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BELKEN Engineering, Inc.

Conditional Use Permit Application

**Madison Crushing and Excavation
Northern Expansion (Expired CUP #1993)
South Pit Area (Expired CUP #1672)
Town of Burke**

This application provides information for two Conditional Use Permits (CUPs) for Madison Crushing and Excavation. The facilities consist of three areas. A legal non-conforming area is grandfathered as an operating quarry. The portion of the property north of the non-conforming area will be referenced as the northern expansion area, and the portion of the property south of the non-conforming area will be referenced as the south pit area. New CUPs are required for northern expansion and south pit areas. The following information is appropriate for each CUP. Where information is required for the site specific CUP the information is identified as the northern expansion area or south pit area for the specific CUP application. The CUPs will allow for the contiguous operations of Madison Crushing and Excavation, Inc. for continued mineral extraction at the facility. Currently both CUP #1993 (Northern Expansion Area) and #1672 (south Pit Area) expired earlier in 2016. Operations have taken place on the non-conforming area since their expiration. The following provides information for approval of the CUPs. Information to address specific submittal requirements is indicated. Some information submitted results in duplication to address the specific submittal requirements.

- o **Hours of Operation**
The hours of operation of the quarry are currently and will remain 6:00 am – 7:00 pm Monday through Friday, excluding blasting, which may occur from 7:00 am through 7:00 pm. Saturday operations are currently and shall remain 6:00 am through 12:00 noon with blasting permitted from 7:00 am – 12:00 noon. No operations occur on Sundays or legal holidays, except snow plowing activities, which include hauling and disposal of snow.
- o **Number of Employees**
The current number of employees at the quarry is 50. This number may vary with market conditions, but is not expected to vary significantly..
- o **Anticipated Customers**
Anticipated customers include, but not limited to contractors, builders, private homeowners, municipalities and others whom require crushed aggregates for construction projects.
- o **Outside Storage**
Aggregate and overburden material are stored on-site in stockpiles. The active mining areas are screened from viewing by the general public. Equipment is stored and parked at designated locations on-site.
- o **Outdoor Activities**
Outdoor activities are consistent with mining activities, including but not limited to blasting, crushing, screening and transporting material on-site and to project locations.
- o **Outdoor Lighting**

Outdoor lighting is provided for safety and security by the buildings.

- Outside Loudspeakers.
Outside speakers are provided by the scale facilities and the storage building. Normal communication is by cell phones and/or walkie-talkies.
- Proposed signs
The quarry area is fenced with woven wire with a single strand barbed wire top wire with warning signs placed. Signs indicate "SURFACE MINERAL EXTRACTION SITE – NO TRESPASSING."
- Trash removal
Trash removal is provided by local haulers under contracted services. Existing trash bins are located in designated areas.

RESPONSE TO SIX STANDARDS OF A CONDITIONAL USE PERMIT

- 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.

Access is through the main entrance to Madison Crushing & Excavating, Inc., facilities. Two additional access driveways are used occasionally on the sites. All driveway entrances are gated. The current use of a portion of the property is as a stone and gravel quarry. The two CUPs will allow the quarry operations to continue. Reiner Road right-of-way borders the eastern side of the site. Burke Road right-of-way and two residential properties border the northern portion of the site. A cemetery and agricultural lands border the western portion of the property. Quarry owners control the agricultural lands to the south. Screening berms and on-site soil stockpiles screen the active area of the quarry.

- 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.

The quarry operations will not prevent the uses, values and enjoyment of other property in the neighborhood for purposes already permitted and in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use. Reiner Road and Burke Road border the eastern and northern boundary, respectively. The neighboring properties are used for private residences, agricultural fields and a cemetery. The current use of the property is as a stone and gravel quarry. The CUPs will allow the quarry operations to continue.

- 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.

