be basically in my backyard and will not be able to enjoy my summer nights out back having to smell the asphalt. I live right next to the farm and am not looking forward to this at all. I also see losing value to my home because of this and no one wanting to buy our home with this plant here.	12/15/2020 12:51 PM
80	Airborne pollution seems likely with asphalt.	12/15/2020 12:51 PM

Village of Brooklyn - Payne and Dolan Asphalt Questionnaire

81	Smell, decrease in property value	12/15/2020 12:49 PM
82	Smell, heavy duty traffic	12/15/2020 12:48 PM
83	It will not negatively effect us. It will be great for our community and bring in another business	12/15/2020 12:47 PM
84	Smell and air quality major concerns as well as possibly noise and traffic, additional less major concerns	12/15/2020 12:45 PM

Q5 The proposed hot-mix asphalt plant will SUBSTANTIALLY devalue my property.

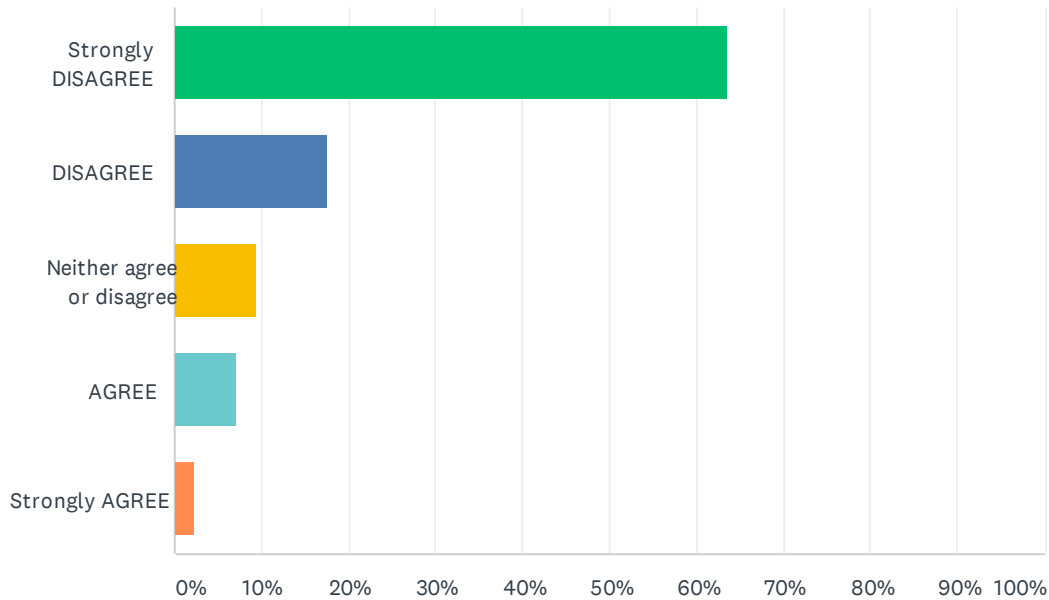
Answered: 85 Skipped: 46



ANSWER CHOICES	RESPONSES	
Strongly agree	64.71%	55
Agree	20.00%	17
Neither agree nor disagree	7.06%	6
Disagree	4.71%	4
Strongly disagree	3.53%	3
Total Respondents: 85		

**Q6 Payne and Dolan assert the proposed hot-mix asphalt plant will
NOT IMPEDE the normal and orderly
DEVELOPMENT or IMPROVEMENT of the surrounding property.**

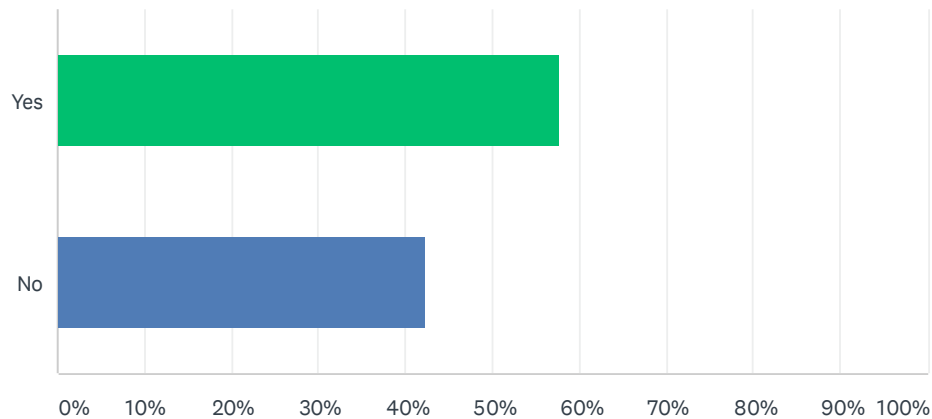
Answered: 85 Skipped: 46



ANSWER CHOICES	RESPONSES	
Strongly DISAGREE	63.53%	54
DISAGREE	17.65%	15
Neither agree or disagree	9.41%	8
AGREE	7.06%	6
Strongly AGREE	2.35%	2
Total Respondents: 85		

