



## Dane County Zoning Division

City-County Building  
210 Martin Luther King, Jr., Blvd., Room 116  
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# DANE COUNTY CONDITIONAL USE PERMIT # 2371

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD  
PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES  
DOES HEREBY:

GRANT Conditional Use Permit # 2371 for a Non-metallic Mineral Extraction Operation pursuant  
to Dane County Code of Ordinance Section 10.191 and subject to any conditions contained  
herein:

**EFFECTIVE DATE OF PERMIT:** April 26, 2017

**EXPIRATION DATE:** April 26, 2042

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

Property address: 2732 State Highway 78

### LEGAL DESCRIPTION:

The Northwest Quarter of the Northwest Quarter and the  
westerly 900 feet of the Northeast Quarter of the Northwest  
Quarter of Section 14, Town 6 North, Range 6 East, Town of  
Blue Mounds, Dane County, Wisconsin. Excluding the Right-of-  
Way of USH 18-151, and STH 78 / Business 18-151. Said boundary  
contains 48.9 acres more or less.

### CONDITIONS:

1. The applicant shall submit an erosion control plan covering the area to be disturbed and receive approval of an erosion control permit prior to commencing extraction operations.
2. The applicant shall apply for and receive all other required local, state and federal permits.
3. The operator shall develop and operate the site according to the site/operations and phasing plan submitted for this proposal and dated December 2001.
4. Operations shall cease no later than twenty-five (25) years from the date of CUP approval.
5. Reclamation shall meet requirements of Chapter 74 of the Dane County Code of Ordinances.

6. An undisturbed area between the eastern boundary of the CUP area and the boundary of the quarry expansion area shall be maintained as shown on the operations plan.
7. Screening will be achieved with berms and vegetation in preparation for eastward expansion of the quarry.
8. The driveway accessing the site shall be paved. The operator shall maintain the driveway in a dust free manner in accordance with local, state, and federal regulations, and shall clean any dust or mud tracked onto public roads.
9. The operator and all haulers shall access the CUP site only through those points designated as entrances on the site/operations plan.
10. The access to the driveway shall have gates securely locked when the extraction site is not in operation. The site shall be signed "no trespassing."
11. There shall be a minimum setback of 20' from the property line. Berms may be contained within this setback area.
12. Hours of operation shall be as follows:
  - For the period of April 1 through November 30, the hours shall be 6:30 a.m. – 5:00 p.m. Monday through Friday and 7:00 a.m. to 2:30 p.m. on Saturdays.
  - For the period of December 1 through March 31, the hours of operation shall be 7:00 a.m. – 4:00 p.m. Closed on Saturday and Sunday.
13. The following blasting procedures must be followed:
  - Blasting will be conducted by a properly licensed class 5, 6 or 7 blaster
  - Notifications will be made by the blasting contractor and/or Yahara Materials twenty-four (24) hours before any blast.
  - A blasting log will be required for each blast.
  - All blasting will be recorded on a seismograph.
  - All seismographic records will be available at any time for review by the township.
  - All blasting must meet state standards.
14. There shall be a safety fence around the entire extraction area at all times. That safety fence shall be a minimum of 4 feet in height.
15. The operator shall use spray bars (water) in the crushing process to reduce dust. Use of spray bars is not required when the temperature is below freezing. The operator shall spray the site with water if and when needed to control dust.
16. The operator must have a spill containment plan for bulk fuel stored on site.
17. The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed then current industry standards for noise abatement.
18. The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.
19. Dane County and the Town of Blue Mounds shall be listed as additional named insureds on the Fink's Paving and Excavation, Inc. liability insurance policy, which shall be for a minimum of \$2,000,000 combined single limit coverage per occurrence. The operator shall furnish a copy of a Certificate of Insurance as evidence of coverage before operations commence.

The liability insurance policy shall remain in effect until reclamation is complete.

20. The owner/operator must post a copy of this conditional use permit #2371, including the list of all conditions, on the work site.
21. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Unless the operation is in reasonable compliance with these terms of this approval, such approval is subject to amendment or revocation.
22. If any portion of these conditions is held invalid the remainder of these conditions and provisions shall not be affected thereby.

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.

*EXPIRATION OF PERMIT*

In addition to any time limit established as a condition in granting this CUP, Section 10.25(2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.