The quarry operations will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The neighboring properties are used for private residences, agricultural fields and a cemetery. Lands on the North and East boundary are public right-of-ways for Burke Road and Reiner Road respectively. The existing Reclamation Plan, dated 2005, provides the final anticipated use of the site. The Reclamation Plan is being updated as part of this application. As part of the CUPs application, the drawings of the reclamation plan are on file with Dane County and indicate current conditions. A Stormwater & Erosion Control Plan was prepared for the Northern Expansion area. The Stormwater & Erosion Control Plan will be renewed as part of this application. Existing storm water runoff is directed internally to the lower elevations of the quarry. Development of the Northern Expansion Area will direct runoff internally toward the quarry operations. The CUPs will allow the quarry operations to continue. The neighboring properties are used for private residences, agricultural fields and a cemetery. The stormwater and erosion control measures have been implemented for the non-conforming area and expired CUP areas of the site.

- 4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
 Adequate utilities, access roads, drainage and other site improvements are in-place and will continue to be developed as the quarry operations are developed. Ongoing site improvements include stormwater controls within the active quarry area and the quarry access drive. The current use of a portion of the property is as a stone and gravel quarry. The CUPs will allow the quarry operations to continue. Infrastructure improvements, buildings, utilities, drainage, etc, are in place. Stormwater runoff for the Northern Expansion area will be directed internally to the quarry area.
- 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.
 Access is by the existing paved driveway onto the property. Currently there are three driveway locations on the property. The main entrance is located in the non-conforming of the site. A driveway entrance to Lot 1, CSM 10265 located along the northern portion of the site, and a driveway entrance to a single family rental house located in the South Pit Area (expired CUP area #1672). All driveways are located off Reiner Road and are gated at the active quarry areas. No additional driveway improvements are required or planned. The current use of a portion of the property is as a stone and gravel quarry. The CUPs will allow the quarry operations to continue. Current ingress and egress will be used.
- 6) That the conditional use shall conform to all applicable regulations of the district in which it is located.
 The conditional use will conform to all applicable regulations of the district including: Dane County Code of Ordinances Section 10.194; DNR standards for particulate emissions Wisconsin Administration Code NR 145; Blasting regulations incorporated in Comm. 7.64(4) Wisconsin Administrative Code, and the standards of the United States Department of the Interior Bureau of Mines; Stormwater and Erosion Control requirements of Chapter 14, Dane County Code of Ordinances. This CUP application is being submitted simultaneously to the Town of Burke.

ATTACHMENT A
Submittal Requirements for a CUP for Mineral Extraction

The following are responses to Dane County Conditional Use Permit – Mineral Extraction Application Checklist.

1) Legal Description

See attached Mineral Extraction Boundary Map prepared by Birrenkott Surveying Inc, Sun Prairie, WI. The map shows boundary area for the entire extraction area. The map references expired CUPs #1672 (South Pit Area) and #1993, (Northern Expansion Area.) The SE 1/4 of the NE 1/4 of Section 26, T8N, R10E, Town of Burke is the non-conforming portion of the site. Legal description of the property are provided below:

✓ a. Mineral Extraction Boundary Map Description:

Part of the Northeast 1/4 of the Northeast 1/4 and a part of the Southeast 1/4 of the Northeast 1/4 and a part of the Northeast 1/4 of the Southeast 1/4 including all of Lot 1 of Certified Survey Map No.10265 all in Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the East 1/4 Corner of said Section 26; thence S89°41'19"W, 33.01 feet to a point on the West right of way line of Reiner Road and the point of beginning; thence along said West right of way line S00°28'06"W, 1000.00 feet; thence S89°45'21"W, 1285.82 feet to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 26; thence N00°28'19"E, 1000.00 feet along said West line to the Southwest corner of the Southeast 1/4 of the Northeast 1/4; thence N00°44'17"E (recorded as N00°21'34"E), 2616.13 feet along the West line of the East 1/2 of the Northeast 1/4 to a point on the South right of way line of Burke Road; thence N89°27'45"E (recorded as N89°28'57"E), 964.12 feet along said South right of way line;

thence S00°32'40"E (recorded as S00°55'21"E), 419.38 feet; thence N89°27'45"E (recorded as N89°05'04"E), 295.33 feet to a point on the West right of way line of Reiner Road also being the Northeast corner of Lot 1 of Certified Survey Map No. 10265; thence S00°59'51"W (recorded as S00°37'10"W), 290.00 feet along the West line of said Lot 1 to the Southwest corner of said Lot 1; thence N89°27'45"E (recorded as N89°05'04"E) 27.00 feet to a point on the West right of way line of Reiner Road, thence S00°59'51"W (recorded as S00°37'10"W), 1913.46 feet along said West right of way line to the point of beginning, containing 4,523,392 Sq. Feet or 103.84 Acres more or less.

