



DANE COUNTY  
**PLANNING DEVELOPMENT**

**Conditional Use Application**

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

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

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)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>WINGZHA REAL ESTATE, LLC</u>	<u>BLAIR REVERSIBLE TRUST</u>	Agent	<u>PAYNE &amp; DOLAN, INC.</u>	<u>ATTN: ZIYI WENINGER</u>
Address	<u>PO Box 44284</u>	<u>157 CTH MM</u>	Address	<u>N3 W23658 BADINGER ROAD</u>	
Phone	<u>WAVISN, WI</u>	<u>BROOKLYN, WI</u>	Phone	<u>WAWKESHA, WI 53187</u>	
	<u>53744-4284</u>	<u>53521</u>		<u>(222) 524-2700</u>	
Email			Email	<u>Cweninger@payneanddolan.com</u>	

Parcel numbers affected: 650936 - 185010 & 280010 & 180610 Town: OREGON Section: 36  
& 190010 & 195010 & 180570 & 481000 Property Address: 157 CTH MM  
& 480020  
 Existing/Proposed Zoning District: A1 & A2

o Type of Activity proposed: NON METALLIC MINERAL EXTRACTION (SAND & GRAVEL PIT)

- o Hours of Operation
- o Number of employees
- o Anticipated customers
- o Outside storage
- o Outdoor activities
- o Outdoor lighting
- o Outside loudspeakers
- o Proposed signs
- o Trash removal
- o Six Standards of CUP (see back)

SEE ATTACHED BINDER FOR ADDITIONAL INFORMATION

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: [Signature] Date: JANUARY 21, 2016

## 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.

SEE ATTACHED INFO - TAB 6

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.

SEE ATTACHED INFO - TAB 6

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.

SEE ATTACHED INFO - TAB 6

4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

SEE ATTACHED INFO - TAB 6

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.

SEE ATTACHED INFO - TAB 6

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

SEE ATTACHED INFO - TAB 6

# Dane County

## Non-Metallic Mining Reclamation Permit Application

Zoning office use only

Permit # \_\_\_\_\_

Date: \_\_\_\_\_

Landowner: WINGRA REAL ESTATE, LLC KLAHN REVOCABLE TRUST

Address: PO BOX 44284 157 CTH MM  
MADISON, WI BROOKLYN, WI

Phone: 53744-4284 53521

E-mail: \_\_\_\_\_

Agent: PAYNE & DOLAN, INC 40 CLINT WENINGER

Address: N3 W23650 BADINGER ROAD  
WANKESHA, WI 53187

Phone: (262) 524-1700

E-mail: CWeninger@payneanddolan.com

Address of site: 157 CTH MM, BROOKLYN, WI  
(may need to be assigned)

Township: DREXEL

Parcel #: 050936 - 185010

Parcel #: " - 280010

Parcel #: " - 180610

Parcel #: " - 190010

Parcel #: 050936 - A5010

Parcel #: - 180510

Parcel #: - 481000

Parcel #: - 480020

Type of aggregate: SAND & GRAVEL

Plan review fees: \$ 1,136.00

Total site acreage: 143

(Less than one acre: NO FEE, 1 to 25 acres: \$875.00, 25 to 50 acres: \$1,100.00, More than 50 acres: \$1,300.00)

Non-conforming: Yes or  No

Conditional use permit #: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Erosion control/Stormwater permit #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

I hereby request on behalf of the applicant a non-metallic mining permit. I certify, as a duly authorized representative or agent that the operator listed above will comply with the statewide non-metallic mining reclamation standards established in ss. NR 135.05 through NR 135.15, Wis. Adm. Code. The applicant agrees to provide to Dane County an annual fee as established by county ordinance and site access for county officials necessary to evaluate this application and ensure compliance with a permit. Also, financial assurance standards as established in Ch. 74141 of Dane County Code of Ordinances.

Applicant signature: [Signature] Date: January 26, 2016

If the person applying (submitting the application in person, at the counter) is not the landowner, a notarized statement authorizing the applicant to act as the landowner's agent must be attached.

Permit received by: \_\_\_\_\_ Date: \_\_\_\_\_

Permit reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

This application must be submitted in person M - F, 8 A.M. - 4 P.M.,  
with two copies of all permit materials to:  
Dane County Zoning, 210 Martin Luther King Jr. Blvd. Room 116, Madison, WI

