

Dane County Conditional Use Permit Application

| | |
|----------------------------|---------------------|
| Application Date | C.U.P Number |
| 12/15/2021 | DCPCUP-2021-02555 |
| Public Hearing Date | |
| 02/22/2022 | |

| OWNER INFORMATION | AGENT INFORMATION |
|-------------------|-------------------|
|-------------------|-------------------|

| | | | |
|--|--|--|--|
| OWNER NAME MADISON CRUSHING & EXCAVATING INC | Phone with Area Code (608) 516-8339 | AGENT NAME VINTON CONSTRUCTION COMPANY | Phone with Area Code (920) 374-0231 |
| BILLING ADDRESS (Number, Street) 5185 REINER RD | | ADDRESS (Number, Street) 1322 33RD STREET | |
| (City, State, Zip) MADISON, WI 53718 | | (City, State, Zip) Two Rivers, WI 54241 | |
| E-MAIL ADDRESS billw@madisoncrushing.com | | E-MAIL ADDRESS bvachon@vintonwis.com | |

| ADDRESS/LOCATION 1 | ADDRESS/LOCATION 2 | ADDRESS/LOCATION 3 |
|--------------------|--------------------|--------------------|
|--------------------|--------------------|--------------------|

| ADDRESS OR LOCATION OF CUP | | ADDRESS OR LOCATION OF CUP | | ADDRESS OR LOCATION OF CUP | |
|----------------------------|---------------|----------------------------|---------|----------------------------|---------|
| 3262 Nelson Road | | | | | |
| TOWNSHIP BURKE | SECTION 24 | TOWNSHIP | SECTION | TOWNSHIP | SECTION |
| PARCEL NUMBERS INVOLVED | | PARCEL NUMBERS INVOLVED | | PARCEL NUMBERS INVOLVED | |
| 0810-241-9000-4 | | --- | | --- | |

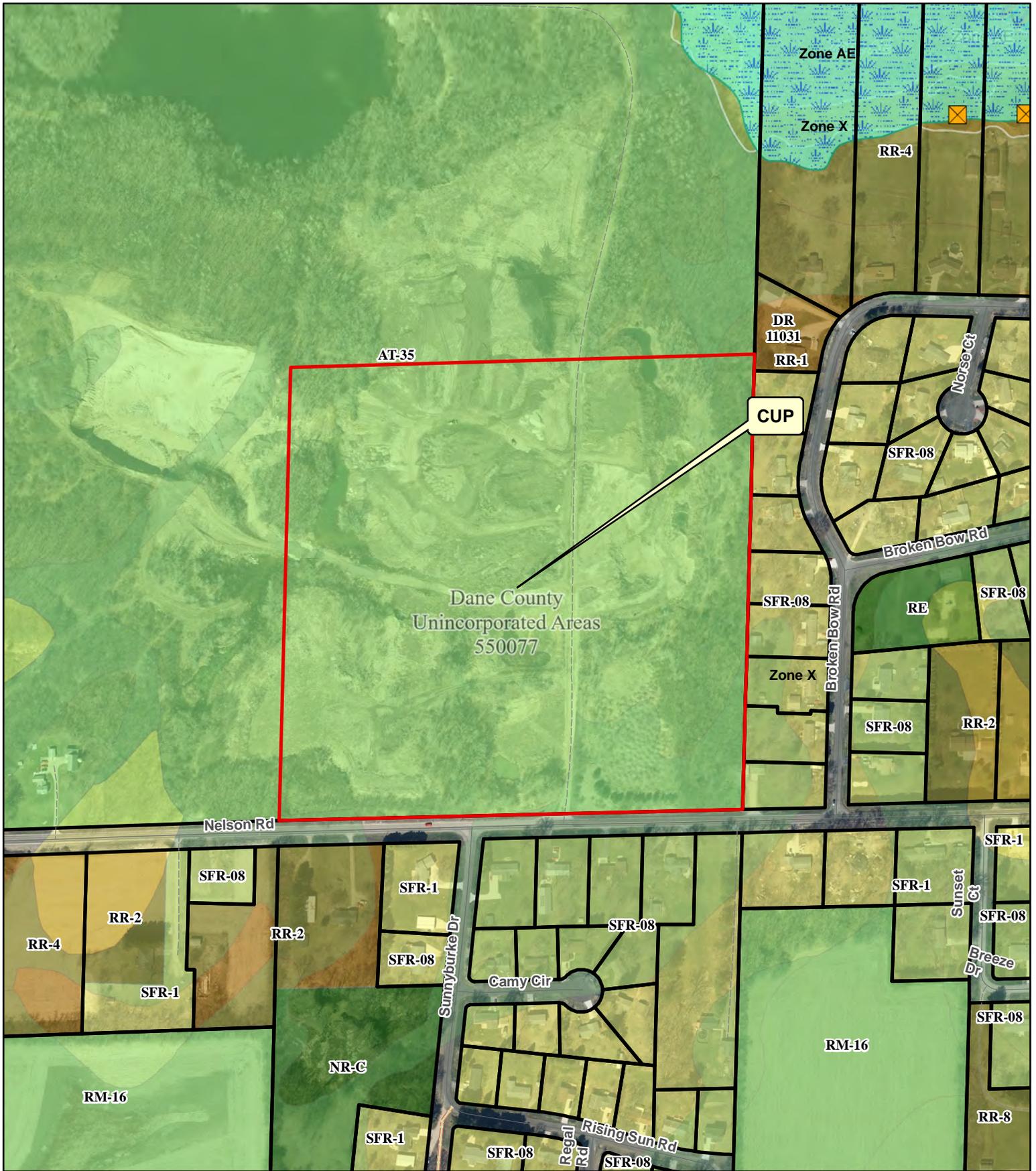
| CUP DESCRIPTION |
|-----------------|
|-----------------|

Temporary Concrete Batch Plant for airport expansion project

| DANE COUNTY CODE OF ORDINANCE SECTION | ACRES |
|---------------------------------------|-------|
|---------------------------------------|-------|

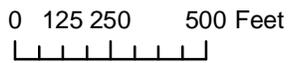
| | |
|-----------|----|
| 10.231(3) | 40 |
|-----------|----|

| | | |
|---|---------------------------------|--|
| DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____ | Inspectors Initials RWL1 | SIGNATURE:(Owner or Agent) _____ PRINT NAME: _____ DATE: _____ |
|---|---------------------------------|--|



Legend

- | | |
|---|---|
|  Wetland | Significant Soils |
|  Floodplain |  Class 1 |
| |  Class 2 |



**CUP 02555
MADISON CRUSHING &
EXCAVATING INC**



Dane County
Department of Planning and Development
 Zoning Division
 Room 116, City-County Building
 210 Martin Luther King Jr. Blvd.
 Madison, Wisconsin 53703
 (608) 266-4266

| Application Fees | |
|--|---------------------------------------|
| General: | \$495 |
| Mineral Extraction: | \$1145 |
| Communication Tower: | \$1145 (+\$3000 RF eng review fee) |
| PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT | |

CONDITIONAL USE PERMIT APPLICATION

| APPLICANT INFORMATION | | | |
|-----------------------------|---------------------------------|-----------------------------|-----------------------------|
| Property Owner Name: | Madison Crushing and Excavating | Agent Name: | Vinton Construction Comapny |
| Address (Number & Street): | 5185 Reiner Road | Address (Number & Street): | 1322 33rd Street |
| Address (City, State, Zip): | Madison, WI 53718 | Address (City, State, Zip): | Two Rivers, WI 54241 |
| Email Address: | billw@madisoncrushing.com | Email Address: | bvachon@vintonwis.com |
| Phone#: | 608-516-8339 | Phone#: | 920-374-0231 |

SITE INFORMATION

| | | | |
|------------------|-------|-------------------------------|-----------------------------------|
| Township: | Burke | Parcel Number(s): | 081024190004 |
| Section: | 13 | Property Address or Location: | 3262 Nelson Road, Sun Prairie, WI |
| Existing Zoning: | AT-35 | Proposed Zoning: | CUP Code Section(s): 10.231(3) |

DESCRIPTION OF PROPOSED CONDITIONAL USE

| | |
|---|--|
| <p>Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):</p> <p>The operation of a temporary concrete batch plant within an existing mineral extraction site.</p> | <p>Is this application being submitted to correct a violation?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> |
| <p>Provide a short but detailed description of the proposed conditional use:</p> <p>To utilized an existing non-metallic mining site as the location to setup and operate a temporary concrete batch plant to primarily produce concrete for the Dane County Regional Airport South Terminal Expansion project scheduled for 2022. The operation will include the delivery of aggregate material and cement to the proposed site for the mixing and transport of concrete to the project site.</p> | |