✓b.

Mineral Extraction Northern Expansion Area Boundary Description:

All of Lot 1 of Certified Survey Map No.10265 recorded as Document No. 3415619, volume 60, Page 153 of Dane County Certified Survey Maps and a part of the Northeast 1/4 of the Northeast 1/4, Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the Northeast Corner of said Section 26; thence S89°27'38"W, 367.60 feet along the North line of said Northeast 1/4 of the Northeast 1/4; thence S00°32'40"E, 40.00 feet to a point on the South right of way line of Burke Road and the point of beginning; thence S00°32'40"E (recorded as S00°55'21"E), 419.38 feet; thence N89°27'45"E (recorded as N89°05'04"E), 295.33 feet to the Northeast corner of Lot 1 of Certified Survey Map No. 10265 also being a point on the West right of way line of Reiner Road; thence S00°59'51 "W, 290.00 feet along said West right of way line to the Southeast corner of said Lot 1; thence N89°27'45"E, 27.00 feet to a point on the West right of way line of Reiner Road, thence S00°59'51"W (recorded as S00°37'10"W), 582.44 feet along said West right of way line to the Southeast corner of the Northeast 1/4 of the Northeast 1/4; thence S88°21'40"W, 1301.60 feet along the South line of the Northeast 1/4 of the Northeast 1/4 to the Southwest 1/4 corner of the Northeast 1/4 of the Northeast 1/4; thence N00°44'17"E, 1308.22 feet along the West line of the Northeast 1/4 of the Northeast 1/4 to a point on the South right of way line of Burke Road; thence, N89°27'45"E, 964.12 feet along said South line to the point of beginning, containing 1,522,801 Sq. Feet 34.96 Acres more or less.

EXCEPT
LOT 1
OF
CSM 10265

✓c.

Mineral Extraction South Pit Area Boundary Map Description:

Part of the Northeast 1/4 of the Northeast 1/4 and a part of the Southeast 1/4 of the Northeast 1/4 and a part of the Northeast 1/4 of the Southeast 1/4 all in Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the East 1/4 Corner of said Section 26; thence S89°41'19"W, 33.01 feet to a point on the West right of way line of Reiner Road and the point of beginning; thence along said West right of way line S00°28'06"W, 1000.00 feet; thence S89°45'21"W, 1285.82 feet to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 26; thence N00°28'19"E, 1000.00 feet along said West to the Southwest corner of the Southeast 1/4 of the Northeast 1/4; thence N89°45'19"E, 1285.73 feet along the North line of the Northeast 1/4 of the Southeast 1/4 to a point of beginning, containing 1,285,676 Sq. Feet or 29.52 Acres more or less.

✓d.

Mineral Extraction Non-conforming Area Boundary Map Description:

All of the Southeast 1/4 of the Northeast 1/4 all in Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the East 1/4 Corner of said Section 26; thence S89°41'19"W, 33.01 feet to a point on the West right of way line of Reiner Road and the point of beginning; thence along said West right of way line N00°59'51"E, 1331.02 feet; to the Northeast corner of the Southeast 1/4 of the Northeast 1/4; thence S88°21'40"W, 1301.60 feet to the Northwest corner of the Southeast 1/4 of the Northeast 1/4; thence S00°44'17"W, 1307.91 feet along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 26 to the Southwest corner of the Southeast 1/4 of the Northeast 1/4; thence N89°45'19"E, 1285.73 feet along the South line of the Southeast corner of the Northeast 1/4 to a point of beginning, containing 1,714,769 Sq. Feet or 39.37 Acres more or less.

