

From: Emma Pinter
Sent: Monday, July 13, 2020 3:02 PM
To: Ray Gonzales; Erica Hannah; Heidi M. Miller
Subject: Fwd: AFS gravel pit expansion in Bennett
Attachments: 2020 AFS Preparation for the Board of County Commissioners.docx

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Pronouns: she/her/hers

From: Kelsey Magnuson <magnu079@gmail.com>
Sent: Monday, July 13, 2020 1:49:47 PM
To: Steve O'Dorisio <SODorisio@adcogov.org>; Eva Henry <EHenry@adcogov.org>; Chaz Tedesco <CTedesco@adcogov.org>; Emma Pinter <EPinter@adcogov.org>; Mary Hodge <MHodge@adcogov.org>
Subject: AFS gravel pit expansion in Bennett

Please be cautious: This email was sent from outside Adams County

Hello Board of County Commissioners,

First of all thank you all for all of your hard work and dedication.

I am writing to all of you regarding your upcoming vote on EXG2019-00002 Henderson Aggregates Pit and the conditional use permit for the gravel pit less than 1 mile from our house.

Myself and my neighbors have been in opposition of this gravel pit for the last couple of years. If it were not for my neighbor Jennifer Curtis, we would not have been notified of all of the changes taking place there. We later came to find out we should have been notified in 2016 when the current conditional use permit was passed and we were not notified after living there for 2 years. We just knew we were risking our lives with the increase in semi truck traffic and worsening road conditions.

We have called, emailed, testified, sat in on public hearings and were told we would have a chance to speak at the latest Zoom meeting (which we were not given that opportunity) trying to voice our concerns. We have contacted the Planning Commission at ADCO numerous times because AFS has been in violation of their permit and it appears there is no recourse for them not abiding by the rules.

In looking at the powerpoint presentation that Greg Barnes created, it looks like a harmonious gravel pit that has no effect on the neighborhood. I am including pictures that we have taken over the last couple of years that reveal the complete opposite.

We know this is a business, but there has to be some balance between our quiet country living and the gravel pit. The hours of operation are ridiculous 6am-8pm Monday-Saturday are too much. Although the zoning allows for gravel mining, its location is in a residential neighborhood, not an industrial site.

Even with a road maintenance agreement and a traffic study, there has to be a limit to the number of trucks entering the pit and driving down 72nd Ave. From the 2016 Amended conditional use request from the planning commission staff report it says, "Traffic from SH79 and 72nd Avenue is estimated to be less than 20 trips per day." Ben Frei told us he has a record of 150 trucks per day on a busy day. Isn't this a violation of the permit and what will happen if the expansion is approved to 3 times the size? I have been in my neighbor Jennifer Curtis's house where each semi rattles the walls as it drives by.

Also, if they are in violation of the permit, who do we contact and what are the steps. A warning, written letter, fine? How do we file that complaint? We have emailed and called the Planning commission, sometimes we receive a call back other times we hear nothing. From CORA emails it sounds like they are on the side of the gravel pit and simply send Ben Frei emails or give him advanced warning when they are coming out to inspect.

I would gladly invite all of you to my house to see the truck traffic, dust and impact this business has on our neighborhood. Please, please consider all of this when you vote tomorrow.

Respectfully,

Kelsey Magnuson

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Phone Calls to ADCO

- 1/31/20 at 11:40am
- 3/3/20 at 8:00am
- 5/19/20 at call to Miles and Katie-LMOM
- 5/22/2020-phone call with Miles Buescher, Environmental Compliance Specialist
- 6/25/20 LMOM to Greg Barnes and Jen Rutter
- 6/30/2020 conversation with Jen Rutter

Emails regarding concerns about the gravel pit:

- Steve O'Dorisio-02/10/2019
- Mary Hodge (email date lost)
- Jen Rutter-2/11/2019
- Emailed letter to Greg Barnes and Economic Development-9/2/2019
- Pictures of uncovered truck loads to Greg Barnes and Jen Rutter -2/5/2020 (no response)
- Email with pictures to Katie Keefe regarding heavy truck traffic 2/10/2020
- Email with concerns about the Henderson Aggregates Pit for the ADCO Public Hearing Notification 6/22/2020. Response from Jen Rutter 6/23/2020 that email was forwarded onto the Planning Commission and Board of County Commissioners
- Email to Adams county Sheriff-7/2/2020

Pictures/Videos of non-compliant trucks, excessive truck speeds/number of trucks and out of hours of operation:

- October 4, 2019-pictures from Vikky





- January 31, 2020-Video and pictures



- March 3, 2020-picture of uncovered load
- March 18, 2020 @ 0634am (video)
- March 24, 2020 (video)
- April 24, 2020



- June 23, 2020 picture from at 0545 truck leaving gravel pit (from Allana)



In person meetings/testifying:

- April 10, 2019 Letters delivered in person to Division of Reclamation Mining and Safety office on behalf of Faber/Katchen, Curtis/Chainhalt and Magnuson for Bennett Pit File No. M-2001—038

- April 18, 2019-Jennifer Curtis met with Jennifer Rutter in person
- Vikky and Jen discussed concerns at the Board of county commissioner meeting
- May 30, 2019 Neighborhood Meeting
- September 25, 2019 Colorado Division of Reclamation meeting
- June and August 2019 testifying before the state at the Division of Reclamation Mining and Safety
- Colorado Mined Land Reclamation Board-Formal Board hearing meeting August 21, 2019.
- June 25, 2020 Zoom Public Hearing Notification