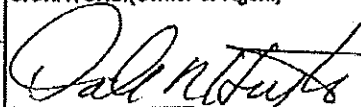


**Dane County  
Conditional Use Permit  
Application**

<b>Application Date</b>	<b>C.U.P Number</b>
12/10/2014	DCPCUP-2014-02300
<b>Public Hearing Date</b>	
02/24/2015	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME HUSTON LIVING TR, DALE R & JOAN M		Phone with Area Code (608) 255-9223	AGENT NAME <input type="checkbox"/> Dennis Richardson Phone with Area Code (608) 255-9223
BILLING ADDRESS (Number, Street) 2485 NORA RD		ADDRESS (Number, Street) 2561 Coffeytown Road	
(City, State, Zip) COTTAGE GROVE, WI 53527		(City, State, Zip) COTTAGE GROVE, WI 53527	
E-MAIL ADDRESS		E-MAIL ADDRESS dennis@rghuston.com	
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2	
ADDRESS OR LOCATION OF CUP 3355 CTH N		ADDRESS OR LOCATION OF CUP	
TOWNSHIP COTTAGE GROVE	SECTION 28	TOWNSHIP	SECTION
<b>PARCEL NUMBERS INVOLVED</b>		<b>PARCEL NUMBERS INVOLVED</b>	
0711-283-9800-6		---	
CUP DESCRIPTION			
Mineral extraction			
DANE COUNTY CODE OF ORDINANCE SECTION			ACRES
10.126(3)(a)			30
10.14(2)(e)			15

<b>DEED RESTRICTION REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials: <u>DR</u>	Inspectors Initials  DJE1	SIGNATURE: (Owner or Agent) 
		PRINT NAME: Dale R. Huston
		DATE: 12/10/2014

# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
12/10/2014	DCPCUP-2014-02300
<b>Public Hearing Date</b>	
02/24/2015	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME HUSTON LIVING TR, DALE R & JOAN M	Phone with Area Code (608) 255-9223	AGENT NAME <input type="checkbox"/>	Phone with Area Code (608) 255-9223
BILLING ADDRESS (Number, Street) 2465 NORA RD		ADDRESS (Number, Street) 2465 NORA RD	
(City, State, Zip) COTTAGE GROVE, WI 53527		(City, State, Zip) COTTAGE GROVE, WI 53527	
E-MAIL ADDRESS		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
3355 CTH N					
TOWNSHIP COTTAGE GROVE	SECTION 28	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0711-283-9800-6		---		---	

CUP DESCRIPTION
Mineral extraction

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.126(3)(a)	30
10.14(2)(e)	15

<b>DEED RESTRICTION REQUIRED?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>Inspectors Initials</b>  DJE1	<b>SIGNATURE:(Owner or Agent)</b>  _____
		<b>PRINT NAME:</b>  _____
		<b>DATE:</b>  _____

**RECEIPT**

MADISON  
MADISON  
210 MARTIN LUTHER KING, JR. BLVD  
CITY TREASURER OFFICE

**Application:** DCPCUP-2014-02300  
**Application Type:** DaneCounty/Zoning/Conditional Use/NA  
**Address:** 3355 COUNTY HIGHWAY N, TOWN OF COTTAGE GROVE, WI 99999

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<b>Receipt No.</b>	693691					
<b>Payment Method</b>	<b>Ref Number</b>	<b>Amount Paid</b>	<b>Payment Date</b>	<b>Cashier ID</b>	<b>Received</b>	<b>Comments</b>
Check	13954	\$1,136.00	12/10/2014	DJE1		

**Owner Info.:** HUSTON LIVING TR, DALE R & JOAN M  
2465 NORA RD  
COTTAGE GROVE, WI 53527

**Work Description:** Renew CUP for mineral extraction at 3355 CTH N



DANE COUNTY  
**PLANNING & DEVELOPMENT**

Zoning Division  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, Wisconsin 53703-3342  
Phone: (608) 266-4266  
Fax: (608) 267-1540

**Conditional Use Application**

Application Fee: \$486 Mineral Extraction: \$1136

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites) *see attached*
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>Huston Living Trust</u>	Agent	<u>Dennis Richardson</u>
Address	<u>2465 Nora Road</u>	Address	<u>RG Huston Company, Inc.</u>
Phone	<u>Cottage Grove, WI 53527</u>	Phone	<u>2561 Cotteytown Rd</u>
	<u>(608) 209-3381</u>		<u>Cottage Grove, WI 53527</u>
Email	<u>dwhuston@rghuston.com</u>	Email	<u>(608) 255-9223</u>
			<u>dennis@rghuston.com</u>
Parcel numbers affected:	<u>018/0711-283-9800-6</u>	Town:	<u>Cottage Grove</u> Section: <u>28/33</u>
		Property Address:	<u>3355 CTH 'N'</u>

Existing/ Proposed Zoning District : A-2 1/2 C-2 (existing); proposed is the same

- o Type of Activity proposed: continuation of existing mineral extraction site (non-metallic).
- o Hours of Operation : same (6am-6pm Mon-Fri ; 8am-3pm SAT)
- o Number of employees : at site varies (1 to 3 AVE)
- o Anticipated customers : seasonal fluctuations - varies by demand
- o Outside storage : yes - stockpiles, equipment
- o Outdoor activities : nature of operation
- o Outdoor lighting : existing security lighting
- o Outside loudspeakers : none
- o Proposed signs : only as currently required by MSHA
- o Trash removal : none
- o Six Standards of CUP (see back)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By:

Dennis Richardson

Date:

12/3/14

## Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

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

*Existing operation that has rules in place to ensure these standards are met (continued to be met).*
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

*Existing operation that will continue to meet these standards as we have done in the past.*
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

*Existing operation meets the Town's long range plans for development of the area and surrounding uses.*
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

*Existing operation that has all necessary site improvements already in place and are meeting our requirements.*
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

*Existing operation that has already made the necessary roadway improvements required by the Township and County — and is functioning properly.*
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

*Existing operation that currently meets all applicable regulations for the zoning district it is located in.*

# SKAAR PIT – MINERL EXTRACTION SITE 10 YEAR TIME EXTENSION APPLICATION

**Applicant:** Dennis Richardson  
R.G. Huston Company, Inc.  
2561 Coffeytown Road  
Cottage Grove, WI 53527  
(608) 255-9223  
(608) 839-5936 Fax  
[dennis@rghuston.com](mailto:dennis@rghuston.com)

**Owners:** Huston Living Trust  
(Dale R & Joan M; Dwight D & Judith A)  
2465 Nora Road  
Cottage Grove, WI 53527  
(608) 209-3381  
[dwhuston@rghuston.com](mailto:dwhuston@rghuston.com)

**Location:** 3355 County Highway N  
Cottage Grove, WI 53527  
(NW Corner of Intersection of Hwy 12/18 & Hwy N  
Section 28 & 33, T7N, R11E, Township of Cottage Grove,  
Dane County, WI)

**Parcel #:** 018/0711-283-9800-6

**Existing Parcel Size:** 45.17 Acres

**Existing CUP's:** Existing CUP 2136 for all 45 Acres

**Existing Zoning:** A-2: +/- 30 Acres (southern 2/3<sup>rds</sup>)  
C-2: +/- 15 Acres (northern 1/3<sup>rd</sup>)

**Existing Use(s):** Mixed use of agricultural and mineral extraction.

**Proposed Use(s):** Same as existing – agricultural and mineral extraction

**Surrounding Land Uses:** Land to the east – Hwy N, commercial and agricultural  
Land to the north – rural residential and agricultural  
Land to the west – agricultural  
Land to the south – Hwy 12/18 and agricultural

**Time Extension:** Requesting mining to be completed 10 years from approval date of new CUP. Reclamation completed 1 year after mining completion date.

