



Dane County Zoning Division

City-County Building
210 Martin Luther King, Jr., Blvd., Room 116
Madison Wisconsin 53703
(608) 266-4266/266-9083 Fax (608) 267-1540

DANE COUNTY CONDITIONAL USE PERMIT #2260

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT Conditional Use Permit #2260 for **Mineral Extraction Site** pursuant to Dane County Code of Ordinance Sections 10.191 and subject to any conditions contained herein.

EFFECTIVE DATE OF PERMIT: August 4, 2014

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

Legal Description:

A PART OF THE SW AND SE 1/4'S OF THE NE1/4, AND A PART OF THE NW AND NE 1/4'S OF THE SE1/4, AND ALSO A PART OF SE1/4 OF THE NW1/4, ALL IN SECTION 15, T5N, R12E, TOWN OF ALBION, DANE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE E1/4 CORNER OF SAID SECTION 15; THENCE DUE WEST ALONG THE E-W 1/4 LINE 900 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 80 FEET; THENCE WEST 1350 FEET; THENCE S77deg.W 960 FEET; THENCE S87deg.W 550 FEET; THENCE NORTH 860 FEET; THENCE EAST 250 FEET; THENCE NORTH 300 FEET; THENCE EAST 450 FEET; THENCE N62deg.E 776.9 FEET; THENCE EAST 1448.7 FEET; THENCE SOUTH 1200 FEET TO THE POINT OF BEGINNING. CONTAINS 78 ACRES.

See attached operations plan.

Parcel #: 0512-151-9551-9, 0512-151-9000-5, 0512-152- 9500-9, 0512-153-8000-5, 0512-154-8500-9, and 0512-154-8002-0

CONDITIONS:

1. This operation will provide materials for WisDOT projects associated with Hwy 73, Hwy 106 and/or I-39/90, and for any other municipal (town, city, village) projects taking place during the same timeframe as WisDOT projects. Operator must provide documentation related to state projects upon request to the Dane County Zoning Administrator.
2. Operations shall cease no later than 10 years from the date of CUP approval.

PAGE 2, CUP #2260

3. The applicant shall submit an erosion control and storm water management plan covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.
4. The applicant shall apply for and receive all other required local, state and federal permits.
5. The operator shall develop and operate the site according to the site/operations and phasing plan dated 5-07-2014. This plan shows an active area of 29 acres within the CUP boundary.
6. The operator shall not remove any trees from the property.
7. The operator must follow noise control guidelines as defined in the Aggregate Processing Plant Sound Level Assessment submitted with the application
8. Reclamation shall meet requirements of Chapter 74 of the Dane County Code of Ordinances.
9. The driveway accessing the subject site shall be paved for a distance of at least 100 feet from the public road. 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. A 20' x 50' tracking pad shall be installed as designated on the Operations Plan map, dated 05/07/14..
10. The operator and all haulers shall access the CUP site from US Highway 73 as depicted on the operations plan dated 05-07-14.
11. 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."
12. Hours of operation will be 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to 2:00 p.m. on Saturday. Exceptions to these hours would be when required by WisDOT to perform work on the Interstate which may require night work on a limited basis for the duration of a specific project. In the case of such an exception, Yahara Materials must provide documentation from WisDOT showing such requirements. Crushing of material shall be prohibited between the hours of 6:00pm and 6:00am.
13. Audible backup alarms shall not be used during the night hours. Strobe lights shall be used during night hours in conformance with OSHA standards.
14. Blasting shall be conducted as defined in the "Yahara Materials Blasting Procedure" as provided with the application materials. Blasting will be conducted by a licensed class 5, 6 or 7 Blaster; notifications will be made by either the Blasting Contractor and/or Yahara Materials twenty-four hours prior to any blast; a blasting log will be required for each blast; all blasting will be recorded by a properly calibrated seismograph; all seismograph records will be available anytime for review by the township; and all blasting will meet Wisconsin's Department of Commerce Administrative Code Chapter 7.
15. The operator shall use spray bars (water) in the crushing process to reduce dust. Use of spray bars is not required when the temperature is below freezing. The operator shall spray the site with water if and when needed to control dust.
16. There shall be no bulk fuel stored on site.
17. The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed current industry standards for noise abatement.

