

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
10/14/2020	DCPCUP-2020-02510
Public Hearing Date	
12/22/2020	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME WINGRA REAL ESTATE LLC	Phone with Area Code	AGENT NAME PAYNE & DOLAN, INC.	Phone with Area Code (262) 524-1258
BILLING ADDRESS (Number, Street) PO BOX 44284		ADDRESS (Number, Street) N3 W23650 BADINGER ROAD	
(City, State, Zip) MADISON, WI 53744-4284		(City, State, Zip) Waukesha, WI 53188	
E-MAIL ADDRESS		E-MAIL ADDRESS cweninger@payneanddolan.com	

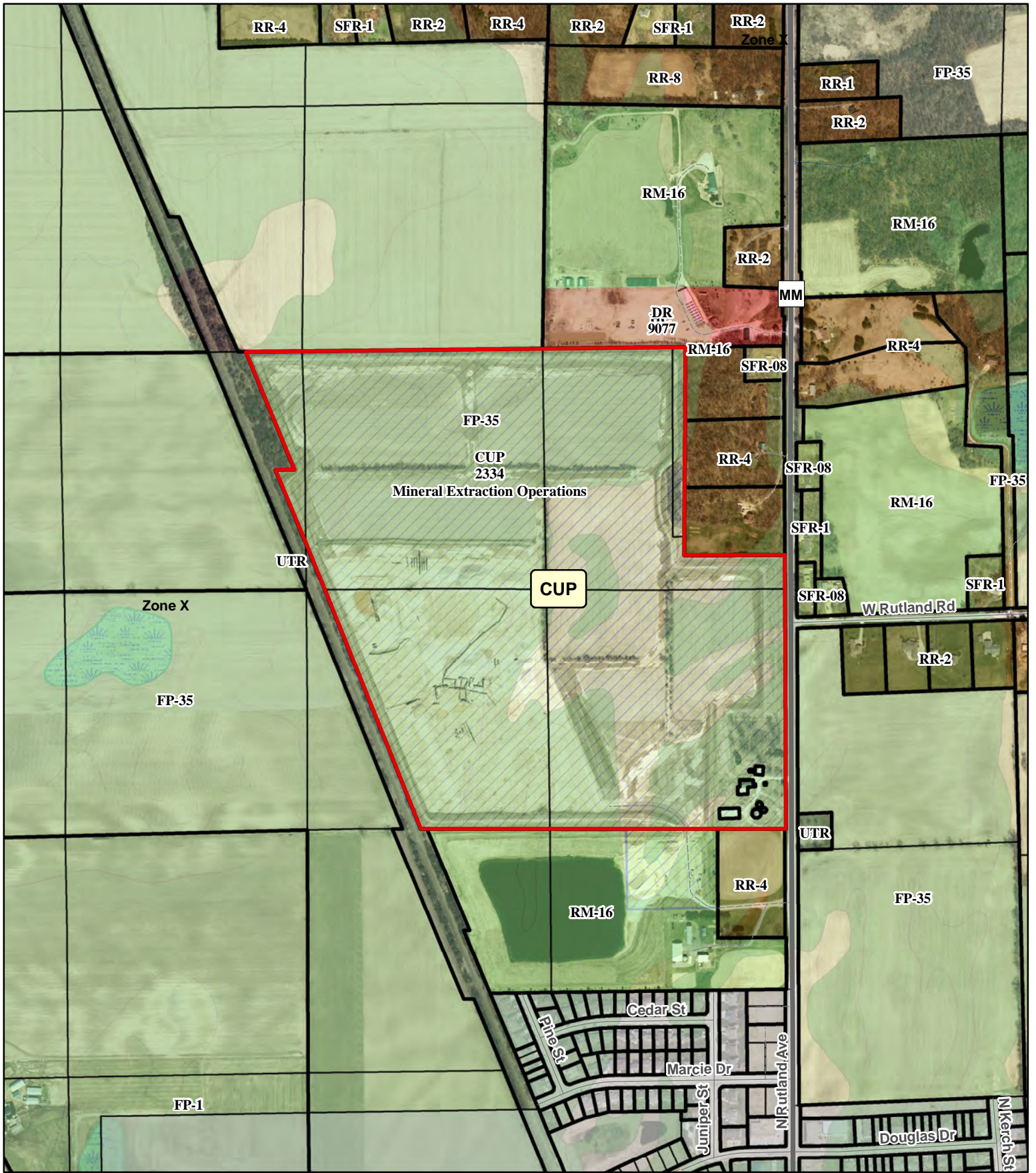
ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
157 County Hwy MM					
TOWNSHIP OREGON	SECTION 36	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0509-361-9501-0		See additional parcel numbers below.		---	

CUP DESCRIPTION
Hot-mix asphalt plant





DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.222(3)(d)	138

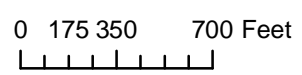
Additional parcel numbers:
0509-361-9001-0, 0509-361-8061-0,
0509-361-8051-0, 0509-361-8501-0,
0509-362-8001-0

