



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Consider:

Who benefits? Who is burdened?

Who does not have a voice at the table?

How can policymakers mitigate unintended consequences?

Tuesday, March 23, 2021

6:30 PM

Remote Meeting

ZOOM meeting Webinar ID: 870 4847 9623

The March 23, 2021 Zoning and Land Regulation Committee meeting is being held virtually. The public can access the meeting with the Zoom application or by telephone.

To join the meeting in Zoom, click the following link (after you fill out the form, the meeting link and access information will be emailed to you):

https://us02web.zoom.us/webinar/register/WN_sbv7GwcvQzixX6k0F5YtiA

This link will be active until the end of the meeting.

To join the meeting by phone, dial 1-888-788-0099.

When prompted, enter the following Webinar ID: 870 4847 9623

If you want to submit a written comment for this meeting, or send handouts for committee members, please send them to lane.roger@countyofdane.com

PROCESS TO PROVIDE PUBLIC COMMENT: ANY MEMBERS OF THE PUBLIC WISHING TO REGISTER TO SPEAK ON/SUPPORT/OPOSE AN AGENDA ITEM MUST REGISTER USING THE LINK ABOVE (even if you plan to attend using your phone).

Registrations to provide public comment will be accepted until 1 hour prior to the beginning of the meeting.

If you join the meeting with Zoom, when the item you have registered for is before the board/committee, you will be promoted to a panelist. Once a panelist, you can turn on your webcam and you will be able to unmute yourself.

If you join the meeting with your phone, when the item you have registered for is before the board/committee, you will be unmuted and hear, "the host would like you to unmute your microphone, you can press *6 to unmute." Please press *6.

A. Call to Order

Chair Bollig call the March 23, 2021 Zoning and Land Regulation Committee meeting to order at 6:30pm.

Staff present: Allan, Andros, Everson, Lane, and Violante

Youth Governance member present: Baluck Deang

Present 5 - JERRY BOLLIG, STEVEN PETERS, MICHELE DOOLAN, TIM KIEFER, and SARAH SMITH

B. Public comment for any item not listed on the agenda

Clint Weninger, Payne & Dolan, thanked the Committee for approving Conditional Use Permit 2510. Payne & Dolan is committed to following the conditions listed on the permit.

[2020
RPT-888](#)

March 23rd ZLR meeting registrants

Attachments: [March 23rd ZLR Registrants.pdf](#)

C. Consideration of Minutes

[2020
MIN-492](#)

Minutes of the February 23, 2021 Zoning and Land Regulation Committee meeting

Attachments: [2-23-21 ZLR work meeting minutes.pdf](#)

A motion was made by PETERS, seconded by KIEFER, to approve the minutes of the February 23, 2021 Zoning and Land Regulation Committee meeting. The motion carried by a voice vote.

D. Public Hearing for Zoning Map Amendments, Conditional Use Permits, and Ordinance Amendments

[11657](#)

PETITION: REZONE 11657
APPLICANT: ROBERT P RIEGE
LOCATION: NORTH OF 1002 NULAND ROAD, SECTION 33, TOWN OF DEERFIELD
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating one residential lot

Attachments: [11657 Ord Amend.pdf](#)

[11657 Staff Report](#)

[11657 Town](#)

[11657 Sending Property Density](#)

[11657 Revised Map](#)

[11657 Map](#)

[11657 APP](#)

In favor: Robert Riege

Opposed: None

A motion was made by PETERS, seconded by DOOLAN, that the Zoning Petition be recommended for approval with 7 conditions. The motion carried by the following vote: 5-0.

