

Dane County Conditional Use Permit Application

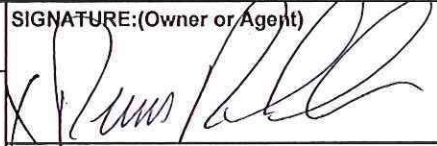
Application Date	C.U.P Number
10/14/2015	DCPCUP-2015-02333
Public Hearing Date	
12/22/2015	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME JOAN L VOLENBERG	Phone with Area Code	AGENT NAME RG HUSTON CO.	Phone with Area Code (608) 255-9223
BILLING ADDRESS (Number, Street) 2315 COUNTY HIGHWAY W		ADDRESS (Number, Street)	
(City, State, Zip) CAMBRIDGE, WI 53523		(City, State, Zip) Cottage Grove, WI 53527	
E-MAIL ADDRESS		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
North of 2315 CTH W					
TOWNSHIP CHRISTIANA	SECTION 19	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0612-192-8000-6		---		---	

CUP DESCRIPTION
Mineral Extraction

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.123(3)(d)	73.2

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials DJE1	SIGNATURE: (Owner or Agent) 
		PRINT NAME: Dennis Richardson
		DATE: 10/14/15

COMMENTS: MINERAL EXTRACTION

DANE COUNTY
CONDITIONAL USE PERMIT #1880

★ SEE POSSIBLE
AMENDED CONDITIONS

THE ZONING AND NATURAL RESOURCES COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT: The Conditional Use Permit subject to conditions.

FOR: Mineral Extraction Site.

EFFECTIVE DATE OF PERMIT 3/23/04 EXPIRATION DATE: (See below)

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

Part of the NW 1/4 of the NW 1/4 and the NE 1/4 of the NW 1/4, all in Section 10, Town of Christiana described as follows: Beginning at the Northwest corner of said Section 19; thence along the North line of the said NW 1/4, N89°59'38" East, 2508.85 feet to the North quarter corner of said Section 19; thence along the East line of the said NW 1/4, Southerly, 1326.2 feet, more or less, to the Southeast corner of the NE 1/4 of the NW 1/4 of said Section 19; thence along the South line of the NW 1/4 of the NW 1/4 and the NE 1/4 of the NW 1/4 of said Section 19, Westerly, 2540 feet; more or less, to the West line of the NW 1/4 of said Section 19; thence along the said West line, N01°21'06" East, 721 feet, thence N89°57'04" East, 324.00 feet; thence N01°21'06" East, 300.00 feet; thence S89°57'04" West, 324.00 feet to the West line of the NW 1/4 of said Section 19; thence along the said West line N01°21'06" East, 304.78 feet to the point of beginning.

CONDITIONS:

These conditions are specifically made applicable to this permit, any violation of such conditions shall be sufficient grounds for revocation of this permit.

- 1) Driveway needs to be moved to top of the hill for a clear line of sight.
- 2) The applicant shall submit an erosion control plan covering the entire proposed site for the duration of operations, and receive approval of an erosion control permit from the Dane County Land Conservation Department prior to commencing extraction operational.
- 3) The applicant shall apply for and receive all other required local, state and federal permits.

- 4) The operator shall develop and operate the site according to the site/operations and sequencing plan that is part of the application.
- 5) Reclamation shall meet the requirements of Chapter 74 of the Dane County Code of Ordinances.
- 6) The driveway accessing the site shall be paved. The operator shall maintain the driveway in a dust free manner in accordance with local, state and federal regulations and shall clean any dust or mud traced onto public roads.
- 7) The operator and all haulers shall access the site only through the single access point on CTH W as described in the operational plan.
- 8) The access to the driveway shall have gates securely locked when the site is not in operation. The site shall be signed "No Trespassing."
- 9) The permit holders shall comply with all federal and state blasting and safety laws, ordinances and regulations at all times, including Wisconsin Department of Commerce Chapter 7.
- 10) All blasting shall take place between the hours 8 a.m. to 3 p.m. from Monday to Friday, No blasting shall occur on holidays.
- 11) Pre-blast inspections of homes close to the blasting area shall take place prior to the initial blasting. (All homes within a one mile radius of the pit will be inspected prior to the opening of the pit and any damages to these homes will be the responsibility of Sun Prairie Sand and Gravel.)
- 12) No water shall be removed from the site.
- 13) No bulk fuel will be stored in any permanent tanks on site.
- 14) The operator will require that all trucks and excavation equipment have muffler systems that meet or exceed the current industry standards for noise abatement.

