

Adam Zack

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Sent: Thursday, June 17, 2021 10:48 AM
To: Comp Plan Update
Subject: 19-0001 - rouleau land use designation change
Attachments: 19-0001 - rouleau.stimpson comments.docx

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Please see attached comments for June 18 planning meeting

June 16, 2021

I am requesting denial of the Land Use Designation change request #19-0001. I have lived next door at 1265 Cattle Point Rd for 38 years.

I want to clarify that this parcel does not fit the definition of existing non-conforming use. The current use is not legally established and it hasn't been existing. I know because I've lived here almost 40 years! The historical use has been small boat and auto maintenance. Up until the current occupant, I never even used to notice their activity, it was so quiet and innocuous. I google mapped the aerial views over 30 years and you can see the accelerated use is recent. The stuff they're doing now has never happened there before and so it's not subject to a grandfathering model, it's not a non-conforming use. That's why I want you to hear my onsite, eye-witness testimony about what it's like to live next door.

I am awakened in my bed at all hours, including 3:45AM, because my bed and entire house is shaking from the back hoes and dump trucks idling next door. It's disorienting, alarming. It's the middle of the night, the windows rattle.

Once they ran an asphalt operation for 6 hours, hauling in, dumping loads of gravel, scooping, scraping, continuous deafening grinding and mixing and tumbling like cement trucks do. Hot fumes of asphalt permeated the air, I couldn't be outside it was so unsafe to breathe, noxious and loud, shattering on nerves.

All day and in the wee hours, before daylight, the reversing alarms beep and beep as my entire house vibrates, dump truck exhaust saturates the air. They drive incredibly fast, brakes screeching, rushing like on a tight schedule.

The sound of grinding gears strafes the area from the constant braking and accelerating at the entrance and up and down the steep and dangerous curve of Cattle Point Rd at Madden Lane intersection. One hears the grating, groaning sound of metal on metal, engines idling while hitching and unhitching and backing up dump trucks with full sized trailers attached. Clouds of gritty dust drift over me in my garden. It seems to function not as a lot, but as a business annex.

So, I have a question. Land use permits can be processed only when property is free of violations. Assuming this is true, how can an application for redesignation be processed when there's currently a code investigation in process on it? Other people wouldn't be able to proceed with conditional use applications with the presence of existing notices of violations, stop work or cease and desist orders. We've been complaining about the above-described activity there since it began.

And aside from this activity being non existing, you should deny this request because it doesn't meet any of your criteria for consideration.

The soils are adequate, though I can tell you that one summer instead of mowing the tall grass for fire prevention, they scraped off all the topsoil vegetation with a bulldozer. I know because the scraping was deafening and went on for so many hours that I looked over the fence in disbelief and alarm. I have a video of the constant stream of rainwater runoff going across my driveway toward my drain field the following spring.

The benefits do not outweigh the adverse effects on the public as they are so numerous and egregious. What benefits? There are no benefits to the public. The ownership proves itself to be callously invested in its own self-interest. Including tolerating the period of intense drug activity that went on at the corner store, I might add. The proposed designation would give this parcel the privilege to pollute and contaminate and to make the environment unlivable for legal, established residential habitation and incompatible with the ability to reside there in peace and tranquility. I know because they're already doing stuff that's untenable and never, in the almost 40 years I've lived there, been done before.

It's not consistent with the primarily residential use of the surrounding parcels as I think I have thoroughly described.

Kindest Regards,

Joyce Stimpson

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