

## MEMORANDUM

**TO:** DANE COUNTY ZONING & LAND REGULATION (ZLR) COMMITTEE

**CC:** ROGER LANE, ZONING ADMINISTRATOR; YAHARA MATERIALS; TOWN OF ALBION BOARD

**FROM:** PAMELA ANDROS, AICP

**DATE:** MAY 7, 2014

**RE:** STAFF UPDATE FOR CUP#2260

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At the March 25<sup>th</sup> meeting, CUP#2260 was postponed as the ZLR requested more information about the potential impact on the wetlands northeast and south boundary of the mineral extraction operation. Prior to this meeting, at staff's request, the applicant changed the CUP boundary to exclude these wetlands.

The applicant hired Stantec Consulting Services, Inc., an environmental consulting firm located in Cottage Grove, to review the proposal and to conduct a preliminary wetland delineation. As part of this delineation, the consultant reviewed the U.S. Dept. of Agriculture Farm Service (FSA) aerial photographs and conducted an on-site investigation.

The letter from Stantec references reduction of the "project area footprint" to exclude wetland areas 1 & 2 (W1 is south and W2 is north). This refers to the change the applicant already made in response to the Zoning Administrator's request. The letter also states:

Secondary impacts to wetlands through all phases of the Project will be mitigated through the stormwater management plans created in accordance with the Dane County Erosion Control and Stormwater Management Ordinance. Measures to be implemented include stockpiling, seeding, and mulching of stripped topsoil for stabilization and to avoid erosion to surrounding areas. A polymer application will be utilized on soil stockpiles to minimize erosion before vegetation has established. Earthen berms, also to be seeded and mulched, and silt fence will be installed along the northern and southern Project area boundaries to trap sediment and slow runoff. Additionally, a water containment basin is proposed near the southern boundary of the Project area for stormwater storage to meet total suspended solid requirements before water is discharged to existing drainage swales that drain to W1. A stone weeper will be utilized at the outflow of the water containment basin to slow runoff velocity and trap sediment. Further, the existing wooded areas west and south of the Project will be maintained which will further help slow and reduce runoff, remove sediment, and prevent erosion.

To serve as a reminder, the applicant will not be able to operate until they have acquired a Chapter 14 (erosion control & stormwater) permit as well as a Chapter 74 (nonmetallic mining reclamation) permit.

Attached you will find a list of potential conditions. I have added just one additional condition for consideration. It is number 6 and it relates to trees found on the subject property. The applicant has no intention of removing trees and is fine with the addition of this condition.




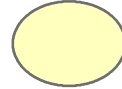

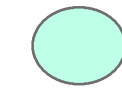

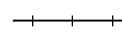

## RECOMMENDED CONDITIONS

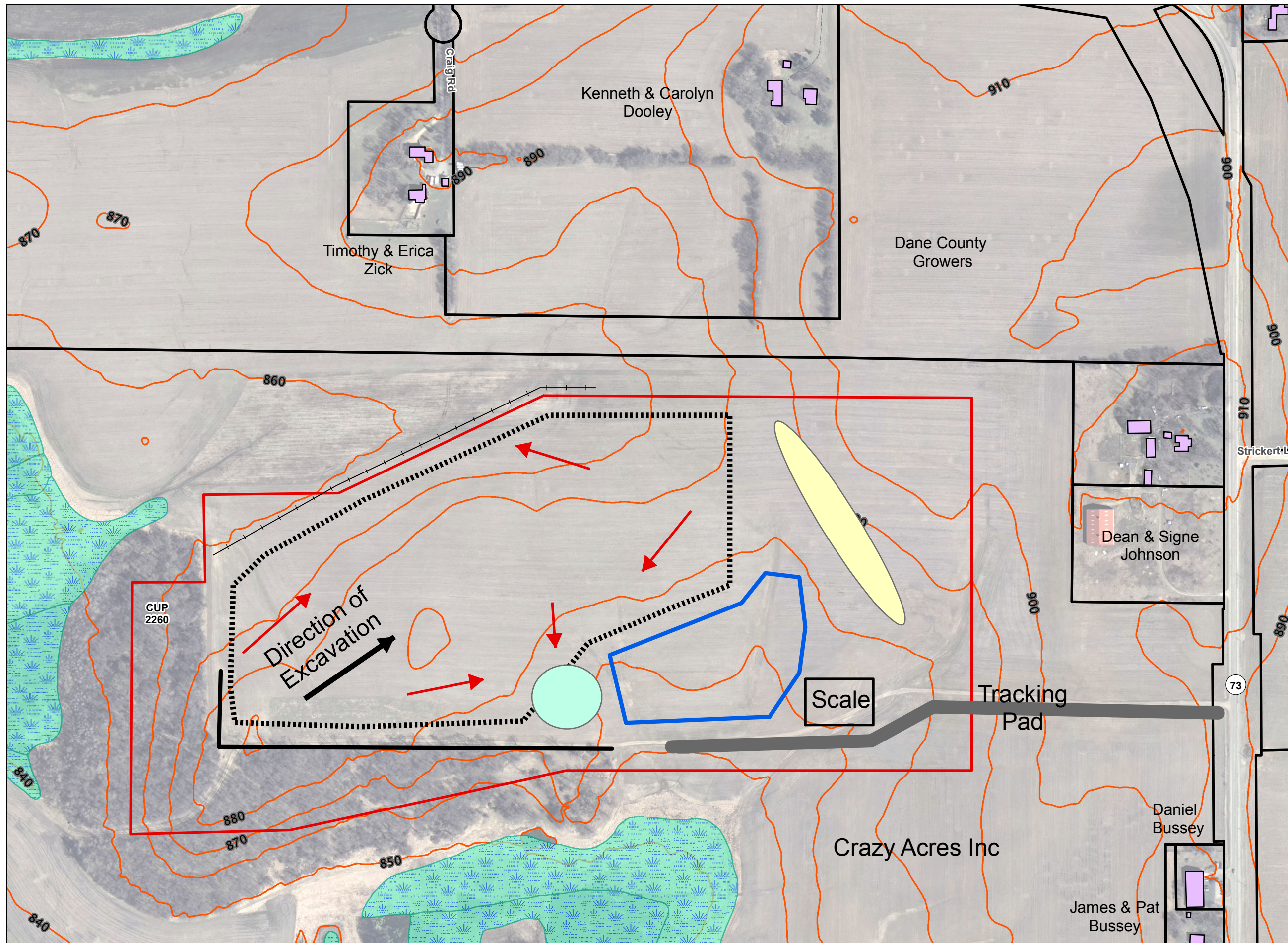
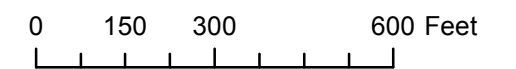
### **Potential Conditions for CUP 2260:**