**Current Valid Existing Conditions:**

1. No mining within 300 feet of Little Door Creek.
2. Hours of operation are 6:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 3:00 p.m. on Saturday.
3. No crushing, screening and washing before 7:00 a.m., Monday through Friday, and before 8:00 a.m. on Saturdays. No operations on Sundays or legal holidays.
4. Hours may be extended on a per need basis by approval of the Town Chair/Board with written notice to the County.
5. Access to be paved a minimum of 150 feet.
6. Entrance to be gated.
7. Site to be reclaimed in one year following completion of mining operations.
8. Provided a reclamation bond for amount specified by County regulations.
9. An approved erosion control plan needed for the site.
10. Existing Right of Way fence to be maintained to south and east of property.
11. Site shall be signed "no trespassing".
12. No bulk fuel stored on site.
13. No drilling and blasting on site unless approved by Township permitting process.
14. No high capacity wells on site unless approved through appropriate WisDNR permitting process.
15. All equipment shall be equipped with working muffler systems that meet current industry standards.
16. Required to meet WisDNR Particulate Matter Emissions Requirements.

**Current Operational Plans:**

Huston Company plans status quo with its current mining operations. We anticipate continuing mining operations to the south. We also plan to continue asphalt and concrete recycling operations on the site as well.

A PART OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 28 AND PART OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 33, T7N, R11E, TOWN OF COTTAGE GROVE, DANE COUNTY, WISCONSIN NOR PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 28: THENCE S87°48'15" W, 23.76 FEET TO THE WEST RIGHT OF WAY LINE OF COUNTY TRUNK HIGHWAY N AND THE POINT OF BEGINNING: THENCE ALONG SAID WEST RIGHT OF WAY LINE N01°15'44"E, 308.32 FEET; THENCE CONTINUING ALONG SAID WEST LINE N02°53'06" W, 100.08 FEET; THENCE CONTINUING ALONG SAID WEST LINE N11°54'15" W, 101.98 FEET; THENCE CONTINUING ALONG SAID WEST LINE N22°23'44" W, 107.70 FEET; THENCE CONTINUING ALONG SAID WEST LINE N28°31'04" W, 113.18 FEET; THENCE CONTINUING ALONG SAID WEST LINE N27°36'57" W, 112.25 FEET; THENCE CONTINUING ALONG SAID WEST LINE N29°02'26" W, 146.65 FEET; THENCE S61°51'56" W, 237.87 FEET; THENCE S79°25'30" W, 686.42 FEET; THENCE S01°12'09" E, 1717.49 FEET TO THE NORTH RIGHT OF WAY LINE OF UNITED STATES HIGHWAYS 12 & 18; THENCE ALONG SAID NORTH LINE S83°56'37" E (REC. AS S83°48'28" E), 158.15 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N86°17'51" E (REC. AS N86°31'58" E), 355.09 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S08°45'13" E (REC. AS S88°42'02" E), 500.56 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N42°20'28" E (REC. AS N42°26'28" E), 81.29 FEET TO THE WEST LINE OF SAID C.T.H. N; THENCE ALONG SAID WEST LINE N02°53'49" W (REC. AS N02°48'40" W), 68.59 FEET (REC. AS 68.47 FEET); THENCE CONTINUING ALONG SAID WEST LINE N01°32'37" E (REC. AS N01°39'11" E), 690.41 FEET; THENCE CONTINUING ALONG SAID WEST LINE N16°18'41" W (REC. AS N16°12'07" W), 118.28 FEET; THENCE CONTINUING ALONG SAID WEST LINE N45°02'09" E (REC. AS N45°08'43" E), 52.69 FEET; THENCE CONTINUING ALONG SAID WEST LINE N00°04'19 E, 55.71 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 45.1727 ACRES.



# PLAT OF SURVEY

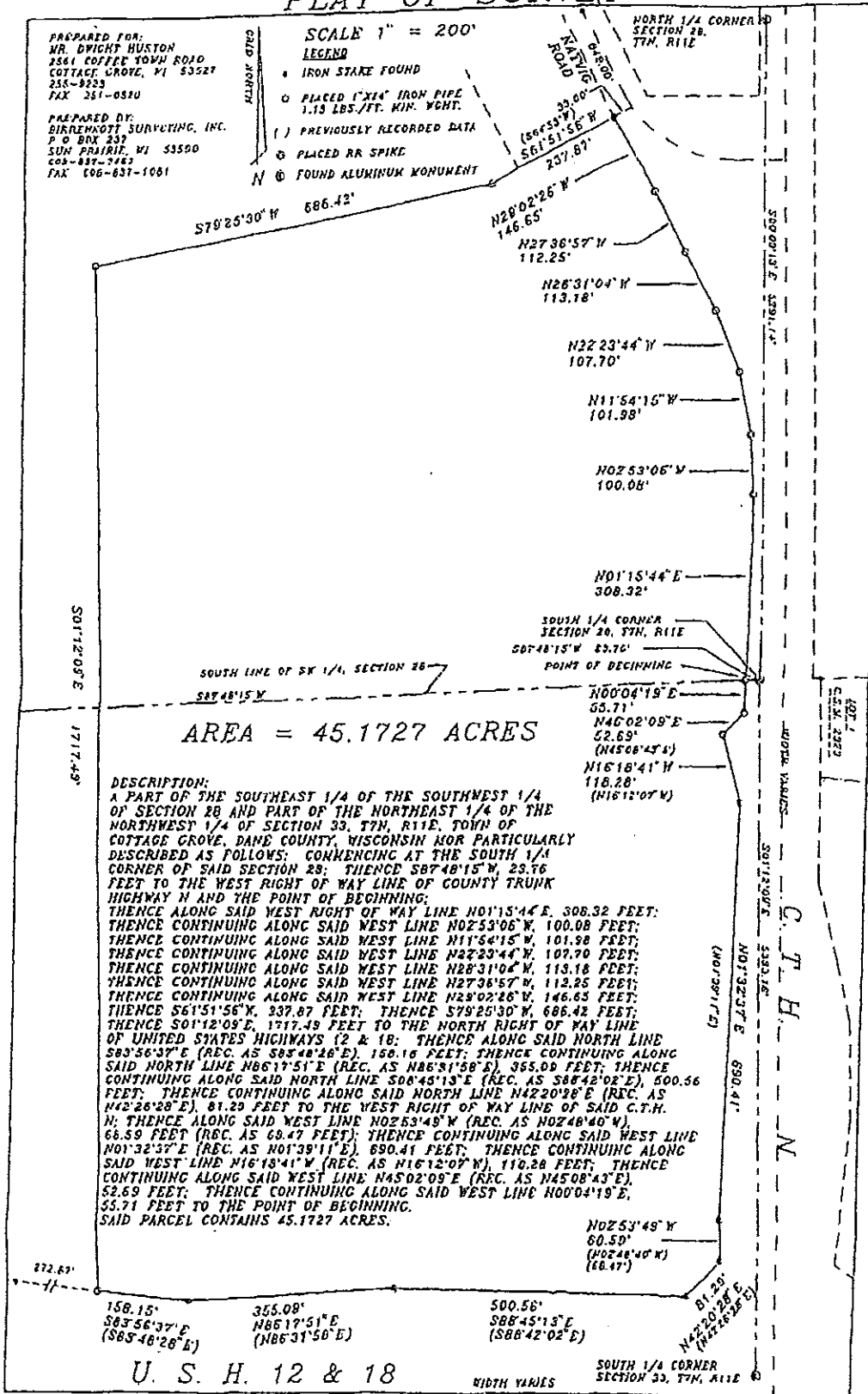
PREPARED FOR:  
MR. DWIGHT HURSTON  
2861 COFFEY TOWN ROAD  
COTTAGE GROVE, WI 53527  
256-9233  
FAX 251-0530

