

8370 Hurakan Creek Crossing
Cumming, GA 30040
770-205-6055

November 17, 2004

Ms. Haley Fleming
Atlanta Regional Commission
40 Courtland Street NE
Atlanta, GA 30303

Re: DRI # 655, CW Mathews Asphalt plant in Cherokee County

Dear Ms. Fleming,

In response to our discussion this morning regarding the referenced DRI, enclosed are petitions signed by Forsyth County residents who will be directly impacted by the proposed CW Mathews asphalt plant. The petitions were initially directed to Forsyth County Commissioners advising of our opposition to the rezoning in Cherokee County. While we realize it is uncommon for officials to interfere with zoning issues in another jurisdiction, we feel disenfranchised in that we apparently have so little input into an action that will directly impact many Forsyth residents. Thus, we look to ARC in its regional review capacity to consider our petitions and the negative impact this rezoning will have in both Cherokee and Forsyth Counties. Please include this letter and petitions in the final records of the DRI.

The signatories to the petitions reside in areas along the highway 369 corridor, an area most affected by traffic increases from the potential asphalt plant. The increase in heavy hauling traffic will overwhelm the already projected increases in traffic along the highway; these increases will be generated by the thousands (current count is 3000+) of new homes approved in this corridor both in Cherokee and Forsyth counties. In an attempt to sway Cherokee officials, CW Mathews has touted in its zoning application that **"75% of the production (150,000 tons) will turn right out of the quarry [the location of the proposed asphalt plant] and go to Forsyth County."** This impacts traffic and safety along a 13-mile stretch of an already dangerous road all the way to GA 400.

The requested Heavy Industrial use is not compatible with the current farming and residential uses in the area. While this rezoning is presently being requested to allow for the installation of one asphalt plant at the site, additional asphalt plants and concrete batching plant requests will surely follow. This heavy industrial spot zone will set the precedent for further such zoning on the 300 acre Agricultural zoned quarry site and, without question, will adversely affect the quality of life (odors, air pollution, water pollution, noise and traffic) for residents in a wide geographic area. Direct economic impacts will include proven decreases in property values resulting in losses of tax revenues to local governments and increased costs in road maintenance. The increase in truck traffic as represented by CW Matthews is a lowball estimate as we have information which indicates CW Mathews will close an existing asphalt plant if this is approved and direct the additional production to this site.

As Forsyth Country residents we will continue to support the Northeast Cherokee County Coalition (NECCC) in opposing the zoning request.

Sincerely,



Gerald S. Misurck

Haley Fleming

From: Garry Gallas [garry@glmsod.com]
Sent: Tuesday, November 23, 2004 9:04 AM
To: Haley Fleming
Subject: Asphalt Plant

Ms. Fleming,

I am writing as a concerned neighbor of the proposed C W Mathews asphalt plant in Cherokee county. I moved into my home on Settingdown Creek 1 year ago with the understanding that the agreement with the Vulcan Rock Quarry is that there could never be as asphalt plant. Why has this changed? As a new homeowner I have researched this prospect and found that the homes within the proximity of a plant has had a reduction in property value from 27% to 56%. The possible environmental consequences of this plant are tremendous. The posposed location of the plant and the run off of the plant will adversely affect the local creeks and this is a part of the Etowah River Basin. Please oppose the plant and speak out for our quality of life and environment. Another plant is not needed and it is not wanted.

Thank you,

Garry Gallas

Haley Fleming

From: Doug Rife [doug.rife@earthlink.net]
Sent: Friday, November 19, 2004 9:28 PM
To: Haley Fleming
Subject: 369 corridor plant

I oppose the approval and of asphalt plant on the hwy. 369 corridor.

The undersigned residents of Forsyth County, GA oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

- 1.Environmental considerations including air and water pollution
2. Increased heavy hauling traffic on an already dangerous highway 369, and
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.

Douglas Rife
Southeast Regional
Sales Manager
CES Inc.
dougr@cesatlga.com
www.ces-kcmo.com
770-856-9719 Mobile
678-942-0487 Office

Haley Fleming

From: J.K.Davis [tadahtadah@adelphia.net]
Sent: Friday, November 19, 2004 4:51 PM
To: Haley Fleming
Subject: Fw: Vulcan Materials, Inc.

I just sent this email. They are asking that we all do so. Have to do it today or tomorrow.

Sybil

----- **Subject:** Vulcan Materials, Inc.

Gentlemen,

We are homeowners in Etowah Trails Subdivision on Highway 369. The proposed rezoning of the 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI) is very disturbing to me as a homeowner. This proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. I am concerned that the attempt to spot zone this parcel will lead to further improper rezoning of the entire area.

The traffic on Highway 369 with the huge trucks already is a concern to everyone in this area and what the rezoning will add as far as traffic will be very dangerous to all citizens. We are also concerned about the air pollution and water pollution this decision will make to our area. The serious decreases in our property value can not be overlooked by the committee.

I appeal to you to consider all aspects of the losses to the residents in the area which will be impacted by this decision and not just the Industrial Company which will benefit financially from your decision.

Thank you,

Chris & Julie Peters
8865 Saddle Trail
Ball Ground, GA 30107

Haley Fleming

From: Mary Catarineau [mjcata@hotmail.com]
Sent: Friday, November 19, 2004 11:03 AM
To: Haley Fleming
Subject: Vulcan Asphalt Plant

Dear Ms. Fleming:

As a resident of Cherokee County and as president of the Cherokee Coalition for Responsible Growth, I must oppose an asphalt plant in a residential area. There was an agreement years ago that an asphalt plant would never be put there and now that is trying to be undermined. I don't feel it is in the best interests of the community environmentally, health-wise or financially, as property values will drop significantly and people will be hindered from the resale of their homes. Is this something that you would like to be living across the street from with the increased noise, congestion and pollution? Please do not allow this to be built at this site.

Sincerely,

Mary J. Catarineau
President
Cherokee Coalition for Responsible Growth

11/22/2004

Haley Fleming

From: Sandra G. Heard [sheard@ldpi.com]
Sent: Thursday, November 18, 2004 5:25 PM
To: Haley Fleming
Subject: Asphalt Plant

Dear Ms. Fleming,

I am writing to you about the proposed asphalt plant in Cherokee County. My husband and I moved our family to the North part of Forsyth County 8 years ago. We moved there to get away from all the business and traffic that was in town(Cumming).

It seems as if we continue to find growth around us and it was the very reason we moved to where we are.

I am concerned about this for several reasons:

1)Traffic-369-I have one teenage daughter that already drives and two upcoming teenagers. 369 is a very dangerous road that they will travel and do travel. Let's don't make it any worse that it already is.

2) Residential Area-Pooles Mill Park-Not the ideal setting for an asphalt plant-Affect to Enviroment.

3) Affect on our homes value.

4) Health issues-My son and I both have serious issues with Asthma. I have read the health issues with what a plant can do to the Air quality. We already have to use two inhalers. I do not want this to get worse. It has actually gotten better since we have moved.

Please do anything that you can to stop this plant. We do not want it.

Thank you,
Sandra Heard
8065 Thunder River Way
Cumming, GA 30040

**NE Cherokee Community Coalition
1408 Edwards Mill Road
Ball Ground, GA 30107-5350**

November 18, 2004

Ms. Haley Fleming
Atlanta Regional Commission
40 Courtland Street NE
Atlanta, GA 30303

Re: DRI # 655, CW Mathews Asphalt plant in Cherokee County

Dear Ms. Fleming,

Our community has many concerns about the proposed asphalt plant, which has been submitted by CW Mathews and is planned for the Vulcan Materials plant located on Hightower Road in Cherokee County. Our community group represents residents, landowners and business owners in the NE Cherokee area and in the adjoining Forsyth County area. The objections to this asphalt plant have been voiced by our members and have been included in this letter so that the impact on the citizens in this region can be documented. Please include this letter in the final records of the DRI report.

This attempt to put an asphalt plant in the community has been tried before by Vulcan Materials and now by CW Mathews. It is very important to note that the courts in the state of Georgia have sided with Cherokee County and its residents in the past, preventing an asphalt plant in this area and insisting that the original agreement that there would never be an asphalt plant on this site be upheld. This action is a blatant attempt to circumvent prior court decisions and the will of the people.

One of the arguments put forth in the rezoning application submitted to Cherokee County by CW Mathews, is that traffic in the area of the proposed plant will decrease because there will now be a captive customer on the quarry site. There will no longer be a need to truck rock out of the quarry to take it to another site where it can be processed into asphalt. However, there are several problems with this argument. Under current conditions, trucks remove rock from the quarry to use as is or to take to a plant to be made into asphalt. Even with the addition of an asphalt plant there will still be trucks entering and leaving the quarry to purchase stone and trucks will also be entering the plant to purchase asphalt. While this may keep the truck traffic approximately the same as before, what is left out is that highly toxic material has to be trucked in to the plant in order to manufacture the asphalt. There in essence will be no decrease in traffic, but rather a noticeable increase.

Additionally, the vice-president of environmental affairs for CW Mathews, Brian Lawrence, stated that once the Cherokee County plant is opened then they would shut down the asphalt plant located in Cumming, which is in Forsyth County. His reasons he said were a mixture of "economic" and convenience. According to Mr. Lawrence, the quarry in Cumming wants to expand their dig pit and requested that they relocate the asphalt plant to another part of the property. Mr. Lawrence stated that it is to be moved "to a place we don't like" therefore they would rather shut that location down.