1. This operation will provide materials for WisDOT projects associated with Hwy 73, Hwy 106 and/or I-39/90, and for any other municipal (town, city, village) projects taking place during the same timeframe as WisDOT projects. Operator must provide documentation related to state projects upon request to the Dane County Zoning Administrator.
2. Operations shall cease no later than 10 years from the date of CUP approval.
3. The applicant shall submit an erosion control and storm water management plan covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.
4. The applicant shall apply for and receive all other required local, state and federal permits.
5. The operator shall develop and operate the site according to the site/operations and phasing plan dated 5-07-2014. This plan shows an active area of 29 acres within the CUP boundary.
6. The operator shall not remove any trees from the property.
7. The operator must follow noise control guidelines as defined in the *Aggregate Processing Plant Sound Level Assessment* submitted with the application
8. Reclamation shall meet requirements of Chapter 74 of the Dane County Code of Ordinances.
9. The driveway accessing the subject site shall be paved for a distance of at least 100 feet from the public road. 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 tracked onto public roads. A 20' x 50' tracking pad shall be installed as designated on the Operations Plan map, dated 05/07/14..
10. The operator and all haulers shall access the CUP site from US Highway 73 as depicted on the operations plan dated 05-07-14.
11. The access to the driveway shall have gates securely locked when the extraction site is not in operation. The site shall be signed "no trespassing."
12. Hours of operation will be 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to 2:00 p.m. on Saturday. Exceptions to these hours would be when required by WisDOT to perform work on the Interstate which may require night work on a limited basis for the duration of a specific project. In the case of such an exception, Yahara Materials must provide documentation from WisDOT showing such requirements.
13. Blasting shall be conducted as defined in the "*Yahara Materials Blasting Procedure*" as provided with the application materials. Blasting will be conducted by a licensed class 5, 6 or 7 Blaster; notifications will be made by either the Blasting Contractor and/or Yahara Materials twenty-four hours prior to any blast; a blasting log will be required for each blast; all blasting will be recorded by a properly calibrated seismograph; all seismograph records will be available anytime for review by the township; and all blasting will meet Wisconsin's Department of Commerce Administrative Code Chapter 7.
14. The operator shall use spray bars (water) in the crushing process to reduce dust. Use of spray bars is not required when the temperature is below freezing. The operator shall spray the site with water if and when needed to control dust.

15. There shall be no bulk fuel stored on site.
16. The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed current industry standards for noise abatement.
17. The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.
18. The operator shall follow the *Fugitive Emissions Plan*, submitted with the application materials.
19. Dane County and the Town of Albion shall be listed as additional named insureds on the Yahara Materials Inc. liability insurance policy, which shall be for a minimum of \$1,000,000 combined single limit coverage per occurrence. The operator shall furnish a copy of a Certificate of Insurance as evidence of coverage before operations commence. The liability insurance policy shall remain in effect until reclamation is complete.
20. The Zoning Administrator or designee may enter the premises of the operation 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 terms of this approval, such approval is subject to amendment or revocation.

# Operations Plan Crazy Acres (Revised 5/7/14)

-  CUP Boundary
-  Excavation Area
- Open Excavation may not exceed 25 acres
- Maximum depth of Excavation: 850 feet
-  Staging Area & Stockpiles
-  Topsoil Berm Storage
-  Haul Route
-  Stormwater Containment
-  Berm
-  Erosion Control Measures
-  Stormwater Flow



CUP 2260

Direction of Excavation

Scale

Tracking Pad

Crazy Acres Inc

Daniel Bussey

James & Pat Bussey

Dean & Signe Johnson

Kenneth & Carolyn Dooley

Timothy & Erica Zick

Dane County Growers

Strickert Ln

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Craig Rd

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