DEED RESTRICTION REQUIRED?	Inspectors Initials	SIGNATURE:(Owner or Agent)
<input type="checkbox"/> Yes <input type="checkbox"/> No	RWL1	
Applicant Initials _____		
		PRINT NAME:
		DATE:



Legend

- | | |
|---|---|
|  Wetland | Significant Soils |
|  Floodplain |  Class 1 |
| |  Class 2 |



CUP 02510
WINGRA REAL ESTATE
LLC



Dane County
Department of Planning and Development
 Zoning Division
 Room 116, City-County Building
 210 Martin Luther King Jr. Blvd.
 Madison, Wisconsin 53703
 (608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

Property Owner Name:		Agent Name:	
Address (Number & Street):		Address (Number & Street):	
Address (City, State, Zip):		Address (City, State, Zip):	
Email Address:		Email Address:	
Phone#:		Phone#:	

SITE INFORMATION

Township:		Parcel Number(s):	050936195010, 050936190010, 050936180610, 050936180510, 050936185010, 050936280010
Section:		Property Address or Location:	
Existing Zoning:	Proposed Zoning:	CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE

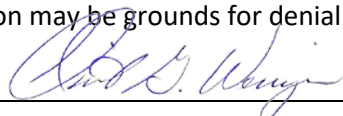
Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide a short but detailed description of the proposed conditional use:	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

<input checked="" type="checkbox"/> Complete attached information sheet for standards	<input type="checkbox"/> Site Plan drawn to scale	<input type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Written legal description of boundaries	<input type="checkbox"/> Detailed written statement of intent	<input type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: 

Date: _____

STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

<p>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.</p>
<p>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.</p>
<p>3. 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.</p>
<p>4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.</p>
<p>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.</p>
<p>6. That the conditional use shall conform to all applicable regulations of the district in which it is located.</p>
<p>7. The conditional use is consistent with the adopted town and county comprehensive plans.</p>
<p>8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.</p> <ul style="list-style-type: none">• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district: • Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations: • Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use: • Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use: • Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.
List the proposed days and hours of operation.
List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14 , Dane County Code.
List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.
List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.
Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800 .
Briefly describe the current use(s) of the property on which the conditional use is proposed.
Briefly describe the current uses of surrounding properties in the neighborhood.



An Equal Opportunity Employer

N3 W23650 Badinger Road | Waukesha, WI 53188
262.524.1700 | walbecgroup.com

Oregon Aggregate Site

Portable Asphalt Plant

Conditional Use Permit Application

Location

Town of Oregon, Dane County, Wisconsin

Submittal Date

October 14th, 2020

Table of Contents

Narrative

- (1) Written Statement of Intended Use of the Property
- (2) General Location, Legal Description, & Contact Info
- (3) Dane County Standards for Conditional Use Permits
- (4) Dane County Written Statement of Intent and Operations Plan

Appendices of Supporting Information

- (Appendix A) Site Plan Map
- (Appendix B) Zoning and Land Use Map
- (Appendix C) Property Survey

(1) Written Statement of Intended Use of the Property:

Payne & Dolan is formally requesting a conditional use permit (CUP) to site and operate a portable asphalt plant at the Oregon Aggregate Site on property owned by Wingra Real Estate, LLC for the duration of 15 years. The purpose of this project is to supply hot-mix asphalt for local and regional construction projects at competitive prices. Availability of high-quality aggregates on site reduces cost of additional trucking of raw materials to an asphalt plant located away from the aggregate source. There is a growing need for hot-mix asphalt in the area with several roads nearby being paved in 2021. The portable asphalt plant will be located on site intermittently when required for construction or maintenance of public roads. Payne & Dolan has a proven track record of operating asphalt plants responsibly and with respect for the land and neighbors, and is committed to operating a plant at this site by utilizing the latest technologies to minimize impacts on neighbors.

(2) General Location, Legal Description, & Contact Info

The property is located on County Highway MM in the Town of Oregon, Dane County, Wisconsin. The subject property is wholly within the FP-35 Zoning District (General Farmland Preservation) and is currently an active mineral extraction operation operated by Payne & Dolan (CUP #2334).

Property Description	Parcel Identification Numbers
NE ¼ of Section 36, Town 5 North, Range 9 East, Town of Oregon, Dane County.	050936185010, 050936280010, 050936180610, 050936190010, 050936195010, 050936180510

Property Legal Description: Being a part of the SE X of the NE X Section 36, Township 5 North, Range 9 East, Town of Oregon, Dane County, Wisconsin, bounded and described as follows:

Commencing at the East X said Section 36, said point being the place of beginning of the lands to be described; thence S88°48'59"W along the south line of said NE X Section, 2014.04 feet to a point on the East line of the Railroad right-of-way; thence N22°51'05"W along said east line, 2150.82 feet; thence N88°59'17"E along said east line, 107.74 feet; thence N22°51'05"W along said east line, 700.00 feet; thence N88°59'17"E, 316.52 feet; thence N88°59'38"E, 2102.69 feet; thence S00°13'15"W, 1138.69 feet; thence N88°59'38"E, 582.39 feet to a point on the east line of said NE X Section 36; thence S00°37'52"E along said east line 1501.52 feet to the place of beginning.

