

Mr. David Welwood, Principal Planner, Region of Waterloo
Mr. Jeremy Vink, Manager of Planning, Woolwich Township

VIA EMAIL

Thursday, April 9, 2020

Dear Mr. Welwood and Mr. Vink,

We are writing to you on behalf of the citizens' group The Hopewell Creek Ratepayers' Association regarding concerns arising from issues related to the application for a proposed Shantz Station Gravel Pit in the village of Maryhill.

Thank you for arranging to meet with us recently to discuss our concerns regarding the application put forward for gravel pit extraction and waste recycling processing. We are especially appreciative of your efforts during this period of the COVID-19 pandemic to arrange a video call that enabled us to provide an overview of our concerns. We thought it might be helpful to you if we articulated a summary of our current concerns in this follow up letter.

Overview:

Our concerns are multifaceted and become quite granular. These specific concerns will be enumerated below. Fundamentally, though, our opposition emerges from a single overarching problem - this proposed location is not a compatible land use. This proposed pit would be surrounded by the Village of Maryhill, residences, farms and businesses. These were all here prior to this application and a gravel pit application should not be allowed to impact the health, safety, and livelihood of residents and businesses. An industrial operation does not belong adjacent to a residential community.

We are currently living in a time of responsible social distancing to ensure the health and wellbeing of individuals and our society – the proposed pit must be rejected because of its failure to uphold a similar standard of appropriate social distancing. The choice of proposed location makes this an antisocial application. By infringing on our neighbours, it fails to respect appropriate boundaries.

We have had occasion to read and review the documents submitted by Capital Paving they had prepared in support of their application, and continue to work our way through the more considered and balanced Peer Reviews required by the Township of Woolwich and the Region of Waterloo. We remain alarmed by the discrepancies and oversights by the applicants' submissions and intend to pursue additional peer review in the coming weeks. In addition, this proposed site does not fall within the Region's Aggregate Extraction Area or is in compliance the Region's Official Plan.

Below please find a summary of our current issues:

- 1. Air Quality:** The report makes reference to a Best Management Practices Plan for dust, which has not been developed. The report assumes a 95% control efficiency for fugitive dust emissions from onsite unpaved roads which represent a very high level of control. This is not achievable. The report does not assess the potential impact associated with off-site vehicle traffic. Guideline D-6 requires assessment of all industrial uses in proximity to sensitive receptors. The dust is a concern for the health of both residents and livestock.

- 2. Visual Impact:** The views from the Merry Hill Golf Course will be negatively impacted. Views from Foerster Road will be impacted. An 11-metre berm is a negative visual impact. Capital has demonstrated that they don't care about any impact to the Golf Course by both ignoring it in the original application and again in their response to the Township. Views from 1224 Maryhill Road and Village View Road will be impacted.
- 3. Noise:** There are no noise receptors at Grootendorst Farms on Valleyview. Noise will affect the milk production of the farm. There are likewise no noise receptors at either of the neighbouring horse farms or at the Merry Hill Golf Course. No baseline studies have been completed to document the existing noise levels at surrounding properties that will be impacted by this proposed gravel pit. Stock piles do not make adequate noise buffers as they can be depleted or not exist. The 6am vs 7am start times – will the township bylaws be superseded by the ARA?
- 4. Cultural Heritage:** There has been no conservation plan, or vibration study done. The old house will have a stone foundation and will be susceptible to damage from the processing of the aggregate. The boundaries for the CHL have not been determined. On the southeast border of the proposed pit, there is a large rock that has a plaque attached, marking the site as the first Catholic Church meeting in the area. Page 23 of the study done by the University of Waterloo states "The geographic areas identified are not intended as definitive boundaries and further site analysis should be undertaken to determine the extent of Candidate CHL's if they are designated." Maryhill is of Regional significance, and no consultation has taken place with the Region.
- 5. Transportation :** North Bound Acceleration lanes – During the time of the peer review Capital had a significant project for the rebuild of Sawmill Road between Conestogo and St Jacobs, how can they say that future contracts north of this pit are not anticipated over the next 10-15 years. We know Bloomingdale is scheduled to have Sawmill Road rebuilt in the next year or two. The intersection of St Charles and Shantz Station need to be included for analysis in the TIS as a result of the above. A Southbound Acceleration lane needs to be considered. The majority of the traffic is said to be headed southbound the this is critical as trucks will be at a dead stop before they exit the pit, need to cross over the northbound traffic and start off at a slow speed and need to climb the long southbound hill while trying to build on speed which will hold up traffic that is coming from St Charles Street southbound on Shantz Station. The proposed pit entrance is often covered in thick fog due to the topography. The calculation of trucks/hour has been averaged out over too long a period to achieve a superficial real-life experience. Recycling will add significant truck traffic that has not been considered in their traffic numbers.
- 6. Hydrogeology:** Wells only considered 500 metres from the proposed site, while Regional guidelines specify the distance to be 1 km. There has been no study on the wells on adjacent properties. 1065 Foerster Road has a 15-foot dug well that is spring fed, 1057 Foerster Road has a 6-foot dug well that is spring fed, and 1230 Foerster Road has an 82-foot dug well with springs nearby. With the removal of the overburden the springs will be disrupted and potentially the wells will go dry. The requisite two-year study of water table levels was not done, only one year. The addendum has not been completed. A significant concern remains around the evaluation of