- e. Tax parcel numbers
 - Northern Expansion Area (NE 1/4 – NE 1/4)
 - Parcel Number: 014/0810-261-8041-0
 - ~~Parcel Number: 014/0810-261-8430-0 (Lot 1 CSM 10265)~~
 - Non-conforming Area (Main Pit Area SE 1/4 – NE 1/4)
 - Parcel Number 014/0810-261-9501-4
 - Parcel Number 014/0810-261-9830-6
 - Parcel Number 014/0810-261-9840-4

- South Pit Area (NE 1/4 – SE 1/4)
 - Parcel Number: 014/0810-264-8001-8

2) Written Statement that includes the following:

a. General Description of the Operation.

The current use of the property is as a stone and gravel quarry and agricultural fields. The proposed CUPs will allow the quarry operations to continue. The site was granted a CUP in 1989 (CUP # 643), 1994 (CUP # 1159), 2000 (CUP # 1642) and 2005 (CUP #1993). CUP # 1993 is attached. The proposed use of the site is expansion of the existing stone and gravel quarry.

Mining of the limestone bedrock will occur in a single phase. The mining operations will continue along the north face of the Northern Expansion Area from the center of the extraction area and will excavate the exposed working faces, extracting down and into bedrock towards the property boundary or until the excavation reaches the desired final grades.

Hardpan and other unsuitable material encountered during the mining operation, along with clean uncontaminated fill, are stockpiled to provide a source of backfill material during final reclamation activities.

b. Existing uses of the land.

The neighboring properties are used for private residences, agricultural fields and a cemetery. The current use of a portion of the property is as a stone and gravel quarry. The CUPs will allow the quarry operations to continue.

c. Existing natural features including depth to ground water.

Wisconsin Geologic and Natural History Survey (WGNHS) Report #HA-360 gives an overview of the bedrock and glacial geology. Regionally, unconsolidated deposits of glacial origin consisting of till, outwash, and glacial lake sediments cover the area, often to a thickness of several hundred feet. Bedrock consists of Cambrian sandstones overlain in some areas by Ordovician dolomites. Precambrian bedrock lies under the sandstone at depths of greater than 500 feet. Cambrian sandstone of the St. Peter Group underlies the dolomite.

The WGNHS indicates quarry operations are mostly bedrock of the St. Peter Sandstone and the Prairie du Chien group consisting mostly of dolomite. The WGNHS indicates thicknesses up to 350 and 250 feet, respectively.

Wisconsin Geologic and Natural History Survey (WGNHS) Report #HA-360 gives an overview of the regional groundwater regime. Depth to groundwater in the area of the mining operation is typically less than 150 feet according to the WGNHS report. This is supported by mining operations, with depths of approximately 70 feet and not encountering ground water.

Groundwater moves away from high points on the potentiometric surface and discharges into lakes, streams, wetlands and areas of pumpage. Flow paths are short.

The mining operation will be conducted above the groundwater table with a buffer of at least 5 feet.

- d. Types and quantities of materials that will be extracted.
Sand and gravel material is derived from crushed limestone bedrock. The CUPs will allow extraction of materials at this site as well as production stockpiles. The limestone will be mined until the area extends to the limits of the CUP area.
- Hardpan and other unsuitable material encountered during the mining operation, along with clean uncontaminated fill, are stockpiled to provide a source of backfill material during final reclamation activities.
- e. Proposed dates to begin extraction, end extraction and complete reclamation.
Initial extraction began in 1989. CUP permits have been renewed to continue mineral extraction. Rate of extraction is dependent on demand and market conditions. After mineral extraction the site will be graded and restored as open space. A reclamation plan has been prepared and will be followed. Extraction period is for 90 years. Attached drawings indicate the general contours anticipated during the restoration process.
- f. Proposed hours and days of operation.
Hours of operation shall be as follows:
- a. Operations, excluding blasting, may begin at 6:00 am Monday -Saturday.
 - b. Blasting may begin at 7:00 am Monday -Saturday.
 - c. Drilling, blasting and crushing shall cease at 7:00 pm Monday -Friday and at 12:00 noon on Saturday.
 - d. Equipment and vehicles not involved in quarry operations may enter and leave the site outside of the stated hours of operations. Non-quarrying supplies and equipment may be loaded and unloaded from vehicles; and equipment and vehicles may be repaired and maintained outside the stated hours of operation. Some equipment warm up and cool down time may also be allowed.
- g. Geologic composition and depth of the mineral extraction.
Based on existing mining operations, anticipated depth of limestone extraction is up to 100 feet.
- h. Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.
Truck ingress and egress will be from Reiner Road following major truck routes to and from destination job sites.
- i. Proposed phasing plan.
The Northern Expansion Area will be completed in one phase extending the north wall north to extraction limits. Topsoil will be used to create a screening berm around the perimeter of the site for screening and storm water / snow melt runoff control. Overburden material will be stockpiled on-site for use during reclamation. A portion of the area will be used for screening and stockpiling material.
- The Non-conforming (Main Pit) area will continue to be used to process and stockpile aggregate for use.
- The South Pit area will be used to stock pile and process material.
- j. Types, quantities, and frequency of use of equipment to extract, process and haul.
Equipment used includes equipment used for stripping, drilling, blasting, crushing, washing, stockpiling, loading, scaling, and loading materials. Said equipment includes, but not limited to,