PREPARED BY:  
BIRKENHOTT SURVEYING, INC.  
P O BOX 237  
SUN PRAIRIE, WI 53590  
256-837-7163  
FAX 256-837-1061

SCALE 1" = 200'

**LEGEND**

- IRON STAKE FOUND
- PLACED 1"x1/4" IRON PIPE 1.13 LBS./FT. MIN. WCHT.
- ( ) PREVIOUSLY RECORDED DATA
- ⊙ PLACED RR SPIKE
- N ⊙ FOUND ALUMINUM MONUMENT



AREA = 45.1727 ACRES

**DESCRIPTION:**  
A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28 AND PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 33, T7N, R11E, TOWN OF COTTAGE GROVE, DANE COUNTY, WISCONSIN MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 28; THENCE S87°48'15"W, 23.76 FEET TO THE WEST RIGHT OF WAY LINE OF COUNTY TRUNK HIGHWAY N AND THE POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT OF WAY LINE N01°15'44"E, 308.32 FEET; THENCE CONTINUING ALONG SAID WEST LINE N02°53'06"W, 100.08 FEET; THENCE CONTINUING ALONG SAID WEST LINE N11°54'15"W, 101.98 FEET; THENCE CONTINUING ALONG SAID WEST LINE N27°23'44"W, 107.70 FEET; THENCE CONTINUING ALONG SAID WEST LINE N28°31'04"W, 113.18 FEET; THENCE CONTINUING ALONG SAID WEST LINE N27°36'57"W, 112.25 FEET; THENCE CONTINUING ALONG SAID WEST LINE N28°02'26"W, 146.65 FEET; THENCE S61°51'56"W, 337.87 FEET; THENCE S79°25'30"W, 686.42 FEET; THENCE S01°12'09"E, 1717.49 FEET TO THE NORTH RIGHT OF WAY LINE OF UNITED STATES HIGHWAYS 12 & 18; THENCE ALONG SAID NORTH LINE S80°56'37"E (REC. AS S85°48'26"E), 158.15 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N86°17'51"E (REC. AS N86°31'56"E), 355.09 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S00°45'13"E (REC. AS S88°42'02"E), 500.56 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N42°20'28"E (REC. AS N42°26'28"E), 81.29 FEET TO THE WEST RIGHT OF WAY LINE OF SAID C.T.H. N; THENCE ALONG SAID WEST LINE N02°53'49"W (REC. AS N02°48'40"W), 68.59 FEET (REC. AS 69.47 FEET); THENCE CONTINUING ALONG SAID WEST LINE N01°32'37"E (REC. AS N01°39'11"E), 690.41 FEET; THENCE CONTINUING ALONG SAID WEST LINE N16°18'41"W (REC. AS N16°12'07"W), 110.28 FEET; THENCE CONTINUING ALONG SAID WEST LINE N45°02'09"E (REC. AS N45°08'43"E), 52.69 FEET; THENCE CONTINUING ALONG SAID WEST LINE N00°04'19"E, 55.71 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 45.1727 ACRES.

158.15' S83°56'37"E (S83°46'26"E)  
355.09' N86°17'51"E (N86°31'56"E)  
500.56' S88°45'13"E (S88°42'02"E)

U. S. H. 12 & 18

OFFICE MAP NO. 990324  
DATED 5/13/99

NORTH YARDS

SOUTH 1/4 CORNER SECTION 33, T7N, R11E



December 3, 2014

Dane County Planning and Development  
City-County Building, Room 116  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53709

Attn: Dan Everson, Zoning Inspector

**RE: Conditional Use Application for Mineral Extraction Site  
(i.e. Time extension for existing CUP #2136 -Skaar Pit in Town of Cottage Grove)**

Dan:

R.G. Huston Company, Inc. would like to apply for a time extension for our Skaar Pit - Mineral Extraction Site (Hwy 12/18 & Hwy N – Township of Cottage Grove). In doing so, we realize we need to apply for another CUP.

The site is an existing sand and gravel mineral extraction operation currently permitted with CUP #2136 along with Reclamation Permit #51. The current reclamation plan calls for the site to be restored as agricultural land unless sold for commercial use.

We are requesting the new CUP to allow for mining to be completed ten (10) years from approval date of this new CUP. Reclamation would then be completed within one (1) year after the mining completion date.

We would propose to continue to operate under the same current (applicable) CUP conditions (see attached). The erosion control and storm water management plan is in place and working and would stay the same. The reclamation plan that was submitted and approved would not change either.

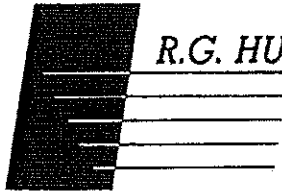
We have included with this application letter the required Dane County Planning and Development Conditional Use Application form filled out along with the required legal description, scaled existing operations (site) map, scaled existing contour map, a scaled land use map, the Town of Cottage Grove current land use plan, the Town of Cottage Grove proposed land use plan, and a copy of the current reclamation plan sheet.

There currently is still a viable source of material at this site. It makes good economic sense to keep this site permitted. It also makes sense for the County to permit us to continue to use an existing source that is already permitted and has the necessary improvements in place and is operating without daily public scrutiny which so many mineral extraction operations face these days.

If any additional information is needed, please call our office. Thank you for your time and attention to this matter.

Sincerely,

Dennis Richardson, PE  
*Sr. Engineer/Safety Director/EEO-AA Officer*



December 9, 2014

Dane County Planning and Development  
City-County Building, Room 116  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53709

Attn: Dan Everson, Zoning Inspector

**RE: Addendum #1  
Conditional Use Application for Mineral Extraction Site  
(i.e. Time extension for existing CUP #2136 -Skaar Pit in Town of Cottage Grove)**

Dan:

Thank you for reviewing our submittal. The answers to your questions are as follows:

- 10.191(2)2(c)3 – Approximate depth to ground water is the existing /proposed permanent pond water elevation as shown on Existing Contour Map and Reclamation Plan (in original submittals).
- 10.191(2)2(c)4 – Materials to be extracted would/could be sand, gravel, sandstone, limestone, clay, topsoil, etc. – amounts will vary on demand.
- 10.191(2)2(c)8 – Haul routes will continue to be out the northeast corner of the property on the existing asphalt paved entrance onto Natvig Road (see existing Operations map) then directly east to CTH 'N'. This portion of Natvig Road has been previously reconstructed to highway standards through a joint effort of RG Huston Company, Dane County and the Town of Cottage Grove.
- 10.191(2)2(c)9 – Since this has been an existing operation for quite a few years, we are entering the final phase of the operation which is the final mining of the southern-most portion of the remaining property.
- 10.191(2)2(c)10 – The proposed equipment for extraction and processing of material on-site will remain the same as it has been in the past with loaders, dozers, backhoes, crushers, screeners, wash plants, haul trucks, dump trucks, etc. This equipment will be used as demands for product require.
- 10.191(2)2(c)11 – Frequency of mining, crushing, screening, washing, refueling will be performed as demand warrants – varies greatly but will not be a constant every day, every week for every month operation. Drilling and blasting will be a rare occurrence and will require us to apply for and get approval of a blasting permit from the Town of Cottage Grove. Bulk fuel will not be stored on site. Asphalt or Concrete batch plants are not planned at this time and if the need arises in the future, will require a separate conditional use permit.
- 10.191(2)2(c)12 – It is our intent at this time to remain above the water table with the remaining mineral extraction. We may need to deepen and widen the existing on-site detention pond that we created to accommodate the needs of the proposed reclamation uses of the property. If that occurs, we keep our excavation equipment out of the water (except for the bucket/boom arm of the backhoe). We will require fueling and

maintenance of the equipment to occur away from the open water and protected from possible spillage/run-off.

- 10.191(2)2(c)13 – We will continue to use the existing portable scale and portable scale shack located in its current location.
- 10.191(2)2(c)14 – The existing mineral extraction operation is internally drained. Existing drainage is directed to the on-site detention pond. The entrance is paved quite a distance into the property and will continue to be maintained as needed by sweeping clean and/or watering. Internal haul roads will also be maintained as needed by either use of water or a combination of water and calcium chloride application.
- 10.191(2)2(c)15 – Proposed use of land after reclamation will be either commercial or agricultural consistent with the Town of Cottage Grove's Future Land Use Plan (in original submittals) and consistent with the property's current zoning.
- 10.191(2)2(d)6 – Additional areal map now included showing surrounding properties within 1000' of the mineral extraction property (see attached).
- 10.191(2)2(d)9 – See answer to 10.191(2)2(c)9.
- 10.191(2)2(d)10 – The existing driveway is currently gated at Natvig Road entrance location. The property has existing right-of-way fencing along the eastern portion of the adjacent CTH 'N' ROW and along the southern portion of the adjacent 12/18 ROW that will continue to be utilized (see attached revised Existing Operations Map depicting these areas). No other portions of the property are currently fenced or will be fenced.
- 10.191(2)2(d)11 – Stockpile locations - see attached revised Existing Operations Map.
- 10.191(2)2(d)12 – There is an existing screening berm that was established along the north side of the existing entrance driveway. This berm will be left in place.
- 10.191(2)2(d)13 - We will continue to use the existing portable scale and portable scale shack located in its current location (see attached revised Existing Operations Map).
- 10.191(2)2(d)14 – Existing signage will remain in place including all MSHA required operation signs, no trespassing signs, RG Huston Company signs, etc.
- 10.191(2)2(f) – existing County and Township approved Reclamation Plan in original submittals.
- 10.191(3) – All excavations are located outside of the current highway right of ways and setbacks are according to required standards.
- 10.191(4) – Topsoil and overburden stockpiles are located on the northern portion of the property from the stripping of the original phasing. These piles will be used to reclaim the site per the Reclamation Plan in the original submittals.

If any additional information is needed, please call our office. Thank you for your time and attention to this matter.

Sincerely,



Dennis Richardson, PE

*Sr. Engineer/Safety Director/EEO-AA Officer*

[History: (1)-(4) rep. and recr., (5), (6) and (7) cr., (8) and (9) renum. from s. 10.16(1)(c) and (d), and am., OA 39, 1997-98, pub. 08/17/98; (8)(e) am., OA 3, 2000-01, pub. 10/19/00; (8)(f) am., OA 11, 2002-03, pub. 11/19/02.]

[10.19 reserved.]

**10.191 PROCEDURE AND STANDARDS OF OPERATION FOR MINERAL EXTRACTION OPERATIONS.** (1) The purpose and intent of this section is to provide a centralized listing of the procedures and standards of operation for mineral extraction operations which may be permitted in several districts.

(2) The application for the conditional use permit necessary to conduct a mineral extraction operation shall include the following information:

- ✓ (a) A legal description of the land for which the permit is requested.
  - ✓ 1. This may be a lot in a Certified Survey Map, a lot (and block, if any) in a subdivision, or an exact "metes and bounds" description.
  - ✓ 2. The description must include the size of the CUP area in acres or square feet.
- ✓ (b) Tax parcel number(s) of the lot(s) or parcel(s) where the conditional use is to be located. If the area proposed for the conditional use is a part of a larger parcel, applicant must provide the tax parcel number of the larger parcel.
- (c) A written statement containing the following information:
  - ✓ 1. General description of the operation.
  - ✓ 2. Existing use of the land.
  - ✓ 3. Existing natural features including approximate depth to groundwater.
  - ✓ 4. The types and quantities of materials that would be extracted.
  - ✓ 5. Proposed dates to begin extraction, end extraction and complete reclamation.
  - ✓ 6. Proposed hours and days of operation.
  - ✓ 7. Geologic composition and depth to the mineral deposit. *EXISTING SITE*
  - ✓ 8. Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.
  - ✓ 9. Proposed phasing plan, if any (recommended for larger sites).
  - ✓ 10. Types, quantities, and frequency of use of equipment to extract, process, and haul.
  - ✓ 11. Whether and how frequently blasting, drilling, mining, crushing, screening, washing, refueling, fuel storage, asphalt batching or concrete mixing would be performed on site.
  - ✓ 12. Whether excavation will occur below the water table and, if so, how ground water quality will be protected.

✓ 13. Any proposed temporary or permanent structures (e.g., scales, offices).

✓ 14. Any special measures that will be used for spill prevention and control, dust control, transportation, or environmental protection.

✓ 15. Proposed use after reclamation as consistent with Chapter 74.

(d) In addition to the submittal requirements enumerated in sec. 10.255(2)(e), applications for a mineral extraction conditional use permit shall include a Site/Operations Plan prepared by a qualified professional, drawn to a measurable scale large enough to show detail and at least 11" by 17" in size, showing the following information:

- ✓ 1. Boundaries of the permit area and of the extraction site.
- ✓ 2. Zoning district boundaries in the immediate area. Label all zoning districts on the subject property and on all neighboring properties.
- ✓ 3. Existing contour lines (not more than 10 foot intervals).
- ✓ 4. Existing natural features including lakes, perennial/navigable streams, intermittent streams, floodplains, wetlands, drainage patterns, and archaeological features.
- ✓ 5. Existing roads, driveways, and utilities. Show width of all driveway entrances onto public and private roadways.
- ✓ 6. All residences within 1,000 feet of the property. *AERIAL MAP (EXPAND)*
- ✓ 7. Specific location of proposed extraction area, staging area, equipment storage.
- ✓ 8. Proposed location and surfacing of driveways.
- ✓ 9. Proposed phasing plan, if any (recommended for larger sites).
- ✓ 10. Proposed fencing of property, if any, and gating of driveways.
- ✓ 11. Proposed location of stockpiles.
- ✓ 12. Proposed location and type of screening berms and landscaping.
- ✓ 13. Proposed temporary and permanent structures, including scales and offices.
- ✓ 14. Proposed signage, if any.
- ✓ 15. An erosion control plan, drawn to scale by a professional engineer, meeting all applicable state and county requirements.
- ✓ (f) A reclamation plan prepared in accordance with the Wisconsin Administrative Code and the Dane County Non-metallic Mining Reclamation Ordinance.
- ✓ 16. Excavations below the grade of an abutting public street or highway shall be set back from the street or highway a distance at

least equal to the distance that is required for buildings or structures under s. 10.17.