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

| | | | | | |
|--|---|--|--|---|--|
| <input type="checkbox"/> Complete attached information sheet for standards | <input type="checkbox"/> Site Plan drawn to scale | <input type="checkbox"/> Detailed operational plan | <input type="checkbox"/> Written legal description of boundaries | <input type="checkbox"/> Detailed written statement of intent | <input type="checkbox"/> Application fee (non-refundable), payable to Dane County Treasurer |
|--|---|--|--|---|--|

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: _____

Date: December 14, 2021

STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

| |
|--|
| <p>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. Please see attached</p> |
| <p>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. Please see attached</p> |
| <p>3. 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. Please see attached</p> |
| <p>4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use. Please see attached</p> |
| <p>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. Please see attached</p> |
| <p>6. That the conditional use shall conform to all applicable regulations of the district in which it is located. please see attached</p> |
| <p>7. The conditional use is consistent with the adopted town and county comprehensive plans. Please see attached</p> |
| <p>8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.</p> <ul style="list-style-type: none">• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district: N/A• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations: N/A• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use: N/A• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use: N/A• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible: N/A |

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

| |
|--|
| <p>Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.</p> <p>The proposed operation of the temporary batch plant will be operated in the Madison Crushing & Excavating Co. Inc., West Pit, an existing non metallic mining site comprised of 240 acres. The proposed temporary portable concrete batch plant will be setup and operated to produce concrete material primarily for the Dane County Regional Airport South Terminal Expansion project scheduled for 2022. The operation will include the delivery of aggregate material and cement to the proposed site for the mixing and transport of concrete to the project site</p> |
| <p>List the proposed days and hours of operation. Monday - Friday, 6 am to 7 pm, Saturday 6 am to 3 pm</p> |
| <p>List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time. Typical temporary concrete batch plant employees: three (3).</p> |
| <p>List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties. Typical noise generation in association with the operation of the temporary concrete batch plant will be diesel engine noise from the generator. In addition, construction equipment comprised of front end loaders dump trucks and redimix trucks will be present. Potential dust generation may be present with trucks driving on the haul road, Dust suppression will be in place to mitigate dust generation.</p> |
| <p>Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building. Outdoor storage will include the portable temporary concrete batch plant and aggregate material storage stockpiles. Mobile equipment comprised of front end loaders, dump trucks and service vehicles may be parked at times during the paving operations.</p> |
| <p>For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under Chapter 11 of Chapter 14, Dane County Code. The temporary concrete batch will be located within the boundaries of the Madison Crushing West Pit. Stormwater Permits Attached</p> |
| <p>List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management. Sanitary facilities for the temporary use will be portable toilet facilities.</p> |
| <p>List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials. Solid waste and/ or recyclable materials generated will be placed in roll off containers for proper disposal and/or recycling.</p> |
| <p>Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic. See Attached.</p> |
| <p>Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures. No toxic or hazardous nor explosive materials will be stored on-site. Fueling will be provided by third party.</p> |
| <p>Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors. No permanent lighting will be utilized.</p> |
| <p>Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800. No signage will be utilized.</p> |
| <p>Briefly describe the current use(s) of the property on which the conditional use is proposed. The current use of the property is non metallic mining activities.</p> |
| <p>Briefly describe the current uses of surrounding properties in the neighborhood. See Attached.</p> |

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. [10.102\(8\)](#).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section [10.800](#).

ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):

- Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).

Standards for Conditional Use Permits

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in Sections 10.220(1) and 10.103 of the code.

Please explain how the proposed land use will meet the following 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.**

The proposed temporary concrete batch plant operations will have minimal impact to the public health, safety, comfort, and general welfare. The proposed operation will be located within the boundaries of an active non-conforming mineral extraction site, recorded on May 6, 2020. Ingredients for the concrete batching operations will be trucked into the site and placed onto aggregate stockpiles. (Exhibit). Cement will be trucked in and contained within cement bulk tanker trailer(s). All activities are proposed to take place within the existing operative nonmetallic mine area and are not expected to impact traffic levels, dust levels, or noise beyond the property lines, during normal operations.

2. **The uses, values, and enjoyment of the other property in the neighborhood for the purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance, or the operation of the conditional use.**

The properties surrounding the West Pit to the east and south are a mix of rural residential comprised of RR-1, RR-4, single family comprised of SFR-01, SFR-08. The subject property is zoned AT-35, with the property to the west is rural mixed use. Based upon the existing land use of the property that the temporary concrete batch plant will be setup, there are no foreseeable negative impacts to these uses, property value, or enjoyment of these adjoining properties.

The temporary concrete batch plant will utilize approximately 10 acres of the property located at the northwestern corner of parcel #081024190004, which is which is already operating as a pit/quarry. Potential impacts from the proposed operation are similar to those that already exist from current quarry/pit operations and are easily controllable via implementation of best management practices such as the use of water for dust suppression, proper material storage practices, and appropriate waste management and mitigation efforts.

3. **The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in that district.**

The temporary concrete batch plant is consistent with existing quarry operations. No activity at the facility is expected to impact the function of any adjacent or nearby parcel in any way beyond the existing facility function.

- 4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.**

The proposed temporary concrete batch plant will not require any grid electrical use, nor any additional road access, or changes to drainage properties at the site.

No private water supply well will be required for the operation. Water will be supplied for concrete batching through the use of existing storm water retention ponds located onsite. Power will be provided by a portable generator. Trucks will utilize the existing quarry/ pit driveway on Nelson Road. Haul routes, primary and secondary are identified on the attached Exhibits. The roads are presently handling current truck traffic from the quarry/ pit and will be able to support the increase traffic from the setup and use of the temporary concrete batch plant.

- 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.**

Existing traffic patterns and facility access and egress characteristics are expected to be maintained. The trucks accessing the facility will moderately increase the vehicular traffic pattern during the delivery of the aggregate materials in preparation of the batching activities. Material delivery will follow the incoming material haul route (Exhibits attached). Delivery of the concrete material to the project site will increase the vehicular traffic during the batching activities. For the two phases of the project, it is estimated that twelve truckloads per hour will be required. During those times, traffic control, if necessary, will be provided on Nelson Road and the facility entrance.

- 6. That the conditional use shall conform to all applicable regulations of the district in which it located in.**

The proposed use of the existing active non-conforming mineral extraction site is consistent with the activities associated with the operation of a non-metallic mining site, i.e.: use of excavation equipment, crushing, washing, and screening and trucking of aggregate material for the use in local and regional construction and infrastructure improvement projects.

- 7. The conditional use is consistent with the adopted town and county comprehensive plans.**

All required setbacks as stated in Chapter 10; Section 10.123 of the Dane County Zoning Ordinance will be adhered to with the siting of the temporary concrete batch plant. The addition the temporary concrete batch plant will not significantly affect the structural lot coverage. All general and temporary concrete batch plant specific requirements as identified in the zoning code Chapter 10 are to be met.

- 8. If the conditional use is located in a Farmland Preservation (FP) Zoning District, the conditional use is subject to the following additional standards found in section 10.220(1).**

Not Applicable

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersections or road improvements or other measures proposed to accommodate increased traffic:

Existing traffic patterns and facility access and egress characteristics are expected to be maintained. The trucks accessing the facility will moderately increase the vehicular traffic pattern during the delivery of the aggregate materials in preparation of the batching activities. Material delivery will follow the incoming material haul route.

Typical vehicles anticipated will be or this project are comprised of semi-tractor and trailers for dry cement delivery, quad axle dump trucks, for aggregate deliveries, and redi-mix trucks, agitor trucks and possible quad axle dump trucks for the delivery of the concrete material to the project site. Maximum vehicle weights will conform to federal, state and local weight limits for the proposed haul routes.

For the two phases of the project, it is estimated that twelve truckloads per hour will be required during active paving of the project per the established schedule. During those times, traffic control, if necessary, will be provided on Nelson Road and the facility entrance.

Briefly describe the current uses of surrounding properties in the neighborhood:

The properties surrounding the West Pit to the east and south are a mix of rural residential comprised of RR-1, RR-4, single family comprised of SFR-01, SFR-08. The subject property is zoned AT-35, with the property to the west is rural mixed use. Based upon the exiting land use of the property that the temporary concrete batch plant will be setup, there are no foreseeable negative impacts to these uses, property value, or enjoyment of these adjoining properties.