graders, front-end loaders, back hoes, haul trucks, conveyors, screening equipment, scales, general site maintenance equipment. Frequency will depend on market demand. All operations will occur during normal operating hours.

- k. Frequency of blasting, drilling, mining, crushing, screening, washing, refueling.
All of the above activities may be performed during the mining operations. Blasting, if performed will be done in accordance will appropriate regulations.
- l. Bulk fuel storage.
There are two (2) 10,000-gallon and one (1) 1,000-gallon bulk storage fuel tanks on site. Secondary containment is provided. Guard posts are provided around the tank area.
- m. Asphalt batching or concrete mixing.
The facility does not provide asphalt batching or concrete mixing at this location.
- n. Proposed storage of recycled materials.
Recycled concrete is stored on-site for use in projects and/or site reclamation areas.
- o. Does extraction occur below the water / protection of groundwater.
Extraction does not occur below groundwater elevations. Storm water collection areas are a minimum of five feet above groundwater elevations.
- p. Permanent or temporary structures.
~~Northern Expansion Area – A storage shed is located on Lot 1, CSM 10265. See attached drawings.~~

Non-conforming Area - Permanent structures include an office building housing administrative offices and equipment maintenance/storage building, scale facilities and fuel storage tanks, as well outside storage yard area for equipment and employee parking. See attached drawings.

South Pit Area – A house is located on the east side of the area and rented out by the owner. The remainder of the South Pit area is used for processing and stockpiling material. See attached drawings.

- q. Spill prevention and or dust control.
The operator will take whatever measures are available for spill prevention and control, dust control, transportation, or environmental protection.
- r. Proposed use after final reclamation as consistent with Ch 74 Separate checklist for reclamation permit.
The proposed use after operations will be consistent with Chapter 74.
A reclamation plan has been prepared for the site. Final use is anticipated to be for the expansion area is open space.

ATTACHMENT B

Submittal Requirements for a CUP for Mineral Extraction

The following are responses to Dane County Ordinance Section 10.191 Procedures of Operation For Mineral Extraction Operations.

(2)(a) Legal Description

- 1. Description of Property and Location
Mineral Extraction Boundary Map Description:

Part of the Northeast 1/4 of the Northeast 1/4 and a part of the Southeast 1/4 of the Northeast 1/4 and a part of the Northeast 1/4 of the Southeast 1/4 including all of Lot 1 of Certified Survey Map No.10265 all in Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the East 1/4 Corner of said Section 26; thence S89o41'19"W, 33.01 feet to a point on the West right of way line of Reiner Road and the point of beginning; thence along said West right of way line S00o28'06"W, 1000.00 feet; thence S89o45'21"W, 1285.82 feet to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 26; thence N00o28'19"E, 1000.00 feet along said West line to the Southwest corner of the Southeast 1/4 of the Northeast 1/4; thence N00o44'17"E (recorded as N00o21'34"E), 2616.13 feet along the West line of the East 1/2 of the Northeast 1/4 to a point on the South right of way line of Burke Road; thence N89o27'45"E (recorded as N89o28'57"E), 964.12 feet along said South right of way line; thence S00o32'40"E (recorded as S00o55'21"E), 419.38 feet; thence N89o27'45"E (recorded as N89o05'04"E), 295.33 feet to a point on the West right of way line of Reiner Road also being the Northeast corner of Lot 1 of Certified Survey Map No.1 0265; thence S00o59'51"W (recorded as S00o37'10"W), 290.00 feet along the West line of said Lot 1 to the Southwest corner of said Lot 1; thence N89o27'45"E (recorded as N89o05'04"E) 27.00 feet to a point on the West right of way line of Reiner Road, thence S00o59'51"W (recorded as S00"37'10"W), 1913.46 feet along said West right of way line to the point of beginning, containing 4,523,392 Sq. Feet or 103.84 Acres, more or less.

Mineral Extraction Northern Expansion Area Boundary Description:

All of Lot 1 of Certified Survey Map No.10265 recorded as Document No. 3415619, volume 60, Page 153 of Dane County Certified Survey Maps and a part of the Northeast 1/4 of the Northeast 1/4, Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the Northeast Corner of said Section 26; thence S89o27'38"W, 367.60 feet along the North line of said Northeast 1/4 of the Northeast 1/4; thence S00o32'40"E, 40.00 feet to a point on the South right of way line of Burke Road and the point of beginning; thence S00o32'40"E (recorded as S00o55'21"E), 419.38 feet; thence N89o27'45"E (recorded as N89o05'04E), 295.33 feet to the Northeast corner of Lot 1 of Certified Survey Map No. 10265 also being a point on the West right of way line of Reiner Road; thence S00o59'51 "W, 290.00 feet along said West right of way line to the Southeast corner of said Lot 1; thence N89o27'45"E, 27.00 feet to a point on the West right of way line of Reiner Road, thence S00o59'51"W (recorded as S00"37'10"W), 582.44 feet along said West right of way line to the Southeast corner of the Northeast 1/4 of the Northeast 1/4; thence S88o21'40"W, 1301.60 feet along the South line of the Northeast 1/4 of the Northeast 1/4 to the Southwest 1/4 corner of the Northeast 1/4 of the Northeast 1/4; thence N00o44'17"E, 1308.22 feet along the West line of the Northeast 1/4 of the Northeast 1/4 to a point on the South right of way line of Burke Road; thence, N89o27'45"E, 964.12 feet along said South line to the point of beginning, containing 1,522,801 Sq. Feet or 34.96 Acres, more or less.

EXCEPT
Lot 1
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Mineral Extraction South Pit Area Boundary Map Description:

Part of the Northeast 1/4 of the Northeast 1/4 and a part of the Southeast 1/4 of the Northeast 1/4 and a part of the Northeast 1/4 of the Southeast 1/4 all in Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the East 1/4 Corner of said Section 26; thence S89o41'19"W, 33.01 feet to a point on the West right of way line of Reiner Road and the point of beginning; thence along said West right of way line S00o28'06"W, 1000.00 feet; thence S89o45'21"W, 1285.82 feet to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 26; thence N00o28'19"E, 1000.00 feet along said West to the Southwest corner of the Southeast 1/4 of the Northeast 1/4; thence N89o45'19"E, 1285.73 feet along the North line of the Northeast 1/4 of the Southeast 1/4 to a point of beginning, containing 1,285,676 Sq. Feet or 29.52 Acres, more or less.

Mineral Extraction Non-conforming Area Boundary Map Description:

All of the Southeast 1/4 of the Northeast 1/4 all in Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the East 1/4 Corner of said Section 26; thence S89°41'19"W, 33.01 feet to a point on the West right of way line of Reiner Road and the point of beginning; thence along said West right of way line N00°59'51"E, 1331.02 feet; to the Northeast corner of the Southeast 1/4 of the Northeast 1/4; thence S88°21'40"W, 1301.60 feet to the Northwest corner of the Southeast 1/4 of the Northeast 1/4; thence S00°44'17"W, 1307.91 feet along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 26 to the Southwest corner of the Southeast 1/4 of the Northeast 1/4; thence N89°45'19"E, 1285.73 feet along the South line of the Southeast corner of the Northeast 1/4 to a point of beginning, containing 1,714,769 Sq. Feet or 39.37 Acres more or less.