(4) Topsoil from the area of operation shall be saved and stored on site for reclamation of the area.

(5) Reclamation of the area of operations is required as follows:

(a) Final slopes shall not be graded more than 3:1 except in a quarry operation.

(b) The area shall be covered with topsoil and seeded to prevent erosion.

(c) The area shall be cleared of all debris and left in a workmanlike condition subject to the approval of Dane County.

(6) Mineral extraction operations which existed prior to 1969 and were registered with and approved by the Dane County Zoning Administrator shall be considered nonconforming uses in accordance with s. 10.21.

[History: cr., Sub. 3 to OA 36, 1987-88, pub. 08/02/88; Sub. 3 to OA 36, 1987-88 invalidated by court order; cr. OA 9, 1993-94, pub. 04/20/94.]

#### 10.192 PROCEDURE AND STANDARDS OF OPERATION FOR LIMITED FAMILY BUSINESS. (1) The purpose and intent of this section is to provide a centralized listing of the procedures and standards of operation for limited family businesses which may be permitted in several districts.

(2) A conditional use permit for a limited family business is designed to accommodate small family businesses without the necessity for relocation or rezoning while at the same time protecting the interests of adjacent property owners. Applicants for this conditional use permit should recognize that rezoning or relocation of the business may be necessary or may become necessary if the business is expanded.

(3) All employees, except one or one full-time equivalent, shall be a member of the family residing on the premises.

(4) Using applicable conditional use permit standards, the committee shall determine the percentage of the property that may be devoted to the business.

(5) The conditional use permit holder may be restricted to a service oriented business and thus prohibited from manufacturing or assembling products or selling products on the premises or any combination thereof.

(6) The conditional use permit may restrict the number and types of machinery and equipment the permit holder may be allowed to bring on the premises.

(7) Structures used in the business shall be considered to be residential accessory buildings and shall meet all requirements for such buildings. The design and size of the structures is subject to conditions set forth in the conditional use permit.

(8) The conditional use permit shall automatically expire on sale of the property or the business to an unrelated third party.

[History: cr., Sub. 3 to OA 36, 1987-88, pub. 08/02/88; Sub. 3 to OA 36, 1987-88 invalidated by court order; cr. OA 9, 1993-94, pub. 04/20/94; (2) am., OA 39, 2011-12, pub. 07/23/12.]

#### 10.193 STANDARDS FOR SITING OF ADULT BOOK STORE. (1) The County of Dane, relying upon the experience of other local governments in this state and throughout the country, finds that adult book stores have an adverse secondary effect on the surrounding community and that regulations are necessary to minimize this secondary effect. The experience of other cities are summarized in the case of *Northend Cinema, Inc. v. Seattle*, 585 P. 2d 1153 (1978).

(2) This ordinance does not regulate the content of materials held for sale or rent in adult book stores.

(3) Adult book stores shall meet all of the following requirements:

(a) Location of any particular adult book store must be not less than 1,000 feet from any church, synagogue, temple, mosque or any other place of worship, any residentially zoned district, park, school, playground, day care center, public library and any other adult book store;

(b) Exterior windows shall not be covered or made opaque in any way;

(c) No material referenced in paragraphs (a), (b) or (c) of s. 10.01(2m) shall be placed in any exterior window, provided that material which is not so referenced may be placed in a window;

(d) The business may have only one (1) nonflashing business sign which sign may only indicate the name of the business and identify it as an adult book store and which shall be not larger than 4 feet by 4 feet;

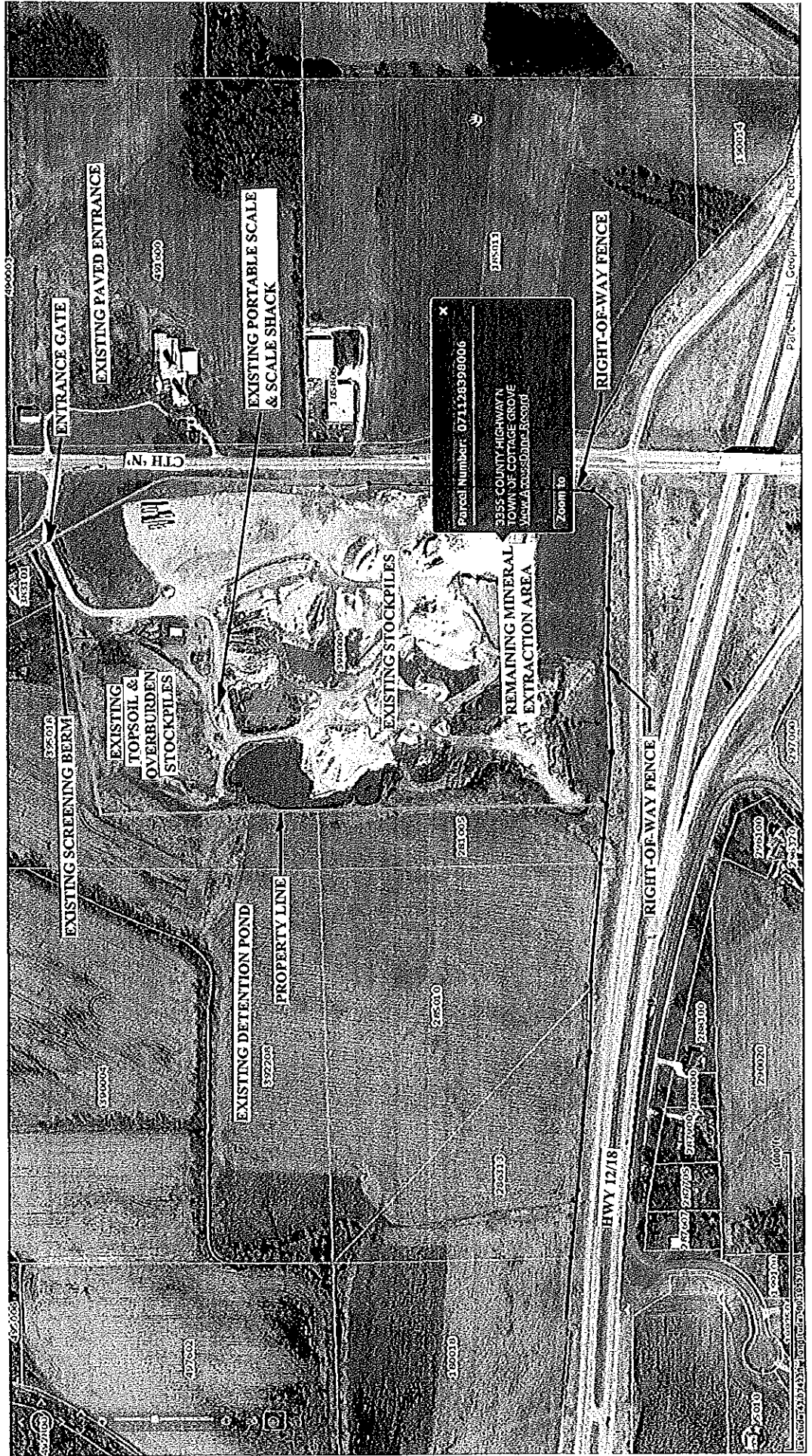
(e) A one square foot sign shall be placed on each public entrance which shall state "Admittance to adults only" and may include other pertinent business information; and

(f) There shall be no doors on any viewing booths and each booth must be lighted by a source emitting at least 10 candlepower at all times.