~~The applicant or its customers hauling material from the site will use no Jake brakes.~~
- 15) The Zoning Administrator or designee may enter the premises in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Unless the operation is in reasonable compliance with these conditions of approval such approval is subject to amendment or revocation. Any one inspecting the property will be escorted by Sun Prairie Sand and Gravel staff and will comply with all safety rules.
- 16) The Town of Christiana may request documentation of the Dane County annual site inspections and permit renewal from Dane County Land Conservation.
- 17) A 48-hour notice will be made to all residences/businesses within a one-mile radius of the pit prior to any blasting.
- 18) Water flow-study by Dane County Land Conservation Department.

- 19) No dumping garbage, concrete-only good material (reclaiming) in pit.
- 20) No truck going north or coming from the north on highway W.
- 20 YRS. ~~21)~~ Ten (10) year Conditional Use Permit then review.
- 22) Hours for operation 7 a.m.-6 p.m. 6:00-6:00 M-SAT
- 23) No use of local roads either empty or full loads unless applicant or customers are serving a resident on the local road. All other use of local roads required the town board approval.

THE ZONING AND NATURAL RESOURCES COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDING OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
 2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance and operation of the proposed conditional use.
 3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
-
4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
 5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.

EXPIRATION OF PERMIT

Section 10.25(2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.



October 14, 2015

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

Attn: Dan Everson, Zoning Inspector

**RE: Conditional Use Application for Mineral Extraction Site
(i.e. Time extension for existing CUP #1880 – Volenberg Quarry/Pit in Town of
Christiana)**

Dan:

R.G. Huston Company, Inc. would like to apply for a time extension for our Volenberg Quarry/Pit - Mineral Extraction Site (2315 CTH 'W' – Township of Christiana). In doing so, we realize we need to apply for another CUP.

The site is an existing limestone and sand/gravel mineral extraction operation permitted originally with CUP #1880 along with Reclamation Permit #37. The current reclamation plan calls for the site to be restored as agricultural land use.

Based on current resources we are requesting the new CUP to allow for mining to be completed twenty (20) years from approval date of this new CUP. Reclamation would then be completed within one (1) year after the mining completion date.

We would propose to continue to operate under the attached CUP conditions that we have been following. The erosion control and storm water management plan that is currently in place and working will be updated with Dane County Land Conservation concurrently with this CUP submittal. The reclamation plan that was submitted and approved would not change.

We have included with this application letter the required Dane County Planning and Development Conditional Use Application form filled out along with the required legal description, location map, site map, existing operations plan, existing contours/screening & berming map, land use & zoning map, and a reclamation plan.

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

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

Sincerely,

Dennis Richardson, PE

Sr. Engineer/Safety Director/EEO-AA Officer



DANE COUNTY
PLANNING DEVELOPMENT

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

Conditional Use Application

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

Items required to be submitted with application:

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

Owner	<u>Joan Volenberg</u>	Agent	<u>Dennis Richardson - R.G.Huston Co., Inc.</u>
Address	<u>2315 CTH 'W'</u>	Address	<u>2561 Coffeytown Road</u>
Phone	<u>Cambridge, WI 53523</u>	Phone	<u>Cottage Grove, WI 53527</u>
Email	<u></u>	Email	<u>608-255-9223</u>
			<u>dennis@rghuston.com</u>

Parcel numbers affected: 016/0612-192-8000-6 Town: Christiana Section: 19
016/0612-192-8501-0 Property Address: 2315 CTH 'W'

Existing/ Proposed Zoning District : Existing/Proposed Zoning: A-1(EX)

- o Type of Activity proposed: Continuation of existing mineral extraction operation.
- o Hours of Operation Existing hours of Mon - Sat 6am to 6pm (excluding holidays).
- o Number of employees 1 to 3 on average when operating.
- o Anticipated customers R.G. Huston Co., County, Township(s), local contractors, etc.
- o Outside storage Typical stockpiles and mining equipment.
- o Outdoor activities Typical mining operations - crushing, screening, stockpiling, etc.
- o Outdoor lighting Lights on equipment if needed - in rare cases a portable light plant.
- o Outside loudspeakers N/A
- o Proposed signs Company sign at gate and MSHA required signs on site.
- o Trash removal No scheduled pickups - done by employees as needed.
- o Six Standards of CUP (see back)

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

Submitted By: Dennis Richardson, PE - R.G. Huston Company, Inc.