Said lands containing 6,026,112 square feet or 138.340 acres of land, more or less (gross, to center line of County Trunk Highway "MM").

Operator	Current Land Owner
C/O: Clint Weninger Land Resources Manager Payne & Dolan, Inc. N3 W23650 Badinger Road Waukesha, WI 53188 (262) 524-1258 Office cweninger@walbecgroup.com Email	Wingra Real Estate, LLC PO Box 44284 Madison, WI 53744

(3) Dane County Standards for Conditional Use Permits

Payne & Dolan has been operating a nonmetallic mineral extraction site on the property for four years and additionally operated the mineral extraction site immediately adjacent to the proposed property (the Klahn Site) for over 10 years and fully reclaimed the site in 2017. The establishment, maintenance and operation of these sites have not been detrimental to or endangered the public health, safety, comfort or general welfare. The proposed portable asphalt plant will be held to the same standards of public health, safety, comfort and general welfare to insure that the Town of Oregon and Dane County are not negatively affected by the proposed plant.

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.

Public Health

Neither the establishment nor operation of the conditional use will be detrimental to or endanger the public health. Payne & Dolan has been successfully operating other asphalt plants within Dane County which have not been detrimental to or endangered the public health.

Public Safety

Trucking access is on an improved intersection on a Class A Highway – CTH MM. Improvements to the intersection of entrance haul road and CTH MM previously approved by the County, paid for by the operator, and built to ensure safe ingress and egress to the site.

The site is secured by fences, locked gates, and landscaped berms.

All trucks are and will be covered with tarps.

The operation of the existing aggregate site has not been detrimental to or endangered the public.

Neither the establishment nor operation of the conditional use will be detrimental to or endanger the public safety.

Public Comfort

Payne & Dolan has been successfully operating other asphalt plants within Dane County which have not been detrimental to or endangered the public comfort. Neither the establishment nor operation of the conditional use will be detrimental to or endanger the public comfort.

Public General Welfare

Payne & Dolan has been successfully operating other asphalt plants within Dane County which have not been detrimental to or endangered the public general welfare. Neither the establishment nor operation of the conditional use will be detrimental to or endanger the public general welfare.

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.

Asphalt plants are an allowed conditional use in the FP-35 zoning district. The land uses on the surrounding properties are predominantly agriculture. The perimeter screening berms and lower elevation of the operations area currently shield vision of the crushing, washing, and load out areas and they will help do the same for the asphalt plant. The proposed asphalt plant is a portable plant and will not be running year-around. The plant will only be brought on site when needed. All federal, state and local laws and permits for operation of the asphalt plant will be acquired and maintained throughout the duration of the conditional use.

Noise:

The noise created by operation of the asphalt plant will be of a similar nature to the existing mineral extraction operation. The asphalt plant will be located near the middle of the existing operation and 20-30 ft. below the top of the screening berms. This location will help mitigate potential noise from leaving the site by placing the plant below existing grade, taking advantage of existing topography and vegetation, and keeping distance from surrounding neighbors. The plant will follow all EPA, DNR, local laws, and company policies & procedures to minimize noise.

Odor:

Potential odors emitted from the site can and will be controlled by utilizing the latest odor control additives or technologies. The most effective odor additive to date that Payne & Dolan uses is Ecosorb, which is produced by Odor Management, Inc. Ecosorb is a non-toxic, non-hazardous, biodegradable odor additive. This odor additive suppressant product acts as an oxygen scavenger that significantly reduces the release of compounds that are responsible for the characteristic asphalt smell. The plant will follow all EPA, DNR, local laws, and company policies & procedures to minimize odor.

Dust:

Asphalt plant operations shall be conducted in accordance with the Federal Environmental Protection Agency and the State of Wisconsin Department of Natural Resources air pollution control regulations. The air pollution control measures on the asphalt plant will be maintained in good operational order. Air pollution control measures for the site may be required from time to time on an as needed basis. Such measures may include sweeping and watering of access roads, water control of material handling operations and control of dust from storage piles. The entrance and haul road have been paved which will also minimize dust. The asphalt plant operations will meet EPA and DNR requirements concerning air quality.

3. 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.

The property is an active mineral extraction operation.

The operation of a portable asphalt plant at this site is compatible with the existing aggregate operations on the site.

The land uses on the surrounding properties are predominantly agriculture.

The land use on the property to the south is a reclaimed mineral extraction site.

Payne & Dolan currently operates other asphalt plants in Dane County and the operation of those plants have not impeded development or improvement of the surrounding property.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

The site is currently an operating mineral extraction site with the necessary site improvements.