SKAAR PIT - MINERAL EXTRACTION SITE  
ADDENDUM #1 - AERIAL MAP

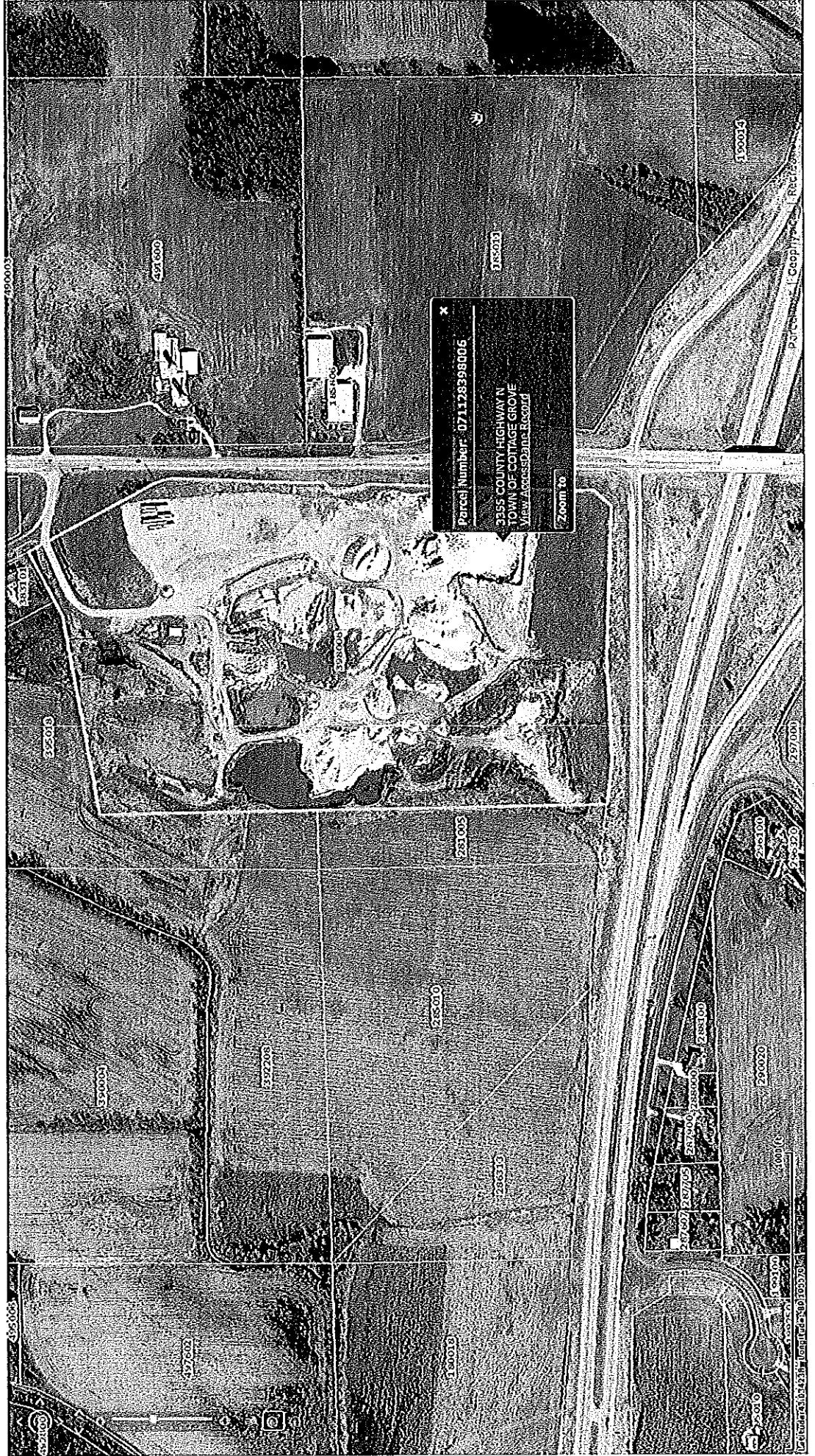


SKAAR PIT - MINERAL EXTRACTION SITE  
EXISTING OPERATIONS MAP (ADDENDUM #1)