Legal Description

The Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, Section 24, T08N, R10E, Town of Burke, Dane County, Wisconsin

Parcel Number - 014/0810-241-9000-4

Current

Parcel Summary

| | |
|--------------------|------------------------------------|
| Municipality Name | TOWN OF BURKE |
| Parcel Description | SEC 24-8-10 SW1/4 NE1/4 |
| Owner Name | MADISON CRUSHING & EXCAVATING INC |
| Primary Address | 3262 NELSON RD |
| Billing Address | 5185 REINER RD MADISON WI 53718 |

Current Year Assessment

| | |
|--------------------------|-------------|
| Assessment Year | 2021 |
| Valuation Classification | G5 |
| Assessment Acres | 40.700 |
| Land Value | \$24,400.00 |
| Improved Value | \$0.00 |
| Total Value | \$24,400.00 |

Assessment Contacts

Assessment Contact Information

For questions or to schedule an appointment contact:

Assessor ACCURATE APPRAISAL LLC
Phone 920-749-8098
Email INFO@ACCURATEASSESSOR.COM

Clerk TERI SAXON
Phone 608-825-8420
Email TOWNOFBURKE2@FRONTIER.COM

Open Book/Board Of Review Dates

Open Book

Open Book dates have passed for the year
 Starts: 08/09/2021 ~ 05:00 PM
 Ends: 08/10/2021 ~ 07:00 PM

Board Of Review

Board of Review dates have passed for the year
 Starts: 08/26/2021 ~ 09:00 PM
 Ends: 08/26/2021 ~ 09:00 PM

Zoning Information

For the most current and complete zoning information, contact the Division of Zoning.

Zoning

AT-35

NOTICE: Some portion of this parcel either contains or is in close proximity to sensitive environmental features (i.e. shorelands, floodplains, or wetlands), and Dane County regulations may apply. Please contact the Dane County Zoning Division at (608) 266-4266 for additional permitting information.

Zoning District Fact Sheets

Parcel Map



Current Year Taxes (2021)

| Assessed Land Value | Assessed Improvement Value | Total Assessed Value |
|--------------------------------|----------------------------|----------------------|
| \$24,400.00 | \$0.00 | \$24,400.00 |
| Taxes: | | \$464.46 |
| Lottery Credit(-): | | \$0.00 |
| First Dollar Credit(-): | | \$0.00 |
| Specials(+): | | \$0.00 |
| Amount: | | \$464.46 |

Districts

| Type | State Code | Description |
|-------------------|------------|-------------------------|
| REGULAR SCHOOL | 5656 | SUN PRAIRIE SCHOOL DIST |
| TECHNICAL COLLEGE | 0400 | MADISON TECH COLLEGE |
| OTHER DISTRICT | 075P | SUN PRAIRIE FIRE |
| OTHER DISTRICT | MADE | CITY OF MADISON EMS |

Recorded Documents

| Doc. Type | Date Recorded | Doc. Number | Volume | Page |
|-----------|---------------|-------------|--------|------|
| TD | 04/12/1994 | | 12605 | 55 |



NOTICE

Use black ink

WHEREAS, DANE COUNTY, pursuant to Ch. 10.0004(1)(b)3., hereby gives notice that the following described property in the Town of BURKE indicates the presence of an active nonconforming mineral extraction site.

The described property is as follows:

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5586023
05/06/2020 02:08 PM
Trans Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 3

Recording area

Name and return address.

Boardman & Clark LLP
PO Box 927
Madison WI 53701

081013480006, 081013487303
081013490004, 081013495009
081024280005, 081024185001
081024295008, 081024190004

PARCEL IDENTIFICATION NUMBER(S)

This Deed Notice provides information regarding the presence of a nonconforming mineral extraction site and its location satisfying one of the requirements of DCCO Ch. 10.004(1)(b)3.

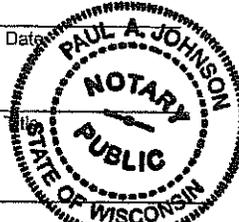
Cancellation of this Notice may be accomplished by filing a Cancellation of Notice form with the Dane County Register of Deeds Office. The Cancellation of Notice form is available from the Register of Deeds office and requires the following.

- 1) Signature of the County/Town official listed on the original Notice, or an equivalent office-holder.
2) Reference document number of original Notice.
3) Legal description of property
4) Explanation of reason for cancellation.

William Ziegler
Signature of Landowner Date 4/24/20

William Ziegler
Name printed Title President

Signature of Landowner Date
Name printed



STATE OF WISCONSIN, County of Dane

Subscribed and sworn to before me on 4/21/2020 by the above named person(s).

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07)

Print or type name: PAUL A. JOHNSON

Title Attorney Date commission expires: 12/31/25

This document was drafted by. (print or type name below)

Dane County Zoning Administrator

*Names of persons signing in any capacity must be typed or printed below their signature
P&D form 2/20/2001

UNOFFICIAL COPY

R. Lane 4-30-2020
Signature of County Official Date

ROGER LANE DANE COUNTY ZONING ADMINISTRATOR
Name printed Title

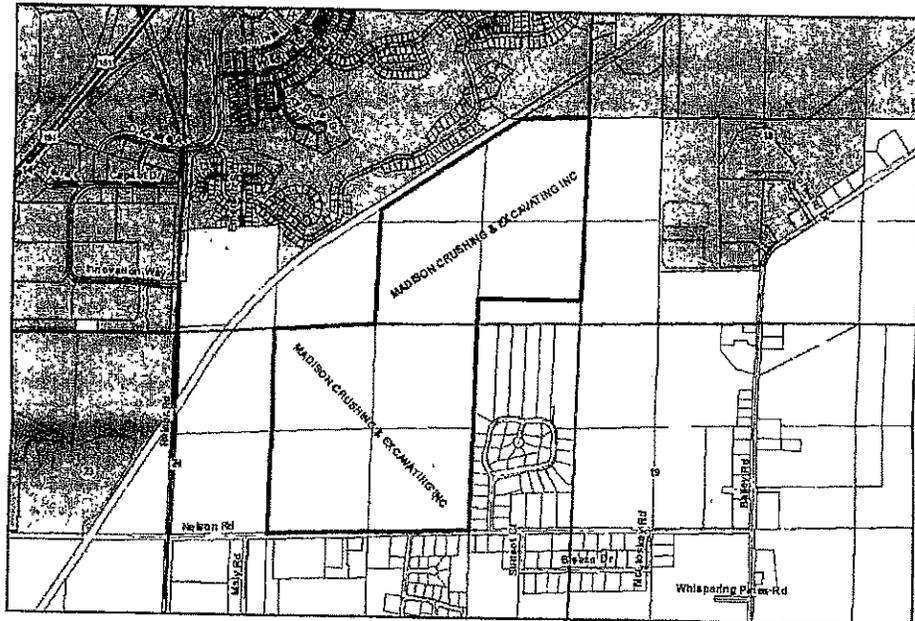
STATE OF WISCONSIN, County of Dane

Subscribed and sworn to before me on 4-30-20 by the above named person(s).

Signature of notary or other person authorized to administer an oath Shelly J. Seehafer
(as per s. 706.06, 706.07)

Print or type name: Shelly J. Seehafer

Title R Specialist Date commission expires 3-16-24



LEGAL DESCRIPTION

PARCEL A. All that part of the Northeast $\frac{1}{4}$ and that part of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ which lies South of the right of way of the Chicago, Milwaukee and St. Paul Railway, all in Section 13, Township 8 North, Range 10 East, in the Town of Burke, Dane County, Wisconsin.

PARCEL B. The North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13, Township 8 North, Range 10 East, in the Town of Burke, Dane County, Wisconsin.

PARCEL C. The North $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13, Township 8 North, Range 10 East, in the Town of Burke, Dane County, Wisconsin.

PARCEL D. The East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 24, Township 8 North, Range 10 East, in the town of Burke, Dane County, Wisconsin.

PARCEL E. The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 24; the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 13, all in Township 8 North, Range 10 East, in the Town of Burke, Dane County, Wisconsin.