an “above water table application” vs a “below water table application”. While Capital has maintained that they will not go below the water table, it is widely known in the industry that “below water table applications” are usually applied for after the original approval has been granted as it is a simple request to the MNRF and the Township does not have any input into the secondary application. There may have been different scrutiny or criteria applied (by both the Peer Reviewers and Township) if a future decision were made to apply for a “below the water table application”. Upon review of Capital’s diagrams of where the gravel is located, it is apparent that there are considerable amounts of aggregate below the water table vs above the water table. What guarantees or legal agreements will Capital Paving provide, that if this application were to be approved, they would never apply for a “below the water table” application?

- 7. Environmental:** Currently the peer reviews are not yet available however there will likely be more comments to follow once we have seen them. Hopewell Creek is a cold-water creek. Groundwater runoff will raise the temperature of the creek, which will result in impacts to eco systems. The haul road will impact the significant wetlands and woodlots. In order to transport aggregate to the proposed Regional road, road construction within the proposed envelope of the pit development would require destruction of protected and provincially-significant woodlots and wetlands. Why allow recycling at this proposed site? No consideration was given for the increased traffic recycling would add to their projected traffic numbers. Capital Paving’s stated purpose for this pit is “to primarily supply aggregates to their current asphalt plant in Aberfoyle”, then why haul into and process broken asphalt waste into this site. The traffic and processing of this will only add to the environmental concerns. Recycling will add years to the operational life of this proposed pit site.
- 8. Agricultural:** There were no consultations held with any landowner other than proposed pit site landowner. Grootendorst Farms was not considered in this study. This farm is very large with over 1400 head of dairy cattle. The farm conducts research and works with the University of Guelph and OMAFRA. No consideration was given for the surrounding horse farms or any other agricultural property. Class 1 and 2 soils will be destroyed. This land will not be returned to prime agricultural farmland. Capital has not demonstrated that the quality and quantity of gravel located above the water table justify destroying prime agricultural farmland.
- 9. Social Impacts:** There are two schools in very close proximity to the proposed pit. This is a health and safety issue for children due to dust, noise and traffic. Traffic studies of similarly sized pit operations show the daily truck traffic will be entire orders of magnitude higher than the numbers put forward in the applicant’s Transportation Report, especially when proper consideration is given to the aggregate waste repurposing and recycling function being requested concurrently. Residents will lose the enjoyment of the countryside and their properties. Businesses will be impacted by noise, dust, and traffic. Property values will decrease. Township policy states that there is to be NO negative visual impact from the pit. Health and safety will be a large concern for residents, businesses and farms.

Thank you for your consideration of our current concerns. As representatives of our local community, we are steadfast in our opposition to this pit and processing application and urge those elected and appointed officials who work on our behalf to stand united and do the right thing for our community by denying the required changes to the official plan and local zoning.

We look forward to our continued communications and to an appropriate resolution to this matter.

Sincerely,

Don Schwartzentruber

Bonnie Bryant

CC: Mayor Sandy Shantz, Woolwich Township
Mike Harris Jr. MPP Kitchener Conestogo
Mike Schreiner MPP Guelph
Woolwich Observer
The Record