- 1. The petition shall be amended so that the proposed RR-2 lot includes at least 66' of frontage onto Nuland Road by including land from the adjoining RR-4 zoned parcel #0712-333-8940-6. Said 66' wide portion of parcel #0712-333-8940-6 shall be rezoned from RR-4 to RR-2.**
- 2. A 2-lot Certified Survey Map Parcel shall be prepared to establish the new RR-2 parcel and reconfigure the boundary of parcel #0712-333-8940-6 (lot 1 CSM 8958).**
- 3. Owner shall record a deed restriction prohibiting further nonfarm development on the subject property in accordance with town of Deerfield plan policies on the remaining FP-35 zoned acreage (tax parcels 0712-333-8501-7 and 0712-333-9001-0).**
- 4. Owner shall record a deed restriction on a minimum 35 acres of the FP-35 zoned sending property prohibiting nonfarm development (tax parcel 0712-242-8000-3).**
- 5. A deed notice shall be recorded on the proposed RR-2 zoned lot indicating that it was created as part of a Transfer of Development Rights.**
- 6. TDR-R (Transfer of Development Rights – Receiving) overlay zoning shall be assigned to the proposed RR-2 lot.**
- 7. TDR-S (Transfer of Development Rights – Sending) overlay zoning shall be assigned to the sending property in section 33 (tax parcels 0712-242-8000-3, 0712-243-9500-5, 0712-243-8001-1, 0712-242-9501-5).**

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11659](#)

PETITION: REZONE 11659
APPLICANT: PATRICK F ANNEN
LOCATION: 286 CANAL ROAD, SECTION 2, TOWN OF MEDINA
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: separating existing residence from farmland

Attachments: [11659 Ord Amend.pdf](#)
[11659 Staff Report.pdf](#)
[11659 Town.pdf](#)
[11659 Density.pdf](#)
[11659 Map](#)
[11659 APP](#)

In favor: Patrick Annen
Opposed: None

A motion was made that the Zoning Petition be recommended for approval with one condition. The motion carried by the following vote: 5-0.

1. The Town of Medina animal restriction shall be recorded on the property.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11660](#)

PETITION: REZONE 11660
APPLICANT: EUGENE C HENNING
LOCATION: SOUTH OF 6413 HENNING ROAD, SECTION 5, TOWN OF MEDINA
CHANGE FROM: FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District,
FP-35 Farmland Preservation District TO FP-1 Farmland Preservation District
REASON: bring lands into compliance with dane county zoning ordinances and dane county
land division regulations

Attachments: [11660 Ord Amend.pdf](#)
[11660 Staff Report.pdf](#)
[11660 Town.pdf](#)
[11660 Map.pdf](#)
[11660 APP revised.pdf](#)

In favor: Robin Nichols
Opposed: None

A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11661](#)

PETITION: REZONE 11661
APPLICANT: KRISTINE M STONE
LOCATION: 3956 HOEPKER ROAD, SECTION 10, TOWN OF BURKE
CHANGE FROM: GC General Commercial District TO GC General Commercial District
REASON: amend zoning to remove existing deed restrictions on property

Attachments: [11661 Ord Amend.pdf](#)

[11661 Staff Report.pdf](#)

[11661 Town.pdf](#)

[11661 Map](#)

[11661 APP](#)

In favor: Paul Halberg, Kristine Atkinson, and Margot Atkinson

Opposed: None

A motion was made by PETERS, seconded by SMITH, that the removal of the deed restrictions on the property be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11662](#)

PETITION: REZONE 11662
APPLICANT: RUSSELL D HARTMANN
LOCATION: EAST OF 7517 LEE ROAD, SECTION 8, TOWN OF DANE
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating a 2.3-acre residential spot zone on a 40-acre property

Attachments: [11662 Staff Report.pdf](#)

[11662 Easement Info.pdf](#)

[11662 Density.pdf](#)

[11662 Map](#)

[11662 APP](#)

In favor: Derick Babler

Opposed: None

A motion was made by PETERS, seconded by KIEFER, that the Zoning Petition be postponed due to no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11663](#)

PETITION: REZONE 11663
APPLICANT: MONTE T MAIER
LOCATION: 7113 KIPPLEY ROAD, SECTION 21, TOWN OF ROXBURY
CHANGE FROM: SFR-08 Single Family Residential District TO RR-2 Rural Residential District
REASON: shifting of property lines between adjacent land owners

Attachments: [11663 Ord Amend.pdf](#)
[11663 Staff Report.pdf](#)
[11663 Town.pdf](#)
[11663 Map](#)
[11663 APP](#)

In favor: Roxi and Monte Maier
Opposed: None

A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11664](#)

PETITION: REZONE 11664
APPLICANT: BLECHINGER REV TR, SHARON M
LOCATION: 6890 BREUNIG ROAD, SECTION 26, TOWN OF ROXBURY
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: separating existing residence from farmland