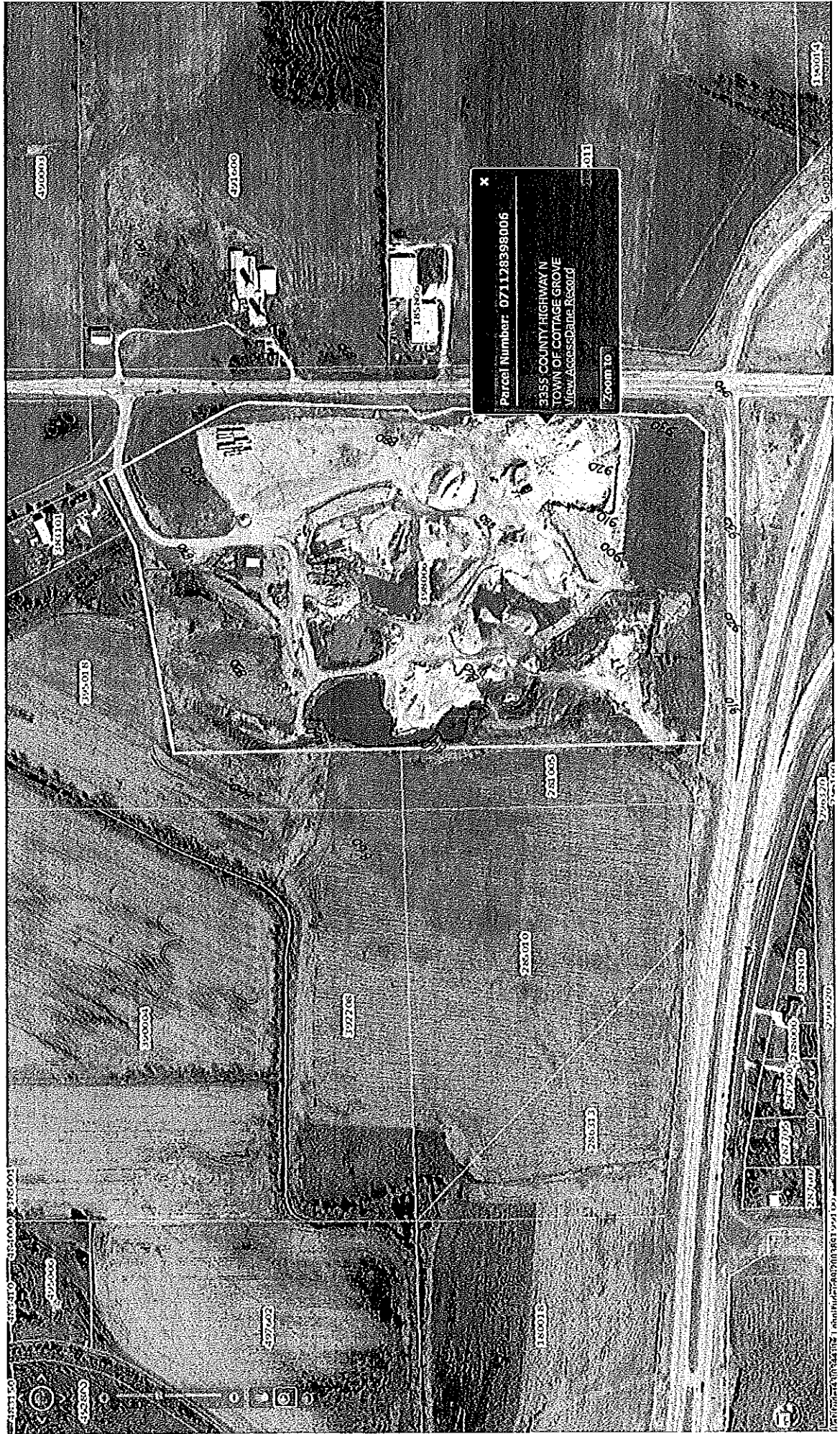




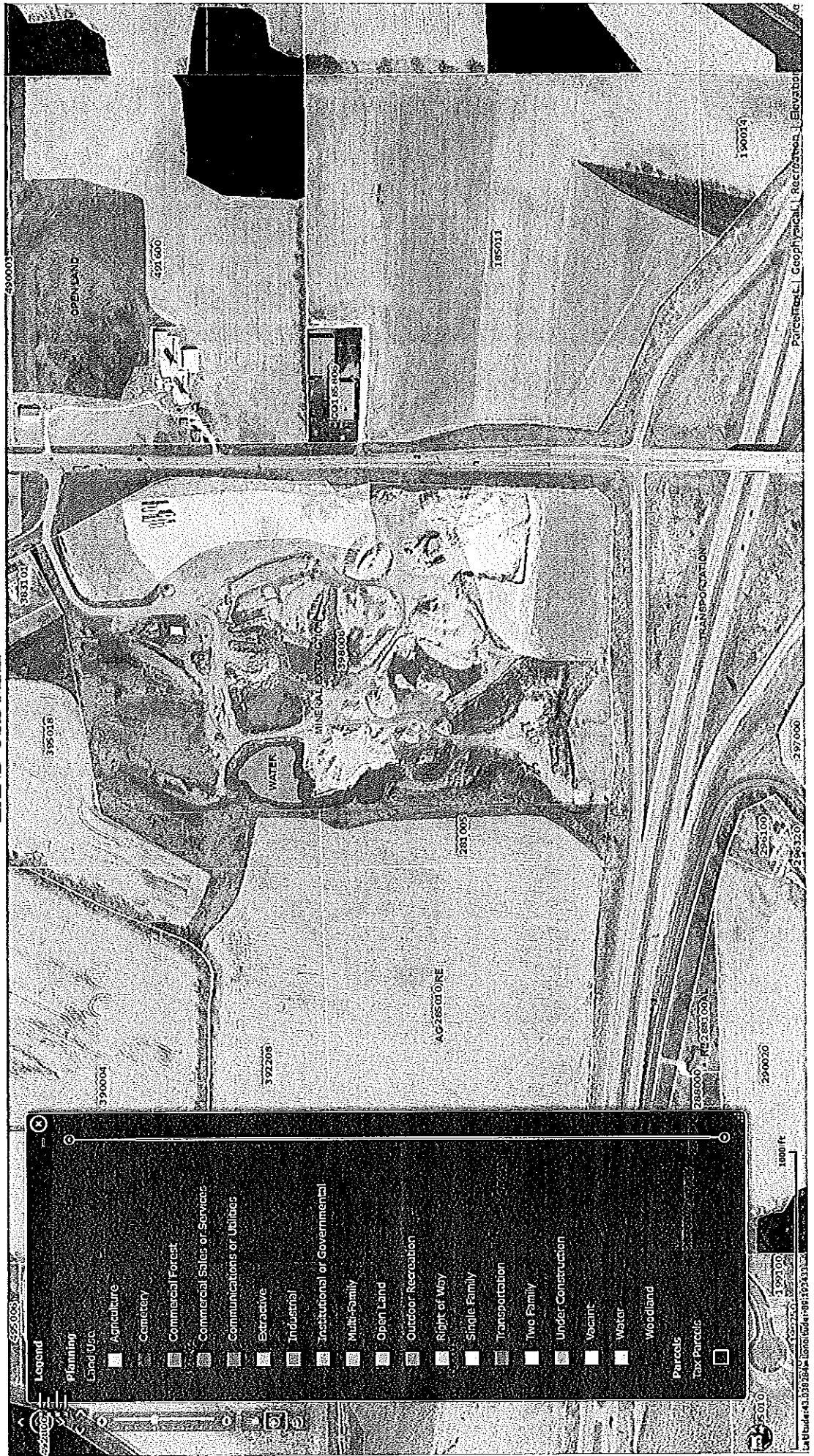
**SKAAR PIT – MINERAL EXTRACTION SITE  
EXISTING OPERATIONS MAP**

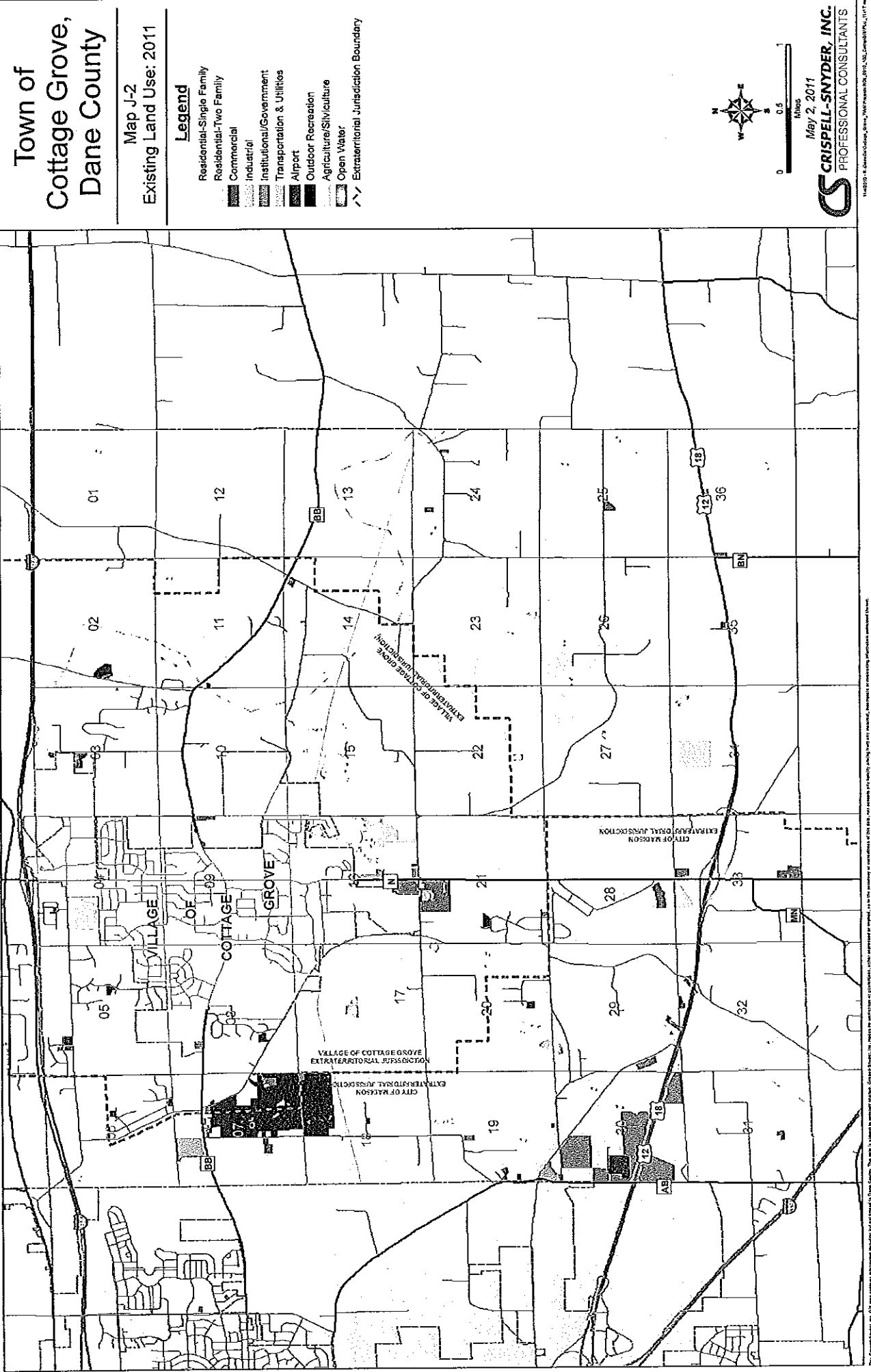


SKAAR PIT - MINERAL EXTRACTION SITE  
EXISTING CONTOUR MAP



# SKAAR PIT - MINERAL EXTRACTION SITE LAND USE MAP



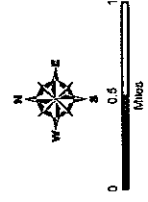


# Town of Cottage Grove, Dane County

Map J-2  
Existing Land Use: 2011

### Legend

- Residential-Single Family
- Residential-Two Family
- Commercial
- Industrial
- Institutional/Government
- Transportation & Utilities
- Airport
- Outdoor Recreation
- Agriculture/Silviculture
- Open Water
- Extrajurisdictional Jurisdiction Boundary



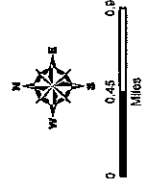
