



Staff Report

Zoning and Land Regulation
Committee

Public Hearing: **June 27, 2017**

Zoning Amendment:
None

Acres: .87
Survey Req. No

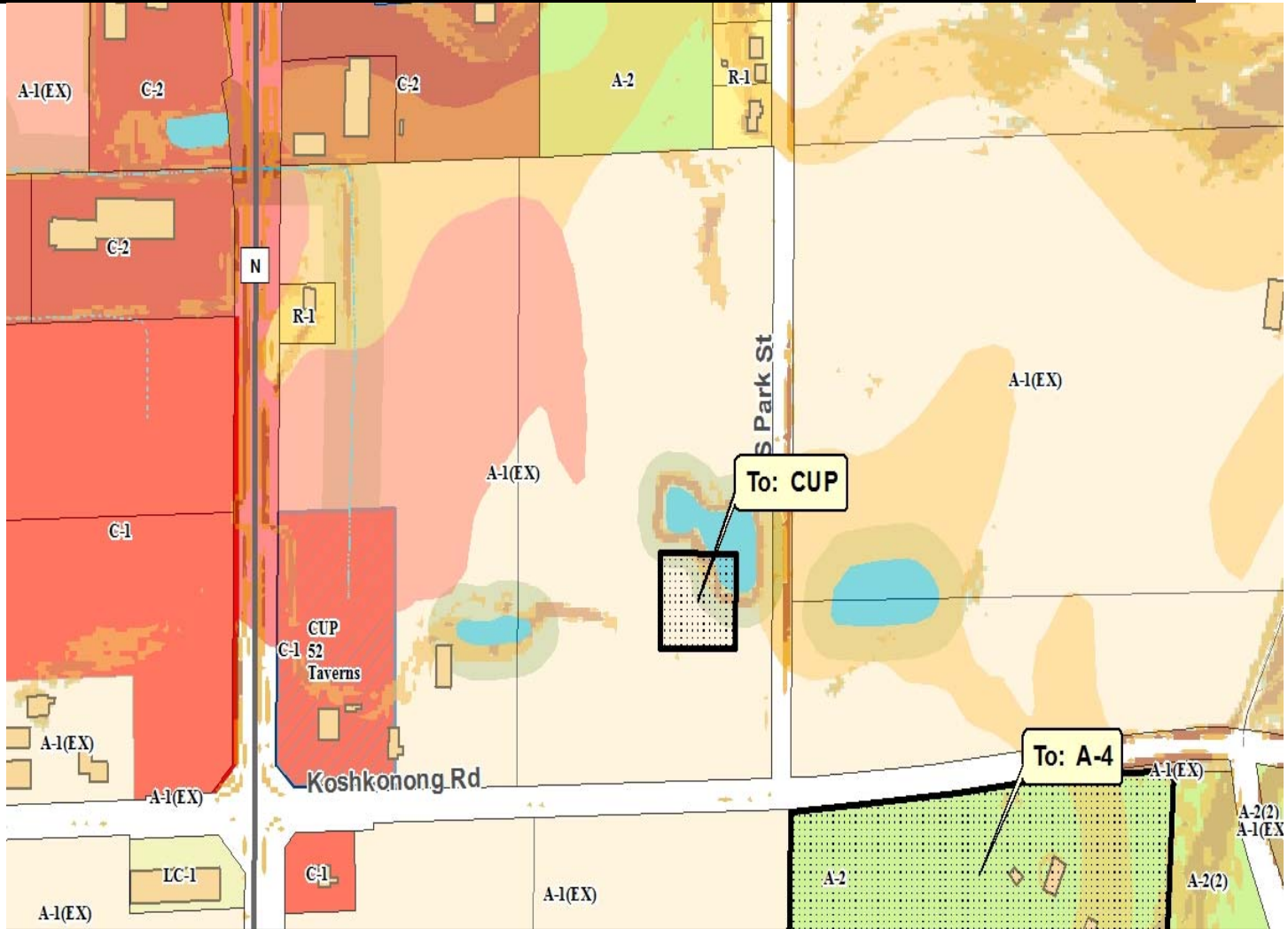
Reason:
**Ready mix concrete batch
plant**

Petition: **CUP 2381**

Town/sect:
**Pleasant Springs
Section 9**

Applicant
Joel E Hougen

Location:
**500 feet east of 2488
Koshkonong Rd**



DESCRIPTION: The applicant is requesting a conditional use permit (CUP) for a temporary ready mix concrete plant within an existing non conforming (NC) mineral extraction site. Trierweiler Construction is the agent and operator of the batch plant. The material will be used for a WisDOT project at the I 39/90 & CTH N interchange (located north of the site) and municipal projects.

OBSERVATIONS: There is a water feature on the northeastern corner of this site, and the property had high water levels this past spring. Water was pumped from the site (please see following photos).

TOWN PLAN: Please see following detailed staff report

RESOURCE PROTECTION: See detailed staff report

STAFF: Please see the following detailed staff report.

TOWN: The Town of Pleasant Springs approved this petition with 2 conditions: Duration of permit to be June 2017 to December 31, 2019, and that Dane County review conditions and provide additional restrictions as seen necessary.