Attachments: [11664 Ord Amend.pdf](#)
[11664 Staff Report.pdf](#)
[11664 Town.pdf](#)
[11664 Density.pdf](#)
[11664 Map](#)
[11664 APP](#)

In favor: Sharon Blechinger
Opposed: None

A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11665](#)

PETITION: REZONE 11665
APPLICANT: SKI LANE PROPERTIES LLC
LOCATION: 2733 SKI LANE, SECTION 35, TOWN OF MADISON
CHANGE FROM: SFR-1 Single Family Residential District TO TFR-08 Two Family Residential District
REASON: create four residential lots for one or two family dwellings

Attachments: [11665 Ord Amend.pdf](#)
[11665 Staff Report.pdf](#)
[11665 Town.pdf](#)
[11665 Map](#)
[11665 APP](#)

In favor: Tom Jacobs and Ski Lane Homeowner's Association
Opposed: None

A motion was made by SMITH, seconded by DOOLAN, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11666](#)

PETITION: REZONE 11666
APPLICANT: MARK A BAKKEN
LOCATION: 2541 DOOR CREEK ROAD, SECTION 18, TOWN OF PLEASANT SPRINGS
CHANGE FROM: FP-35 Farmland Preservation District TO RR-2 Rural Residential District
REASON: creating two residential lots

Attachments: [11666 Ord Amend.pdf](#)
[11666 Staff Report.pdf](#)
[11666 Town.pdf](#)
[11666 Density](#)
[11666 Shared Driveway Access Easement DCCO](#)
[11666 Map](#)
[11666 APP](#)

In favor: Mark Bakken
Opposed: None

A motion was made by PETERS, seconded by KIEFER, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

- 1. The certified survey map (CSM) shall be reviewed and approved by the Town of Pleasant Springs and the CSM shall reflect the drive easements on the property.**
- 2. The owner shall record a deed restriction on the balance of FP-35 zoned property prohibiting further non-farm development in accordance with town of Pleasant Springs comprehensive plan policies (tax parcels 0611-182-9500-3, 0611-182-9000-8, 0611-182-8500-5, 0611-182-8000-0, 0611-181-9590-6, 0611-181-9000-9, 0611-181-8610-3, 0611-181-8235-8).**
- 3. Applicant shall record a shared driveway easement agreement that meets the standards found in section 75.19(8)(f) Dane County Code of Ordinances.**

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11667](#)

PETITION: REZONE 11667
APPLICANT: DARRELL AND LINDA ELLIFSON
LOCATION: 12 EDGERTON ROAD, SECTION 34, TOWN OF ALBION
CHANGE FROM: RR-4 Rural Residential District TO SFR-08 Single Family Residential District,
RR-4 Rural Residential District TO RR-2 Rural Residential District, RR-4 Rural Residential
District TO TDR-R Transfer of Development Rights Receiving Area Overlay District Receiving
Area
REASON: dividing an existing residential lot into two lots -
transfer of development right

- Attachments:** [11667 Staff Report](#)
[11667 Density TDR Sending Property](#)
[11667 Map](#)
[11667 Revised CSM \(lot 2 expand to over 1 acre\)](#)
[11667 TDR Sending Agreement](#)
[11667 APP](#)

In favor: Darrell Ellifson
Opposed: None

A motion was made by DOOLAN, seconded by PETERS, that the Zoning Petition be postponed due to no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11668](#)

PETITION: REZONE 11668
APPLICANT: GALAROWICZ REV LIVING TR, HELEN J
LOCATION: 3784-3830 GALA WAY, SECTION 19, TOWN OF COTTAGE GROVE
CHANGE FROM: FP-35 Farmland Preservation District TO SFR-08 Single Family Residential
District
REASON: increase the size of 8 existing residential lots

- Attachments:** [11668 Staff Report.pdf](#)
[11668 Map](#)
[11668 APP](#)

In favor: Tom Alar, Charlie Bader, Adam Heikle, Nathan Hart, and Carley Rae Barnes.
Opposed: None

A motion was made by PETERS, seconded by KIEFER, that the Zoning Petition be postponed due to no town action. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[11669](#)