This map was prepared by Crispell-Snyder, Inc. for the Town of Cottage Grove, Dane County, Wisconsin. The map shows existing land use as of May 2, 2011. Crispell-Snyder, Inc. is not responsible for any errors or omissions in this map. The map is intended for informational purposes only and should not be used for any legal or financial purposes.

# Town of Cottage Grove, Dane County

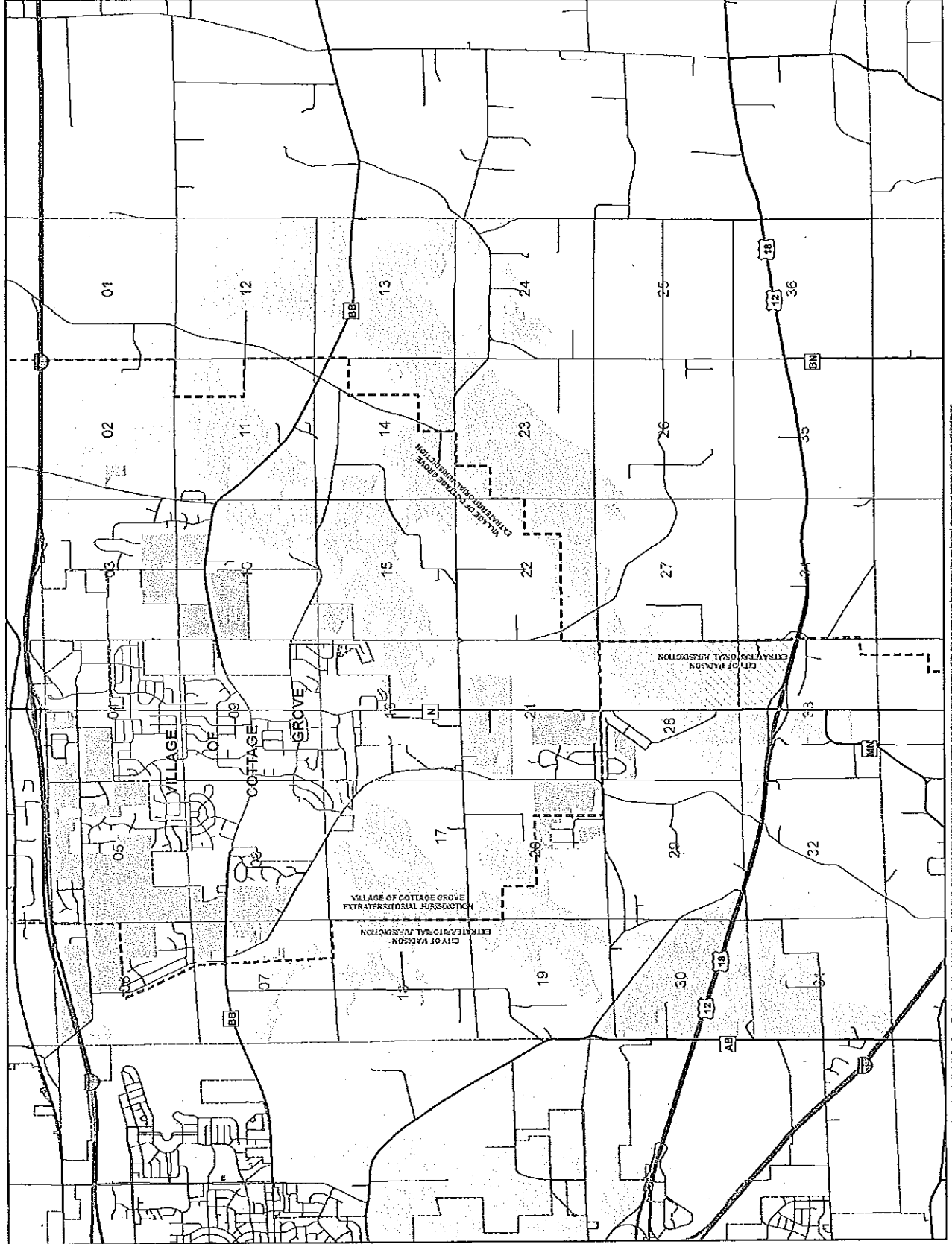
Map J-3  
Future Land Use Plan: 2030

## Legend





- Agricultural
- Agribusiness & Sustainable Commercial
- Limited Commercial
- Open Space/Recreation/Separation
- Existing Residential
- Residential - Medium Density
- Resource Protection
- Extraterritorial Jurisdiction Boundary



April 26, 2012  
**CRISPELL-SNYDER, INC.**  
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- KEY
- EXISTING CONTOURS 
  - PROPOSED CONTOURS 
  - FUTURE SEPTIC AREA 
  - DETENTION POND 



RECLAMATION PLAN  
 SKAAR PIT - MINERAL EXTRACTION SITE