If the Cumming plant is shut down, several negative impacts will occur. The current CW Matthews clients will now have to choose between the Dahlonega, Suwanee or the proposed Cherokee plant (see <http://www.cwmatthews.com/asphaltplants.html> for current plant locations). Traffic that once went to Cumming will now be diverted to this new plant. The new plant would also draw clients away from the Ball Ground, Cartersville and Kennesaw plants. The argument that traffic would be reduced does not hold up. An exponential increase in traffic would occur at this site. This increase in traffic would overwhelm the system. The homes located along these thoroughways would be dangerous to enter and exit, as would the local businesses. With an increase in traffic, longer commute times can be expected as well as an increase in traffic accidents, which will require additional support from the fire and police departments.

Another consideration is that the infrastructure that is currently in place cannot handle an increase in heavy traffic. The Cumming plant is located in a central area of Forsyth County with easy access to Highway 20 and to GA Highway 400. It is only 17 miles away from the proposed plant. The Ball Ground plant is located approximately 12 miles from the proposed asphalt plant and also has easy access to Interstate 575. The proposed plant would be located close to the crossroads of Highway 369 and Highway 372, both of which are two lane winding country roads and at least 20 minutes away from a major highway. In summation, it does not make sense to remove a plant that is in a central location with the proper infrastructure already in place and move it to a remote area with an infrastructure that is ill equipped to handle an increase in traffic.

The applicant, CW Matthews is asking the county and the ARC to approve a rezoning for a 14-acre parcel located within the Vulcan Material plant from Agriculture with a special use permit to Heavy Industrial. The surrounding areas, both in Cherokee and Forsyth County are zoned Agriculture and Residential. The plant would sit on the county line, so residents of both counties will feel the effects. The plant is also sited approximately 500' from the closest residence and the nearest commercial area in relation to the plant is roughly two miles away, consisting of two gas stations, a feed store, a landscape supply and a restaurant. It is a small cluster of commercial applications that are operated during normal business hours. According to Brian Lawrence, Vice President of Environmental Affairs for CW Matthews, when a job calls for asphalt, the truck will transport material 24 hours a day if necessary. While this might be an appropriate use at a plant located in primarily heavy industrial areas, it is not acceptable for this area that is mainly residential. Trucks moving through Highway 369 at all hours of the day and night do not fit in this community's makeup. The next closest commercial land use in the area is located on Highway 20, another 6 miles away from the proposed plant. Highway 20 is a main corridor spanning through many counties and can handle traffic incurred by industrial and commercial uses. Highway 369 however is a two-lane road with pockets of commercial and residential areas. This type of spot zoning does not fit in the overall schematics of this community.

Local impacts are obviously a major concern for the area residents. In reviewing all of the possible negative effects of an asphalt plant, several issues have been brought before the NECCC for consideration. The first is that many local businesses will be adversely affected. On Lower Creighton Road, directly across the street from the rock quarry and approximately 500' from the proposed asphalt plant is a tree farm that supplies local developers, landscape companies and homeowners. The chemicals and aggregate dust can stunt the growth of these trees and in some cases kill them. Located approximately 1/4 of a mile away from the proposed plant is an organic farm which supplies produce to local farmers markets, restaurants all over the metro Atlanta area, works with community supported agriculture and actively donates to local charities and shelters. This farm is in the process of becoming certified organic, which is a long and expensive process.

While the certification may be accepted at this time, it is also understood that when the soil and produce are tested annually, the certification can be revoked due to the pollution caused by an asphalt plant. Directly across the street and on the same side of the quarry is a development consisting of 41 homes that range in price from \$400,000 to \$800,000. The developer purchased the property because the original agreement between Vulcan Materials and Cherokee County stated that an asphalt plant could never be placed on this site. The approval of an asphalt plant in this area would "essentially bankrupt me" he says, as he would never be able to sell these homes. The costs that go into starting and maintaining businesses such as these are very high and failure or closure due to the proposed asphalt plant has devastating outcomes for the owners and for the people they serve.

Another operation in the area, also less than ¼ of a mile away from the proposed plant is a non-profit foundation which serves at-risk teens, foster children, a women's recovery center and also serves as an animal shelter and rescue site. Activities on this farm include equine assisted therapy, life skills development and summer camps for foster children from all across the state of Georgia. Not only would the animals on this farm be affected by the pollution from the asphalt plant, but so would the people the foundation serves. The director of the foundation asks "why would I bring at-risk teens here and then *put* them at risk?"

Another concern within the community is that studies have shown that property values decrease significantly when an asphalt plant is opened in an area. A community action group in North Carolina has been studying and fighting the effects of asphalt plants for over twenty years. The statistics they have gathered show a devastating financial impact to not only the homeowners and business owners in the area, but to the county as well. If property values fall then revenue to the county will decline as well. The property taxes that could be collected in this area far outweigh the income that the proposed asphalt plant could ever bring to the county. Additionally, this area where the asphalt plant is proposed is growing in popularity and new home construction is skyrocketing as well as the resale of homes. If an asphalt plant is located in the area, these housing trends will decline. This will not only take away from the tax base, but it will affect local business as well when the residential population ceases to increase. Grocery stores and other businesses have moved into the area in anticipation of residential growth. The potential business that is expected for the companies will not materialize if an asphalt plant moves in and drives out the residents.

Finally, residents are extremely concerned with the adverse health effects and environmental impacts that have been documented concerning exposure to an asphalt plant operation. Chemicals such as Formaldehyde, Hexane, Hydrogen Sulfide, Nitrogen Oxides, Phenol, Polycyclic Aromatic Polycarbonyls, Sulfur Dioxide, and Toluene are released into the atmosphere, soil and water. The consequences to the health of local residents can include cancer, leukemia, irritation of the skin, eyes, nose, and throat, nerve damage and paralysis of the arms and legs, permanent central nervous system, damage to the respiratory airways, liver damage, diarrhea, dark urine, and hemolytic anemia. A high ranking employee at the Cumming location stated that he "get[s] headaches that last sometimes three days from the stuff that comes out of there [the asphalt plant]." How is this a positive impact upon the region?

The proposed plant is located approximately 330' from Settindown Creek and about 1200' from the Etowah river. The chemical run off, identified above, from the plant can damage aquatic life and pollute these water sources. The Etowah River is a major tributary for Cherokee County and feeds into Lake Allatoona. The proposed fuel containment system drains off towards Settindown

Creek, according to Brian Lawrence. He says that the employees will flush the piping out periodically with water, but could not explain how the excess spillover fuel would be contained and removed nor could he explain where the drain off would go. However, when five members from the NECCC were invited to visit the proposed site, it is obvious the runoff will drain directly into the Settindown Creek. The aggregate, which is used to manufacture asphalt, will be stored in open piles on the creek side of the site. When the wind blows or it rains these materials will end up in Settindown Creek. Many of the particulates, including old asphalt that has been crushed and is reused in the production of new asphalt, are carcinogens. These extremely hazardous chemicals and particulates will pollute the waters, soil and air in this community. With plans for a community park just downstream from this plant, exposure levels due to the runoff and air born contamination will affect more residents and non-residents as well.

In conclusion, as demonstrated in the past by this community, the residents in the affected areas are still adamant in their belief that an asphalt plant does not belong in this area. Vulcan Materials made a promise to Cherokee County and its citizens when their company first began to look at putting a rock quarry at this site. Vulcan Materials and the companies affiliated with them have repeatedly tried to circumvent the condition that there would never be an asphalt plant. Because of the deceptive actions, broken promises and poor business practices on the part of Vulcan Materials, the relationship with the community has deteriorated over the years. These companies are not concerned with the best interests of the residents, landowners and business owners of this area. An asphalt plant is most definitely not in the best interest of this community.

As a community we are appealing to the Atlanta Regional Commission to recall an earlier DRI review concerning Vulcan Material's application for an asphalt plant at this same site. At the time the ARC stated that while an asphalt plant might be beneficial for the Atlanta area it would definitely be bad for the local area. The only factors that have changed from then to now, is that there are more asphalt plants throughout the metro Atlanta area to accommodate the needs of the region. More importantly, the numbers of small farms, commercial business and neighborhoods have increased dramatically. New homes are spreading like wildfire and an asphalt plant would definitely snuff out that flame.

Sincerely,

Melissa Flock
Representative for the NE Cherokee Community Coalition

Haley Fleming

From: Chris Chandler [chris@chandlergraphics.com]
Sent: Thursday, November 18, 2004 3:50 PM
To: Mike Alexander
Cc: Haley Fleming
Subject: CW Mathews asphalt plant

Dear ARC members,

I live approximately one mile from the proposed CW Mathews asphalt plant. I can tell you from experience that Highway 369 cannot stand anymore local heavy truck traffic. This stretch of highway is full of curves and hills. The current truck traffic, much of which frequents the Vulcan quarry, drives this highway carelessly and dangerously. Me and my family have had close calls more times than I would like to count.