Date: 10-14-2015

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.
This is a continuation of an existing mineral extraction operation that has been in operation since 2004 (CUP 1880) and transferred over to RG Huston Company in 2011 for operating. There has been no issues with public health, safety, comfort or general welfare while under our care.
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.
This is the continuation of an existing mineral extraction operation that has been in operation since 2004 (CUP 1880) and transferred over to RG Huston Company in 2011 for operating. The uses, values and enjoyment of the surrounding properties will continue to be maintained and not substantially impaired or diminished by the continued operation of the mineral extraction operation.
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.
This is the continuation of an existing mineral extraction operation that has been in operation since 2004 (CUP 1880) and transferred over to RG Huston Company in 2011 for operating. The normal and orderly development and improvement of the surrounding properties for permitted uses in the district has not been impeded and will not be impeded.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
This is the continuation of an existing mineral extraction operation that has been in operation since 2004 (CUP 1880) and transferred over to RG Huston Company in 2011 for operating. All utilities, access road, drainage and other necessary site improvements have already been established previously and will be maintained as needed by RG Huston Company.
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.
This is the continuation of an existing mineral extraction operation that has been in operation since 2004 (CUP 1880) and transferred over to RG Huston Company in 2011 for operating. The existing mineral extraction entrance onto CTH 'W' is already paved and has worked properly since 2004.
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.
This is the continuation of an existing mineral extraction operation that has been in operation since 2004 (CUP 1880) and transferred over to RG Huston Company in 2011 for operating. The operation shall continue to follow and abide by all applicable regulations.



**VOLENBERG MINERAL EXTRACTION SITE
LEGAL DESCRIPTION**

Parcel #: 016/0612-192-8501-0 (33.087 Acres) & 016/0612-192-8000-6 (40.200 Acres)

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

Beginning at the Northwest corner of said Section 19; thence along the North line of the said NW $\frac{1}{4}$, N89°59'38" East, 2508.85 feet to the North quarter corner of said Section 19; thence along the East line of the said NW $\frac{1}{4}$, Southerly, 1326.2 feet, more or less, to the Southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 19; thence along the South line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 19, Westerly, 2540 feet; more or less, to the West line of the NW $\frac{1}{4}$ of said Section 19; thence along the said West line, N01°21'06" East, 721 feet, thence N89°57'04" East, 324.00 feet; thence N01°21'06" East, 300 feet; thence S89°57'04" West, 324.00 feet to the West line of the NW $\frac{1}{4}$ of said Section 19; thence along the said West line N01°21'06" East, 304.78 feet to the point of beginning.



