


Dane County Rezone & Conditional Use Permit

Application Date	Petition Number
02/02/2018	DCPCUP-2018-02413
Public Hearing Date	C.U.P. Number
04/24/2018	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME MARK S ROSENBAUM	PHONE (with Area Code) (608) 577-1305	AGENT NAME MARK ROSENBAUM	PHONE (with Area Code) (608) 577-1305
BILLING ADDRESS (Number & Street) 972 STATE HIGHWAY 138		ADDRESS (Number & Street) 972 STATE HIGHWAY 138	
(City, State, Zip) STOUGHTON, WI 53589		(City, State, Zip) STOUGHTON, WI 53589	
E-MAIL ADDRESS		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
3159 CTH A					
TOWNSHIP DUNKIRK	SECTION 18	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0511-182-9000-0					

REASON FOR REZONE			CUP DESCRIPTION	
FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES

C.S.M REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS DJE1	SIGNATURE:(Owner or Agent) 
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PRINT NAME:
X Mark Rosenbaum

DATE:
X 2/2/18



DANE COUNTY
PLANNING DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Conditional Use Application

Application Fee: \$486 Mineral Extraction: \$1136

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner	<u>Mark S. Rosenbaum</u>	Agent	_____
Address	<u>972 State Road 138</u>	Address	_____
Phone	<u>Stoughton, WI 53589</u>	Phone	_____
	<u>608 577-1305</u>		_____
Email	<u>mrosenbaum@tds.net</u>	Email	_____

Parcel numbers affected: 026-0511-182-9000-0 Town: Dunkirk Section: 18
026-0511-182-9500-5 Property Address: 3159 County Hwy. A

Existing/ Proposed Zoning District : A-1 EX, CUP - MINERAL EXTRACTION USES
ASKING FOR A 40 YEAR TIME FRAME

● Type of Activity proposed:
Separate checklist for mineral extraction uses must be completed.

- Hours of Operation
- Number of employees
- Anticipated customers
- Outside storage
- Outdoor activities
- Outdoor lighting
- Outside loudspeakers
- Proposed signs
- Trash removal
- Six Standards of CUP (see back)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.

Submitted By:

Date: 2/2/18

Dane County Planning Development - Conditional Use Application

Type of Activity Proposed:

Rosenbaum Crushing & Excavating (Mark S. Rosenbaum, Owner) is proposing an expansion of the existing sand and gravel pit located at 971 State Road 138, Stoughton, WI. The proposed 70.05 acre expansion site is located directly west and adjacent to the existing sand & gravel pit.

Application Checklist - Mineral Extraction

Legal Description – See attached map. Parcel number 026-0511-182-9000-0 and 026-0511-182-9500-5 located in Section 18, Town of Dunkirk, Dane County, Wisconsin.

We are proposing to mine the aggregate from the 70.05 acres directly west and adjacent to our existing sand and gravel pit located at 971 State Road 138.

The existing land is currently farm land and woods.

The existing land and woods has a depth to ground water ranging from 25' to 40' feet.

The materials to be extracted would include: topsoil, clay, sand and gravel. Approximately 20,000 to 60,000 ton per year would be extracted depending on market conditions and demands.

The first phase of the extraction will begin soon after the approval is granted and will continue for as many years as the resource exists. The reclamation plan would be an ongoing process as each extraction phase is completed.

The proposed hours of operation would be 6 am to 6 pm Monday through Friday.

The geologic composition consists of topsoil, clay, sand and gravel with sand and gravel deposits approximately 6" to 48" below the surface.

All materials shall be transported on the existing driveway located at 971 State Road 138, Stoughton.

We plan to mine small areas at a time. We will be extracting sand and gravel from approximately 3-5 acres at one time and reclaiming that area before moving on as we are already doing with our reclamation plan on our adjacent existing sand and gravel pit. Our long term reclamation plan includes a man made lake and wildlife area.