This asphalt plant would be 25 minutes from I-575 and 20 minutes from 400. CW Mathews has stated that they plan to close a plant in Cumming in order to relocate it on 369. Obviously, the traffic would be relocated as well. The Cumming plant is adjacent to an interstate, greatly relieving the North/South stress from these trucks. There would be no such relief if located on 369.

Clearly, with increased traffic comes increased maintenance, and ultimately new lanes and intersections. Mornings and afternoons already see gridlock at the Hwy 369 and Hwy 372 intersection.

This type of planning makes no sense for the Atlanta region. Atlanta should hope to control sprawl of spot zonings, improve traffic and reduce road costs. This plant would do none of that.

Thanks,

Chris Chandler

Chandler Graphics

p: 770.479.1191

f: 770.479.7343

e: chris@chandlergraphics.com

w: www.chandlergraphics.com

Haley Fleming

From: thewhaleys@mindspring.com
Sent: Thursday, November 18, 2004 3:18 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: Asphalt Plant

Ms Fleming,

There is a proposed Asphalt Plant on Georgia highway 369 by CW Mathews Contracting Company, Inc. that will negatively impact the environment and quality of lives for people and animals/wildlife. This includes the air, water, heavy hauling traffic on an already dangerous road, plus serious decreases in property values to nearby residents plus loss of revenue to local governments.

This proposed rezoning to Heavy Industrial from Agricultural was something that Vulvan stated they would never do plus Vulcan illegally now runs their plant 24/7 with disturbing, wake me up in the middle of the night noises after 11:00 pm. That in itself is noise pollution and disturbs our quality of life.

Our home is our biggest financial investment and the environment is priceless. Please do not grant this rezoning to Heavy Industrial.

Your consideration on this matter is greatly appreciated.

Annette Whaley

Haley Fleming

From: Paul.Murdock@softwareagusa.com
Sent: Thursday, November 18, 2004 2:08 PM
To: Mike Alexander; Haley Fleming
Subject: CW Matthews/Vulcan materials asphalt plant DRI

I would like to submit my comments and concerns regarding the DRI of CW Matthews for a spot rezoning of 14 acres of property in the center of agricultural and residential property to Heavy Industry with the specific intent of construction of an asphalt plant. This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

I believe that this would not be in the best interests of the Atlanta Regional area as well as the state in general for the following reasons.

1. The zoning of this property as HI would violate the submitted land use plan for Cherokee County
2. Spot zoning is a practice which, if approved, would negatively impact the quality of life for all metro Atlanta
3. Environmental concerns
4. Community safety concerns
5. Noise
6. Increased traffic in an already congested area

Violation of Cherokee County Land Use Plan

If the ARC would take the time to review the submitted and approved and use plan for Cherokee county, it is designed such that all Heavy Industry will be situated along a corridor along the major interstates and multi-lane divided highways for the county. This is an intentional act to centralize the types of industry which have a major negative impact on road usage and wear to those roads designed with such use in mind. The proposed location of the HI zoning is more than 5 miles from the nearest multi-lane divided highway which could reasonable support the heavy use of constant high weight vehicles.

If the ARC allows Cherokee to violate its approved plan then the Commission should inform all counties that their land use plans are not to be observed and are not worth the paper on which they were printed.

Spot Zoning

The zoning of a small area of land, or one or more properties, for a use that is not in harmony with the normal zoning plan for the area, especially if a small area is rezoned in a way that does not conform with the surrounding neighborhood. Spot zoning is normally invalid if the permitted use is very different from the surrounding area; the area involved is small; or it can be shown that the municipality has favored one landowner to the unreasonable detriment of the surrounding area, or so as to prejudice the intention of a comprehensive plan (Rockhill v. Chesterfield Tp., 23 NJ 117, 128 A.2d 473 (1957); City of Pharr v. Tippitt, 616 SW.2d 173, 177 (Tex 1981); Williams American Land Planning Law and The Police Power (1988 Revision), § 27.02). For example, it may be considered illegal where an area of land is designated for industrial use in an area zoned residential use, even when the intention is to retain a business in a particular municipal district (Fritz v. Ashland, 348 SW.2d 712 (Ky 1961), cf. Kozesnik v. Township of Montgomery, 24 NJ 154, 131 A.2d 1 (1957)).

For the reasons noted in the *Violation of Cherokee County Land Use Plan* section of this document, it is evident that the rezoning of a small (14 acre) area of land in the heart of a residential and agricultural area would fail the test of "to prejudice the intention of a comprehensive plan" which would be in clear violation of commonly accepted land use laws of the United States.

A second major argument against this type of rezoning is that it will take place less than .5 miles of the border of Forsyth County negatively impacting the citizens of another county without giving them any input into the decision. Through your actions of approving the DRI you would incite "Border Wars" between the counties whereas polluting entities could be placed in "Spot Zoned" sections on the county border where the down hill and down wind areas would be in the neighboring county. In each case the offending county could use this decision as a precedent for their actions and limit the legal ability of the ARC to deny the claims.

11/18/2004

Environmental Concerns

CW Matthews has a history of allowing industrial storm water pollution from its' asphalt plants to pollute our waterways. They received, in 1995 a notice of intent to sue for allowing storm runoff from an asphalt recycling plant into the Chattahoochee River in 1995 and did not complete necessary changes to prevent the problems until 1996. The proposed plant will be in close proximity to a major source for the Etowah River, a tributary from which much of northwest Atlanta and Georgia draws its drinking water. One minor lapse in CW Matthews environmental diligence could result in toxic wastes contaminating the major source of drinking water for thousands of constituents in the metro Atlanta area. This fact alone should give sufficient reasons to deny the DRI and request that it be re-sited in an area as far removed from primary sources of potable water for tens of thousands of citizens. (Source: *Upper Chattahoochee RiverKeeper RiverChat Fall 1995, Spring 1996*)

As stated in the Executive Summary for the 2005 strategy for the Atlanta Regional Commission, the commission will use its resources to:

- **Protect the region's river corridors; plan, promote, and advocate for water conservation and clean water;**

Allowing the construction of an hazardous material site close to a major aquifer would violate this stated objective.

Asphalt concrete is composed of aggregate and a crude oil derivative (asphalt) used as a binding agent. This binding agent is classified by the EPA as a hazardous material and asphalt fumes are on the hazardous substance list. Some of the contents of asphalt fumes are :

arsenic, benzene, formaldehyde, and cadmium. Other toxic chemicals are released into the air as the asphalt is loaded into trucks and hauled from the plant site, including volatile organic compounds, polycyclic aromatic hydrocarbons (PAHs), and very fine condensed particulates.[EPA]

Per the New Jersey Department of Health and Senior Services:

Asphalt fumes contain substances know to cause **CANCER** in humans. There may be no safe level of exposure to a carcinogen, so all contact should be reduced to the lowest level possible.

This situation of an asphalt plant in the center of residential and agricultural property would be a serious health threat, approved by the ARC, and would expose hundreds of men, women and children to constant low levels of these chemicals creating a huge risk in increased incidences of cancer within the community. This risk would grow exponential for those homes and farms within the primary pollution plume of the site (most of which is on Settendown creek and in Forsyth County). Your acceptance of exposing children to constant low levels of carcinogens would be culpability for future litigation.

Community Safety Concerns

As stated previously, one of the major components of asphalt is a crude oil derived binder. On the current site, there is no rail line within 2 miles. Given this fact the only method of delivery of the asphalt to be used in asphalt concrete would be via the county roads. As stated previously this is a hazardous material. The shipment of this material via 2 lane county roads increases the possibility of accidents where there would be a hazardous material release into the environment. The roads used for this transport run predominantly through residential area exposing more and more residents, especially children, to carcinogens and other toxic substances.

Noise

Currently situated within the larger parcel from which the 14 acres for the asphalt plant is proposed resides a quarry operated by Vulcan Materials. When my family originally moved there was little discernable noise from the quarry operations other than occasional blasting of a moderate magnitude. The quarry would operate Monday-Friday from about 8:00 am until sundown which are reasonable hours of operation for a noisy business in a residential/agricultural area. Approximately 2 years ago, Vulcan re-sited the plant to higher ground where there is **ABSOLUTLY NO** noise abatement measures or terrain. This increased the noise level from operations to the point now that the noise from individual pieces of equipment can be discerned inside a well insulated home. In the last year Vulcan has increased the hours of operation to the point that it now operates before 7:00am and many nights past 11:00pm 6 nights a week.

Under the original zoning approval from the Cherokee County Commission, there was an understanding that the hours of operation would be restricted in accordance with the mining ordinance of Cherokee county and in keeping with the nature of the surrounding area. In 1996 Vulcan successfully got that ordinance rescinded on the grounds that many of the counties mining codes were enforced by the EPA, (a distortion of the true facts at best). Once these were rescinded Vulcan was then free to

operate 24 hour a day 7 days a week. Recently Vulcan has seen fit to exercise that lack of restriction. If the additional noise of an asphalt operation was added onto the current noise level, the quality of life for residents would be further degraded.

In their lack of consideration and implementation of even the smallest degree of noise abatement Vulcan has proven that they are a callous irresponsible member of the business community of metro Atlanta. The approval of the DRI for this parcel would give Vulcan Material and CW Matthews the capability to virtually destroy the quality of life of a growing and vibrant community of successful and productive residents.