PETITION: REZONE 11669
APPLICANT: ROBERT M DILLIS
LOCATION: 1710 SPRING ROSE ROAD, SECTION 31, TOWN OF VERONA
CHANGE FROM: RR-4 Rural Residential District TO RR-8 Rural Residential District, AT-35
Agriculture Transition District TO RR-8 Rural Residential District
REASON: increase the size of an existing residential lot

Attachments: [11669 Ord Amend.pdf](#)
[11669 Staff Report.pdf](#)
[11669 Town.pdf](#)
[11669 Map](#)
[11669 APP.pdf](#)

In favor: Robert Dillis
Opposed: None

A motion was made by PETERS, seconded by DOOLAN, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[02514](#)

PETITION: CUP 02514
APPLICANT: MATTHEW ZUEHLKE
LOCATION: 1331 COUNTY HWY D, SECTION 8, TOWN OF OREGON
CUP DESCRIPTION: limited family business cup for a hvac contractor business

Attachments: [CUP 2514 Staff Report.pdf](#)
[CUP 2514 Map](#)
[CUP 2514 APP](#)
[CUP 2514 - Corliss -Letter of Support.pdf](#)
[CUP 2514 objection Pinger.pdf](#)
[CUP 2514 objection Storms.pdf](#)

A motion was made by SMITH, seconded by KIEFER, to direct staff to enter the written testimony from Pinger, Storms, and Corliss into the official record. The motion carried by a voice vote.

In favor: Travis Leaser
Opposed: John Pinger expressed concerns that the number of employees exceeded the limited family business limits; the proposal conflicted with Town Plan policies; and the proposal failed to meet Standards 2 & 7 in obtaining a conditional use permit.

A motion was made by PETERS, seconded by KIEFER, that the Conditional Use Permit be postponed due to no town action and public opposition. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

02515

PETITION: CUP 02515
APPLICANT: KYLE RAASCH
LOCATION: 1478 LAKE KEGONSA ROAD, SECTION 2, TOWN OF RUTLAND
CUP DESCRIPTION: light industrial request within limited commercial

Attachments: [CUP 2515 Staff Report](#)

[CUP 2515 Town](#)

[CUP 2515 APP](#)

[CUP 2515 Map](#)

[CUP #2515.pdf](#)

In favor: Kyle Raasch

Opposed: None

A motion was made by KIEFER, seconded by DOOLAN, that the Conditional Use Permit be approved with 13 conditions. The motion carried by the following vote: 5-0.

1. Ongoing compliance with the deed restrictions imposed under rezoning petition 11656 is required.
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
4. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
5. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
6. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
10. 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. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety

rules or standards for the site.

11. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.

12. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.

13. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[2020 OA-016](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: RATCLIFF and BOLLIG

Attachments: [OA 2020-016 staff memo Cottage Grove 2020 plan amendment update 1_20_2021](#)
[Updated Cottage Grove Comprehensive Plan Amendment 1-18-2021](#)
[OA 2020-016 Staff Report](#)
[Hampton letter regarding OA-016.pdf](#)
[OA 2020-016](#)
[Cottage Grove Comp Plan Community notice 9_2020](#)
[Cottage Grove Plan Amendment document](#)
[OA 2020-016 Letter of opposition](#)
[Robert Williamson letter regarding OA-016](#)

In favor: Town Chair Kris Hampton

Opposed: None

A motion was made by DOOLAN, seconded by SMITH, that the Ordinance be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

[2020 OA-048](#) ADOPTING AMENDMENTS TO THE TOWN OF CROSS PLAINS
COMPREHENSIVE PLAN AS PART OF THE DANE COUNTY
COMPREHENSIVE PLAN

Sponsors: BOLLIG and DOOLAN

Attachments: [2020-OA-048 text.pdf](#)
[2020 OA-48 staff memo Cross Plains .pdf](#)
[resolution to amend land use plan 11.12.20.pdf](#)
[Community notice.pdf](#)

In favor: Town Chair Greg Hyer
Opposed: None

A motion was made by DOOLAN, seconded by PETERS, that the Ordinance be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