Initially, the operation will require a backhoe, haul truck and loader and would run periodically on an as needed basis from spring to fall. Long term plan would be to use conveyors to convey product more efficiently without trucks or loaders. In approximately 10 years when adequate space allows, a crusher and/or screen plant could be used to size product before conveying.

No drilling or blasting will take place on the property. As mentioned above, in approximately 10 years, crushing and/or screening would take place from spring to fall.

There will be no bulk fuel storage on this site. Equipment will be refueled at the existing sand and gravel pit.

There will be no asphalt batching or concrete mixing on this site.

There will be no storage of recycled materials on this site.

Initial extraction of sand and gravel will occur above the water table. Eventually, materials will be extracted from below the water table as demand warrants. The operations will be similar to our existing sand and gravel operation and those operations have not had an impact on ground water quality. No harmful chemicals are used in the processing of the sand and gravel and a spill prevention and control plan will be in place prior to extracting materials from below the water table.

There will be no permanent or temporary structures placed on this site.

Special measures will be used for spill prevention and control including aggressive equipment maintenance and strong operational controls. Dust will be controlled with the use of water and/or recycle asphalt covered haul roads. Conveyors will be used whenever possible to minimize haul road dust.

Proposed use of this site after reclamation will include a man-made lake with abundant wildlife habitat. The existing reclamation plan issued by Dane County Land Conservation Department, on the active site adjacent to this property is Rosenbaum Plan, Permit #74-50, ES2004-0145, Town of Dunkirk.

Conditional Use Application – Mineral Extraction

Additional Requirements To Application Checklist

Hours of Operation

The hours of operation will be 6 a.m. to 6 p.m. Monday through Friday.

Number of Customers

There will be approximately three employees working on this site.

Anticipated Customers

The anticipated customer base will be the current customer base of the existing sand and gravel operation. These customers include municipalities, contractors, farmers, private residence, etc.

Outside Storage

There will be no outside storage.

Outdoor Activities

There will be no other outdoor activities other than the work performed.

Outdoor Lighting

There will be no artificial outdoor lighting.

Outside Loudspeakers

There will be no outside loudspeakers.

Proposed Signs

The proposed signs will include applicable safety warning signs and no trespassing signs around the perimeter.

Trash Removal

There will be no need for trash removal.

Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

Rosenbaum Crushing & Excavating has been operating a nonmetallic mineral extraction site immediately adjacent to the proposed site for over 25 years and the establishment, maintenance and operation of that site has not been detrimental to or endangered the public health, safety, comfort or general welfare.

Rosenbaum Crushing & Excavating will operate under a set of conditions of approval for the mineral extraction operations to assure that the project meets the CUP Standard of the zoning ordinance. The proposed conditions are included in the application.

(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.

Public Health

No chemicals will be used.

Dust control measures put in place to control fugitive dust.

An Erosion Control Permit will be applied for and received prior to beginning operations.

Noise impact to neighbors is minimal due to berms and trees put into place that shield the noise and due to the low elevation of the operation.

No flow of water into the site other than natural precipitation.

Rosenbaum Crushing and Excavating has a successful track record of removing sand & gravel for 25+ years with no problems and no detriment to the public health.

Public Safety

Access to this site will be from 971 State Road 138 only.

The site is secured by fences, gates, landscaped berms and no trespassing signage.

No blasting will be done.

Trucking to and from the site is not expected to differ from the current operations on Rosenbaum Crushing & Excavating site.

Adjacent Rosenbaum Crushing & Excavating site has been operating for 25+ years with no detriment to public safety.

Public Comfort

The site will be returned to productive aquatic and wildlife habitats.

No increase in noise.

All equipment will have mufflers.

Site is bordered primarily by farmland and a current mineral extraction site.

This source will provide a supply of high quality aggregate used to improve and maintain the streets, roads and highways of southern Wisconsin.

Site is fairly remote and away from homes.

Adjacent Rosenbaum Crushing & Excavating site has been operating for 25+ years with no detriment to the public comfort.