Increased Traffic in an Already Congested Area

Once the final product is mixed, it is delivered, via those same roads to construction sites further exposing residents to increased cancer and additional health risks. This is one MAJOR reason that the Cherokee County land use plan limits heavy industry to areas in close proximity to major highways. Currently GA Highway 20, the closest major highway after GA 369, is a major traffic chokepoint for the metro Atlanta area and adding additional heavy truck traffic would not be in the best interest of the community and would have a negative impact on traffic safety.

Summation

The need for additional capacity for road construction materials for the metro Atlanta area is evident and should be perused. However, in the pursuit of additional capacity, the ARC should not violate its own stated objectives in the protection of area water supplies and air quality. The ARC should not allow counties to violate their own land use plans which are extensively researched and vetted just to suit the needs of a specific vendor or their proxy.

When considering the construction of heavy industry and their associated hazardous materials sites, the ARC needs to consider the risk of exposure of citizens to these materials, both in the production and transport of said materials, in their decision. The centralization of these types of industry in a concentrated area would meet the needs of the community more than spot zoning them in residential and agricultural areas. The diminished value of the use of the surrounding property, (i.e. increased instances of childhood brain cancer in three census tracts surrounding an asphalt plant in Salisbury NC [BREDL Jan 2003 Dr. Richard Weisler])

The ARC also needs to consider its reputation when it approves, through a positive DRI, land uses which are inconsistent with the land use plans which would then be overturned in the court system. It would cause a loss of credibility within the community.

Paul Murdock
(770)205-1499

Haley Fleming

From: gsmisurek [gsmisurek@ebainc.com]
Sent: Thursday, November 18, 2004 4:33 PM
To: Haley Fleming
Cc: pattywalker@aol.com
Subject: OPPOSITION TO THE PROPOSED CW MATHEWS ASPHALT PLANT

Haley,

The following comments are being sent at the request of Brad and Patty Walker of 8340 Jacobs Ridge, Cumming, GA 30040. (P: 678-455-9379). They are unable to access email today and wanted their opposition to the CW Mathews asphalt plant to be appended to the DRI. The Walkers live approximately 1/2 mile from the proposed facility and as Forsyth County residents have no control over those in Cherokee County who will ultimately approve or deny the zoning request by CW Mathews.

We oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

1. Environmental considerations including air and water pollution
2. Increased heavy hauling traffic on an already dangerous highway 369, and
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.



Gerald Misurek
Phone: 770-205-6055
gsmisurek@ebainc.com
(Fax)-770.205.6056
Web Site- www.ebainc.com

Haley Fleming

From: Jerry W Neill [jwneillsr@adelphia.net]
Sent: Thursday, November 18, 2004 11:31 AM
To: Haley Fleming
Cc: Mike Alexander
Subject: Rezoning of 14 acres for CW Mathews Contracting Company

To Whom It May Concern:

We oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc from Agricultural with a special Use permit to Heavy Industrial. This parcel is located within the quarry operated by Vulcan Materials, Inc. located in Cherokee County. However the Vulcan Materials property is located in both Cherokee and Forsyth counties.

The attempt to spot Zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural used. If granted, this rezoning will negatively impact the surrounding areas with respect to:

Environmental considerations including air and water pollution and
Increased heavy traffic on an already dangerous highway, 369.

Thank you for your careful consideration on this serious matter.

Sincerely, Margaret and Jerry Neill

Haley Fleming

From: Robin Price [sjprice@adelphia.net]
Sent: Thursday, November 18, 2004 12:52 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: Vulcan Materials, Inc.

Good Afternoon:

We are homeowners in Etowah Trails Subdivision on Highway 369. The proposed rezoning of the 14 acre parcel by CW Mathews Contracting Company from agricultural with a special use permit to heavy industrial is very disturbing to me as a homeowner. The reasons are as follows.

- The proposed asphalt plant is adjacent to settin down creek which runs into the Etowah river-water pollution concerns
- Highway 369 is a very dangerous with all the truck traffic during the week
- Forsyth County has approved more than 2000 homes off 369 with more on the way- This does not include subdivisions approved in Cherokee County- More cars- more children- more school buses and Trucks all on 369.
- Decrease in property value
- Air pollution
- Further ill conceived zoning

I'm not against growth, but this is the worst place on earth to put in an asphalt plant.

I appeal to you to consider the long term negative impact on the quality of life for the residence in Forsyth and Cherokee county if this is approved.

Thank you,

Robin S. Price
Etowah Trails

Haley Fleming

From: rosspaula@bellsouth.net
Sent: Thursday, November 18, 2004 12:09 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: VulcanMaterials/CW Mathews

Dear Mr Fleming and Mr. Alexander,

We are writing to encourage you to deny CW Mathews and Vulcan Materials' request to build an asphalt plant at their quarry on highway 369 in Cherokee and Forsyth Counties.

In 1988 Vulcan promised that they would never build an asphalt plant at that location. Since then they have tried everything to break their promise and build the asphalt plant. I think you should hold them to their original promise. Isn't a promise worth anything anymore? Getting CW Mathews involved is another ploy to get around their promise.

If there is an asphalt plant built out here in a residential/agricultural area the air will be filled with the carcinogenic byproducts of asphalt. We do not want to breathe that air. We also do not want to listen to the additional noise pollution. The heavy truck traffic on 369 is bad already, and we do not want it to get worse with heavy asphalt trucks. Our property values will go down, which means the tax base for the area will go down. This is a beautiful area perfect for beautiful homes. If the asphalt plant goes in, there won't be any beautiful homes built out here. Would you want to live next to an asphalt plant? We don't want to either.

We beg you to deny the request for an asphalt plant.

We sincerely thank you.

Paula and Ross Lammers

Haley Fleming

From: LINANTOL@aol.com
Sent: Thursday, November 18, 2004 11:43 AM
To: Haley Fleming
Subject: No to asphalt plant!

We are absolutely opposed to that proposed asphalt plant!

The undersigned residents of Forsyth County, GA oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

1. Environmental considerations including air and water pollution
2. Increased heavy hauling traffic on an already dangerous highway 369, and
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.

Sincerely,

Linda & Trevor Antolik

Haley Fleming

From: Just Nan, Inc. [justnan@justnan.com]
Sent: Thursday, November 18, 2004 10:34 AM
To: Haley Fleming
Subject: CW Matthews Asphalt Plant

Dear Mr. Flemming,

I'm writing to express my concern about the proposed CW Matthews Asphalt to be situated at the Vulcan Materials site on Hwy 396 near the Cherokee/Forsyth County lines.

We live near Hwy 369 and use it often to travel between GA 400 and GA 575. We enter 369 from Pooles Mill Road in Forsyth County. Over the past 7 years, we have witnessed dramatic increases in heavy truck traffic on this road. Initially, we bought our home in this area thinking that the outer perimeter road would reduce the heavy traffic on 369. We the clear decision to abandon the outer perimeter, Hwy 369 has become de facto the unofficial outer perimeter for all types of heavy vehicles - logging tucks, heavy construction equipment et al.

In addition to the traffic issues, I'm also opposed to dropping an asphalt plant in the center of a growing residential community. I do have some experience with these plants having worked for Exxon/Mobil and Williams Energy. Such plants are best located in heavy industrial areas away from schools, farms, and heavy residential communities. Despite the claims of advances in technology, they still emit hazardous materials and odors and create health and environmental problems.

It is my hope that the ARC will not approve of this plant.

Sincerely yours,

Nan & John Caldera
8040 Plantation Way
Cumming, GA 30040
678-947-1300

Haley Fleming

From: Bingham.Dale [Dale.Bingham@SunTrust.com]
Sent: Thursday, November 18, 2004 9:13 AM
To: Haley Fleming
Cc: Mike Alexander
Subject: STOP THE ASPHALT PLANT

The undersigned resident of Forsyth County, GA oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth county residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1998, Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

- 1.) Environmental considerations including air and water pollution.
- 2.) Increased heavy hauling traffic on an already dangerous highway 369, and
- 3.) Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.

Sincerely,

Dale Bingham
8425 Glen Lake Drive
Cumming, Georgia 30040

The information transmitted is intended solely for the individual or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of or taking action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you have received this email in error please contact the sender and delete the material from any computer.

Haley Fleming

From: Unwala, Adi [adi.unwala@siemens.com]
Sent: Thursday, November 18, 2004 8:09 AM
To: Haley Fleming
Cc: Mike Alexander; sherryunwala@yahoo.com
Subject: Opposition to Asphalt Plant

Dear Sir;

The undersigned residents of Forsyth County, GA oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

1. Environmental considerations including air and water pollution
 2. Increased heavy hauling traffic on an already dangerous highway 369, and
 3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.
- We the undersigned sincerely appeal to you to consider our serious concerns regarding this issue.

Sincerely;

Adi H. Unwala

Sherry A. Unwala

The Preserve at Etowah

9035 New Hightower Road

Ball Ground

Georgia 30107

Haley Fleming

From: Kerry Kilgore [kkilgore@bellsouth.net]
Sent: Thursday, November 18, 2004 8:06 AM
To: Haley Fleming
Subject: Vulcan Materials, Inc.