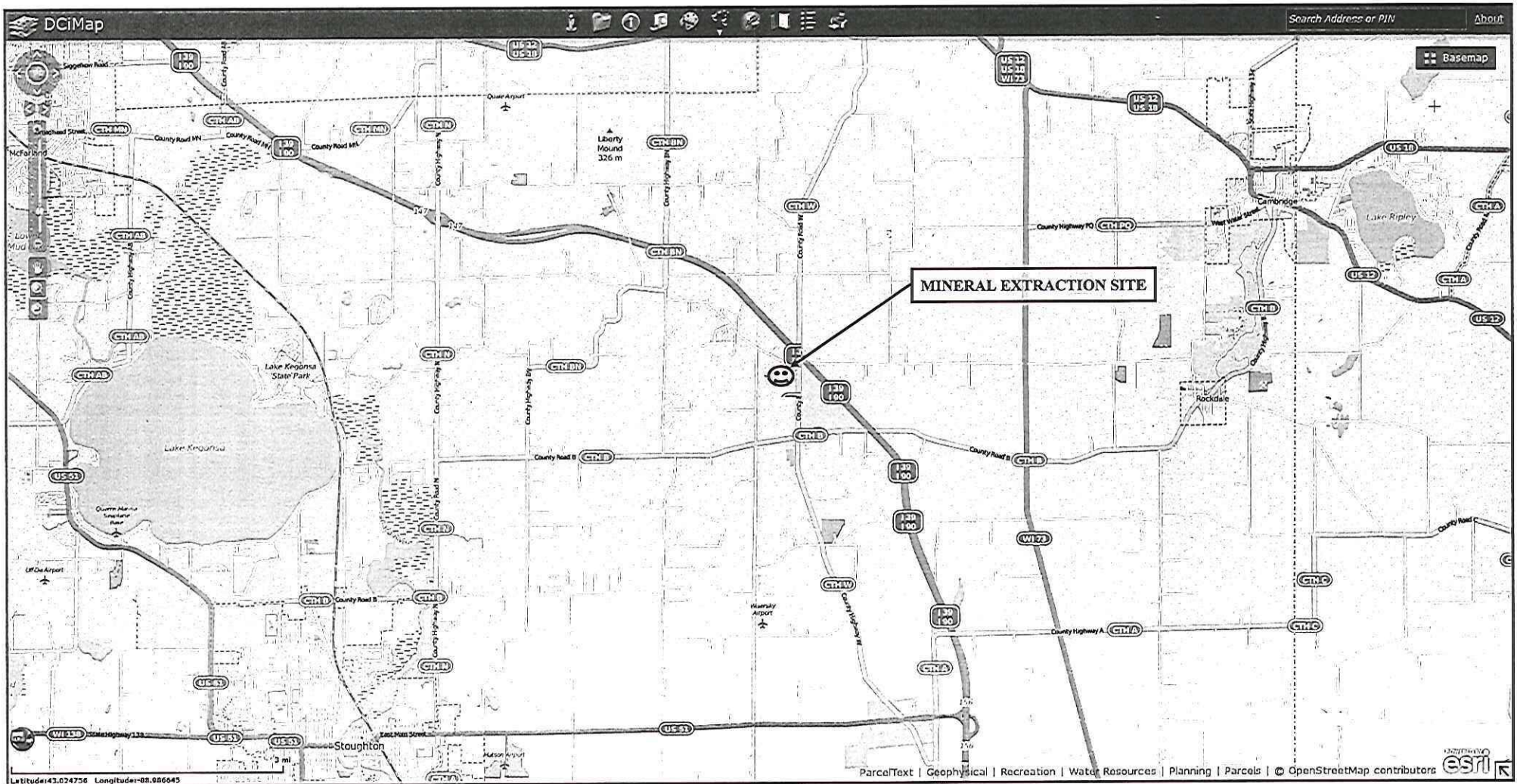
CONDITIONAL USE PERMIT CONDITIONS

1. The applicant shall maintain the existing Dane County Land Conservation erosion control and storm water permit in active status for the entire site for the duration of the mineral extraction operation.
2. The applicant shall apply for and receive all other required local, state and federal permits.
3. The operator shall develop and operate the site according to the operation plan that is part of this application.
4. Reclamation shall meet the requirements of Chapter 74 of the Dane County Code of Ordinances.
5. The driveway accessing the site shall be maintained as paved and also maintained in a dust free manner in accordance with local, state and federal regulations and shall clean any dust or mud traced onto public roads.
6. The operator and all haulers shall access the site only through the single access point on CTH 'W' as shown on the operation plan.
7. The access to the driveway shall have gates securely locked when the site is not in operation.
8. The site shall be signed "No Trespassing".
9. The permit holders shall comply with all federal and state blasting and safety laws, ordinances and regulations at all times, including Wisconsin Department of Commerce Chapter 7.
10. All blasting shall take place between the hours of 8 am to Noon and 1 pm to 4 pm from Monday through Friday. No blasting shall occur on weekends or holidays.
11. A 48 hour notice will be made to all residences/businesses within a ¼ mile radius of the quarry/pit prior to any blasting.
12. No water shall be removed from the site.
13. No bulk fuel will be stored in any permanent tanks on site.
14. The operator will require that all trucks and excavation equipment have muffler systems that meet or exceed the current industry standards for noise abatement.
15. The applicant or its customers hauling material from the site will use no jake-brakes unless an emergency.
16. The Zoning Administrator or designee may enter the premises in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Unless the operation is in reasonable compliance with these conditions of approval such approval is subject to amendment or revocation. Any one inspecting the property will be escorted by the operator and will comply with all safety rules.

17. The Town of Christiana may request documentation of any Dane County inspections and permit renewals.
18. Twenty (20) year Conditional Use Permit.
19. Hours of operation shall be Monday through Saturday 6 am to 6 pm.
20. No use of Township roads, either empty or full, unless applicant or customers are serving a resident/business on the Township road. All other use of Township roads require the Town Board approval.