Public General Welfare

This site will provide a substantial source of high quality aggregates within the community with which to build our homes, schools, highway, buildings etc. without incurring additional trucking costs.

Rosenbaum Crushing & Excavating has operated the adjoining site in a responsible manner with no impact to the public general welfare.

Operations limited to Monday through Friday.

Adjacent Rosenbaum Crushing & Excavating site has been operating for 25+ years with no detriment to the public general 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.

Allowed use in the A-1 classification, surrounding lands are predominately zoned agriculture.

The surrounding berms and the lower elevation of extraction will shield operations.

There will be no drilling or blasting.

No asphalt plant or redimix plant are part of this permit application.

Fugitive dust will be controlled.

The adjacent Rosenbaum Crushing & Excavating site has been operating for 25+ years with no detriment to the uses, values and enjoyment of other property in the neighborhood.

(3) That 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.

The land use that surrounds the site is predominately agriculture.

A large portion of this parcel will remain in agricultural use (i.e. farmland) during the mineral extraction process.

The parcel will be turned into an aquatic and wildlife habitat when the mineral extraction is completed.

(4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

No additional services will be required.

Existing access road to State Road 138 will be used.

The site will be constructed per the plans and proposals.

No water will leave the site.

A storm water and erosion control plan will be acquired and implemented.

The equipment is portable.

No permanent structures will be constructed.

(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.

All vehicles will enter and exit the site via a single access to State Road 138. Our safety record of trucks entering and exiting the existing operation for the last 25+ years has been spotless.

(6) That the conditional use shall conform to all applicable regulations of the district in which it is located.

This plan and proposal meets all the regulations of the A-1 Exclusive Ag district.

Conditional Use Permit - Mineral Extraction Application Checklist

Applicant			Zoning
Plan Requirement	✓	Location in plan - page #	✓
1. Legal description - CSM and/or exact metes & bounds. Size of area requesting - acreage Parcel number(s)			
2. Written statement that includes the following:			
General description of the operation.			
Existing uses of the land.			
Existing natural features including depth to groundwater.			
Types and quantities of materials that will be extracted.			
Proposed dates to begin extraction, end extraction and complete reclamation.			
Proposed hours and days of operation.			
Geologic composition and depth to the mineral deposit.			
Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.			
Proposed phasing plan (recommended for larger sites)			
Types, quantities and frequency of use of equipment to extract, process and haul.			
Frequency of blasting, drilling, mining, crushing, screening, washing, refueling.			
Bulk fuel storage.			
Asphalt batching or concrete mixing.			
Proposed storage of recycled materials.			
Does extraction occur below the water table / protection of groundwater.			
Permanent or temporary structures.			
Spill prevention and or dust control.			
Proposed use after final reclamation as consistent with Ch. 74. Separate checklist for reclamation permit.			

This checklist is required in addition to a complete application for a conditional use permit. Application may be deemed incomplete if required information is not submitted.

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DIANA HANSON
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STOUGHTON WI 53589

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TODD M LEIS
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RICHARD KALSCHUR
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MADISON WI 53711

BOTHUM LIVING TR
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KIM RAISBECK
3167 COUNTY HIGHWAY A
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KEVIN D HANSON
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MICHAEL D BRADLEY
RICHARD L PEDERSON
3213 COUNTY HIGHWAY A
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USA FISH & WILDLIFE SERVICE SECRETARY O
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1 FEDERAL DR RM 530
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Current Owner
3204 COUNTY HIGHWAY A
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SARAH LIN JOHNSON
LUKE GLENN JOHNSON
3151 COUNTY HIGHWAY A
STOUGHTON WI 53589