Gentlemen,

We are homeowners in Etowah Trails Subdivision on Highway 369. The proposed rezoning of the 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI) is very disturbing to us as a homeowner. This proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. We are concerned that the attempt to spot zone this parcel will lead to further improper rezoning of the entire area.

The traffic on Highway 369 with the huge trucks already is a concern to everyone in this area and what the rezoning will add as far as traffic will be very dangerous to all citizens. We are also concerned about the air pollution and water pollution this decision will make to our area. The serious decreases in our property value can not be overlooked by the committee.

We appeal to you to consider all aspects of the losses to the residents in the area which will be impacted by this decision and not just the industrial company which will benefit financially from your decision.

Sincerely,

Brian & Kerry Kilgore
8880 Saddle Trail
Ball Ground, Ga 30107

Haley Fleming

From: lguitard@bellsouth.net
Sent: Thursday, November 18, 2004 7:51 AM
To: Haley Fleming
Cc: Mike Alexander

As a resident of Forsyth County, GA we strongly oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

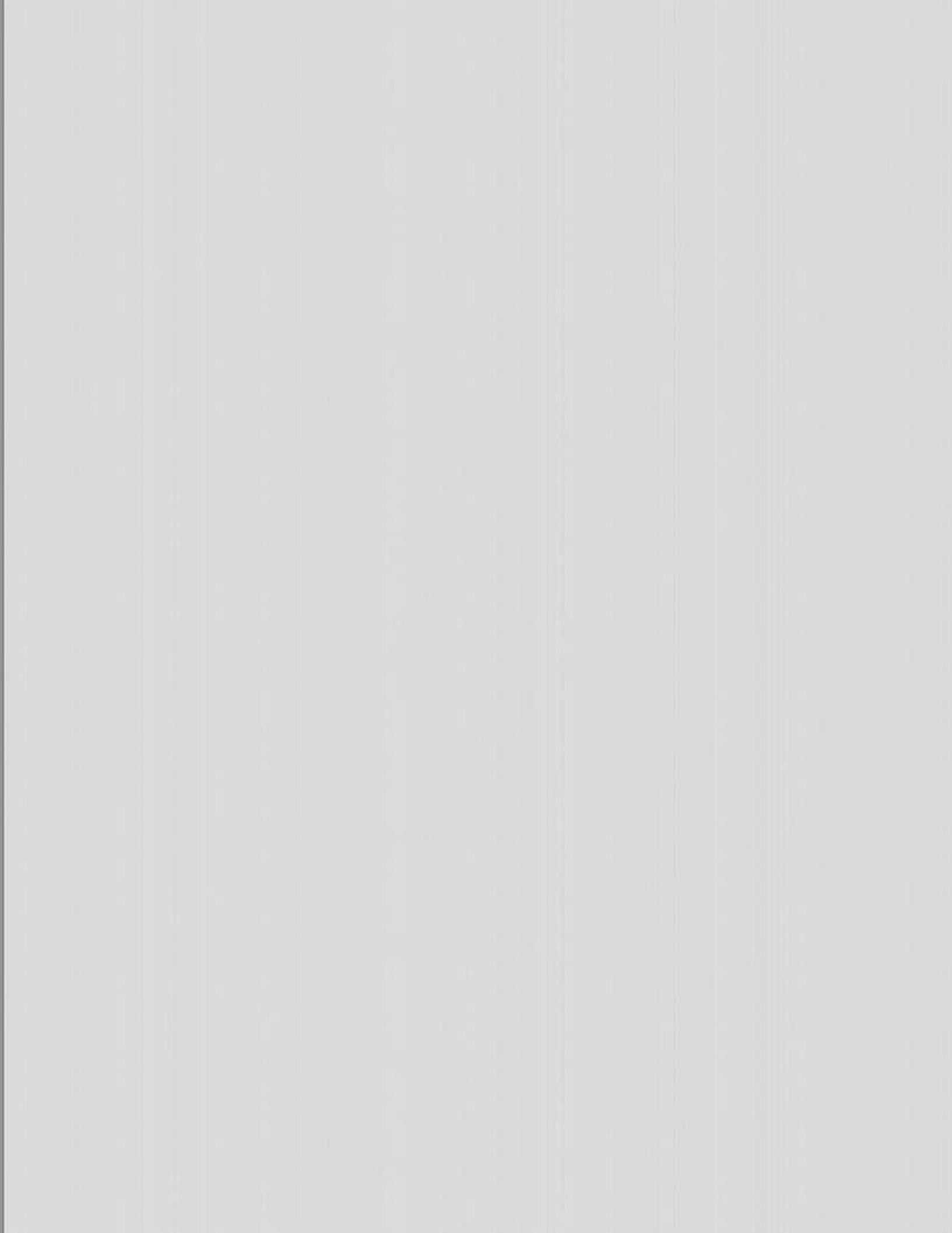
The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

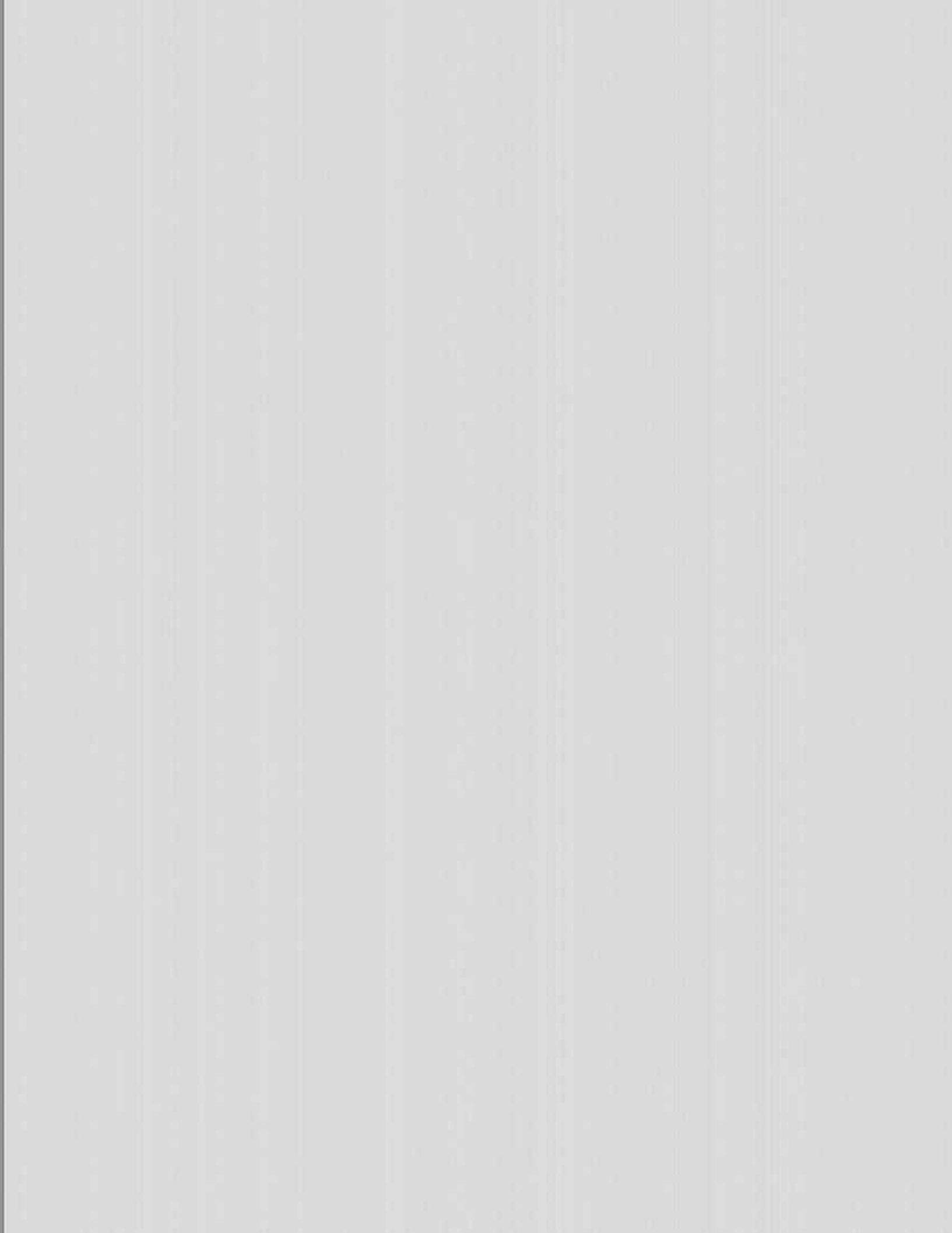
1. Environmental considerations including air and water pollution.
2. Increased heavy hauling traffic on an already dangerous Highway 369 as well as roadway damage to Hwy 369 due to the increase in heavy hauling.
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.
4. The proven risk of serious health issues due to the environmental toxins.

We reside approximately one (1) mile from the proposed site and every one of our concerns listed above need to be taken serious by all involved in the decision making process of allowing this asphalt plant at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. We value our quality of life and strive to keep to increase our property value, NOT decrease.