Q7 Prior to the public hearing on December 22, 2020, will you contact the members of the Dane County Zoning and Land Regulation Committee [JERRY BOLLIG (Chairperson) - bollig.jerry@countyofdane.com, MICHELE DOOLAN - Doolan.Michele@countyofdane.com, SARAH SMITH - smith.sarah@countyofdane.com, STEVEN PETERS - peters.steven@countyofdane.com and TIM KIEFER kiefer.timothy@countyofdane.com] via email to express your views?

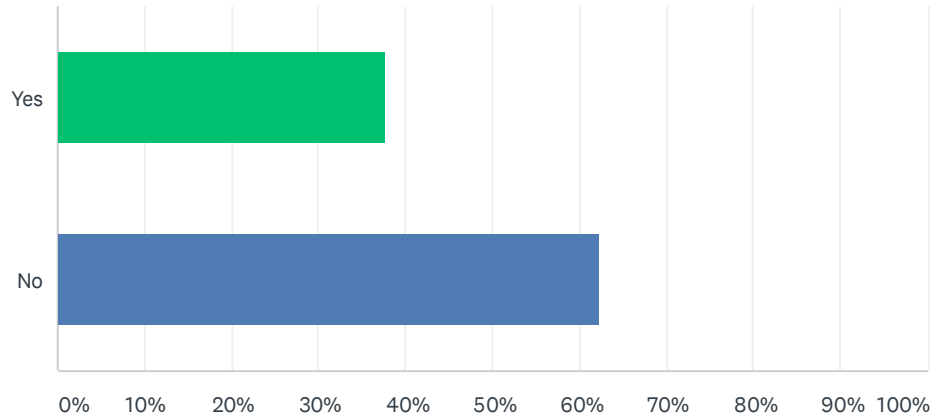
Answered: 85 Skipped: 46



ANSWER CHOICES	RESPONSES	
Yes	57.65%	49
No	42.35%	36
Total Respondents: 85		

Q8 Before the public hearing on December 22, 2020, will you contact the members of the Dane County Zoning and Land Regulation Committee [JERRY BOLLIG (Chairperson) 608-835-7520, MICHELE DOOLAN 608-335-7484, SARAH SMITH 608-492-0027, STEVEN PETERS 608-616-5692 and TIM KIEFER 608-358-7213] via telephone to express your views?

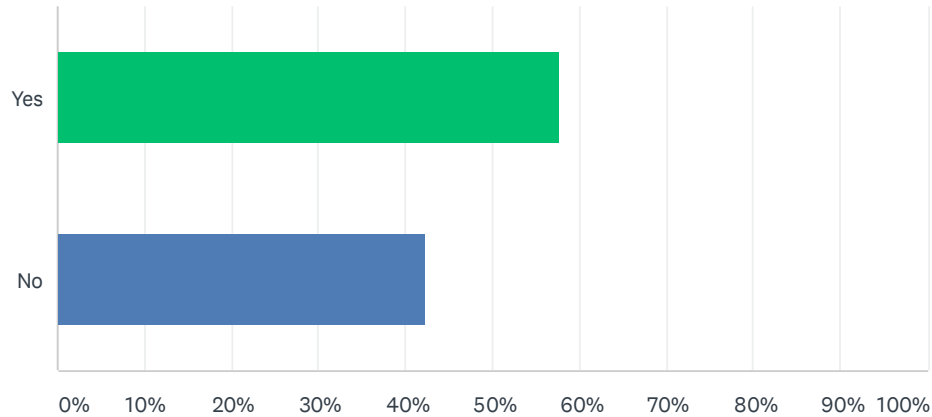
Answered: 85 Skipped: 46



ANSWER CHOICES	RESPONSES	
Yes	37.65%	32
No	62.35%	53
Total Respondents: 85		

Q9 Do you plan to ATTEND the Dane County Zoning and Land Regulation Committee public hearing on this matter on December 22, 2020 at 6:30 pm?NOTE: Anyone wishing to attend and listen to the meeting can do so by using the following links: By computer: <https://us02web.zoom.us/j/86011693346> By phone: Dial 1-888-788-0099. Enter Webinar ID: 860 1169 3346

