



Dane County Zoning Division

City-County Building
210 Martin Luther King, Jr., Blvd., Room 116
Madison Wisconsin 53703
(608) 266-4266/266-9083
Fax (608) 267-1540

DANE COUNTY CONDITIONAL USE PERMIT #2577

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANTS Conditional Use Permit #2577 for a Solar Array Electric Generating Facility conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: December 13, 2022

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

LOCATION: 3725 Schneider Drive, Town of Dunn

LEGAL DESCRIPTION: Part of the East Half of the Northeast Quarter of Section 27, Township 6 North, Range 10 East of the Fourth Principal Meridian, more particularly described as follows:

Commencing at the northeast corner of the Northeast Quarter of said Section 27, thence South 88 degrees 48 minutes 14 seconds West, on the north line of the Northeast Quarter of said Section 27, a distance of 981.62 feet; thence South 1 degree 11 minutes 46 seconds East, 693.28 feet, to the Point of Beginning. From the Point of Beginning thence South 1 degree 09 minutes 54 seconds West, 321.09 feet; thence South 89 degrees 05 minutes 00 seconds East, 82.63 feet; thence South 0 degrees 55 minutes 00 seconds West, 125.92 feet; thence South 89 degrees 05 minutes 00 seconds East, 31.55 feet; thence South 0 degrees 55 minutes 00 seconds West, 903.82 feet; thence South 89 degrees 57 minutes 51 seconds West, 398.34 feet; thence North 0 degrees 02 minutes 09 seconds West, 206.50 feet; thence North 86 degrees 13 minutes 22 seconds West, 146.50 feet; thence North 3 degrees 46 minutes 38 seconds East, 1,146.73 feet; thence South 88 degrees 50 minutes 06 seconds East, 378.03 feet, to the Point of Beginning, containing 638,731 square feet (14.663 acres), more or less.

CONDITIONS:

1. The permit holder shall plant vegetation in a manner which helps buffer, screen, break up, or soften views of the solar panels and associated buildings from the public road or adjacent residences. Plantings shall be provided according to the conceptual vegetation plan and "Sample Wisconsin Native Plantings" list submitted on October 28, 2022; in addition at least 3 trees shall be planted on the north end between the panels and Schneider Drive.

2. Solar panels and associated structures (excluding fencing or driveways) may not cover more than 5 acres of prime soils (see site plan).
3. Solar panels and associated structures cannot be more than 14 feet in height, with view considerations as detailed under Condition #1.
4. Any external lighting shall be limited to lighting that is necessary for safety and lighting for interpretive signage. All lighting must be dark skies compliant. All lighting must be downward facing, shaded, cannot spill over on neighboring property lines, dark skies compliant, and be shut off from 10 pm to 7 am.
5. Construction must occur between 7 am and 7 pm.
6. Any hazardous, toxic, or explosive materials stored or used on site must be stored, used, and disposed of in accordance with state and federal laws.
7. The area beneath the solar panels must be planted with native, pollinator-friendly vegetation or be used for agricultural activities such as crop production or grazing. The native, pollinator-friendly vegetation must be maintained to avoid other vegetation from growing under the panels.
8. All new wires associated with the CUP shall be located underground, including all wires that transfer electricity from the solar panels to another location beyond the CUP boundary, except overhead wires may be installed between existing poles when underground wiring is not feasible.
9. Fencing shall be limited to the fencing shown on the site plan, must include locks and shall be no taller than 8 feet. No barbed wire or razor wire fencing is permitted.
10. The main sign is limited to 32 square feet per Dane County Sign Ordinances.
11. A third driveway access from Schneider Drive will not be permitted. A temporary construction driveway can be placed on Schneider Drive with Town of Dunn approval.
12. Permit holder shall abide by the terms of the decommissioning plan, which must be in a recordable form acceptable to the Town of Dunn and must be approved by the Town of Dunn prior to CUP approval by the Dane County Zoning and Land Regulation Committee.
13. Solar panels that are no longer functional must be recycled according to the best practices at the time in order to mitigate environmental contamination.
14. Periodic information and reports will be made available to the Town of Dunn or the public, which discusses the research and learning activities which have occurred at the solar array.
15. The CUP area shall not exceed 15 acres in size.
16. Holder of the CUP is required to obtain all necessary local, county, state, and federal permits and licenses related to the electric generating facility.
17. The CUP will terminate upon decommissioning of the solar project.
18. The CUP area must be located outside of the Town of Dunn's 100 foot wetland setback.

THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.

2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220.

EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.