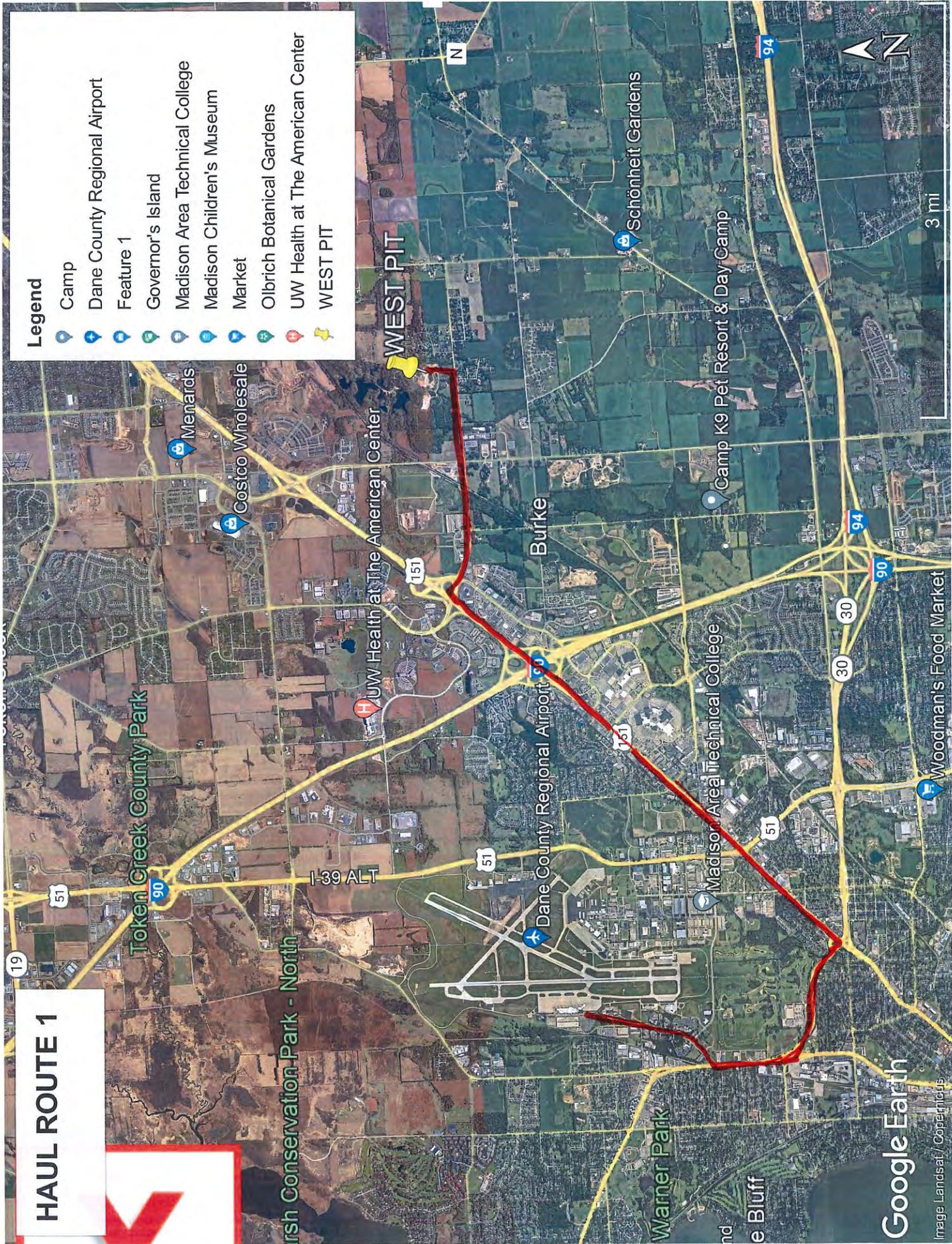
PARCEL F. The Fractional West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 18. Township 8 North, Range 11 East, in the Town of Sun Prairie, Dane County, Wisconsin.

Subject to highway.

HAUL ROUTE 1

Legend

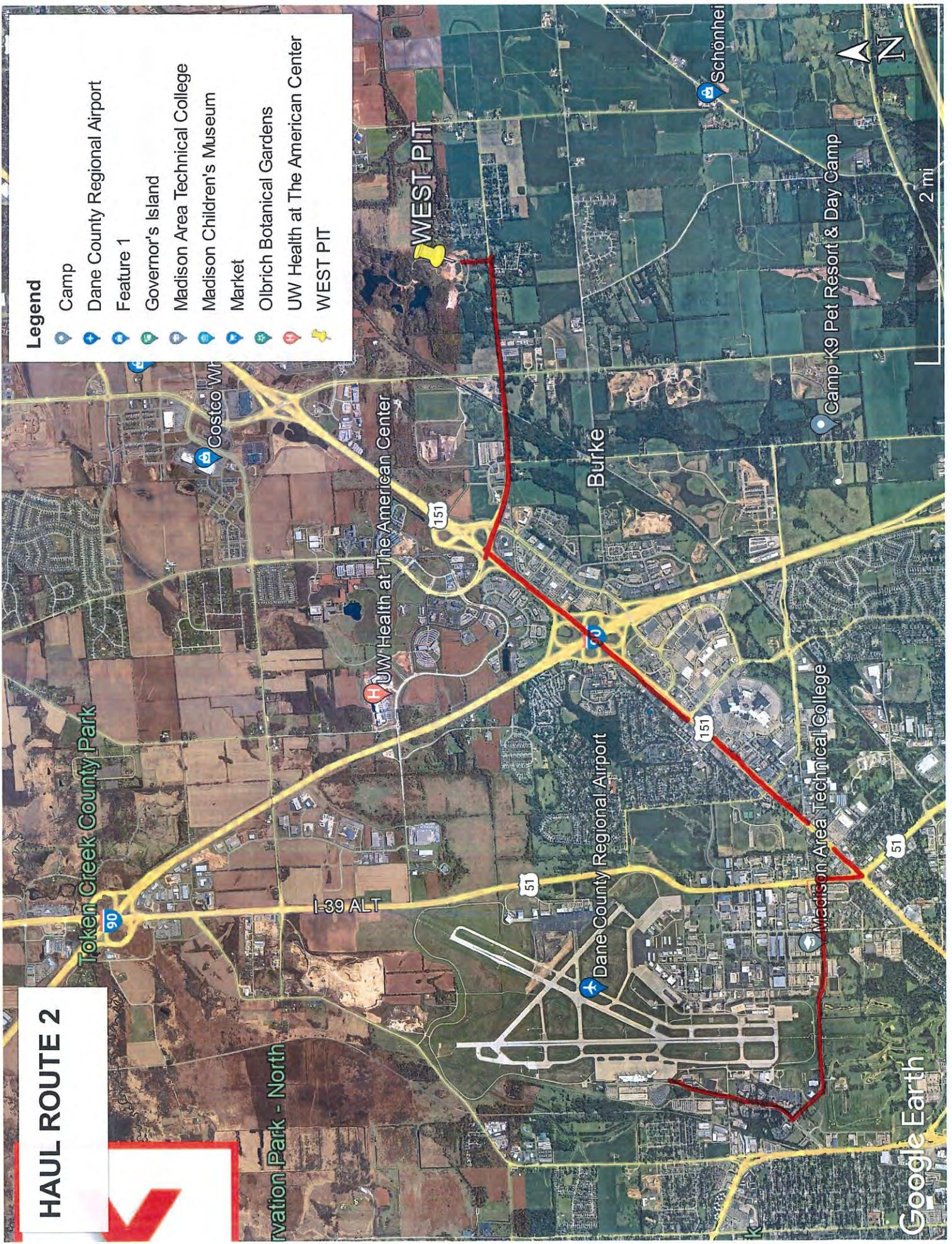
- Camp
- Dane County Regional Airport
- Feature 1
- Governor's Island
- Madison Area Technical College
- Madison Children's Museum
- Market
- Olbrich Botanical Gardens
- UW Health at The American Center
- WEST PIT



HAUL ROUTE 2

Legend

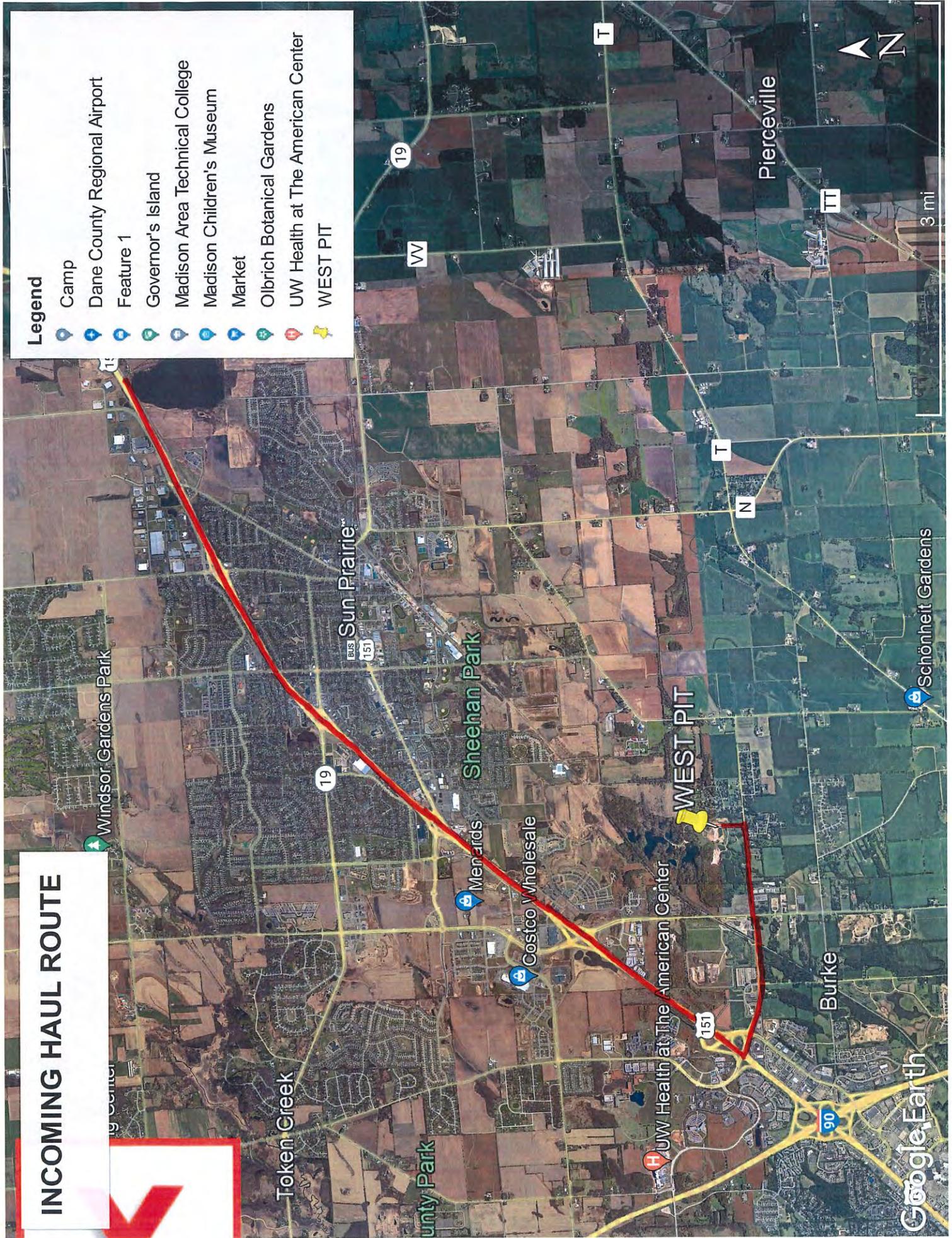
- Camp
- Dane County Regional Airport
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- WEST PIT