No additional utilities, access roads, drainage or other site improvements need to be made in order to accommodate the portable asphalt plant.

The asphalt plant will run off of a portable generator on site.

Site entrance, haul road and CTH MM improvements were constructed and paid for by the operator when the Klahn site was opened.

No water will leave the site.

A stormwater and erosion control plan have been created and are implemented at the site currently.

The asphalt plant is portable.

No permanent structures will be constructed.

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.

All vehicles will enter and exit the site via a single access to CTH MM.

The CTH MM entrance has been improved with acceleration, deceleration, and passing lanes approved by the Dane County Highway Department.

The entrance improvements have been in use and adequate for 14 years.

Trucking from the existing operations for the last 14 years has not impeded the flow of traffic in the area.

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

This plan and proposal meets all the applicable regulations of the FP-35 Zoning District, including setbacks, building heights, side yard requirements, etc.

Payne & Dolan will operate the asphalt plant under a set of conditions of approval for asphalt plants and comply with S. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.

7. The conditional use is consistent with the adopted town and county comprehensive plans.

The Town and County comprehensive plan designates the property as Farmland Preservation.

An asphalt plant is an allowed conditional use in the FP-35 District.

Operation of a portable asphalt plant on the property is compatible with the current mineral extraction site (CUP #2334).

- 8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attached additional pages, if necessary.**

Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:

An asphalt plant is an allowed conditional use in the Farmland Preservation Zoning District. The current mineral extraction operation on the property (CUP #2334) is in the Farmland Preservation Zoning District and was approved by the Town and County in 2016.

Payne & Dolan will operate the asphalt plant under a set of conditions of approval for asphalt plants and comply with S. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.

Explain how the use and its location in the Farmland Preservation Zoning District are reasonable and appropriate, considering alternative location:

The asphalt plant will be located within an active mineral extraction operation. No additional farmland will have to be converted to mineral extraction in order to support this conditional use. Most of the raw materials that go into the asphalt mix are already on site and do not need to be hauled in thus reducing extra trucking on public roads.

Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:

The asphalt plant will be strategically placed within the active mineral extraction operation and will require no conversion of land from agriculture.

Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:

The asphalt plant is portable and temporary. It will only be on site for construction or maintenance of public roads. The asphalt plant does not limit the current or future agricultural use of the property or surrounding parcels. The asphalt plant will be permanently removed when mineral extraction ceases on the property, at which point in time the property will be returned to agriculture.

Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

There will be no construction damage to agricultural land as a result of the asphalt plant.

(4) Dane County Written Statement of Intent and Operations Plan

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.

Proposed Conditional Use Summary:

Location:

Payne & Dolan formally requests a conditional use permit to site and operate a portable asphalt plant at the Oregon Aggregate Site on property owned by Wingra Real Estate, LLC, in the Town of Oregon.

Duration:

The portable asphalt plant will be located on site intermittently when required by specific projects. This CUP application is for a period of 15 years.

Plant Type & Equipment:

The plant will be a modern hot-mix asphalt plant capable of producing today's technical mixes, and which will incorporate recycled blacktop and clean, processed asphalt shingles in its mixes. The plant will have portable storage tanks for liquid asphalt and fuel. Storage tanks will be kept within containment structures as required by law.

Equipment to be used in the operation of the asphalt plant will be portable and includes, but is not limited to: various components of the asphalt plant itself such as the baghouse, control house, silos, feed bins, drum, storage tanks, etc. In addition, there will be various rolling stock equipment such as end loaders and trucks, which are already on site for mineral extraction purposes. No permanent facilities will be located on site to accommodate the asphalt plant. Portable toilets are already on site for our employees.

Planned Property Improvements:

The property is an active mineral extraction operation and it does not require any property improvements in order to support an asphalt plant.

Size & Description of New Buildings:

Portable asphalt plant footprints and heights vary, but generally take up approximately 1.5 to 2 acres of space. The storage silos of the asphalt plant may be visible from adjoining properties, but are very similar to grain silos on farms in the area.

Name of Business & Business Activity:

Payne & Dolan is a family-owned, quality-oriented business headquartered in Waukesha, Wisconsin that has been conducting business in Wisconsin since 1926. We are a leading producer of hot-mix asphalt and other construction materials for municipal, residential, commercial and industrial projects with a commitment to quality service, community stewardship and environmental awareness.

Payne & Dolan has a local office in Fitchburg and operates several mineral extraction sites and asphalt plants within Dane County. All asphalt plants owned and operated by Payne and Dolan are permitted by the Wisconsin DNR and abide by all federal and state regulations. Our asphalt plants have received the Wisconsin Asphalt Paving Association Diamond achievement award and the National Asphalt Pavement Association Diamond Quality award for environmental excellence. We have also been awarded the National Plant of the Year award on a number of occasions.

Proposed days and hours of operation.