# Non-metallic Mining Reclamation Application Checklist

Applicant			Zoning	LCD
Plan Requirement	I	Location in Plan - page number	I	I
1. Site information - maps of the site including the general location, property boundaries, aerial extent, geologic composition and depth of the deposit, the distribution, thickness and type of soil, the approximate elevation of ground water, the location of surface waters and the existing drainage patterns.		TAB 3 / TAB 7		
2. Biological resources - plant communities and wildlife use at and adjacent to the site.		TAB 3		
3. Existing topography - contour maps of the site at ten foot contour intervals.		TAB 7		
4. Location of manmade features - on or near the site.		TAB 3 / TAB 7		
5. Plan view - (existing mines) showing the location and extent of land previously affected by non-metallic mining.		TAB 7		
6. Post-mining land use - consistent with local land use plans/local zoning.		TAB 3 / TAB 7		
7. Under exclusive agricultural zoning?		YES		
8. Reclamation measures - description of the proposed reclamation, including methods and procedures to be used and a proposed schedule for the completion of reclamation.		TAB 3		
9. Proposed earthwork and reclamation - final slope angles, high wall reduction, benching and terracing.		TAB 3 / TAB 7		
10. Methods of topsoil - topsoil substitute material removal and storage.		TAB 3		
11. Anticipated topography of the reclaimed site.		TAB 7		
12. Plan map that shows surface structures - after the cessation of mining.		TAB 7		
13. Estimated cost of reclamation.		TAB 3		
14. Revegetation plan - shall include timing and methods of seed bed preparation, rates and kinds of soil amendments, seed application timing, methods and rates, mulching and any other techniques needed to accomplish soil and slope stabilization.		TAB 3		
15. Standards for revegetation - may be based on the percent of vegetative cover, productivity, plant density, diversity or other applicable measures.		TAB 3		
16. Erosion control and stormwater - chapter 14 requirements.		TAB 3		
17. Description of interim reclamation.		TAB 3		
18. Financial assurance - \$1500/acre.		TAB 3		

# TOWN OF OREGON

## APPLICATION FOR LAND USE CHANGE

Submittal Fee: \$100.00 each submittal plus \$20.00 per additional petition.\*

1. NAMES — Owner WINGRA BEHL ESTATE, LLC KLANJ REVOCABLE TRUST Applicant (if other than Owner)  
Name WINGRA BEHL ESTATE, LLC TRUST Name PAYNE & DOLAN, INC. ATTN. CLINT  
Street PO BOX 44284 1570TH MM Street N3 W23650 BRADINGER RD WENINGER  
City, State, Zip MAIDISON, WI ROOKLYN, WI City, State, Zip WAUKESHA, WI 53187  
Phone: Days \_\_\_\_\_ Cell \_\_\_\_\_ Phone: Days (262) 524-1700 Cell (262) 366-5429

2. PROPERTY LOCATION  
Section: 36 Property size: 143 acres Property zoning: A1SA2 Parcel No(s): 050936-180610  
Property Address: 1570TH MM, ROOKLYN, WI

3. REQUEST: Applicant must review town ordinance requirements for submittal. Applicant is also responsible for filing necessary paperwork with the County.

Nonresidential Site Plan Review (Ordinance 10.1.9)  
1. Required for any construction, expansion or conversion of structures other than single family residences, agricultural structures or agricultural accessory buildings.  
2. Submit 13 sets of site plans.  
3. Submit the Site Plan Review Application.  
4. Site Plan Review for \_\_\_\_\_

Land Division or Certified Survey Map (CSM) (Ordinance 10.10.4)  
1. Required for any land division that creates 2, but not more than 4 lots.  
2. Has a Density Study Report by Dane County been completed?  
3. Submit 12 copies Proposed & Final Certified Survey Map (CSM).  
4. Submit the Town of Oregon Land Division Application.  
5. Submit a copy of the completed Dane County Land Division Application.  
6. If applicable, may require approval from the Village of Oregon.  
7. Reason for land division \_\_\_\_\_

Plat or Subdivision (Ordinance 10.10.4)  
1. Required for any land division that creates 5 or more lots or a subdivision.  
2. Has a Density Study Report by Dane County been completed?  
3. Submit 12 copies of Preliminary & Final Plat.  
4. Submit the Town of Oregon Land Division Application.  
5. Submit a copy of the completed Dane County Land Division Application.  
6. If applicable, may require approval from the Village of Oregon.  
7. Reason for plat or subdivision \_\_\_\_\_

Zoning Amendment  
1. Required for any change in zoning district.  
2. Zoning change from \_\_\_\_\_ District to \_\_\_\_\_ District for \_\_\_\_\_ acres  
3. Submit a copy of the completed Dane County Zoning Change Application.  
4. Reason for change \_\_\_\_\_

Conditional Use Permit (CUP)  
1. Required for any change in the use of property that requires a conditional use in the zoning district.  
2. Submit a written statement of the intended use of the property.  
3. Submit a copy of the completed Dane County Application for a Conditional Use Permit (CUP).  
4. Conditional Use Permit for NONMETALLIC MINERAL EXTRACTION  
(SAND & GRAVEL PIT)

Variance  
1. Required for any request for variance from the County Zoning Code.  
2. Submit a copy of the completed Dane County Variance Application  
3. The Applicant will receive a letter from the Town acknowledging that they informed the Town of their intent to apply for a Variance. \*Required by Dane County.  
4. Variance for \_\_\_\_\_

4. SIGNATURE  
Owner (signature is mandatory) Date \_\_\_\_\_ Applicant (if other than Owner) Date January 21, 2016

\* Pre-Application Consultation with Plan Commission is recommended before submitting any application or payment of fees. There is no charge for consultation.