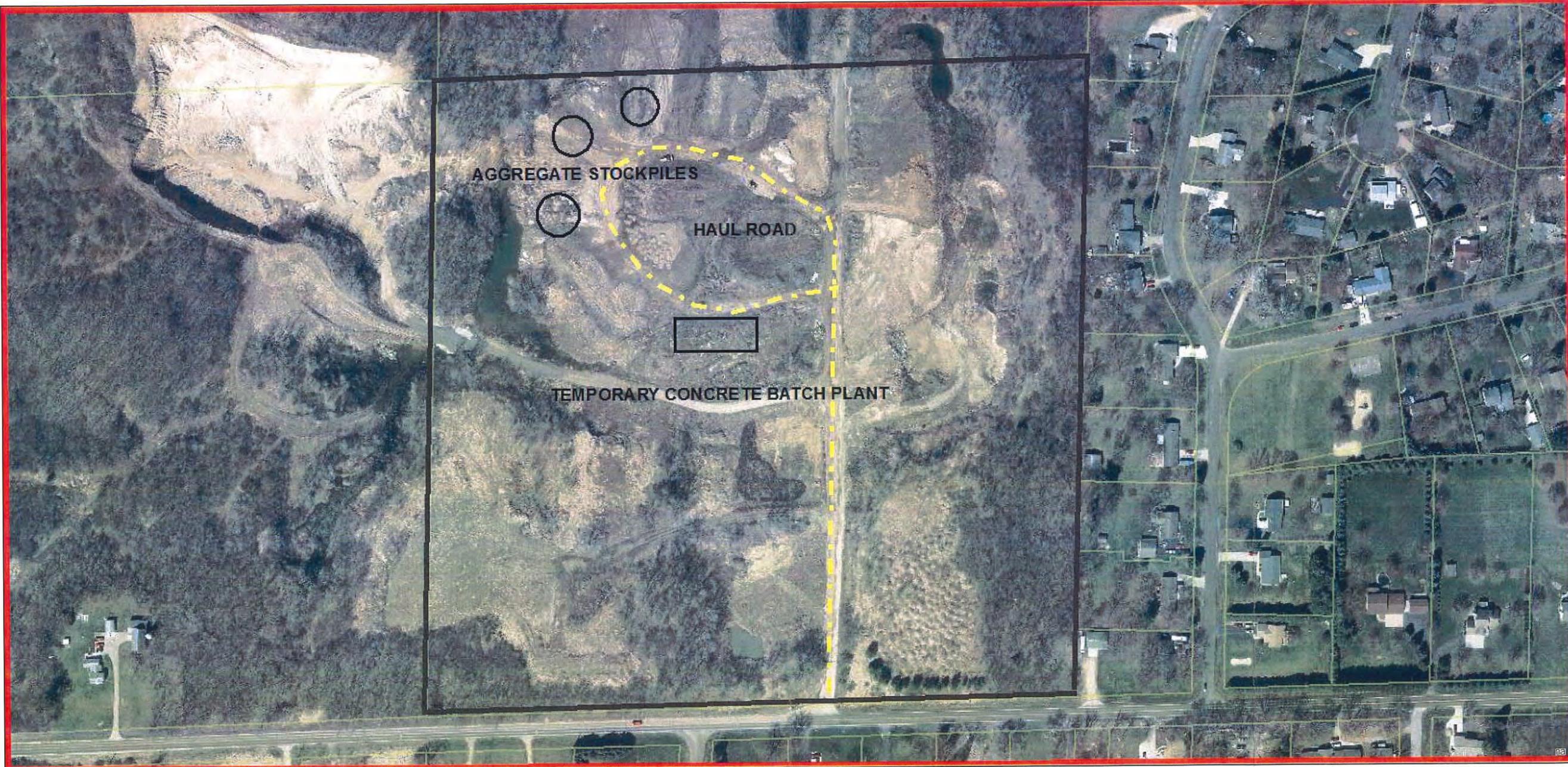
INCOMING HAUL ROUTE

Legend

- Camp
- Dane County Regional Airport
- Feature 1
- Governor's Island
- Madison Area Technical College
- Madison Children's Museum
- Market
- Olbrich Botanical Gardens
- UW Health at The American Center
- WEST PIT