STAFF REPORT FOR CUP#2381

JUNE 27, 2017 ZLR COMMITTEE PUBLIC HEARING

CONDITIONAL USE PERMIT (CUP) FOR READY-MIX BATCH PLANT IN THE A-1(EX) DISTRICT

PLEASANT SPRINGS, SECTION 9



PROPOSAL SUMMARY & BACKGROUND

Agent/Applicant: Trierweiler Construction

Owner: Joel Hougan

Size, zoning, use of existing parcel: 0.87 acre zoned A-1(EX)

CUP desired: The applicant wishes to operate a temporary portable concrete batch plant in an existing non-conforming (NC) mineral extraction site operated by Forever Sandfill & Limestone Inc. The plant will be used to provide material for the WisDOT I39/90 project as well as supporting municipal projects.

Other county permits: An erosion control/storm water permit (DCCO Chapter 14) is required.

Town Action: The Town of Pleasant Springs approved with 2 conditions: Duration of permit to be June 2017 to December 31, 2019, and that Dane County review conditions and provide additional restrictions as seen necessary.

DANE COUNTY PLANNING STAFF COMMENTS

Overview: As described in the application materials, based on the onsite availability of aggregate materials as well as proximity to the proposed construction work (I39/90), this site is an ideal location for the staging of a portable temporary ready mix concrete (RMC) plant. The request was for operating the site from May 1, 2017 to December 31st, 2020. The Town of Pleasant Springs requested that the operator change the end date to December 31, 2019, and the operator agreed. The CUP area, less than one acre in size, will be located in the southern 10 acres of an existing NC mineral extraction site. This puts the plant in the currently active portion of the pit and in close proximity to material needed for batching.

Operations: The batching plant is temporary and portable which will allow it to be moved to where the aggregate production is occurring. The plant will be utilized to mix concrete and load trucks to the I39/90 corridor expansion and associated WisDOT and municipal projects. The number of employees will range from 5 to 15. Operations will generally be daytime operating hours (6:00 a, to 8:00 pm) during week days with occasional operations during the weekends. Because WisDOT sometimes requires nighttime work, 24-hour operations is requested, and night work will only be used when mandated by WisDOT. If operations do occur at night, portable outdoor lighting will be provided and the light will be directed away from property lines, neighboring parcels and roads. Outdoor storage will consist of piles stored within the existing mineral extraction site similar to current staging activity. Cement materials will be stored in portable bins and handled in such a manner to minimize dust. Outdoor activities related to the RMC include staging, handling and mixing materials, loading of delivery trucks and washout of trucks into internally drained ponds. Waste generated from washing activities will be removed from the site. There will be no fuel stored on site.

Erosion Control/Stormwater Management. Earlier in the year high levels of water were noted (see following photo taken in May 2017). To address the high water levels, water was pumped from the site (see second photo taken this month). The operation of the mineral extraction site has a permit from DNR to pump the water off-site. A detailed operations plan for the batch plant area showing where all the equipment will be located, where vehicles are parked, and where any chemicals will be stored on the property is important. The applicant has provided a site plan.





Compliance with Standards Required for Granting Conditional Uses: Chapter 10 provides six standards for granting a CUP in Section 10.255(2)(h), as follows:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. That 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. 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.
4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.
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.

Town of Pleasant Springs Comprehensive Plan: The subject property is in the *Agricultural Preservation* land use district. The plan outlines a process for careful review of mineral extraction related activities, including the town using the county's six conditional use permit standards.

POTENTIAL CONDITIONS OF APPROVAL FOR CUP 2381:

Conditions are based on those the ZLR commonly applies to permits for concrete batch plant operations, customized to the particular site and operation, including conditions proposed by the applicant and reviewed by the town. The following list reflects the conditions included in the proposal blended with the county's standard set of conditions and conditions of approval of the town.

1. The applicant shall submit an erosion control plan covering the area to be disturbed and receive approval of an erosion control permit prior to commencing extraction operations.
2. The applicant shall apply for and receive all other required local, state and federal permits.
3. The operator shall develop and operate the site according to the site/operations plan submitted with the application materials.
4. Operations shall cease no later than December 31, 2019.
5. The operator and all haulers shall access the CUP site only through those points currently used for the mineral extraction site.
6. Hours of operation shall be as follows:
 - General daytime hours will be 6:00 am to 8:00 pm Monday through Friday
 - Weekend hours will be intermittent as necessary also 6:00 to 8:00 pm
 - Only when WisDOT project mandated, operations may occur overnight.
7. Outdoor lighting will be portable and will be directed away from property lines, neighboring parcels and roads to mitigate impacts.
8. Operator shall provide the WisDOT project ID and documentation from WisDOT showing that material from this site meets project specifications. This documentation will be provided to the Dane County Zoning division.
9. If the operator of the batch plant changes during the duration of this permit, any new operator must follow the conditions of this permit (CUP# 2381).
10. The owner/operator must post a copy of this conditional use permit #2381, including the list of all conditions, on the work site.
11. 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. Unless the operation is in reasonable compliance with these terms of this approval, such approval is subject to amendment or revocation.
12. If any portion of these conditions is held invalid the remainder of these conditions and provisions shall not be affected thereby.

(Questions? Contact Pam Andros – 261-9780)