

Town checks definitions as it readies for quarry fight

Written by MARK JAEGER

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Legal ruling sought on setback restriction spelled out in zoning ordinance

Town of Saukville officials agreed this week to gather some legal ammunition in their anticipated fight against expanded Ozaukee County gravel quarrying.

Town officials have stood staunchly against the county's proposed expansion of quarrying onto land off Lakeland Road that the county is considering purchasing from Jeff Opitz.

That opposition was fanned by the contention of the town's Quarry Committee that the existing county gravel mining on an adjacent parcel is in violation town ordinances.

Committee chairman Victor Frank appeared at Tuesday's Town Board meeting asking for legal clarification of just how much in violation of the town ordinances the county is.

"I interpret our zoning ordinance as saying quarrying cannot be conducted within 300 feet of a lot line, but others see it as being within 1,000 feet," Frank said.

"I have already cited the county for mining within 300 feet of the lot line, but if it turns out the setback restrict is 1,000 feet that is three times greater."

Frank said the 1,000-foot restriction could be read to mean mining cannot be done within that distance from a building not owned by the quarry operator.

"If the code say quarrying can't be done within 1,000 feet of the lot line, that would take a big bite out of their operation," he said.

The board agreed to have Town Attorney John Destefanis render a legal opinion on the quarry setbacks.

"This is information we should have without regard to whether the quarry expansion is going to happen or not," said Town Chairman Barb Jobs.

She said the town has had no word from the county on the status of the proposed purchase of land adjacent to its existing quarry.

That didn't keep Jobs from adding to the town's thick file of gravel quarry documents.

The latest addition was a letter from St. Finbars Road residents Jeffrey Cain and Donna Brehm urging the town to continue its fight against the expanded quarrying operation.

The couple said they are "adamantly opposed to any quarrying anywhere" in the town.

"The citizens of the township fought hard to successfully remove Payne & Dolan quarrying operations," the couple wrote, contending the private contractor could seek to resume quarrying

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if the county is allowed to expand its operation.

“We feel that the future goal of the township is to completely get out of the mining business. We have dealt with quarrying operations for long enough in our township for the benefit of the entire county. It is someone else’s turn to ensure the county has gravel in the future.”