Sincerely,

Lorraine & Jim Guitard
8765 Waterside Drive
Ball Ground, GA 30107





Haley Fleming

From: b.judith [b.judith@prodigy.net]
Sent: Thursday, November 18, 2004 7:42 AM
To: Haley Fleming
Cc: Mike Alexander
Subject: No ASPHALT PLANT

Dear Sir: I want my voice to be heard. I oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Co., Inc. from agricultural to heavy industrial use, because of its negative impact on the residential and agricultural surrounding areas! In 1998, Vulcan Materials agreed it would NOT LOCATE AN ASPHALT PLANT on this property. STOP THE ASPHALT PLANT! Judith Bingham

Haley Fleming

From: Elene Bertschi [elenebertschi@bellsouth.net]
Sent: Wednesday, November 17, 2004 10:46 PM
To: Haley Fleming
Subject: Vulcan asphalt plant

Dear Ms. Fleming:

Please consider the following points and help us stop the Vulcan asphalt plant.

- 1) They violated their agreement, hence cannot be trusted. Do not reward this behavior which will bring only problems.
- 2) Yellow Creek Rd. is the corridor for residents of Big Canoe, Bent Tree and coming high-end N. GA mountain homes to reach GA 400 on their commute to Atlanta. The traffic is residential, not commercial. Big asphalt trucks have are a dangerous addition to 369 traffic.
- 3) We, like many other residents near Vulcan, put our life savings into retiring to a safer, quieter area. We live on Settendown Creek and it some of the prettiest, unspoiled property in the area. The smell, the chemicals, the big truck traffic will spoil all of that. Don't believe all their quick fixes. Anyone who doesn't keep their word will require more monitoring that there are resources to do it.

Please, please support our efforts to keep this area uncontaminated and unspoiled.

Sincerely yours,

Elene E. Bertschi

Haley Fleming

From: MHG246@aol.com
Sent: Wednesday, November 17, 2004 9:57 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: Asphalt Plant in North Georgia

Dear Sir:

Please allow me to state my strong opposition to the asphalt plant being proposed for Cherokee Co. There are many reasons: We are so worried about our health and enjoyment of our beautiful area that we live in if there is an asphalt plant as proposed. As of now, we have the constant roar of the granite quarry that is more than most people would like. Now, the prospect of an asphalt plant does not seem fair to all that live around it. Our land and home values will certainly go down, horses that live in pastures will be in danger, children at play as well as all of us enjoying the outdoors will be unsafe according to studies, the garden that we love will be not usable, etc.,

This will harm the beautiful North Georgia that all of us love with its pristine mountains and fresh air. It is such a shame to even have to consider the smell of an asphalt plant in the air.

Please honor and support the voice of the people that live nearby the proposed plant as previous courts of the state and Boards of Commissioners have done. We look forward to your help to help us continue the wonderful life that we have now.

Thank you for listening.

Most sincerely,

Madeline Haisten
8110 Legends View Court
Cumming, GA 30040
678-513-0668

Haley Fleming

From: HaistenRW@aol.com
Sent: Wednesday, November 17, 2004 8:27 PM
To: Haley Fleming
Cc: Mike Alexander; gmsurek@ebainc.com; MHG246@aol.com; HaistenRW@aol.com
Subject: Cherokee County Asphalt Plant

Dear Sir:

As a citizen of Forsyth County, I am appalled that Cherokee County approved the placement a rock quarry on the Forsyth County line. I live in a neighborhood where many of the homes exceed \$1,000,000 in value. Unfortunately, if we have asphalt fumes, engine roar from large truck and continual dynamite explosions at the rock quarry, this neighborhood will be ruined and those individuals that choose to remain will be placing their health and life at stake. It is a known fact that asphalt plants spew toxins into the air that cause cancer.

Highway 369 is the main road between Gainesville and I 75. It has too much truck traffic on it now, without the asphalt plant. These truck run at breakneck speed and ride the bumpers of automobiles ahead of them. This is a beautiful scenic area of the state with wonderful views of the North Georgia Mountains. It would be a shame to allow all of this to be destroyed by a rock quarry that repeatedly stated it had no intention of EVER requesting permission to develop an asphalt plant. The truth is, they planned to do it all along and they will keep trying to get it approved for as long as there is any rock left in the quarry. This matter has already gone before the Georgia Supreme Court and been turned down. What does it take for these people to understand that NO means NO?

I urge you to seriously look at the impact this proposed facility will have on the north Georgia area and turn down their request

Haley Fleming

From: MULLISGL@aol.com
Sent: Wednesday, November 17, 2004 7:07 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: opposition to the rezoning request from Vulcan Materials/CW Mathews DRI

November 17, 2004

Dear Haley Fleming ,

We strongly oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. The Vulcan Materials property is located in both Cherokee and Forsyth Counties and will negatively impact both counties.

We are in the process of building a +\$600,000.00 home in a subdivision located adjacent to the Vulcan Materials property and are very concerned about the negative environmental, quality of life, and property value impact that an Asphalt plant presents.

We urge you to deny this request.

Sincerely,

Gerald and Denise Mullis

Current Address:

3724 Preston Pointe Way
Cumming, GA 30041

Building Lot Address:

The Legends at Settendown Creek Subdivision Lot 22
8360 Jacobs Ridge Lane
Cumming, GA 30040

(770) 887-2410

Haley Fleming

From: Jennie Viers [viersj@bellsouth.net]
Sent: Wednesday, November 17, 2004 6:21 PM
To: Haley Fleming
Subject: Cherokee Asp[halt Plant

Ms. Fleming,

I am writing as a concerned neighbor of the proposed C W Mathews asphalt plant in Cherokee county. I moved to my home 1 year ago with the understanding that the agreement with the Vulcan Rock Quarry is that there could never be as asphalt plant. As a new homer owner I have researched this prospect and found that the homes within the proximity of a plant has had a reduction in property value from 27% to 56%. The possible environmental consequences of this plant are tremendous. The posposed location of the plant and the run off of the plant will adversely affect the local creeks and this is a part of the Etowah River Basin. Please oppose the plant and speak out for **our quality of life and environment**. Another plant is not needed and it is not wanted. Sincerely, JV

Jennie L. Viers ☺

JLV Training

Software Trainer and Developer

Haley Fleming

From: Brenda Yandle [b.yandle@earthlink.net]
Sent: Wednesday, November 17, 2004 5:58 PM
To: Haley Fleming; Mike Alexander
Subject: Vulcan Materials/CW Mathews DRI

As a resident of Forsyth County, GA, I am writing to oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

1. Environmental considerations including air and water pollution. Both Settindown Creek and the Etowah River run through this location. With the great potential for toxic chemical pollution, far more areas, as well as wildlife, have the potential to be impacted by this plant. Furthermore, the noise and odor pollution will be devastating to an area slated for high residential growth.
2. Increased heavy hauling traffic on an already dangerous highway 369, thus affecting the safety of our community members in both Cherokee and Forsyth counties, and possibly reaching into Hall, Dawson, and other nearby counties.
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments. We moved to Ball Ground from southwestern Cherokee County due to the tremendous natural beauty and potential of this area. Now, having lived here just over one year, we are faced with the potential of being forced to sell our home in order to preserve any equity that we have, as well as our health, safety, and quality of life. The loss of tax revenue with the decreased property values has the potential to be tremendous due to the high residential growth expected in the area.

I hope you will take into consideration the voices of the surrounding counties and help us prevent this rezoning, and thus creation of an asphalt plant, from happening in our area. This will have an immense negative impact on the many residents of North Georgia.

Respectfully,

Brenda and Richard Yandle

Haley Fleming

From: Shane Miller [sha37@adelphia.net]
Sent: Wednesday, November 17, 2004 4:55 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: Proposed Vulcan Asphalt Plant

My name is Kendra Miller and I live in a beautiful healthy neighborhood in north Forsyth County. If I had ever known that this damaging plant was planning to be built so close to my family's neighborhood I would have not chosen to do so. This deceitful tactic that Vulcan has undertaken is very disheartening to me as a citizen of our United States of America. The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

1. Environmental considerations including air and water pollution
2. Increased heavy hauling traffic on an already dangerous highway 369, and
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.

Please consider this a request to deny such rezoning. Please allow the residents of these two areas the chance to live the healthy "American Dream".

Sincerely,
Kendra M. Miller

Haley Fleming

From: JChavis345@aol.com
Sent: Wednesday, November 17, 2004 5:15 PM
To: Haley Fleming
Subject: Asphalt Plant

The undersigned residents of Forsyth County, GA oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

1. Environmental considerations including air and water pollution
2. Increased heavy hauling traffic on an already dangerous highway 369, and
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.

Jim and Jo Chavis
8325 Glen Lake Drive
Cumming, Ga. 30040

Haley Fleming

From: kim gunter [jakeandemilysmom@yahoo.com]
Sent: Wednesday, November 17, 2004 4:36 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: Please stop the asphalt plant

Haley Fleming,

As a resident of the north georgia/369 corridor region, we oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

- 1.Environmental considerations including air and water pollution
2. Increased heavy hauling traffic on an already dangerous highway 369, and
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.

Sincerely,
The Gunter Family

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Sent: Wednesday, November 17, 2004 3:21 PM

To: Haley Fleming

Cc: Mike Alexander

Subject: Vulcan Materials/CW Mathews DRI

As a concerned resident of Forsyth County, I am sending this E-Mail to voice my opposition to the request by Vulcan Materials/CW Mathews to locate an asphalt plant in Cherokee County at the Forsyth County line. The negative effects that this facility would have on public health along with the serious danger to public life that would be created by the additional truck traffic 24-7 on Hwy 369 make this an awful location for such a facility. Please do your job as members of the ARC and stop this facility! The only positive effect of this plant will be the profit gained by Vulcan Materials and CW Mathews, a notorious "bid rigger" in the State of Georgia.