E. Zoning Map Amendments and Conditional Use Permits from previous meetings

[11654](#) PETITION: REZONE 11654
APPLICANT: AUSTIN A JACOBS (Rick Winch)
LOCATION: 1961 COUNTY HWY PB, SECTION 26, TOWN OF VERONA
CHANGE FROM: UTR Utility, Transportation and ROW District TO RR-2 Rural Residential
District, RR-4 Rural Residential District TO RR-2 Rural Residential District
REASON: creating one residential lot

Attachments: [11654 Ord Amend.pdf](#)
[11654 Staff Update.pdf](#)
[11654 Town.pdf](#)
[11654 Map](#)
[11654 APP](#)

A motion was made by PETERS, seconded by SMITH, that the Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

CUP 2509

PETITION: CUP 02509
APPLICANT: JAMES NOTSTAD LIVING TRUST
LOCATION: EAST I 39/90 BETWEEN COUNTY HIGHWAY B AND CHURCH ROAD, SECTION
29, TOWN OF CHRISTIANA
CUP DESCRIPTION: mineral extraction

Attachments: [CUP 2509 Staff Update.pdf](#)
[CUP 2509 Town Action.pdf](#)
[CUP 2509 MAP.pdf](#)
[CUP 2509 Neighborhood Map.pdf](#)
[CUP 2509 APP](#)
[CUP 2509 APP Supplement.pdf](#)
[CUP 2509 Property Value Min Extract Report](#)
[Nelson opposition](#)
[Knudson Letter.pdf](#)
[Lien Letter.pdf](#)
[CUP 2509 Knutson Opposition information.pdf](#)
[CUP 2509 objection Daggett.pdf](#)
[March 23rd opposition comments.pdf](#)
[CUP #2509 .pdf](#)

A motion was made by PETERS, seconded by KIEFER, to direct staff to enter the additional written testimony received after the public hearing into the official record. The motion carried by the following vote: 5-0.

Applicant's supplemental information regarding property values - Jeremy Knutson's letter, gravel pit property value loss information, home value information, US study on quarry impact - Brett Daggett's letter of opposition - Karen Paxon's comments on registration slip - Douglas Nelson's comments on registration slip - Kylie Nelson's comments on registration slip - Carrie Nelson's comments on registration slip

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

A motion was made by KIEFER, seconded by SMITH, to suspend Committee rules to allow persons to speak regarding the additional testimony received pertaining to property value impacts. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

Jeremy Knudson expressed concerns that the proposed quarry will reduce the property values between 18 to 30%. Brett Daggett stated that the applicant's information is inaccurate. Carrie Nelson stated that the applicant's information does not accurately reflect this location.

Jeff Furrseth stated that there is an existing quarry within close proximity to this site and impacts will be similar.

A motion was made by PETERS, seconded by KIEFER, that the Conditional Use Permit be approved with 20 conditions. The motion carried by the following vote: 5-0.

- 1) Topsoil, or appropriate topsoil substitute as approved in a reclamation plan under Chapter 74, Dane County Code, from the area of operation shall be saved and stored on site for reclamation of the area. Topsoil or approved topsoil substitute must be returned to the top layer of fill resulting from reclamation.
- 2) The applicant shall submit an erosion control plan under Chapter 14, Dane County Code covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.
- 3) Operations shall cease no later than ten (10) years from the permit effective date.
- 4) Reclamation shall meet all requirements of Chapter 74 of the Dane County Code of Ordinances. In addition, all reclamation plans must meet the following standards:
 - a) Final land uses after reclamation must be consistent with any applicable town comprehensive plan, the Dane County Comprehensive Plan and the Dane County Farmland Preservation Plan.
 - b) Final slopes shall not be graded more than 3:1 except in a quarry operation.
 - c) The area shall be covered with topsoil and seeded to prevent erosion.
 - d) The area shall be cleared of all debris and left in a workmanlike condition subject to the approval of Dane County.
 - e) Highwalls shall be free from falling debris, be benched at the top, and certified by a civil engineer to be stable.
- 5) The entire driveway must be blacktopped within two years. Crushed asphalt must be placed on the driveway immediately and watered at least twice weekly during the first year.
- 6) 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.
- 7) 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."
- 8) All surface and subsurface operations shall be setback a minimum of 20' from any property line that does not abut a public right of way.
- 9) 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. 10.102(9). The committee and town board may require greater setbacks where necessary to avoid subsidence, or for consistency with Chapters 11, 14, 17 or 74, Dane County Code.
- 10) Hours of operation shall be 6:30 a.m. to 5:30 p.m. Monday through Friday, and 6:30 a.m. to 3:30 p.m. on Saturdays. No operations of any kind shall take place on Sundays or legal holidays. Blasting shall be limited to 8:00 a.m. to 4:00 p.m. on weekdays.
- 11) A safety fence shall be placed around the perimeter of the extraction area that contains high walls and/or steep slopes.
- 12) Except for incidental removal associated with dust spraying or other routine