2. The area of the Northern Expansion Area is 1,522,801 Sq. Feet or 34.96 Acres, more or less. The area of the South Pit Area is 1,285,676 Sq. Feet or 29.52 Acres, more or less.

(2)(b) Tax parcel number

Northern Expansion Area (NE 1/4 – NE 1/4)

Parcel Number: 014/0810-261-8041-0

~~Parcel Number: 014/0810-261-8430-0 (Lot 1CSM-10265)~~

Non-conforming Area (Main Pit Area SE 1/4 – NE 1/4)

Parcel Number 014/0810-261-9501-4

Parcel Number 014/0810-261-9830-6

Parcel Number 014/0810-261-9840-4

South Pit Area (NE 1/4 – SE 1/4)

Parcel Number: 014/0810-264-8001-8

(2)(c) Written Statement that includes the following:

1. General Description of the Operation.

The current use of the property is as a stone and gravel quarry and agricultural fields. The proposed CUPs will allow the quarry operations to continue. The site was granted a CUP in 1989 (CUP # 643), 1994 (CUP # 1159), 2000 (CUP # 1642) and 2005 (CUP #1993). CUP # 1993 is attached. The proposed use of the site is expansion of the existing stone and gravel quarry.

Mining of the limestone bedrock will occur in a single phase. The mining operations will continue along the north face of the Northern Expansion Area from the center of the extraction area and will excavate the exposed working faces, extracting down and into bedrock towards the property boundary or until the excavation reaches the desired final grades.

Hardpan and other unsuitable material encountered during the mining operation, along with clean uncontaminated fill, are stockpiled to provide a source of backfill material during final reclamation activities.

2. Existing uses of the land.

The neighboring properties are used for private residences, agricultural fields and a cemetery. The current use of a portion of the property is as a stone and gravel quarry. The CUPs will allow the quarry operations to continue.

3. Existing natural features including depth to ground water.

Wisconsin Geologic and Natural History Survey (WGNHS) Report #HA-360 gives an overview of the bedrock and glacial geology. Regionally, unconsolidated deposits of glacial origin

consisting of till, outwash, and glacial lake sediments cover the area, often to a thickness of several hundred feet. Bedrock consists of Cambrian sandstones overlain in some areas by Ordovician dolomites. Precambrian bedrock lies under the sandstone at depths of greater than 500 feet. Cambrian sandstone of the St. Peter Group underlies the dolomite.

The WGNHS indicates quarry operations are mostly bedrock of the St. Peter Sandstone and the Prairie du Chien group consisting mostly of dolomite. The WGNHS indicates thicknesses up to 350 and 250 feet, respectively.

Wisconsin Geologic and Natural History Survey (WGNHS) Report #HA-360 gives an overview of the regional groundwater regime. Depth to groundwater in the area of the mining operation is typically less than 150 feet according to the WGNHS report. This is supported by mining operations, with depths of approximately 70 feet and not encountering ground water.

Groundwater moves away from high points on the potentiometric surface and discharges into lakes, streams, wetlands and areas of pumpage. Flow paths are short.

The mining operation will be conducted above the groundwater table with a buffer of at least 5 feet.

4. Types and quantities of materials that will be extracted.
Sand and gravel material is derived from crushed limestone bedrock. The CUPs will allow extraction of materials at this site as well as production stockpiles. The limestone will be mined until the area extends to the limits of the CUP area.