BRUCE L JOHNSON
3182 COUNTY HIGHWAY A
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LESTER G SKOEN
DOUGLAS SKOEN
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LAVERNE C NELSON JR
VICKIE L NELSON
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VIKE LIVING TR SONJA M
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SHAPIRO REV TR STUART M & WENDY J
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LA VERNE C NELSON
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Current Owner
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Current Owner ✓
Current Owner
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TODD M LEIS
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Current Owner
Current Owner
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Current Owner
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MOE LE CAROL F
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L&S INVESTMENTS
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LARRY C NELSON ✓
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DONALD BATES
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KARN KUHLS
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LINDSEY HANSON
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JACKIE BEHL
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DOUGLAS SKOIE
3041 COUNTY HIGHWAY A
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~~MARK S ROSENBAUM
JUDY A ROSENBAUM
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WILLARD D HANSON
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SARAH LIN JOHNSON
LUKE GLENN JOHNSON
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SCOTT A KLONGLAND
889 STATE HIGHWAY 138
STOUGHTON WI 53589

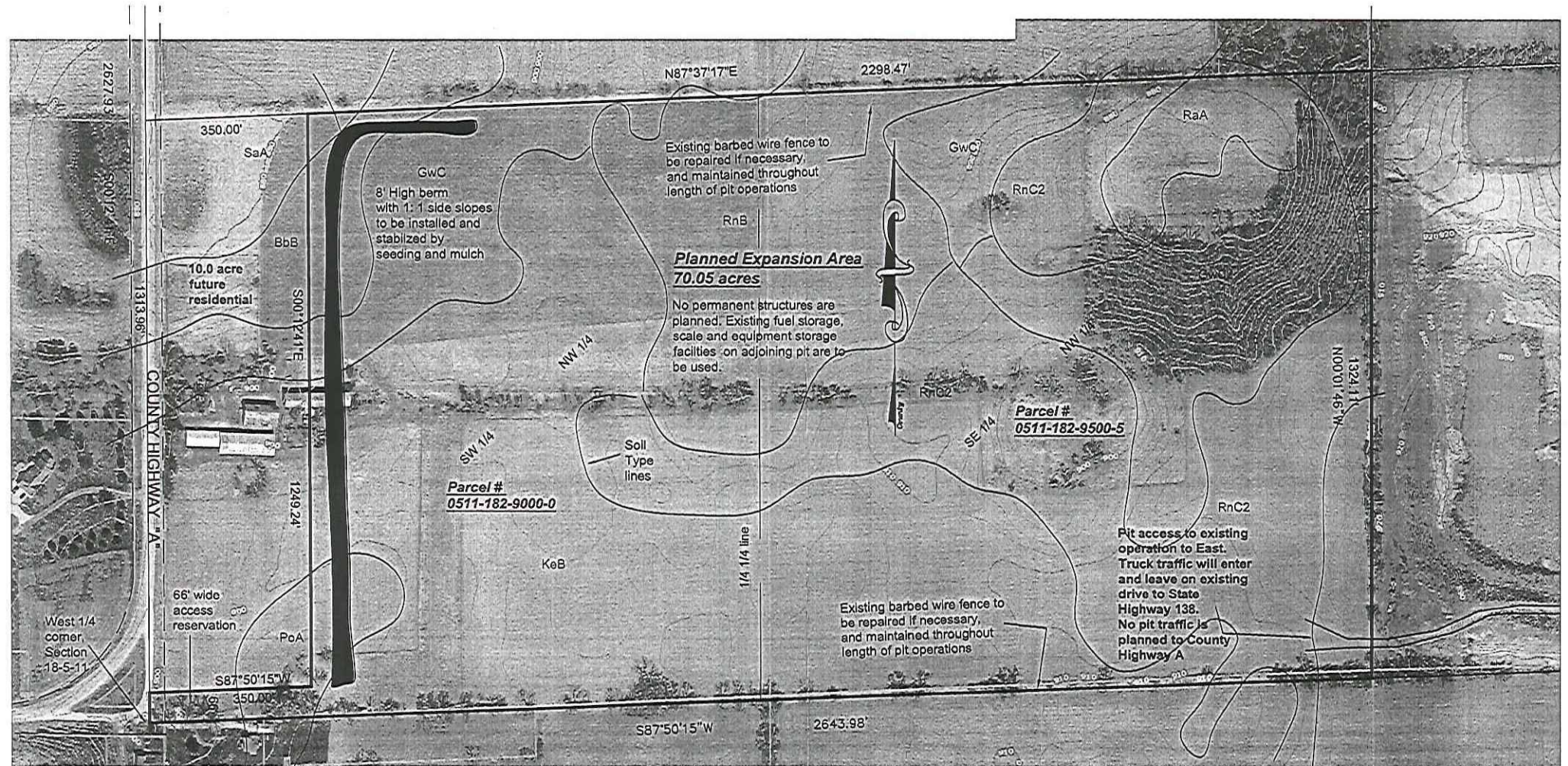
~~KIM RAISBECK
3167 COUNTY HIGHWAY A
STOUGHTON WI 53589~~

MARY JO S CHAMBERLAIN
794 BASS LAKE RD
STOUGHTON WI 53589

~~SCOTT A KLONGLAND
889 STATE HIGHWAY 138
STOUGHTON WI 53589~~

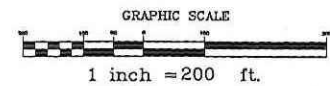
~~JUDY L DERRICKS
2967 SAM MILES RD
STOUGHTON WI 53589~~

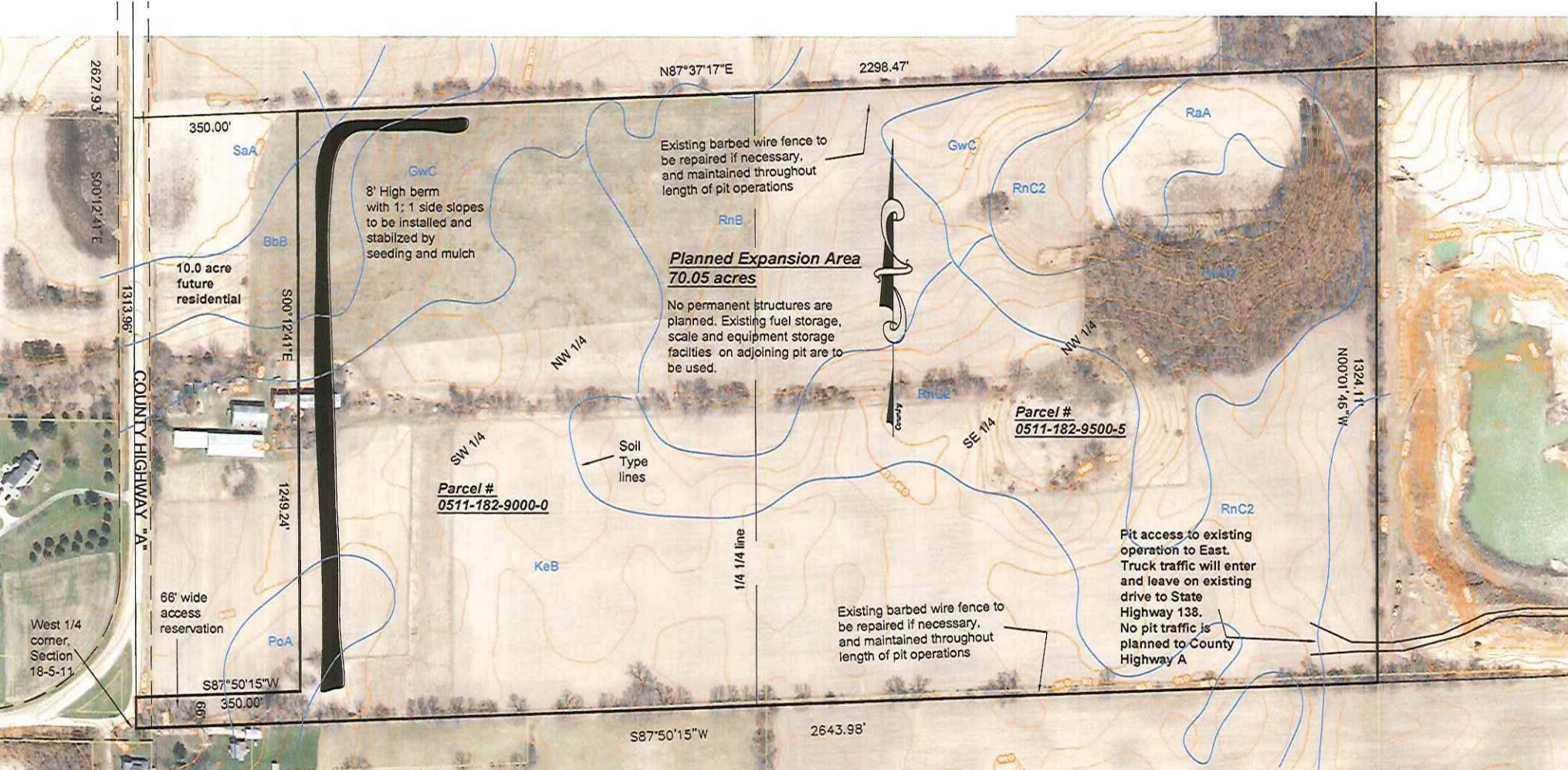
~~JUDY L DERRICKS
ALICE JOHNSON
2967 SAM MILES RD
STOUGHTON WI 53589~~



Pit Expansion Area
 Part of the SE ¼ of the NW ¼ and the SW ¼ of the NW ¼ of Section 18, T.5N., R.11E., Town of Dunkirk, Dane County, Wisconsin, described as follows:
 Beginning at the West ¼ corner of Section 18; thence N87°50'15"E, 2643.98 feet to the Southeast corner of the SE ¼ of the NW ¼; thence N00°01'46"W, 1324.41 feet to the Northeast corner of said ¼ - ¼; thence S87°37'17"W along the North line of the South ½ of the Northwest ¼, 2298.47 feet; thence S00°12'41"E parallel with the West line of said South ½, 1249.24 feet; thence S87°50'15"W, 350.00 feet to said West line; thence S00°12'41"E, 66 feet to the point of beginning. Containing 70.05 acres.

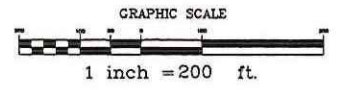
Owners:
 Mark and Judy Rosenbaum
 972 State Highway 138,
 Stoughton, WI. 53589





Pit Expansion Area
 Part of the SE ¼ of the NW ¼ and the SW ¼ of the NW ¼ of Section 18, T.5N., R.11E., Town of Dunkirk, Dane County, Wisconsin, described as follows:
 Beginning at the West ¼ corner of Section 18; thence N87°50'15"E, 2643.98 feet to the Southeast corner of the SE ¼ of the NW ¼; thence N00°01'46"W, 1324.41 feet to the Northeast corner of said ¼-¼; thence S87°37'17"W along the North line of the South ½ of the Northwest ¼, 2298.47 feet; thence S00°12'41"E parallel with the West line of said South ½, 1249.24 feet; thence S87°50'15"W, 350.00 feet to said West line; thence S00°12'41"E, 66 feet to the point of beginning. Containing 70.05 acres.

