



## Dane County Zoning Division

City-County Building  
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# DANE COUNTY CONDITIONAL USE PERMIT # 2351

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

GRANT Conditional Use Permit # 2351 for a Concrete Batch Plant pursuant to Dane County Code of Ordinance Section 10.123 and subject to any conditions contained herein:

**EFFECTIVE DATE OF PERMIT: August 24, 2016**

**Note:** This conditional use permit is a renewal of CUP #2141

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

The legal description is: A parcel of land location in part of the NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  and NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 26 and also part of the NW  $\frac{1}{4}$  and NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 35 and also part of NE  $\frac{1}{4}$  and SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 25, all in T8N, R8E, Town of Springfield, Dane County, Wisconsin.

### CONDITIONS:

1. The applicant shall submit an erosion control plan covering the entire CUP area for the duration of aggregate production operations that meets with the approval of the Dane County Land Conservation Department and receive approval of an erosion control permit from the Dane County Planning and Development Department before the aggregate production may commence.
2. The applicant shall apply for and receive any other required local, state and federal permits before production commences and proof of such permits shall be filed with both Dane County Planning and Development Department and the Town of Springfield.
3. Operations shall cease no later than November 30, 2026. The operator will conduct a mandatory review with the Town in 5 years (2021). The Town reserves the right to have an annual review if issues arise. The plant shall be removed within ten (10) days of cessation of operations. The operator may apply for renewal of this CUP before its expiration.

4. Ordinary hours of operation will be: 6:00 a.m. to 7:00 p.m. Monday through Friday; 6:00 a.m. to 12:00 p.m. Saturdays; none on Sundays or state legal holidays. To accommodate the work schedules of construction projects, production may occur between 7:00 p.m., and 6:00 a.m., as needed to provide concrete for that project. Construction crews, equipment and vehicles not involved in batch plant operations may enter and leave the facility outside of the stated hours of production activities. Supplies and equipment may be loaded and unloaded from vehicles outside of the stated hours for noise-producing activities. In addition, equipment and vehicles may be repaired and maintained at the repair facilities outside of the stated hours for batch plant activities. Some equipment warm up and cool down time may also be required. The batch plant operation shall not generate more than 70 decibels of noise measured at the property line.
5. The aggregate production facility, raw materials and vehicle paths shall be laid out with a "flow through" traffic pattern" which minimizes the need for vehicles to back up. The plant shall be no larger in capacity than the plant which was on the site in 2008. Limit night hours of operations to a maximum of 100 nights per season. Lighting for the concrete batch plant is to shine down into the quarry so as not to disturb the neighborhood when operating throughout the night.
6. The operator shall meet DNR standards for particulate emissions as described in NR415.075 and NR415.076.
7. The Zoning Administrator or designee may enter the premises of the operation to inspect those premises with reasonable advance notice to ascertain compliance or to investigate an alleged violation. Anyone inspecting the property will be escorted by Yahara Materials and will comply with all safety regulations.
8. Unless required by Town of Springfield ordinance or other governmental regulation, all truck traffic will be directed to Highway 12 and not east to Green Briar Road. Yahara Materials shall notify the truck drivers doing business at the site of this condition. The operator shall designate a traffic route for each project which shows the route to be taken from the quarry to the destination of the trucks. Notification of routes, dates and projects to be provided to the Town and surrounding neighbors.
9. A spill prevention and emergency response plan shall be in place and apply to all operations on the site including subcontractors and suppliers.

**THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING  
AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE  
FOLLOWING FINDINGS 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**

In addition to any time limit established as a condition in granting this CUP, 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.