Bill Holley
Sales Engineer

Infinity Structures, Inc.
6250 Shiloh Road
Suite 210
Alpharetta, GA 30005
(P) 678-513-4080 Ext. 4187
(Direct) 678-942-4187
(Cell) 404-925-1108 Nextel ID#155*163766*2
(F) 678-513-4150

<http://www.infinitystructures.com>

11/17/2004

Haley Fleming

From: Judy Spare [jspare@adelphia.net]
Sent: Wednesday, November 17, 2004 2:44 PM
To: Haley Fleming; Mike Alexander
Subject: Vulcan Materials, Inc.

Gentlemen,

We are homeowners in Etowah Trails Subdivision on Highway 369. The proposed rezoning of the 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI) is very disturbing to me as a homeowner. This proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. I am concerned that the attempt to spot zone this parcel will lead to further improper rezoning of the entire area.

The traffic on Highway 369 with the huge trucks already is a concern to everyone in this area and what the rezoning will add as far as traffic will be very dangerous to all citizens. We are also concerned about the air pollution and water pollution this decision will make to our area. The serious decreases in our property value can not be overlooked by the committee.

I appeal to you to consider all aspects of the losses to the residents in the area which will be impacted by this decision and not just the Industrial Company which will benefit financially from your decision.

Thank you,

Allen and Judy Spare
8915 Champion Court
Ball Ground, GA 30107

Haley Fleming

From: Tom Tesmer [tom.tesmer@pipelinedata.com]
Sent: Wednesday, November 17, 2004 2:41 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: CW MATHews rezoning request and DRI

Dear Ms. Fleming and Mr. Alexander:

I have studiously kept up with the struggle by the residents of both Cherokee and Forsyth Counties to prevent a rezoning to Heavy Industry from taking place at the Vulcan Materials quarry site which sits at the north end of both counties. You may recognize this request better as a request by CW Mathews Contracting Company to rezone this parcel from Agricultural (AG) to Heavy Industry (HI). The purpose of this rezoning request is to permit CW Mathews to operate an asphalt plant on the rezoned parcel. The parcel in question sits astride both Forsyth and Cherokee counties in an agricultural and residential community of upscale subdivisions, horse farms and rural land. To permit this site to be rezoned to Heavy Industrial is a recipe for an environmental disaster as well as a recipe for a financial disaster to the parties that live in these areas (including my family and many, many families and businesses surrounding the Vulcan Materials quarry). Property values will decline, tax roles will decline and the overall state of the environment in Forsyth County will be severely affected should this rezoning be approved. By way of information, Settendown Creek, a wandering free flowing creek bisects this property. I expect this creek would quickly become polluted should the asphalt plant be built and made operational. This creek feeds the Chattahoochee and thus is a feeder to the greater Atlanta water supply.

Much documentation exists concerning the environmental and health impacts a plant of this type has on the surrounding communities. I ask that you carefully consider these impacts and do all in your power to prevent this rezoning from occurring or prevent this asphalt plant from being constructed.

The Vulcan Materials Corporation has traditionally been a less than admirable neighbor and corporate citizen. Many are the times that representatives of this company have presented themselves to our various homeowners associations and promised (and guaranteed) that their activities would have no adverse effect on our homes and properties. Commitments were made concerning blasting and operating times - all of which were hollow and empty commitments. Virtually 100% of their promises and commitments have been ignored by the company. A picture of their history of broken commitments can easily be found in the county commission records for either Forsyth or Cherokee counties.

The undersigned resident of Forsyth County, GA oppose the requested rezoning of a 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

The proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

1. Environmental considerations including air and water pollution
2. Increased heavy hauling traffic on an already dangerous highway 369, and
3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.

I appeal to your common sense. This request is not good for the community and reeks of bad politics.

Thank you for your consideration of this matter

11/17/2004

Kind regards,

Tom Tesmer

CTO

Pipeline Data Processing, Inc

(770) 205-9004 - Home

(678) 325-2602 x103 - Office

(678) 325-2606 - Fax

Tom.Tesmer@Pipelinedata.com

11/17/2004

Haley Fleming

From: Michele Murdock [michele@scopecms.com]
Sent: Wednesday, November 17, 2004 2:42 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: Please help us stop the asphalt plant; deny Vulcan/CW Mathews rezoning on Ga. 369

We are writing as concerned residents to request your help in protecting our neighborhood. As you know, CW Mathews Contracting Company, Inc., on behalf of Vulcan Materials, has requested that a 14 acre parcel by located within the Vulcan quarry located on Highway 369 in Cherokee County be rezoned from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI), so that an asphalt plant can be built on this property.

We are disappointed by Vulcan's actions with regard to these plans. In 1988, in order to obtain the Special Use Permit for their quarry, Vulcan agreed it would not locate an asphalt plant on this property. We know that a plant of this nature would negatively impact the quality of life of nearby Cherokee and Forsyth residents, the same residents who already have to endure the continual noise and occasional jarring blasts from the quarry which operates from 7:00 a.m. until 11:00 p.m. most days. Will we now be made to suffer further, as Vulcan potentially spoils our environment with air, water and noise pollution and increased heavy equipment traffic that an asphalt plant will generate?

Additionally, we are concerned that spot zoning this parcel will lead to further improper rezoning of the area, which is currently designated for residential and agricultural uses. This will only lead to further decreases in property values and thus reduced tax revenues to local governments.

Please help us hold Vulcan to its promises and deny this rezoning request.

Sincerely,
Paul & Michele Murdock

Haley Fleming

From: Mike Alexander
Sent: Wednesday, November 17, 2004 7:29 AM
To: Haley Fleming
Subject: FW: Question

Mike Alexander
404 463 3302
maalexander@atlantaregional.com

From: J.K.Davis [mailto:tadahtadah@adelphia.net]
Sent: Tuesday, November 16, 2004 3:51 PM
To: Mike Alexander
Subject: Re: Question

Thanks
My input: Absolutely Opposed to the Asphalt Plant. I am opposed to the Noise levels of the plant and the Asphalt plant Trucks driving on Matt Hwy (369). They are looking at putting a plant on the county line with Forsyth County so that they minimize opposition from Cherokee County citizens. The traffic patterns are obvious they will enter and exit the plant primarily from the Forsyth County side. I live near Matt Hwy and can attest to the high level of high speed traffic that it already carries. My sons elementary school is only 3 miles downwind of this proposed plant. The school is in Forsyth county - I doubt that Cherokee county would ever put an industrial plant a couple of miles upwind of a major school. But they don't seem to care about kids in the county next door. Please oppose this project. **I am the current president of our homeowners association and can add that our 34 residents are also highly opposed to this proposal.**

Chris Peters
770-888-7059
fcspeters@adelphia.net
8865 Saddle Trail Ballground, GA 30107

----- Original Message -----

From: [Mike Alexander](#)
To: [J.K.Davis](#)
Sent: Tuesday, November 16, 2004 10:39 AM
Subject: RE: Question

The zoning hearing is the public hearing for this project. Send me any comments and I will put them in the record for this review- they will be sent to Cherokee County after we are done. Thanks!

Mike Alexander
404 463 3302
maalexander@atlantaregional.com

From: J.K.Davis [mailto:tadahtadah@adelphia.net]
Sent: Monday, November 15, 2004 8:48 PM
To: Mike Alexander
Subject: Question

Mike;

How do I put in my two cents worth concerning my opinions of the proposed CW Mathews Asphalt Plant in Cherokee County?? (DRI # 655)

Is there a public forum meeting scheduled where the public can voice it's concerns?

11/17/2004

Please direct me

Thanks
Chris Peters
fcpeters@adelphia.net
770-888-7059

Haley Fleming

From: Stephen Blanton [sblanton@mindspring.com]
Sent: Wednesday, November 17, 2004 12:21 PM
To: Haley Fleming; Mike Alexander
Subject: Vulcan Materials, Inc.

Gentlemen,

We are homeowners in Etowah Trails Subdivision on Highway 369. The proposed rezoning of the 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI) is very disturbing to me as a homeowner. This proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. I am concerned that the attempt to spot zone this parcel will lead to further improper rezoning of the entire area.

The traffic on Highway 369 with the huge trucks already is a concern to everyone in this area and what the rezoning will add as far as traffic will be very dangerous to all citizens. We are also concerned about the air pollution and water pollution this decision will make to our area. The serious decreases in our property value can not be overlooked by the committee.

I appeal to you to consider all aspects of the losses to the residents in the area which will be impacted by this decision and not just the Industrial Company which will benefit financially from your decision.

Thank you,

Steve and Sybil Blanton
8840 Saddle Trail
Ball Ground, GA 30107

November 17, 2004
Subject: Vulcan Materials, Inc.

To Whom It May Concern;

We are homeowners in Etowah Trails Subdivision on Highway 369. The proposed rezoning of the 14-acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI) is very disturbing to me as a homeowner. This proposed rezoning to Heavy Industrial will have a negative impact upon the quality of life of both Cherokee and Forsyth County residents. I am concerned that the attempt to spot zone this parcel will lead to further improper rezoning of the entire area.