4) Agreement for Services

AGREEMENT OF SERVICES  
REIMBURSABLE BY PETITIONER/APPLICANT

The Town may retain the services of professional consultants (including planner, engineers, architect, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the Town's review of proposal coming before the Plan Commission and Town Board. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional services applicable to the proposal. The Town may apply the charges for these services to the Petitioner. The Town may delay acceptance of the application of petition as complete, or may delay final approval of the proposal, until such fees are paid by the Petitioner. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the Town as a special assessment to the subject property. The Petitioner shall be required to provide the Town with an executed copy of the following form as a prerequisite to the processing of the development application:

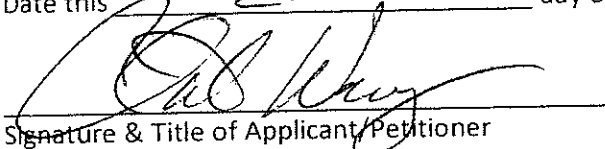
AGREEMENT AS TO COSTS WITH THE TOWN OF OREGON

PAYNE & DOLAN, INC., the applicant/petitioner for WINGRA RETIRE ESTATE, LLC.  
ILLUARD REVOCABLE TRUST  
(Nature of application/petition)

dated JANUARY 21, 20 16 agrees, in addition to those normal costs payable by an applicant /petitioner

(e.g. filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the Town of Oregon, in the judgement of its staff, to obtain additional professional services(e.g. engineering , surveying, planning, legal) than normal would be routinely available "in house" to enable the Town to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the Town for the costs thereof.

Date this 21<sup>ST</sup> day of JANUARY, 20 16

  
Signature & Title of Applicant/Petitioner

5) Submittal Form Letter

Please submit a letter explaining the reason for the land division application.  
SEE ATTACHED BINDER FOR CUP INFORMATION

6) **Compliance:** The Applicant must comply with all the General Provision outlined in Ordinance 10.10.1-2. No building permits will be issued until the applicant has complied with all requirements.

January 19, 2016

Mr. Roger Lane  
Dane County Department of Planning & Development  
210 Martin Luther King Blvd, Room 116  
Madison, WI 53703

**Subject: Conditional Use Permit Application**

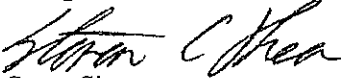
Dear Mr. Lane:

Wingra Real Estate, LLC hereby acknowledges and approves of the Conditional Use Permit Application for mineral extraction on our property located on CTH MM in the Town of Oregon being submitted by Payne & Dolan. We also authorize Payne & Dolan, Inc. - N3 W23650 Badinger Road, Waukesha, WI 53187 - to act as the specified agent to speak on the owner's behalf as it relates to the aforementioned conditional use application.

Thank you for your time and consideration in this matter. If you have any questions and/or need additional information, please do not hesitate to contact me at (608) 271-5555.

Sincerely,

**Wingra Real Estate, LLC.**



Steve Shea

*Member*

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## Legal Description

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**Wingra Real Estate Property:** Being a part of the SE ¼ of the NE ¼ Section 36, Township 5 North, Range 9 East, Town of Oregon, Dane County, Wisconsin, bounded and described as follows: Commencing at the East ¼ 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 ¼ 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 ¼ 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").

**Klahn Revocable Trust Property:** Being a part of the NE ¼ of the SE ¼ Section 36, Township 5 North, Range 9 East, Town of Oregon, Dane County, Wisconsin, bounded and described as follows: Commencing at the East ¼ corner said Section 36; thence S88°48'52"W along the north line of said SE ¼ Section 36, 406.07 feet to the place of beginning of the lands to be described; thence S00°37'24"E along the west line of Lot 1 of Certified Survey Map No. 10112, 430.00 feet; thence S88°48'52"W, 500.00 feet; thence N00°37'24"W, 430.00 feet to a point on the north line of said SE ¼ Section 36; thence N88°48'52"E along said north line, 500.00 feet to the place of beginning.

Said lands containing 214,990 square feet or 4.935 acres of land more or less.