PAGE 3, CUP #2260

18. The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.
19. The operator shall follow the Fugitive Emissions Plan, submitted with the application materials.
20. Dane County and the Town of Albion shall be listed as additional named insureds on the Yahara Materials Inc. 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.
21. 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.
22. An annual inspection shall be conducted on the site by the Dane County Zoning Division to assure compliance with conditions of approval.
23. Pre-blast inspections on buildings and wells shall be performed on any property within $\frac{3}{4}$ of a mile of the extraction operation, if requested by the property owner. Inspections shall be limited to one inspection per year during the term of the Conditional Use Permit. The well inspections shall include a pump test to determine the static water level and pumping water level which shall be documented on a WDNR well inspection form. The well inspection shall be performed by a certified well driller or pump installer. Building inspections shall be performed by a licensed home inspector and shall consist of the inspection, photographing, and a recorded description of pre-blast conditions of the interior and exterior of residences and other structures. The operator shall maintain records of the inspections and be made available to Dane County Zoning Division upon request.

THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed 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 will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.






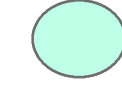

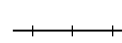

PAGE 4, CUP #2260

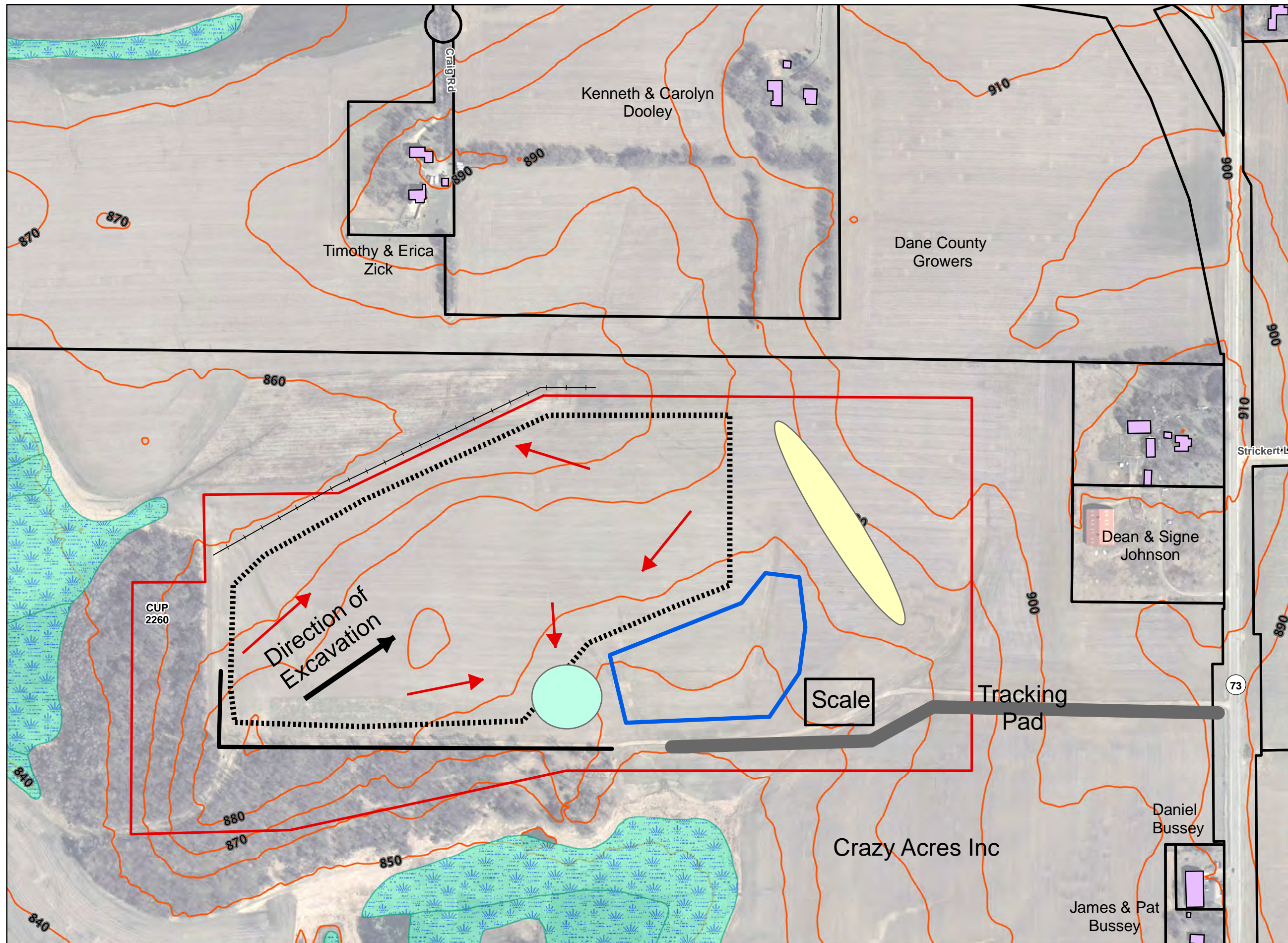
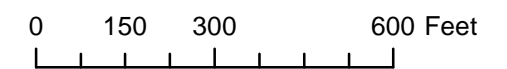
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.