VOLENBERG FARM

LOCATION MAP - MINERAL EXTRACTION SITE (CUP)



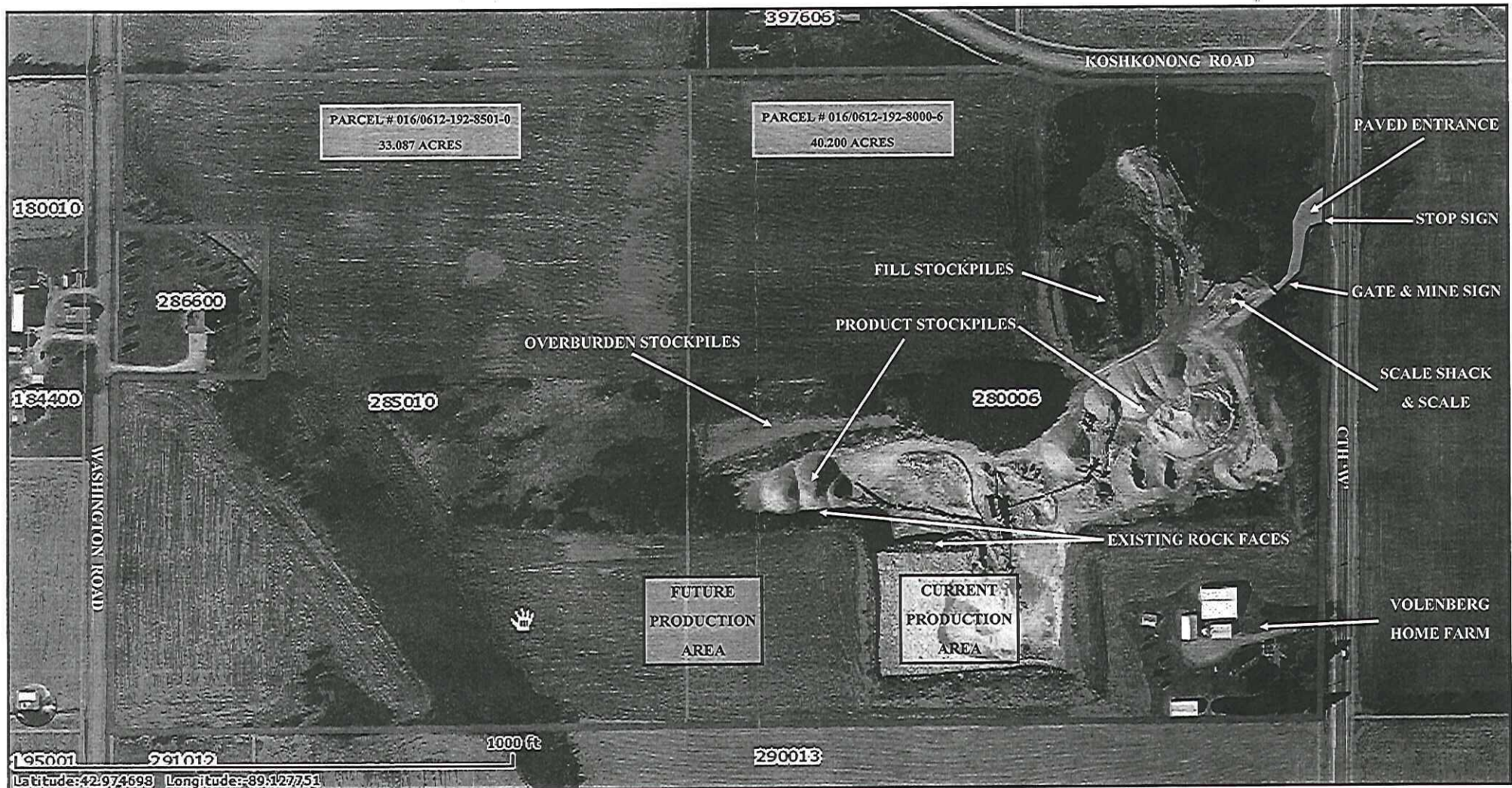
VOLENBERG FARM

CONDITIONAL USE PERMIT — MINERAL EXTRACTION SITE



VOLENBERG FARM

MINERAL EXTRACTION SITE - OPERATION PLAN



VOLENBERG FARM

MINERAL EXTRACTION SITE - EXISTING CONTOURS, SCREENING & BERMING



VOLENBERG FARM

MINERAL EXTRACTION SITE - EXISTING LAND USES & ZONING



VOLENBERG FARM

MINERAL EXTRACTION SITE - RECLAMATION PLAN

