



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2492

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.10(17) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT Conditional Use Permit # 2492 for a Temporary Concrete Batch Plant pursuant to Dane County Code of Ordinances Section 10.103(20) and 10.101(7)(d)(2), subject to any conditions contained herein:

EFFECTIVE DATE OF PERMIT: May 13, 2020

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

LOCATION: SE Quadrant of I-39/County Highway AB intersection, Town of Pleasant Springs, Dane County, Wisconsin.

Legal Description:

PART OF A PARCEL IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 6, RANGE 11 EAST. Dane county, Wisconsin. Beginning at a point 383.95 feet, South 07°13'10" West of the Northwest Corner of the aforementioned parcel thence North 66°45'03" East, 68.55 feet; thence North 67°36'12" East, 63.42 feet; thence North 55°31'48" East, 36.46 feet; thence North 49°39'48" East, 108.69 feet; thence North 42°20'37" East, 42.19 feet; thence North 34°49'54" East, 94.38 feet; thence South 52°00'05" East, 426.89 feet; thence South 56°21'24" West, 727.67 feet; thence North 5°31'13" West, 105.41 feet; thence North 41°56'16" West, 100.46 feet; thence North 7°13'10" East, 237.33 feet; TO THE POINT OF BEGINNING.

CONDITIONS:

1. The batch plant at this site may be used only for completing WisDOT Project #1007-12-74, I-90/I-39, CTH AB to USH 12/18 Interchange, northbound/ southbound (NB/SB) and other USH 12/18 Interchange projects.
2. Operations shall cease no later than December 31, 2021. The Town Plan Commission will review the conditional use permit in one year to see if a time extension is needed.
3. Hours of operation shall be as follows: Concrete Batching: day or night as required to meet WisDOT

contract requirements, Monday – Saturday, and occasional Sundays.

4. The operator shall spray the site with water, if and when, needed to control dust.
5. The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.
6. No permanent structures on site.
7. No bulk fuel storage on site.
8. Outdoor lighting will be portable and will be directed away from property lines, neighboring parcels and roads to mitigate impacts. Light must be directed in a way that it will not leave the site.
9. The contractor/landowner shall conduct a well quality inspection if requested by the Town or the County. The report shall be submitted to the Town and the County for review. The contractor/landowner shall be responsible for the expense of the well inspection. Reports that are deemed a public hazard shall be cause for revocation of the conditional use permit.
10. The contractor shall conduct a well inspection at property located at 3145 County Highway AB if requested by the Town or the County. This inspection will yield results for the quality of the water if requested. The water quality test will test for Bacteria, Nitrates, Coliform, and E. Coli. (standard safe drinking water test) The well installed on the Downing Property has been tested on 4/10/2020 and all test were negative or within safe drinking water standards. If there is a problem with the function of the well located at 3145 County Highway AB producing enough water as a result of the Downing operations, the contractor will be responsible for a well inspection. The contractor will be responsible for the well inspection(s) in either case (quality or quantity). If an issue is identified in the well inspection report, and found to be the contractors fault, the contractor will be responsible for resolving the issue at their expense.

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.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220(1).

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.