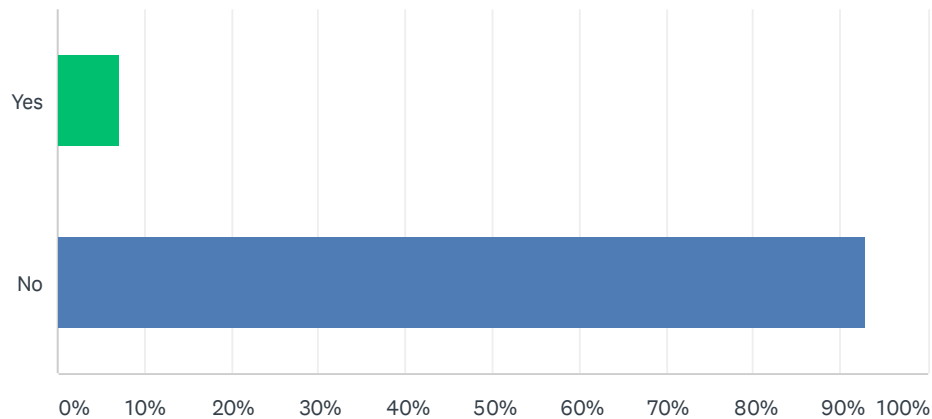
Answered: 85 Skipped: 46



ANSWER CHOICES	RESPONSES	
Yes	57.65%	49
No	42.35%	36
Total Respondents: 85		

Q10 Will you REGISTER TO SPEAK at the Dane County Zoning and Land Regulation Committee public hearing on this matter on December 22, 2020 at 6:30 pm?NOTE: All persons wishing to speak on this proposal MUST register via computer prior to the meeting (At least 1 hour). Using the ZOOM app, please enter Webinar ID: 860 1169 3346. After registering, you will receive a confirmation email containing information about joining the webinar.

Answered: 85 Skipped: 46



ANSWER CHOICES	RESPONSES	
Yes	7.06%	6
No	92.94%	79
Total Respondents: 85		

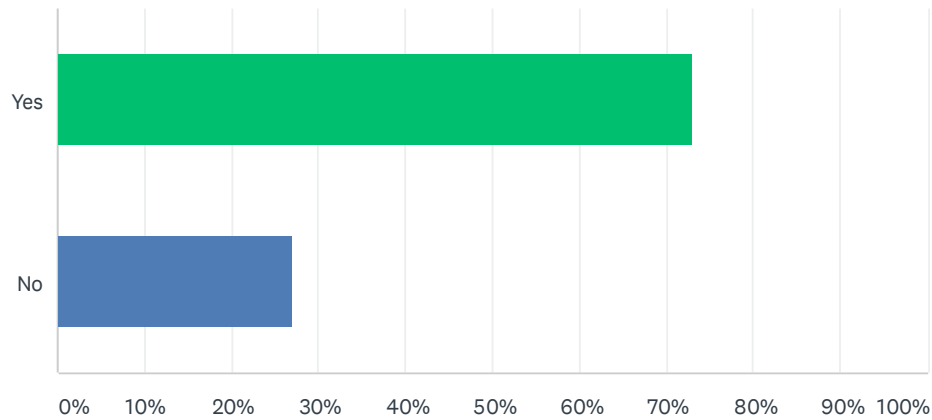
Q11 To confirm you are a resident of the Village of Brooklyn, please enter your contact information. IF YOU DO NOT PROVIDE THIS INFORMATION YOUR RESPONSE WILL BE DISCARDED.

Answered: 85 Skipped: 46

ANSWER CHOICES	RESPONSES	
Full Name	100.00%	85
Company	0.00%	0
Address	100.00%	85
Address 2	3.53%	3
City/Town	100.00%	85
State/Province	100.00%	85
ZIP/Postal Code	100.00%	85
Country	0.00%	0
Email Address	0.00%	0
Phone Number	0.00%	0

Q12 Would you like to be notified if there are subsequent meetings regarding this issue?

Answered: 85 Skipped: 46



ANSWER CHOICES	RESPONSES	
Yes	72.94%	62
No	27.06%	23
Total Respondents: 85		