Hours of operation for the hot-mix asphalt plant will be consistent with the aggregate site hours of operation. Operation of the asphalt plant shall be from 6:00 AM to 7:00 PM Monday through Friday and 6:00 AM to 3:00 PM on Saturdays. Start-up activities for the asphalt plant may occur from 5:00 AM to 6:00 AM and shut down activities from 7:00 PM to 8:00 PM Monday through Friday and 3:00 PM to 4:00 PM on Saturdays. Maintenance and repairs may occur outside of the aforementioned operations hours. Trucking of hot-mix asphalt will be from 6:00 AM to 7:00 PM Monday through Friday and 6:00 AM to 3:00 PM on Saturdays.

State and local agencies are requiring more and more road work to be done at night to avoid delays to the traveling public and thus we may have to perform work on projects beyond these hours, sometimes even at night. We ask that we be permitted to do so as these circumstances arise. Notification would be provided to the Town and County prior to beginning any such work.

Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.

In addition to the employees already at the Oregon Aggregate Site, two to five employees will be needed to operate the asphalt plant.

List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.

Noise:

The noise created by operation of the asphalt plant will be of a similar nature to the existing mineral extraction operation. The asphalt plant will be located near the middle of the existing operation and 20-30 ft. below the top of the screening berms. This location will help mitigate potential noise from leaving the site by placing the plant below existing grade, taking advantage of existing topography and vegetation, and keeping distance from surrounding neighbors. The plant will follow all EPA, DNR, local laws, and company policies & procedures to minimize noise.

Odor:

Potential odors emitted from the site can and will be controlled by utilizing the latest odor control additives or technologies. The most effective odor additive to date that Payne & Dolan uses is Ecosorb, which is produced by Odor Management, Inc. Ecosorb is a non-toxic, non-hazardous, biodegradable odor additive. This odor additive suppressant product acts as an oxygen scavenger that significantly reduces the release of compounds that are responsible for the characteristic asphalt smell. The plant will follow all EPA, DNR, local laws, and company policies & procedures to minimize odor.

Dust:

Asphalt plant operations shall be conducted in accordance with the Federal Environmental Protection Agency and the State of Wisconsin Department of Natural Resources air pollution control regulations. The air pollution control measures on the asphalt plant will be maintained in good operational order. Air pollution control measures for the site may be required from time to time on an as needed basis. Such measures may include sweeping and watering of access roads, water control of material handling operations and control of dust from storage piles. The entrance and haul road have been paved which will also minimize dust. The asphalt plant operations will meet EPA and DNR requirements concerning air quality.

Runoff:

The property is internally drained.

Pollution:

Payne & Dolan's many years of experience has taught us how to effectively operate asphalt plants while minimizing the impact on the environment and maximizing neighbor compatibility. Payne & Dolan is committed to operating an environmentally safe asphalt plant and will meet and adhere to the state and federal regulations controlling such operations.

All the asphalt plants owned and operated by Payne & Dolan are permitted and regulated by the Wisconsin DNR. Our plants have received the Wisconsin Asphalt Pavement Association Diamond Achievement award and the National Asphalt Pavement Association Diamond Quality award for environmental excellence. We have also been awarded the national plant of the year award on several occasions.

Asphalt plant operations shall be conducted in accordance with the Federal Environmental Protection Agency and the State of Wisconsin Department of Natural Resources air pollution control regulations

Special measures that will be used for spill prevention and control, dust control, transportation, and environmental protection include strong operational controls, the implementation of a spill prevention plan, a fugitive dust control plan, and compliance with all local, state and federal environmental regulations.

Fuel oil for the burner and asphalt cement will be stored in the appropriate DNR approved holding tanks with the appropriate containment facilities that are constructed in compliance with DNR and EPA standards.

A Spill Prevention and Countermeasure Plan that meets the applicable Wisconsin DNR requirements is currently implemented at the site. The asphalt plant will be located in the existing aggregate operations area at an elevation of 970 +/- which is approx. 8 feet higher than the groundwater elevation (~962 +/-).