# EDGEWOOD SURVEYING

14195 BEECHWOOD TRAIL • NEW BERLIN • WISCONSIN 53151  
(262)366-5749 • fax (262)797-6329

## SKETCH OF LANDS

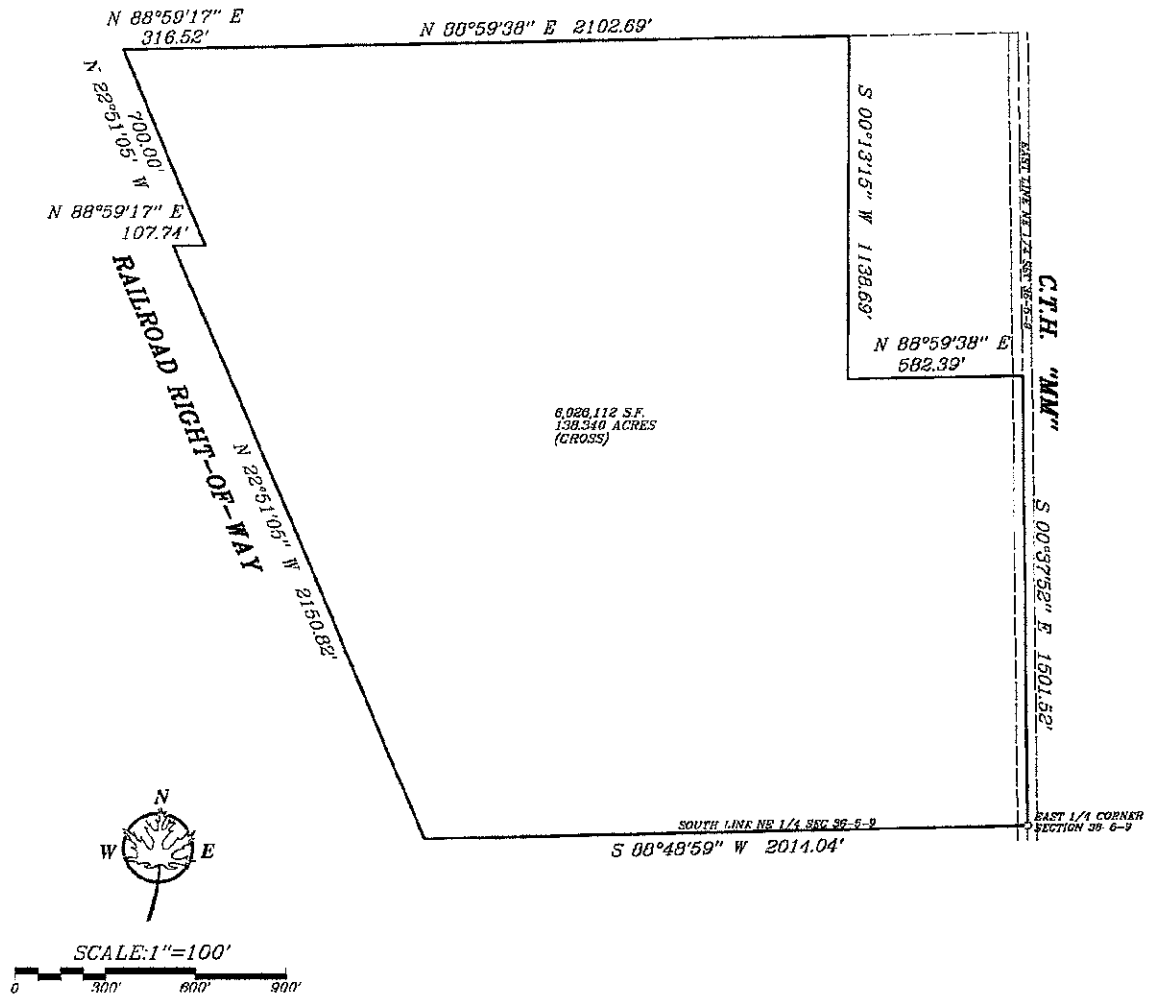
PREPARED FOR: **PAYNE & DOLAN INC./WINGRA PROPERTY**

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 S59°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 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 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)



# EDGEWOOD SURVEYING

14195 BEECHWOOD TRAIL • NEW BERLIN • WISCONSIN 53151  
(252)366-5749 • fax (262)797-6329

## SKETCH OF LANDS

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

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

LEGAL DESCRIPTION: *Being a part of the NE 1/4 of the SE 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; thence S88°48'52"W along the north line of said SE 1/4 Section 36, 406.07 feet to the place of beginning of the lands to be described; thence S00°37'24"E along the west line of Lot 1 of Certified Survey Map No 10112, 430.00 feet; thence S88°48'52"W, 500.00 feet; thence N00°37'24"W, 430.00 feet to a point on the north line of said SE 1/4 Section 36; thence N88°48'52"E along said north line, 500.00 feet to the place of beginning. Said lands containing 214,990 square feet or 4.935 acres of land, more or less.*

JANUARY 12, 2015

MSC-1019(1)