operations under this permit, water shall not be pumped or otherwise removed from the site.

13) The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed then current industry standards for noise abatement.

14) The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076, Wisconsin Administrative Code.

15) Dane County and the Town shall be listed as additional named insureds on the operator's 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.

16) Blasting:

a) All blasting on the site must conform with all requirements of SPS 307, Wisconsin Administrative Code, as amended from time to time, or its successor administrative code regulations.

b) Fly rock shall be contained within the permitted mineral extraction area.

c) A 72-hour notice shall be made prior to blasting to all residences/businesses within a one-half mile radius of the property, as well as to any parties who have requested notification either via mail or email as well as to the Town of Christiana.

d) The Town of Christiana and up to three neighbors shall receive a report and a seismograph reading from each blast.

17) Fuel storage. All fuel storage must comply with ATCP 93, Wisconsin Administrative Code, including provisions for secondary spill containment.

18) Mineral extraction at or near groundwater. All excavation equipment, plants, and vehicles shall be fueled, stored, serviced, and repaired on lands at least 3 feet above the highest water table elevation to prevent against groundwater contamination from leaks or spills.

19) In the event that a mineral extraction operation will destroy an existing Public Land Survey Monument, witness monuments must be established in safe locations and a new Monument Record filed by a Professional Surveyor, prior to excavation and disturbance of the existing monument.

20) This Conditional Use Permit (#2509) for mineral extraction is for the operator Forever Sandfill & Limestone and is not transferable to any other operator.

Ayes: 5 - BOLLIG,PETERS,DOOLAN,KIEFERandSMITH

F. Plats and Certified Survey Maps

[2020 LD-022](#) DOA Certification - TANIMARAH RIDGE
Village of Dane
Staff recommends a certification of non-objection.

Attachments: [28381_20210226_Plat
report](#)

A motion was made by PETERS, seconded by DOOLAN, that the plat be certified with no objections. The motion carried by a voice vote, 5-0.

G. Resolutions

H. Ordinance Amendment

[2020 OA-016](#) AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING AMENDMENTS TO THE TOWN OF COTTAGE GROVE COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: RATCLIFF and BOLLIG

Attachments: [OA 2020-016 staff memo Cottage Grove 2020 plan amendment update 1_20_2021](#)
[Updated Cottage Grove Comprehensive Plan Amendment 1-18-2021](#)
[OA 2020-016 Staff Report](#)
[Hampton letter regarding OA-016.pdf](#)
[OA 2020-016](#)
[Cottage Grove Comp Plan Community notice 9_2020](#)
[Cottage Grove Plan Amendment document](#)
[OA 2020-016 Letter of opposition](#)
[Robert Williamson letter regarding OA-016](#)

See motion above.

[2020 OA-048](#) ADOPTING AMENDMENTS TO THE TOWN OF CROSS PLAINS COMPREHENSIVE PLAN AS PART OF THE DANE COUNTY COMPREHENSIVE PLAN

Sponsors: BOLLIG and DOOLAN

Attachments: [2020-OA-048_text.pdf](#)
[2020 OA-48 staff memo Cross Plains .pdf](#)
[resolution_to_amend_land_use_plan_11.12.20.pdf](#)
[Community notice.pdf](#)

See motion above.

I. Items Requiring Committee Action

J. Reports to Committee

K. Other Business Authorized by Law

L. Adjourn

A motion was made by KIEFER, seconded by DOOLAN, to adjourn the March 23, 2021 Zoning and Land Regulation Committee meeting at 8:25pm. The motion carried unanimously.

Questions? Contact Planning and Development Staff, 266-4266, or plandev@countyofdane.com