Hardpan and other unsuitable material encountered during the mining operation, along with clean uncontaminated fill, are stockpiled to provide a source of backfill material during final reclamation activities.
5. Proposed dates to begin extraction, end extraction and complete reclamation.
Initial extraction began in 1989. CUP permits have been renewed to continue mineral extraction. Rate of extraction is dependent on demand and market conditions. After mineral extraction the site will be graded and restored as open space. A reclamation plan has been prepared and will be followed. Extraction period is for 90 years. Attached drawings indicate the general contours anticipated during the restoration process.
6. Proposed hours and days of operation.
Hours of operation shall be as follows:
 - a. Operations, excluding blasting, may begin at 6:00 am Monday -Saturday.
 - b. Blasting may begin at 7:00 am Monday -Saturday.
 - c. Drilling, blasting and crushing shall cease at 7:00 pm Monday -Friday and at 12:00 noon on Saturday.
 - d. Equipment and vehicles not involved in quarry operations may enter and leave the site outside of the stated hours of operations. Non-quarrying supplies and equipment may be loaded and unloaded from vehicles; and equipment and vehicles may be repaired and maintained outside the stated hours of operation. Some equipment warm up and cool down time may also be allowed.
7. Geologic composition and depth of the mineral extraction.
Based on existing mining operations, anticipated depth of limestone extraction is up to 100 feet.
8. Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.

Truck ingress and egress will be from Reiner Road following major truck routes to and from destination job sites. See attached drawing for site access routes and driveway locations.

9. Proposed phasing plan.

The Northern Expansion area will be completed in one phase extending the north wall north to extraction limits. Topsoil will be used to create and screen berm around the perimeter of the site for screening and storm water / snow melt runoff control. Overburden material will be stockpiled on-site for use during reclamation.

The Non-conforming pit and south pit area Main Pit area will continue to be used to process and stockpile aggregate for use.

10. Types, quantities, and frequency of use of equipment to extract, process and haul.

Equipment used includes equipment used for stripping, drilling, blasting, crushing, washing, stockpiling, loading, scaling, and loading materials. Said equipment includes, but not limited to, graders, front-end loaders, back hoes, haul trucks, conveyors, screening equipment, scales, general site maintenance equipment. Frequency will depend on market demand. All operations will occur during normal operating hours.

11. Frequency of blasting, drilling, mining, crushing, screening, washing, refueling.

All of the above activities may be performed during the mining operations. Blasting, if performed will be done in accordance with appropriate regulations.

a. Bulk fuel storage.

There are two (2) 10,000-gallon and one (1) 1,000-gallon bulk storage fuel tank on site. Secondary containment is provided. Guard posts are provided around the tank area.

b. Asphalt batching or concrete mixing.

The facility does not provide asphalt batching or concrete mixing at this location.

c. Proposed storage of recycled materials.

Recycled concrete is stored on-site for use in projects and/or site reclamation areas.

12. Does extraction occur below the water / protection of groundwater.

Extraction does not occur below groundwater elevations. Storm water collection areas are a minimum of five feet above groundwater elevations.

13. Permanent or temporary structures.

Northern Expansion Area - A storage shed is located on Lot 1, CSM 10265. See attached drawings.

Non-conforming Area - Permanent structures include an office building housing administrative offices and equipment maintenance/storage building, scale facilities and fuel storage tanks, as well as outside storage yard area for equipment and employee parking. See attached drawings.

South Pit Area – A house is located on the east side of the area and rented out by the owner. The remainder of the South Pit area is used for processing and stockpiling material. See attached drawings.

14. Spill prevention and or dust control.

The operator will take whatever measures are available for spill prevention and control, dust control, transportation, or environmental protection.

15. Proposed use after final reclamation as consistent with Ch 74 Separate checklist for reclamation permit.
The proposed use after operations will be consistent with Chapter 74.
A reclamation plan has been prepared for the site. Final use is anticipated to be for the expansion area is open space.

(2)(d) A **Site/Operations Plan** drawing is attached, showing the overall layout of the facility: internal drives, processing areas, stockpiles, and building located on the site.

Additional items submitted with application

- 1) Mineral Extraction Boundary Map prepared by Birrenkott Surveying, Inc., Sun Prairie, WI
See attached drawing.
- 2) Update Stormwater Management and Erosion Control Plan
Attached.
- 3) Notification to Town Board
This CUP Application is being submitted simultaneously to the Town of Burke.
- 4) Notification to Town Board Filing Fee
The filing fee will be paid at the time this application is submitted.

JDB/jdb/JDB

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