EXPIRATION OF PERMIT

In addition to any time limit established as a condition in granting this CUP, Section 10.25(2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.

Operations Plan Crazy Acres (Revised 5/7/14)

-  CUP Boundary
-  Excavation Area
 - Open Excavation may not exceed 25 acres
 - Maximum depth of Excavation: 850 feet
-  Staging Area & Stockpiles
-  Topsoil Berm Storage
-  Haul Route
-  Stormwater Containment
-  Berm
-  Erosion Control Measures
-  Stormwater Flow

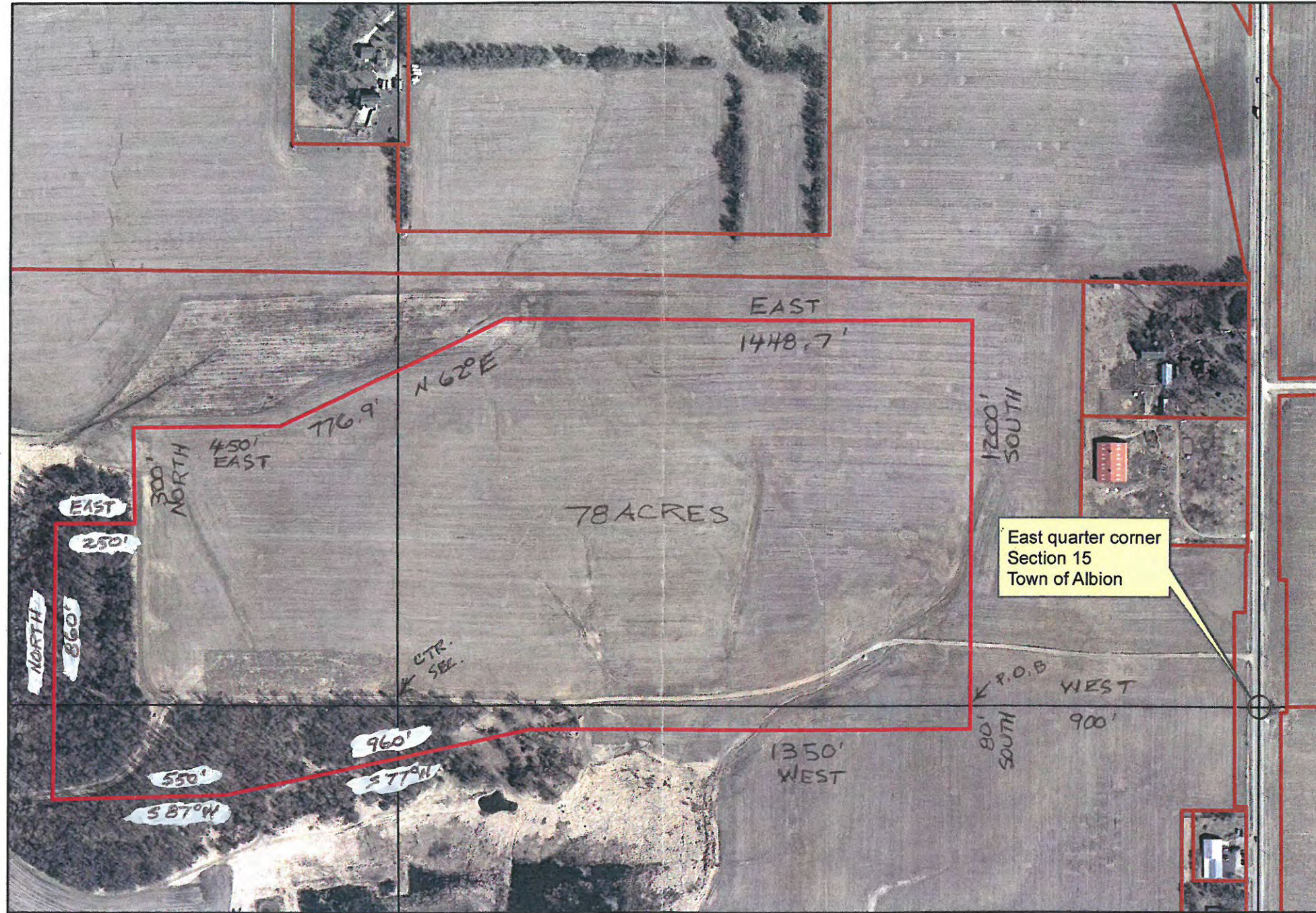


REVISED LEGAL DESCRIPTION: (WIELMAN PIT)

6-26-2014

A PART OF THE SW AND SE 1/4'S OF THE NE1/4, AND A PART OF THE NW AND NE 1/4'S OF THE SE1/4, AND A PART OF THE NE1/4 OF THE SW1/4 AND ALSO A PART OF THE SE1/4 OF THE NW1/4, ALL IN SECTION 15, T5N, R12E, TOWN OF ALBION, DANE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE E1/4 CORNER OF SAID SECTION 15; THENCE DUE WEST ALONG THE E-W 1/4 LINE 900 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 80 FEET; THENCE WEST 1350 FEET; THENCE S77°W 960 FEET; THENCE S87°W 550 FEET; THENCE NORTH 860 FEET; THENCE EAST 250 FEET; THENCE NORTH 300 FEET; THENCE EAST 450 FEET; THENCE N62°E 776.9 FEET; THENCE EAST 1448.7 FEET; THENCE SOUTH 1200 FEET TO THE POINT OF BEGINNING. CONTAINS 78 ACRES

WIELMAN PIT MAP



Legend

Quarter Sections



0 250 500 1,000 Feet

SCALE = 1" = 400'



Thom R. Grenlie

Registered Land Surveyor

E-MAIL: HCOMBS@TDS.NET

400 S. NINE MOUND RD. Verona, Wisconsin 53593 • (608) 845-6882 • Fax (608) 845-6854
Subdivision Design • Rural Surveys • Soil Testing • Land Planning

tom@yahoo.com