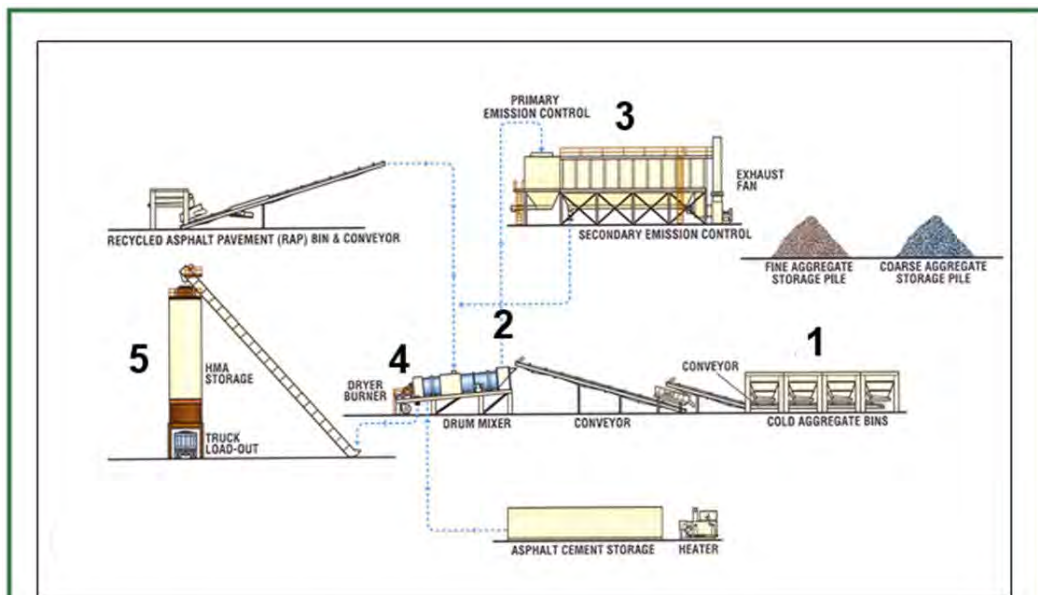
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.

Materials:

The asphalt plant and associated materials, activities and processing will occur outside of an enclosed building similar to the existing aggregate operations.

Materials required for the asphalt plant include, but are not limited to, the existing aggregate materials produced on site, recycled asphalt pavement (RAP), processed recycled asphalt shingles (RAS), fuel oil for the burner, and asphalt cement. The recycled asphalt materials will need to be hauled into the site.

Activities:



To produce HMA at a hot mix asphalt plant facility:

1. Crushed rock, sand, gravel or other aggregate is dumped into the plant.
2. Water is removed from the aggregate in a large dryer.
3. Steam from the dryer is vented to a large filtering device called a baghouse. The baghouse filters out the dust particles from the steam and allows the filtered steam or condensed water to exit the baghouse into the air.
4. Dried aggregate is combined with liquid asphalt in a mixing drum at approximately 300 degrees.
5. Hot mix asphalt is then placed in storage silos until it is loaded into trucks for delivery to paving project such as a highway, street, driveway or parking lot.

For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code.

Payne & Dolan has a NR-216 stormwater permit for the aggregate site and its portable asphalt plant. A Spill Prevention and Countermeasure Plan that meets the applicable Wisconsin DNR requirements for such plans has been implemented for the site. A Stormwater Management Plan for the Oregon Aggregate Site was previously submitted and approved by Dane County (Permit #74-123).

List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.

Sanitary facilities on site will consist of portable toilets.

List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.

There is an existing dumpster on the property for trash and other waste.

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

Traffic:

Operation of a portable asphalt plant on site will result in a minimal increase in traffic from what is currently entering and exiting the Oregon Aggregate site. The number of additional trucks and frequency of trips to and from the site vary greatly day to day depending on the type of project that that materials are being hauled to, the time of year, weather conditions, location of project, etc. Traffic will be minimal during winter months because production is tied directly to construction activities. The plant is portable and will only be on site intermittently when needed. When the plant is not on site the truck traffic will return to current traffic conditions.

Types & weights of vehicles:

The majority of trucks entering and exiting the site to access the asphalt plant will be dump trucks weighing between 20 and 25 ton. Semi-tankers weighing 40 ton will deliver liquid asphalt to the plant 1 – 10 times per day when there is a paving project. An existing

scale on site weighs all vehicles exiting the site. All trucks will be tarped. Trucks are monitored for compliance with local, state, and federal safety and operating standards.

Road improvements:

The existing intersection and road improvements are sufficient to accommodate the increased traffic.

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

Fuel oil for the burner and asphalt cement will be stored on site. Both materials will be stored in the appropriate DNR approved holding tanks with the appropriate containment facilities that are constructed in compliance with DNR and EPA standards. A Spill Prevention and Countermeasure Plan that meets the applicable Wisconsin Department of Natural Resources requirements has been implemented for the site.

Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.

All lights when in use will be pointed down to avoid light pollution leaving the site.

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800.

No additional signage is proposed at this time. The existing sign at the CTH MM entrance is adequate and reads:

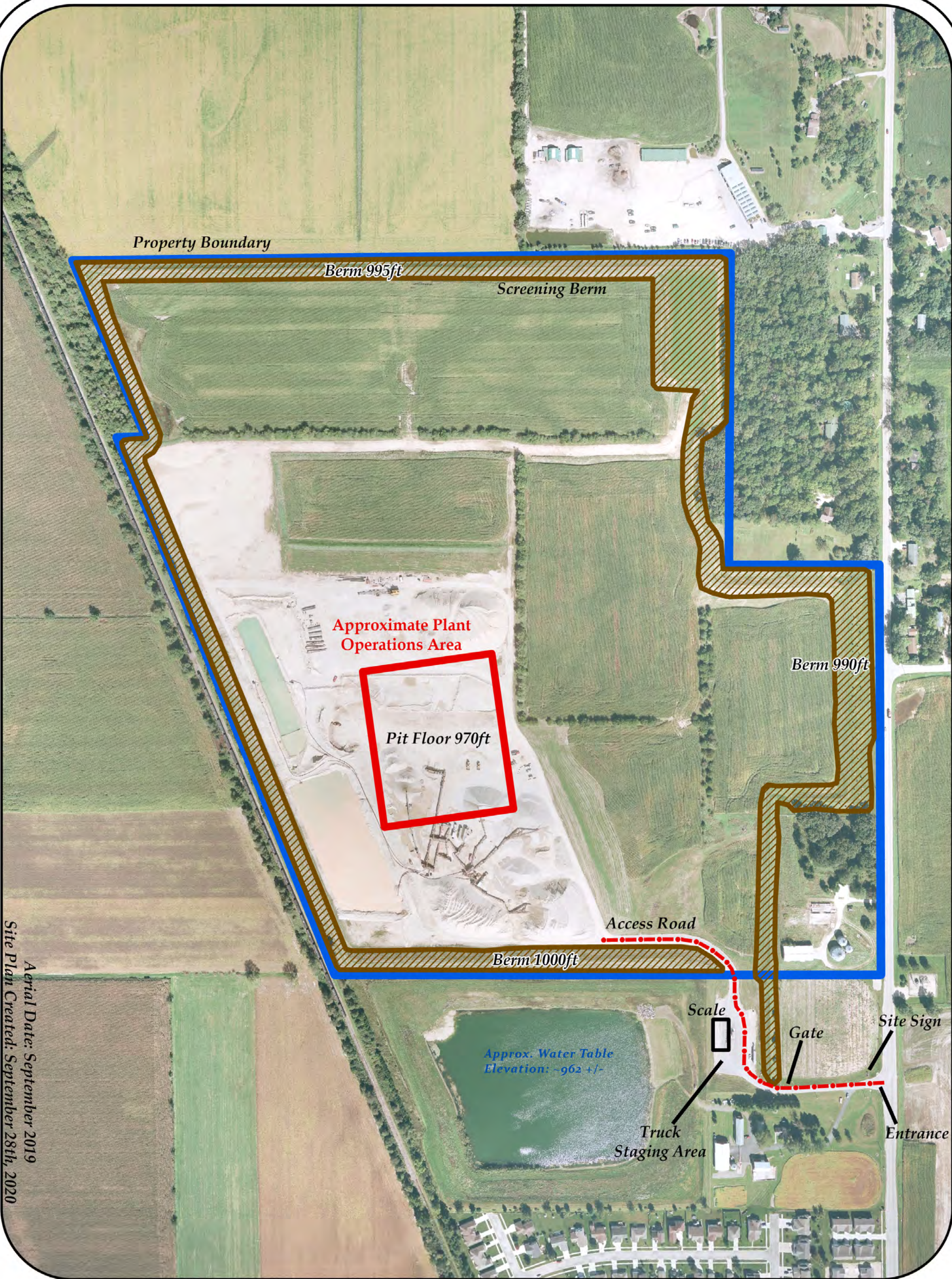


Briefly describe the current use(s) of the property on which the conditional use is proposed.

The property has an existing conditional use permit to allow nonmetallic mineral extraction and processing, i.e. a sand & gravel pit. Extraction operations include site development, sand & gravel extraction, processing, product delivery and reclamation. Site development includes the removal of surface soils for the construction of berms, the creation of the general operations area and to expose the sand & gravel strata in the active extraction area. The mineral extraction operations to be conducted on the property includes the removal of rock, gravel, sand, or any other minerals from the earth by excavating, stripping or leveling. The operations include reasonable accessory uses for mineral extraction, including, but not limited to; crushing, processing, sorting, screening, washing (with settling ponds), conveying, stockpiling, sale and distribution of aggregate material.

Briefly describe the current uses of surrounding properties in the neighborhood.

The land uses on the surrounding properties are predominantly agriculture. Other properties nearby include Rural Residential, Rural Mixed Use, Single Family, and Commercial.

