



## Dane County Zoning Division

City-County Building  
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# DANE COUNTY CONDITIONAL USE PERMIT #2300

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 #2300 for Non-metallic Mineral Extraction pursuant to Dane County Code of Ordinances Section 10.191 and subject to any conditions contained herein.

EFFECTIVE DATE OF PERMIT: February 25, 2015

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

### **3355 County Highway N, Town of Cottage Grove, Dane County, Wisconsin**

Part of the SE 1/4 SW 1/4, Section 28 and part of the NE 1/4 NW 1/4, Section 33, Town of Cottage Grove described as follows: Commencing at the South quarter corner of said Section 28; thence S87°48'15" West, 23.76 feet to the West right-of-way line of County Highway N and the point of beginning; Thence along said West right-of-way line N01°15'44" East, 308.32 feet; thence continuing along said West line N02°53'06" West, 100.08 feet; thence continuing along said West line N11°55'15" West, 101.98 feet; thence continuing along said West line N22°23'44" West, 107.70 feet; thence continuing along said West line N28°31'04" West, 113.18 feet; thence continuing along said West line N27°36'57" West, 112.25 feet; thence continuing along said West line N29°02'26" West, 146.65 feet; thence S61°51'56" West, 237.87 feet; thence S79°25'30" West, 686.42 feet; thence S01°12'09" East, 1717.49 feet to the North right-of-way line of US Highway 12 & 18; thence along said North line S83°56'37" East, 158.15 feet; thence continuing along said North line N86°17'51" East, 355.09 feet; thence continuing along said North line N88°45'13" East, 500.56 feet; thence continuing along said North line N42°20'28" East, 81.29 to the West right-of-way line of said County Highway N; thence along said West line N02°53'49" West, 68.59 feet; thence continuing along said West line N01°32'37" East, 690.41 feet; thence continuing along said West line N01°32'37" East, 690.41 feet; thence continuing along said West line N16°18'41" West, 118.28 feet; thence continuing along said West line N45°02'09" East, 52.69 feet; thence continuing along said West line N00°04'19" East, 55.71 feet to the point of beginning.

### **CONDITIONS:**

1. The applicant shall submit an erosion control plan covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.
2. The operator shall develop and operate the site according to the submitted site and operations plan.
3. Operations shall cease no later than ten (10) years from the date of issuance of the

conditional use permit.

4. Reclamation shall be completed within one year after operations have ceased, and shall be phased according to the operations and reclamation plan.
5. Reclamation shall meet requirements of Chapter 74 of the Dane County Code of Ordinances (DCCO).
6. The operator shall post and maintain at all times a bond or irrevocable letter of credit in favor of Dane County, as required by Chapter 74 of the DCCO, to ensure compliance with the reclamation plan.
7. Access with be paved a minimum of 150 feet.
8. Hours of operations, except for crushing, screening, and washing shall be from 6 a.m. to 6 p.m., Monday through Friday, and from 8 a.m. to 3 p.m. on Saturday. Crushing, screening and washing shall not occur before 7 a.m. on Monday through Friday and 8 a.m. on Saturday. No operations of any kind shall take place on Sundays or legal holidays. Hours may be extended on a per need basis by approval of the Town Chair/Board, with written notification being given to Dane County Zoning.
9. Trucks shall exit the site onto Natvig Road where they can then access CTH N.
10. The existing right-of-way fence, located to the south and east of the property, shall be maintained.
11. The site shall be signed "no trespassing". When the extraction site is not open, the access road onto CTH N shall have gates securely locked.
12. There shall be no blasting or drilling on the site unless approved by the Township permitting process, and operator provides written evidence of town permit to Dane County Zoning.
13. There shall be no bulk fuel stored on the site.
14. There shall be no high capacity wells on site unless approved through appropriate WisDNR permitting process.
15. No mining shall take place within 300 feet of Little Door Creek.
16. Excavations below the grade of an abutting public street or highway shall be set back from the street or highway a distance at least equal to the distance that is required for buildings or structures under s. 10.17. (42 feet from Right of Way Line of CTH N and US HWY 12/18).
17. No mining or alteration of the natural grade shall take place within 5 feet of any property boundary. Compliance with the provisions of section 10.04(6) *Topography Near Property Lines* is required.
18. The operator shall require all trucks, excavation, crushing, screening and washing equipment to have muffler systems which meet or exceed then current industry standards for noise abatement.
19. The applicant shall meet DNR standards for particulate emissions as described in NR 415.075, Wisconsin Administrative Code.
20. The zoning administrator or designee may enter the premises of the operation to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. If the operation is not in reasonable compliance with the terms of this approval, such approval is subject to amendment or revocation.

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.