Owners:
 Mark and Judy Rosenbaum
 972 State Highway 138,
 Stoughton, WI. 53589



Dane County Public Notification - Internet Explorer

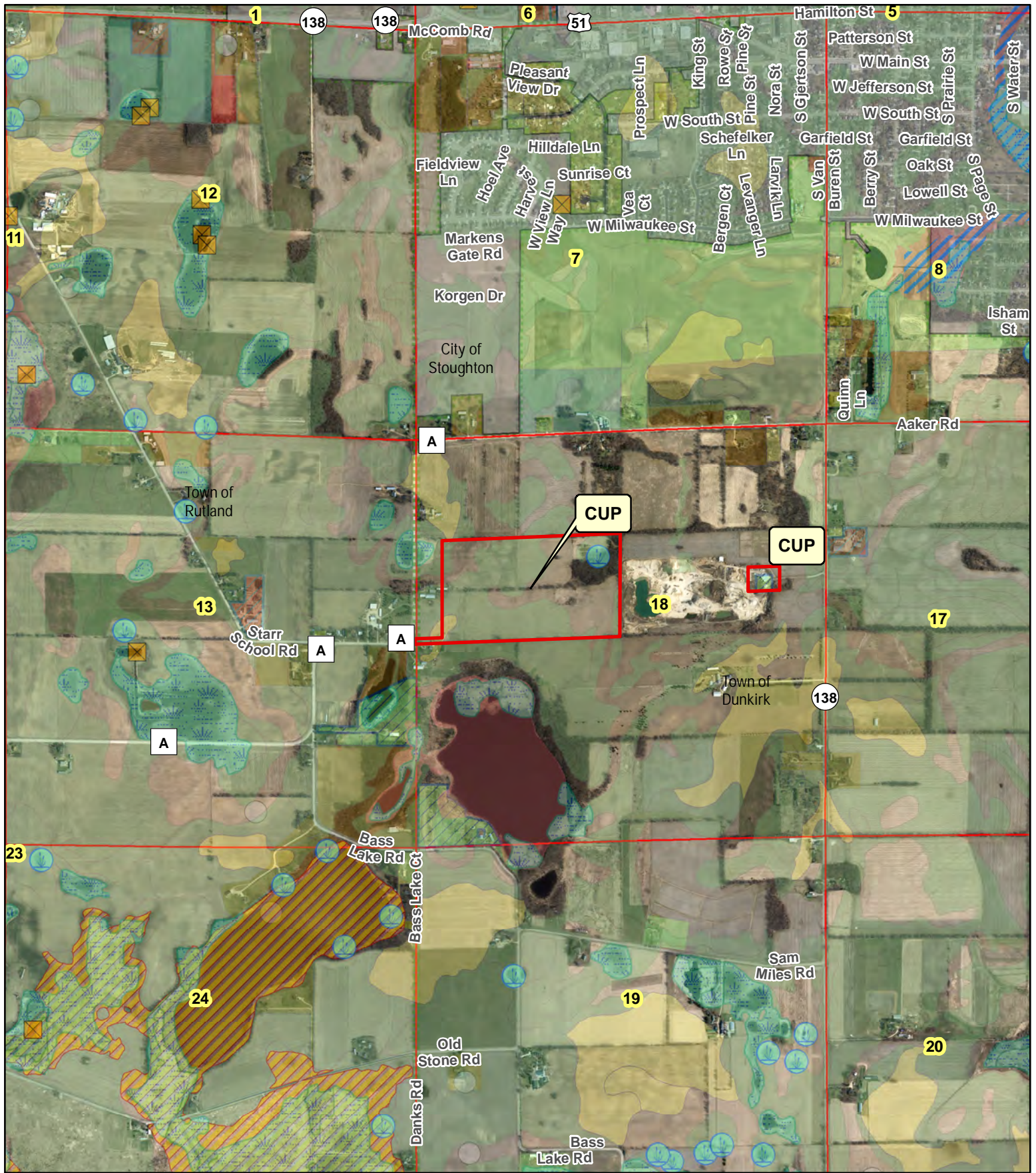
https://daneapps.countyofdane.com/public/... Access Dane Dane County Public Notification x dcmapps.countyofdane.com

File Edit View Favorites Tools Help

Dane County Public Notification

Imagery

County of Dane, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA



Legend

Significant Soils
 Class
 Class 1
 Class 2

Floodplain
 Wetland



0 500,000 2,000 Feet

CUP 02413
MARK S ROSENBAUM