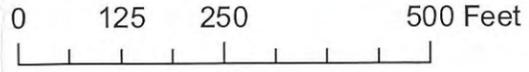
MADISON CRUSHING AND EXCAVATING



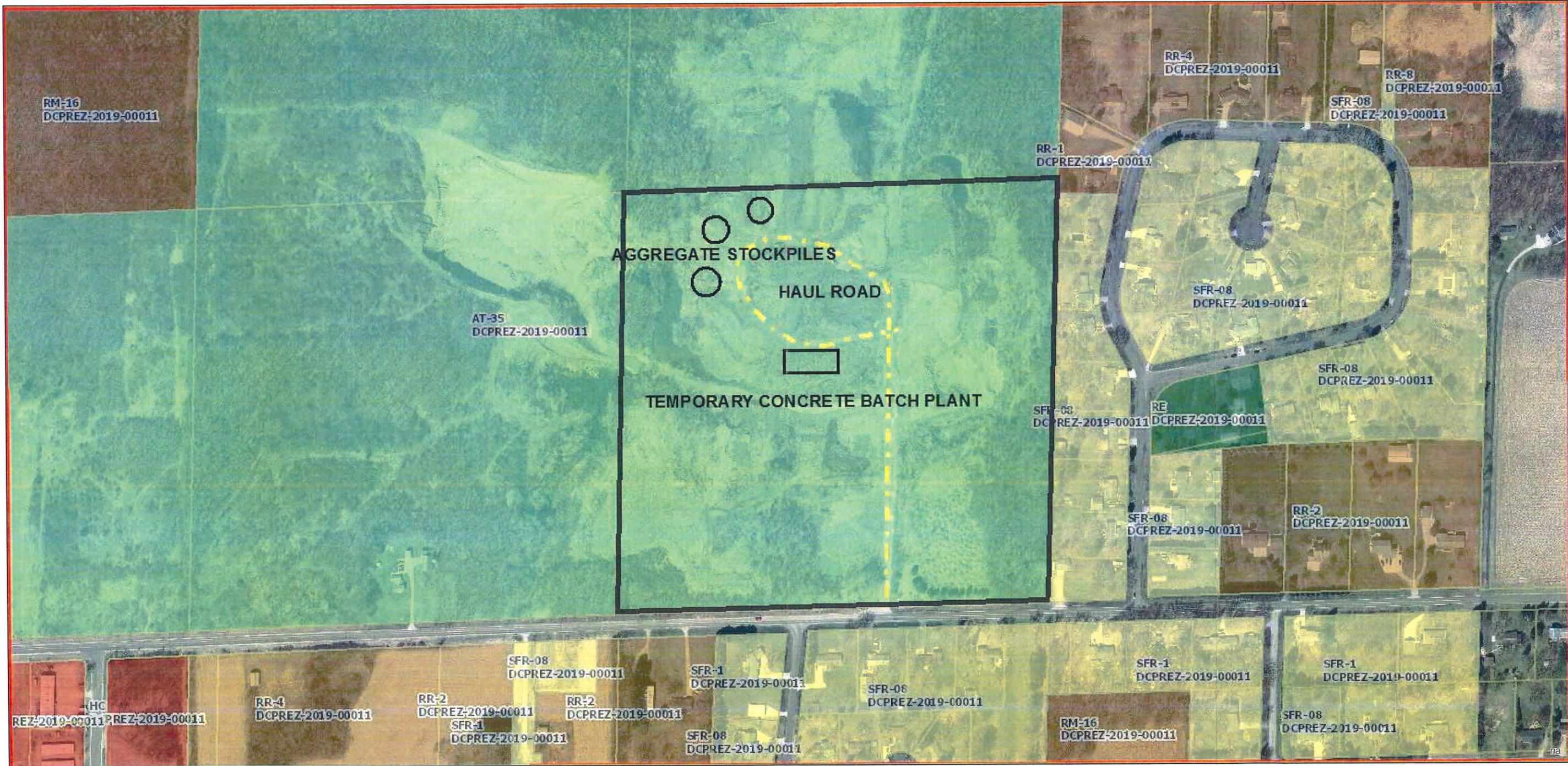
December 9, 2021

Dane County Mask

- Dane County Mask
- Parcels



MADISON CRUSHING AND EXCAVATING



December 9, 2021

Dane County Mask

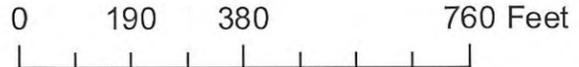
- Dane County Mask
- Parcels

Rural Zoning

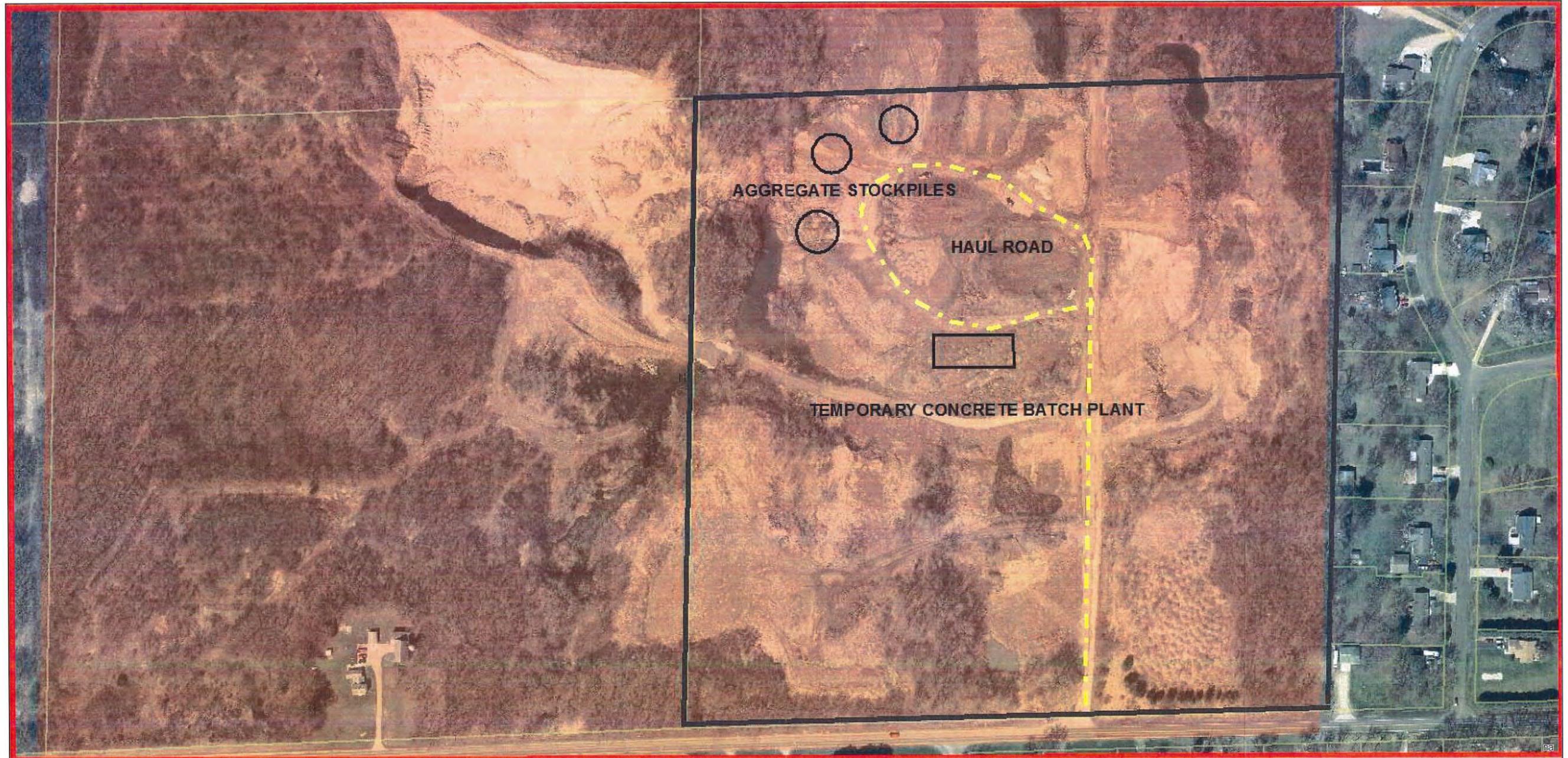
- Farmland Preservation
- Agricultural Transition
- Agricultural/Farmland Preservation Business

- Local Business
- Limited Commercial
- Commercial
- Heavy Commercial
- Hamlet
- Natural Resource Conservancy
- Industrial
- Planned Unit Development and EXP-1
- Residential
- Rural Residential and Rural Mixed Use
- Recreational
- Special Use

ETZ Extra-Territorial Zoning



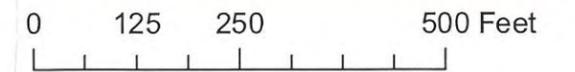
MADISON CRUSHING AND EXCAVATING



December 9, 2021

Dane County Mask

- Dane County Mask
- Parcels
- Mineral Extraction Sites - Active



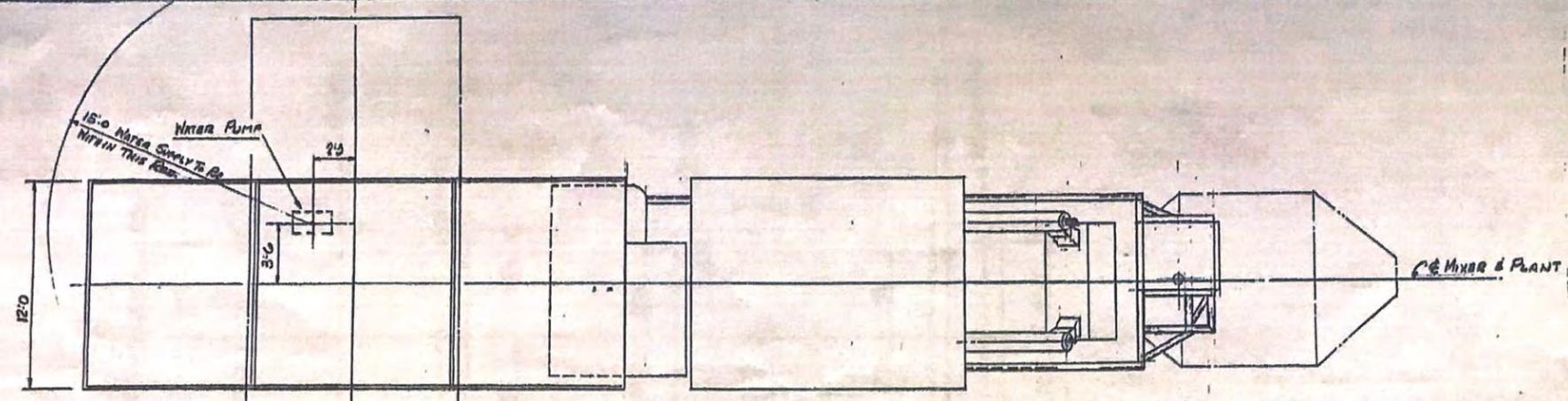
GENERAL RULES TO BE FOLLOWED FOR RAISING OR LOWERING THE PLANT

WARNING: THIS DRAWING CONTAINS IMPORTANT INFORMATION ABOUT THE OPERATION OF YOUR PLANT MODULE. KEEP THIS DRAWING IN A SAFE PLACE IN PROXIMITY TO THE PLANT MODULE ITSELF AND BE SURE THAT ALL PERSONS INVOLVED IN THE USE OR OPERATION OF THE PLANT MODULE THOROUGHLY FAMILIARIZE THEMSELVES WITH THE INSTRUCTIONS AND WARNINGS CONTAINED IN THIS MANUAL. PLEASE CALL THE VINCE HAGAN COMPANY AT 214/335-4601 IF YOU HAVE ANY QUESTIONS ABOUT THE INSTRUCTIONS OR WARNINGS CONTAINED IN THIS MANUAL. DO NOT ALLOW UNTRAINED OR UNQUALIFIED PERSONS TO OPERATE THE PLANT MODULE BECAUSE IMPROPER OPERATION OF THE EQUIPMENT MAY RESULT IN SERIOUS BODILY INJURY OR DEATH.

