

## Town contends county has record of quarry violations

Written by MARK JAEGER

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### Past gravel pit problems has town officials wary of proposed site expansion

Town of Saukville officials are determined to dig in their heels in their fight against the expansion of quarrying operations on Lakeland Road, while Ozaukee County officials appear poised to move ahead with plans to purchase 35 acres adjacent to its existing gravel pit and asphalt plant.

Town Chairman Barb Jobs made that stance abundantly clear during Tuesday's Town Board meeting, as she recounted a month's worth of research on the hotly contested issue.

County officials say they are legally entitled to expand the quarry on the west side of Lakeland Road to land currently owned by Jeff Opitz. But, Jobs said the town's Quarry Committee has repeatedly cited the county for violating the town's non-metallic mining ordinance.

The committee sent a letter to the county in February following its most recent site inspection, citing seven ordinance violations at the area identified as the Lakeland pit and another four at the Guenther pit. Both are operated by the county.

The inspection report noted stockpiling of refuse such as old guard rails, culverts and plastic storage vessels, and the presence of smoldering debris.

Of greater concern, Jobs said, is the practice of quarrying well within the 300-foot setback from adjoining property lines. In some cases, the report says, an active pit is maintained within 100 feet of a neighboring property line.

The town asked the county to offer a plan addressing its concerns within 60 days of Feb. 15.

County Board Chairman Rob Brooks said he hasn't seen the committee's letter and is unaware of operational complaints the town has with the quarry.

Victor Frank, chairman of the Quarry Committee, said problems at the county gravel pit date back for decades.

"If this operation is allowed in any shape or form, it will just continue to grow — across Birchwood Road or across Shady Lane," Frank said.

"Saukville has had so many quarries over the years, it has reached the point where it's got to stop. The time has come for the county to go somewhere else to get its gravel."

Jobs offered a handful of other documents outlining the history of animosity between the county and town over quarrying.

She said the county relies on a building permit issued in 1967 for the county hot mix plant as legal justification for the operation, although no conditional-use permit was ever obtained.

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Jobs offered a copy of a 2000 letter from Town Attorney John DeStefanis to underscore that contention.

“No conditional use for the asphalt plant or the gravel pit were ever issued, nor could they, based on the zoning regulations then in effect,” DeStefanis wrote.

Jobs said the problem is the county has invested more than \$1.5 million to equip its asphalt plant and now has to make sure it has an inexpensive source of gravel to keep it operating.

“The whole things seems to be so poorly planned,” Supr. Kate Smallish said. “The county put the cart before the horse by spending more than \$1 million on its plant and then saying, ‘Oops, we’re out of gravel.’”

Jobs said the county appears to be pushing approval of the quarry site purchase so action can be taken by the County Board prior to the April election, when several contested supervisory seats will be on the ballot.

Among those contests is Jobs’ challenge of incumbent County Supr. Bill Niehaus in the newly redrawn Third District