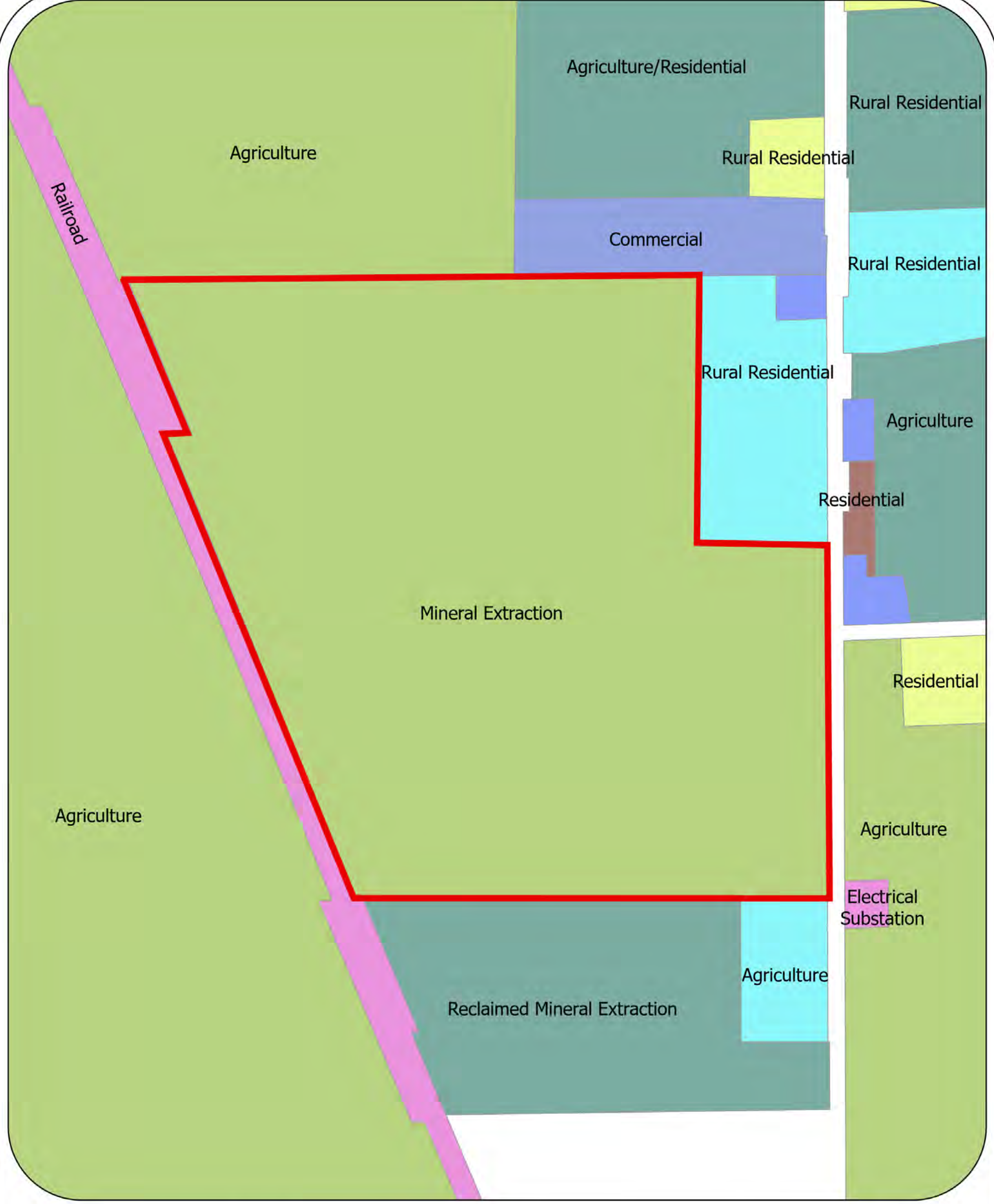


Aerial Date: September 2019
 Site Plan Created: September 28th, 2020

Oregon Aggregate Site

0 200 400 US Feet





Neighborhood Zoning & Land Use

- | | |
|-------------------------------------|--|
| FP-35 General Farmland Preservation | RR-4 Rural Residential 4-8 acres |
| HC Heavy Commercial | SFR-08 Single-Family Residential, small lots |
| RM-16 Rural Mixed-Use 16-35 acres | SFR-1 Single-Family Residential, 1-2 acres |
| RR-2 Rural Residential 2-4 acres | UTR Utility, Transportation and ROW |

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SKETCH OF LANDS

PREPARED FOR: *PAYNE & DOLAN INC./WINGRA PROPERTY*

LOCATION: *C.T.H. "MM", TOWN OF OREGON, DANE COUNTY, WISCONSIN*

LEGAL DESCRIPTION: *Being a part of the SE 1/4 of the NE 1/4 Section 36, Township 5 North, Range 9 East, Town of Oregon, Dane County, Wisconsin, bounded and described as follows: Commencing at the East 1/4 corner said Section 36, said point being the place of beginning of the lands to be described; thence S88°48'59"W along the south line of said NE 1/4 Section 36, 2014.04 feet to a point on the East line of the Railroad right-of-way, thence N82°51'05"W along said east line, 2150.82 feet; thence N88°59'17"E along said east line, 107.74 feet; thence N82°51'05"W along said east line, 700.00 feet; thence N88°59'17"E, 316.52 feet; thence N88°59'38"E, 2102.69 feet; thence S00°13'15"W, 1138.69 feet; thence N88°59'38"E, 582.39 feet to a point on the east line of said NE 1/4 Section 36; thence S00°37'52"E along said east line, 1501.52 feet to the place of beginning. Said lands containing 6,026,112 square feet or 138.340 acres of land, more or less (gross, to center line of County Trunk Highway "MM").*

JANUARY 12, 2016

MSC-1019(2)