The traffic on Highway 369 with the huge trucks already is a concern to everyone in this area and what the rezoning will add as far as traffic will be very dangerous to all citizens. We are also concerned about the air pollution and water pollution this decision will make to our area. The serious decreases in our property value cannot be overlooked by the committee.

I appeal to you to consider all aspects of the losses to the residents in the area, which will be impacted by this decision, and not just the Industrial Company, which will benefit financially from your decision.

Thank you,
Ward and Sally Melzow
8835 Saddle Trail
Ball Ground, GA 30107

Haley Fleming

From: Shane_Miller@gwinnett.k12.ga.us
Sent: Wednesday, November 17, 2004 1:22 PM
To: Haley Fleming; Mike Alexander
Subject: Asphalt Plant in Ballground

To whom it may concern:

The proposed Asphalt Plant in Ball Ground, Georgia, will severely impact the quality of life in what has become a large residential community. In the proposed area which encompasses both Forsyth and Cherokee counties the standard has become wonderful subdivisions where people can move to escape the traffic and congestion of other metro counties. Counties such as Dekalb and Gwinnett have become traffic congested nightmares and many families have moved to the northern counties to escape those problems. Putting in an asphalt plant will negatively impact a large number of families who have moved to the Ball Ground area because it is quiet, peaceful, and the air is not choked with gas fumes. On behalf of the growing community of North Forsyth and Cherokee Counties, I urge you to vote against allowing this plant to be erected.

Thank you for your time and consideration.

Sincerely,

Shane and Kendra Miller

Haley Fleming

From: LaSalle [4lasalle@bellsouth.net]
Sent: Wednesday, November 17, 2004 1:31 PM
To: Haley Fleming
Subject: Vulcan Materials/CW Mathews

Dear Mr. Fleming,

I understand that the ARC is now accepting input from individuals regarding the Vulcan Materials/CW Mathews DRI. I have lived in the Legends sub-division for two years now. Before we purchased our home, we were not informed of the proximity of Vulcan or the past and present concerns that most of our neighbors have. We also were not informed that the blasts at Vulcan would be strong enough to make our windows rattle or that the constant noise of thier equipment would make it seem as though we were living next to the Interstate.

We moved into Forsyth County, and this neighborhood particularly, because it is rural and peaceful. Vulcan's existance is a blight on that peace and my husband and I strongly oppose anything that would increase the pollution, noise and traffic that already exist. It is so unpleasant that we have discussed moving. Unfortunately, due to our specific situation, that is not an option. On top of this, we now face an even less desireable situation which will not only effect the quality of our lives here, but may very well effect our health and most definitely effect our property value.

Since Vulcan Materials cannot be made to move their entire facility, I beg you to do everything in your power to see that this asphalt plant is not approved now or in the future.

Thank you,

Sharon LaSalle
8020 Eagle Lake View
Cumming, GA 30040
770-886-0543

Haley Fleming

From: Tom Dewey [tdeweysr@msn.com]
Sent: Wednesday, November 17, 2004 1:40 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: ARC Review of CW Matthews / Vulcan Materials Cherokee Rezoning Request

8125 Legends View CT
Cumming, GA 30040

Dear Sir,

I believe you are currently assessing an Environmental/Quality of Life issue that has befallen many residents of Cherokee and Forsyth Counties. That is the pursuit by CW Matthews Inc, as surrogate for Vulcan Industries, to rezone a small parcel of Cherokee County to 'Heavy Industrial' with the intention of constructing asphalt-producing facilities.

You may be aware that for years, Vulcan Industries unscrupulously pursued various avenues to expand its facilities in Cherokee County with limited success. Contrary to all the agreements they made on 1988 when first applying for an Agricultural Variance, the current day operation has turned into a 24/7 nightmare for those unfortunate to be their neighbors.

Should they gain approval of this rezoning the negative health, economical and environmental consequences for both Forsyth and Cherokee Counties would be enormous.

I urge you to exercise whatever influence you may have to help us stop this travesty.

Respectfully yours,

Carol & Tom Dewey

Haley Fleming

From: Anna Jones [asstdiracad@hiddenlakeacademy.com]
Sent: Wednesday, November 17, 2004 1:45 PM
To: Haley Fleming; Mike Alexander
Cc: Anna Jones
Subject: Vulcan plant and plans to add asphalt

My husband and I recently moved to a neighborhood located on Highway 369 - approximately 3 miles from Vulcan. While we knew about their current business, we took great care and consideration about whether to move to our neighborhood or not. We decided that the beautiful views of the mountains, the Etowah River close by and the friendly neighborhood were too much to pass upon - not only for ourselves but also for our daughter. **Our main reason for moving - was for our daughter.** You see, our daughter suffers from asthma and although Vulcan's plant is located nearby, her doctor encouraged us to move out where the air was little easier to breathe - to give her a chance to play outside without too many pollutants in the air - unlike where we were living before.

Within the last few months it was heartbreaking to hear the news that an asphalt plant was being considered in the area. Not only will this increase the heavy and dangerous traffic that we navigate every day on Highway 369 - it will add pollutants to our air quality, water and my child will not be able to go outside or to our pool during the summer months. What a cruel factor for her to have to endure at 21 months of age.

I am sending this email as an expression of two things - please do not pass the legislation for the asphalt plant so that our children may continue to enjoy their homes and be able to play outside without fear of tars being forced into their throats.

Second, I understand that the owner (Mathews) who is trying to push this through in an expeditious manner was turned down many years ago due to legislation saying that asphalt was not going to be a consideration due to the harmful effects. His lawyer at the time was not successful in having the decision overturned. Yet, as soon as the lawyer became a judge, the decision was overturned so that Mathews could reapply for rezoning, etc. Is this not considered unethical? This judge should not have had a say in the case due to his previous involvement and subsequent loss in the first case.

Please do not pass the legislation. For our future - the kids.

*Thanks -
Anna Jones, M.Ed.
Assistant Director of Academics*

Haley Fleming

From: QB92@aol.com
Sent: Wednesday, November 17, 2004 1:51 PM
To: Haley Fleming
Cc: Mike Alexander
Subject: Asphalt Plant!!!

Dear Ms. Haley and Mr. Alexander,

In 2003, I retired as Director of The University of Alabama Marching Band and my plans were to move to an area that afforded me the closeness of a cultural metropolis, while still being able to enjoy the beauty of the mountains and the South. Therefore, North Georgia was a most appealing choice.

Now, having sold my lovely home in Tuscaloosa, Alabama and purchasing a home in Forsyth County to enjoy the serene atmosphere, gorgeous forests, and beautiful seasons.....I am shocked to learn that all of the reasons I chose North Georgia for my retirement life are about to be destroyed.

I am a resident now of Forsyth County, GA and I strongly oppose the requested rezoning of the 14 acre parcel by CW Mathews Contracting Company, Inc. from Agricultural (AG) with a Special Use permit to Heavy Industrial (HI). This parcel is located within the quarry operated by Vulcan Materials, Inc. located at 4426 Hightower Road (Highway 369), Ball Ground GA 30107, in Cherokee County. However, the Vulcan Materials property is located in both Cherokee and Forsyth Counties.

I already have endured the observation of one of my large family room windows (with many others adjacent to it) having cracked to the point of being dangerous and could fall out at any time. (Is this continued and increasing expense that Vulcan would like to incur?) Blasts are becoming more severe in just the one year that I have lived here.

The proposed rezoning to Heavy Industrial will have a most negative impact upon the quality of life of both Cherokee and Forsyth County residents. The attempt to spot zone this parcel will lead to further improper rezoning of an area, which is designated for residential and agricultural uses. In 1988 Vulcan Materials agreed it would not locate an asphalt plant on this property in order to obtain its Special Use Permit for the quarry. If granted, this rezoning will negatively impact the surrounding areas with respect to:

1.Environmental considerations including air and water pollution

2. Increased heavy hauling traffic on an already dangerous highway 369, which is occurring from the dawn hours until after dark; I witness this everyday, even with minimal traffic on Sundays, but the traffic is still occurring, throughout the weekends!

3. Serious decreases in property values to nearby residents and thus reduced tax revenues to local governments.

4. Nightly noise from the current plant which detracts from such a lovely mountainous, natural area)

Had I been informed that this was going to occur, I NEVER would have considered this area for a retirement settlement, but would have looked more towards North Carolina.

Please realize the short and long term effects of how this Asphalt Plant will negatively impact the residential life of the North Georgia area. Were it your retirement home being affected.....would you allow this "kind of progress" to advance?

I continue to see massive lots of land each day in the north Forsyth/Hwy. 369 area being filled with new homes. Prospective buyers and realtors are certainly going to be informed; it is only right and fair for them to know what may negatively happen to their most important purchase, occurring in "their own backyard".

Thank you for your time and consideration. We are a strongly united group of Georgia residents who have a powerful will when our livelihood is being destroyed. Please weigh our dilemma fairly. Thank you again and we will be looking forward to discussing this further at the Dec. 7th and Dec. 21st meetings.

Sincerely yours,
Kathryn B. Scott
QB92@aol.com