



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2333

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 #2333 for Non-metallic mineral extraction pursuant to Dane County Code of Ordinances Section 10.191 and subject to any conditions contained herein.

EFFECTIVE DATE OF PERMIT: Pending Town Approval (40-day)

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

Boundary Description:

Part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, all in Section 19, Town of Christiana as described as follows:

Beginning at the Northwest corner of said Section 19; thence along the North line of the said NW $\frac{1}{4}$, N89-59-38E, 2508.85 feet to the North quarter corner of said section 19; thence along the East line of the said NW $\frac{1}{4}$, southerly, 1326.2 feet, more or less, to the Southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said section 19; thence along the south line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said section 19, westerly, 2540 feet; more or less, to the West line of the NW $\frac{1}{4}$ of said section 19; thence along the said west line, N01-21-06E, 721 feet; thence N89-57-04E, 324 feet; thence N01-21-06E, 300 feet; thence S89-57-04W, 324 feet to the west line of the NW $\frac{1}{4}$ of said section 19; thence along the said west line N01-21-06E, 304.78 feet to the point of beginning. Contains approximately 73.3 acres.

Note: Renewal of CUP #1880.

CONDITIONS:

1. The applicant shall maintain the existing Dane County erosion control and storm water permit in active status for the entire site for the duration of the mineral extraction operation.
2. The operator shall apply for, and receive all other required local, state and federal permits and licenses.
3. The applicant shall meet DNR standards for particulate emissions as described in NR 415.075, Wisconsin Administrative Code.
4. The operator shall develop and operate the site according to the site and operations plan that is part of the application for this permit.
5. Operations shall cease no later than ten (10) years from the date of issuance of the conditional use permit.

6. Reclamation shall be completed within one year after operations have ceased, and shall be phased according to the operations and reclamation plan.
7. Reclamation shall meet requirements of Chapter 74 of the Dane County Code of Ordinances (DCCO).
8. The operator shall post and maintain at all times a bond or irrevocable letter of credit in favor of Dane County, as required by Chapter 74 of the DCCO, to ensure compliance with the reclamation plan.
9. The driveway accessing the site shall be maintained as paved and maintained in a dust free manner in accordance with local, state, and federal regulations; and the operator shall clean any dust or mud tracked onto public roads.
10. The operator and all haulers shall access the site only through the single access point on CTH W as shown on the operations plan.
11. The access to the driveway shall have gates securely locked when the extraction site is not in operation.
12. Township roads shall not be used for hauling to or from the site, either empty or full, unless the applicant or customers are serving a resident/business on the Township road. All other use of town roads requires Town Board approval.
13. The site shall be signed "No Trespassing".
14. The permit holders shall comply with all federal and state blasting and safety laws, ordinances and regulations at all times, including Wisconsin Department of Commerce Chapter 7.
15. Hours of operation shall be from 6 a.m. to 6 p.m., Monday through Saturday.
16. All blasting shall take place Monday through Friday, between the hours of 8 a.m. to noon and 1 pm to 4 pm. No blasting shall occur on weekends or holidays.
17. A 24-hour notice will be made to all residences/businesses within a ¼ mile radius of the corners of the property, including any parties that have requested notification either via mail or email prior to any blasting.
18. No water shall be removed from the site.
19. No bulk fuel will be stored in any permanent tanks on site.
20. The operator shall require all trucks and excavation equipment have muffler systems that meet or exceed the current industry standards for noise abatement.
21. The applicant or its customers hauling material from the site will not use jake-brakes unless necessary for an emergency.
22. Extraction area shall be set back 30 feet from Washington Street, 42 feet from CTH W, and 5 feet from all other property lines.
23. The zoning administrator or designee may enter the premises of the operation 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 conditions of approval, such approval is subject to amendment or revocation. Anyone inspecting the property will be escorted by the operator and will comply with all safety rules.

24. The Town of Christiana may request documentation of any Dane County inspections and permit renewals.
25. Conditional Use Permit for mineral extraction is for the operator R.G. Huston only. CUP#2333 is non-transferrable to a different operator.

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.