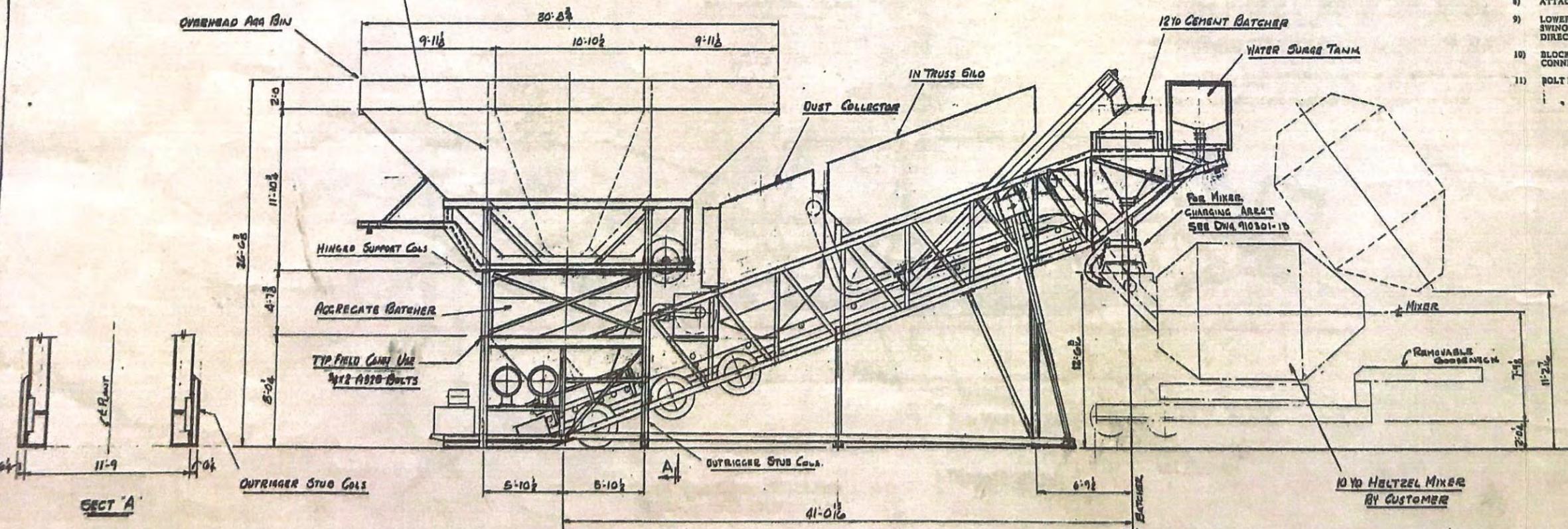
- 1) THE PLANT MODULE MUST BE ERECTED AND WELDED TO LEVEL GROUND. EMBED PLATES, ADEQUATELY SIZED TO SUPPORT THE CONCRETE BATCH PLANT DURING THE PRODUCTION OF CONCRETE. "WARNING" FAILURE TO ADEQUATELY SUPPORT THE PLANT MODULE COULD CAUSE IT TO TIP OVER AND RESULT IN SERIOUS BODILY INJURY OR DEATH." (REFER TO DWG. 910301-F)
- 2) THE AGGREGATE BIN MUST BE REMOVED FROM THE PLANT MODULE BEFORE IT IS RAISED OR LOWERED. THE IN-TRUSS CEMENT SILO, CEMENT BATCHER, AND WATER SURGE TANK MUST BE EMPTY BEFORE THE PLANT MODULE IS RAISED OR LOWERED.
- 3) A MINIMUM FIVE (5) MAN CREW IS RECOMMENDED FOR RAISING OR LOWERING THE PLANT MODULE. ONE PERSON MUST BE A QUALIFIED SUPERVISOR.
- 4) DO NOT ATTEMPT TO RAISE OR LOWER THE PLANT MODULE IN ADVERSE WEATHER CONDITIONS SUCH AS HIGH WINDS, RAIN, SNOW, OR SLEET.
- 5) NEVER STAND OR WALK UNDER THE PLANT MODULE WHILE IT IS BEING RAISED OR LOWERED.
- 6) INSPECT THE ERECTING SYSTEM FOR LOOSE OR DAMAGED BOLTS, PINS, MEMBERS, OR HYDRAULIC LEAKS EVERY TIME BEFORE RAISING OR LOWERING THE PLANT MODULE.

MODULE LOWERING PROCEDURE

- 1) CHECK OIL AND GAS LEVEL IN THE GAS ENGINE ON THE HYDRAULIC SYSTEM.
- 2) REMOVE CUSTOMER MIXER AND ASSOCIATED MIXER CONNECTING PARTS.
- 3) INSPECT THE CYLINDER RODS FOR DAMAGE OR BUILD UP OF FOREIGN MATERIAL. REMOVE ANY BUILD UP SO THAT THE CYLINDER SEALS AND PACKINGS DO NOT GET CUT OR RUPTURED.
- 4) REMOVE WELD FROM BEARING PLATES.
- 5) SEE ITEM 2 OF GENERAL RULES.
- 6) PLACE WHEEL BLOCKS IN FRONT AND REAR OF EACH OF THE FOUR TIRES ON THE REAR AXLE.
- 7) RAISE PLANT MODULE SLIGHTLY TO REMOVE THE KNEE BRACES FROM THE SWING LEGS. REMOVE THE STUB LEGS AT THE FRONT AGGREGATE BIN COLUMNS, AND UNPIN THE TELESCOPIC LEGS.
- 8) ATTACH TAG LINES TO THE SWING LEGS.
- 9) LOWER PLANT MODULE SLOWLY, USING TAG LINE IF NECESSARY TO FOLD SWING LEGS. (NOTE: A FLOW CONTROL KNOB IS LOCATED BESIDE THE DIRECTIONAL CONTROL LEVER).
- 10) BLOCK UNDER THE TRUSS AT A SUFFICIENT HEIGHT TO ALLOW CONNECTION TO THE TRUCK TRACTOR.
- 11) BOLT LIFT CYLINDER BASE ASSEMBLY TO BOTTOM TRUSS CHORD.



ALTERNATE BIN POSITION TURNED 90°



SECT 'A'

| | | | |
|------------|-------------------------------|-------------------------|---------------------|
| MADE FROM | | THE VINCE HAGAN COMPANY | |
| OWNER: | TONY ANGELO CEMENT CONST. CO. | | |
| DATE: | | | |
| MODEL NO.: | | | |
| TITLE: | PLANT GENERAL ARRANGEMENT | | |
| OWN BY: | DESIGN BY: | DRAWN BY: | DATE: |
| | | | 4-1-70 |
| REV. BY: | DATE: | DESCRIPTION: | DWG. NO. 910301-GA1 |

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



June 15, 2021

DNR Region: CO
County: Unknown
FIN: 48368
FID: 445039760

Facility Authorized Representative
Vinton Construction Company
PO Box 1987
Manitowoc WI 542211987

Subject: Reissued General WPDES Industrial Storm Water Discharge Permit Coverage for

Facility: VINTON CONSTRUCTION COMPANY MOBILE UNIT 1074
Location: N3638 CTH C, Freedom, WI,
Permit: General WPDES Permit for Storm Water Industrial Tier 2 Permit, Permit No. WI-S067857-05

Dear Permittee:

Pollutants carried in storm water runoff from industrial sites threaten or degrade water quality in many areas of the state. Because of this problem, state and federal laws require that certain dischargers of industrial storm water have coverage under a water pollution discharge permit. The purpose of the permit is to identify conditions under which industrial storm water can be discharged so that the quality of surface waters, wetlands and groundwater will be protected.

According to the Department of Natural Resources (Department) records, your facility is currently covered under the General WPDES Permit for Storm Water Industrial Tier 2 Permit. This letter serves as notification that this permit was reissued by the Department on May 31, 2021, and that your facility is now covered under the reissued General WPDES Permit for Storm Water Industrial Tier 2 Permit, Permit No. WI-S067857-05 (general permit). Accordingly, industrial storm water discharges at your facility must comply with the terms and conditions of the reissued general permit. The reissued general permit is available on the Department's website at dnr.wi.gov and searching for keywords **industrial storm water**. If, for any reason, you are unable to access the general permit over the Internet, please contact the Department at the (608) 267-7694 for assistance.

The Effective Date for coverage under the general permit at your facility is May 31, 2021. It is important that you read and understand the terms and conditions of the general permit because it is enforceable under both state and federal law. In accordance with s. 283.33(9), Wis. Stats., the Department will assess your facility an annual storm water discharge permit fee for coverage under the general permit. Please be aware that the invoice for the annual fee is mailed separately by the Department with instructions on how the fee should be paid.

