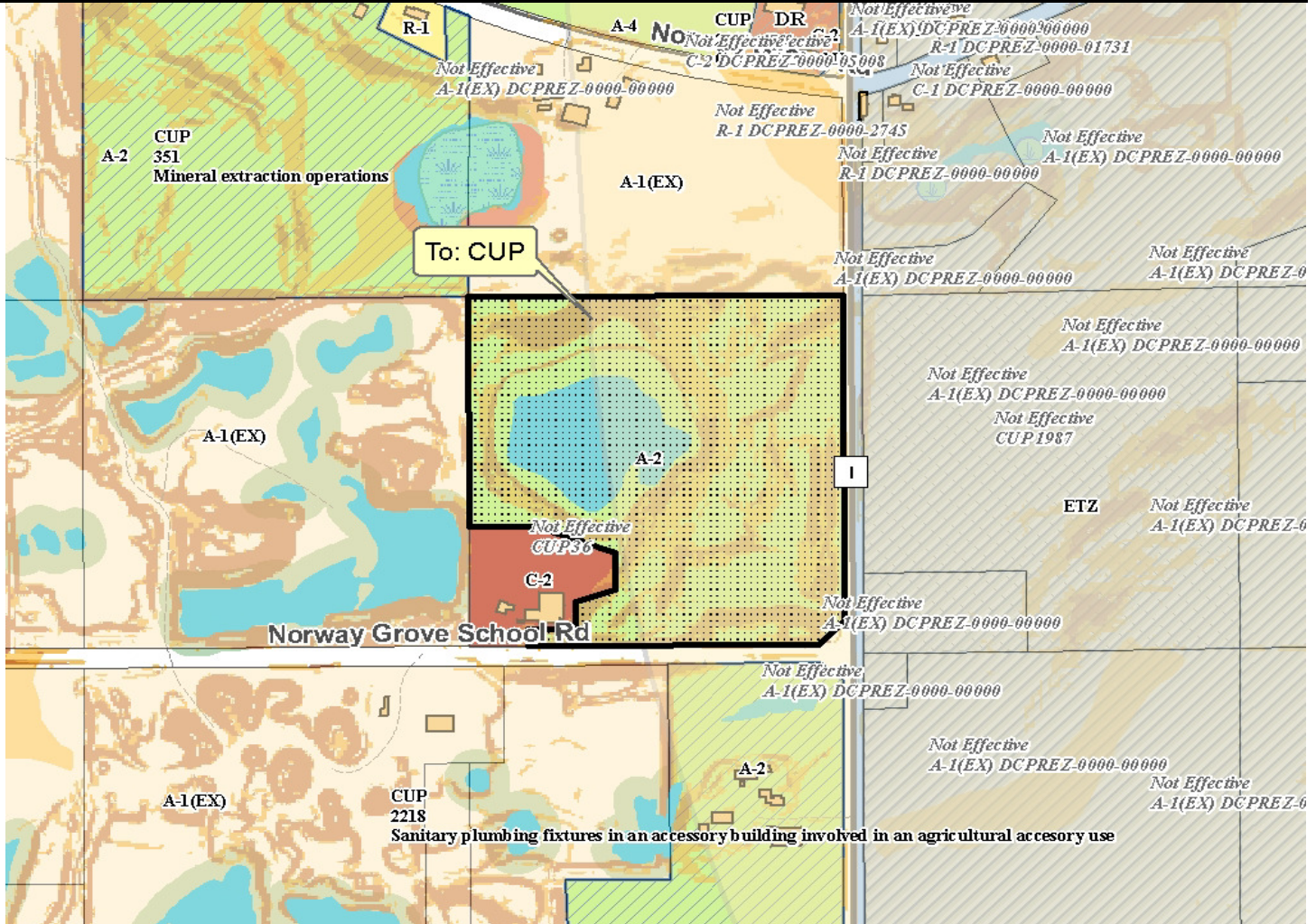




Staff Report

Public Hearing: September 27, 2016	Petition: CUP 2357
Zoning Amendment: None	Town/sect: Vienna Section 22
Acres: 33.5 Survey Req. No	Applicant LB Land Investments Inc
Reason: Solid waste (organic matter) recycling center	Location: 5338 Norway Grove School Rd

Zoning and Land Regulation Committee



DESCRIPTION: The applicant proposes to locate a yard waste composting facility in a reclaimed quarry site.

OBSERVATIONS: The property is part of a register non-conforming mineral extraction site. The property was reclaimed in 1998 to a pasture area prior to the adoption of reclamation ordinances. There is a man-made pond on the property. A portion of the pond has been filled in order to create a level area for the proposed use. The neighboring land uses are quarries and farm fields. There is one residence located approximately 1000 feet to the south.

TOWN PLAN: The property is designated as an Agricultural Preservation Area. The Town Plan allows the reuse of inactive quarry facilities as long as the future use does not conflict with neighboring uses.

RESOURCE PROTECTION: The property outside the resource protection area.

STAFF: The proposal appears to meet the town plan policies. Staff is suggesting that 10 conditions be placed on the conditional use permit to mitigate potential nuisances.

TOWN: Approved with conditions.

Proposed Conditional Use Permit #2357

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
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.
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.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing. Note: Town conditions have been incorporated into conditions below.

1. A NR 502.12 compost permit shall be obtained and maintained from Wisconsin Department of Natural Resources. The permit shall be posted on the front fence or gate.
2. The operator shall provide an outline of the Wisconsin DNR Composting materials which are approved for the site.
3. The solid waste recycle operation shall be limited to composting of grass clipping, leaves, wood chips, post processed fiber material, and food wastes from grocery stores. The food waste from grocery stores shall be limited to fruit/vegetable waste or other plant waste less than 5,000 cubic yards.
4. The operation of the composting facility, including deliveries, shall be limited to the hours of 7am to 5pm, Monday through Friday, Saturday 7am to Noon.
5. The composting shall take place in windrows. The windrows shall be turned frequently to encourage aerobic activity and control odors.
6. The process of the compost material shall be monitored by a trained operator to ensure proper C:N ratios, water content, internal temperature, and proper ph.
7. Storm water management permit shall be obtained from Dane County Land Conservation and the conditions of the permit shall be adhered.
8. The on-site well shall be tested annually for phosphorous and nitrate content. The report shall be submitted to the Town Clerk. The first test shall be conducted prior to opening to establish a baseline for the water test.
9. A 2-foot tall berm shall be constructed along the east and south side of the pond to reduce storm water from entering the pond from the composting area.
10. The operator will provide adequate documentation to the Town of Vienna of their cooperative agreement with Madison Sand and Gravel to maintain the portion of Norway Grove School Road from the private drives east to County Highway I.
11. The Town Board shall approve any additional buildings being constructed or located on the site.
12. A deed restriction shall be recorded on the A-2 Agriculture lot to limit the land use to a composting facility.