You may petition the Department to withdraw coverage under this general permit and to replace it with a more detailed site-specific individual storm water permit. The Department is required by s. 283.35(2), Stats., to honor such a petition. Under these circumstances, you would be required to submit a detailed application for an individual permit. Please be advised that if the Department issues a site-specific individual permit for your facility, the annual fee shall be \$500.00.

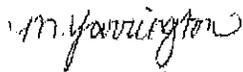
If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

If you have any questions about the reissued general permit, **please contact the storm water staff person who handles the area of the state in which your facility is located.** Storm water staff contact information is available from the Department's website at dnr.wi.gov and searching for keywords **storm water contacts** or visiting <https://dnr.wisconsin.gov/topic/Stormwater/contacts.html>.

Sincerely,



Melissa Yarrington
DNR Storm Water Program Coordinator

Frequently Asked Questions

1. **My facility closed or ceased operation. What do I need to do?** A facility that has closed or ceased operations and that no longer requires coverage under an industrial storm water discharge permit needs to submit a completed Notice of Termination (NOT) form to the DNR. The NOT form must be filed via the Water ePermitting System.
2. **What do I need to do if my industrial facility moves to a new location?** If your facility moves, in addition to terminating coverage for the previous location by submitting a Notice of Termination form, you also need to reapply for the industrial storm water discharge permit coverage for the new location by submitting a Notice of Intent (NOI) form. The permit coverage is for the unique location and does not move with the operation. The NOT and NOI forms must be filed via the Water ePermitting System.
3. **My facility is being sold or has been sold to another owner. Can the industrial storm water discharge permit coverage be transferred to the new owner?** Yes, both the previous owner and new owner may request a permit coverage transfer to the person who will control the industrial facility. To transfer the permit coverage to the new owner, both the previous owner and new owner need to sign a transfer request. The new owner must file an NOI form with the signed Transfer of Coverage form via the Water ePermitting System.
4. **I need to update my facility contacts.** Please email DNRSWPermits@wisconsin.gov with your FID and updated contact information.

Water ePermitting System: dnr.wi.gov/permits/water/; Log in with your WAMS ID, click on "Storm Water" on the left hand side, then choose 'Storm Water Industrial Permit' or 'Notice of Termination'.

Website: dnr.wi.gov/topic/stormwater/industrial/

Storm Water Staff: dnr.wi.gov/topic/stormwater/contacts.html

Detailed information

Permittee: Madison Crushing &
Excavating

County: Dane

FID: 113324970

Site Name: West Pit

Site Address: Nelson Rd

FIN (Facility
ID): 22467

Minor Civil
Division: SUN PRAIRIE

Permit No: A046515

MCD Type: T

DNR Region: SC

Primary SIC
Code: 1440 1420

Permit Name: Nonmetallic Mining
Operations - Non-IS

Secondary SIC
Code(s):

Status: 6 - PERMIT COVERAGE GRANTED



VINTON CONSTRUCTION COMPANY...Road Contractors

An Equal Opportunity Employer

P.O. Box 1987

2705 N. Rapids Road

Manitowoc, WI 54221-1987

Office (920) 682-0375

Fax (920) 682-2838

Temporary Portable Concrete Batch Plant Pollution Prevention and Spill Response Plan

Purpose and Focus

This plan will focus on identifying potential pollutants found at the concrete batch plant site and prepare best management practices to eliminate the contact of those pollutants with sensitive waters of the state. The focus of this plan will be to develop procedures to prevent contamination from pollutants, train employees in these procedures, and to monitor, evaluate, and modify (as necessary) these procedures to ensure continual compliance with the plan's intent.

1.) Facility Identification

- a. **Name of Facility:** Portable Batch Plant-Unit 1074
FID: 445039760

2.) Facility Potential Pollutants

- a. **Diesel Fuel/Gasoline**
 - i. Spills during fueling trucks and equipment
 - ii. Spills during transfer from delivery truck to tank
 - iii. Defective fuel lines and hoses
- b. **Hydraulic Fluid**
 - i. Overfilling reservoir on equipment
 - ii. Defective or failed hydraulic hoses
 - iii. Leaking seals
 - iv. Improper storage
- c. **Grease**
 - i. Over greasing equipment
 - ii. Improper disposal of used tubes and towels
- d. **Lubricating Oils**
 - i. Overfilling equipment
 - ii. Leaking seals on equipment
 - iii. Spill during equipment service
 - iv. Improper storage
- e. **Antifreeze**
 - i. Leaking from equipment
 - ii. Overfilling reservoir

- f. **Sand**
 - i. Runoff from pile
- g. **Clear Stone ¾"-1 ½"**
 - i. Runoff from pile
- h. **Cement and Flyash**
 - i. Defective or failed transfer hoses and pipes
- i. **Concrete Admixture-Air Entrainment and Water Reducer**
 - i. Overfill of container during transfer from delivery truck
 - ii. Defective or failed lines
 - iii. Improper storage
- j. **Sediment**
 - i. Runoff not contained on site
- k. **Concrete and Concrete Washout**
 - i. Overfill from transfer from plant to trucks
 - ii. Overfill of washout containment system

3.) **Best Management Practices (BMPs)**

- a. **Employee Training and Awareness**
 - i. The Pollution Prevention and Spill Response Plan is presented and reviewed at the annual safety and information meeting. The intent of the plan is stressed, and recent changes or modifications are noted. Employees involved in the operation of these sites discuss items to strengthen the plan.
 - ii. The importance of pollution prevention is discussed periodically throughout the construction season with employees involved in the operation of these sites. Good housekeeping practices are stressed. Employees are aware that even the smallest of drips and leaks need to be addressed.
 - iii. Copies of this plan are included in the batch plant control trailer.
- b. **Inspection and Supervision**
 - i. Portable batch plant site operations (when in operation), all storage areas, and surrounding areas are inspected at least once a month to document compliance with the plans BMPs. This inspection is primarily conducted by the safety director but may also be completed by any foreman or supervisor. Any changes in the plan and procedure that are found necessary to improve the plan performance are noted and incorporated into the plan via modifications. Any findings and corrections needed are addressed with all foremen and supervisors via email.
 - ii. The plant operator (when in operation) inspects the area of operations daily. This inspection includes a pre-startup inspection, continuous monitoring during operations, and post operation inspection to ensure that all equipment is operating properly, and all materials are properly stored and secured before leaving the site. Throughout the day, the plant operators supervise all bulk

material deliveries to the plant. Fuel transfers and admix deliveries are monitored to ensure that spills do not occur. Plant personnel assist delivery drivers to ensure a safe and effective transfer of all materials. Refueling of equipment is always monitored to eliminate spills.

- iii. Quarterly inspections will be conducted by the Safety Director. These inspections will involve monitoring of BMPs and the sampling of water for the presence of oil and grease.

c. Material, Equipment and Product Storage

- i. Containers are properly labeled to ensure recognition by employees and decrease the chances of accidental spills or improper disposal.
- ii. Containers and other storage devices are stored away from direct traffic routes to prevent contact with trucks and equipment and possible damage to those containers.
- iii. Equipment is parked on level solid areas

d. Repair and Preventative Maintenance

- i. Equipment is inspected and serviced as needed to eliminate leaking seals, lines, hoses, and gaskets. Drip pans, absorbents, and other acceptable means to contain leaks that develop until they can be repaired are utilized.
- ii. Employees are instructed in proper lubrication and fueling procedures for equipment operated. Manufacturer's specifications are followed to eliminate overfill. Greasing of bearings and wear surfaces is carefully monitored to eliminate unnecessary grease contact with environment. Overflow is collected and disposed of properly.
- iii. Drip pans, absorbent material, used towels are stored in a manner that prevents contact with environment.

e. Housekeeping Practices

- i. Adequate supplies of drip pans and absorbent material are kept on site.
- ii. Containers, materials, and supplies are stored in an orderly fashion.
- iii. Even the smallest of leaks shall be addressed as soon as detected to prevent impact.

f. Environmental Control

- i. Aggregate stockpiles are kept at a manageable slope to reduce erosion.
- ii. Environmental impacts are considered prior to setting up batch plant, storage of materials, and placement of equipment.
- iii. Batch plants are typically set up according to existing topographic features to ensure containment and prevent release of material

during a potential spill. In areas where existing topographic features do not ensure containment, berms and other erosion control devices will be constructed. Extra measures such as berm construction or erosion control devices may be used in sensitive environmental areas as well.

g. Spill Response

- i.** All batch plants will have at a minimum one large front-end loader on site. This equipment will be made available for containment and clean-up operations in the unlikely event of a spill.
- ii.** Spill kits are kept at the batch plant site.
- iii.** All plant personnel will respond immediately to a spill to minimize environmental impact.