



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **August 23, 2016**

Zoning Amendment:
None

Acres: 193
Survey Req. No

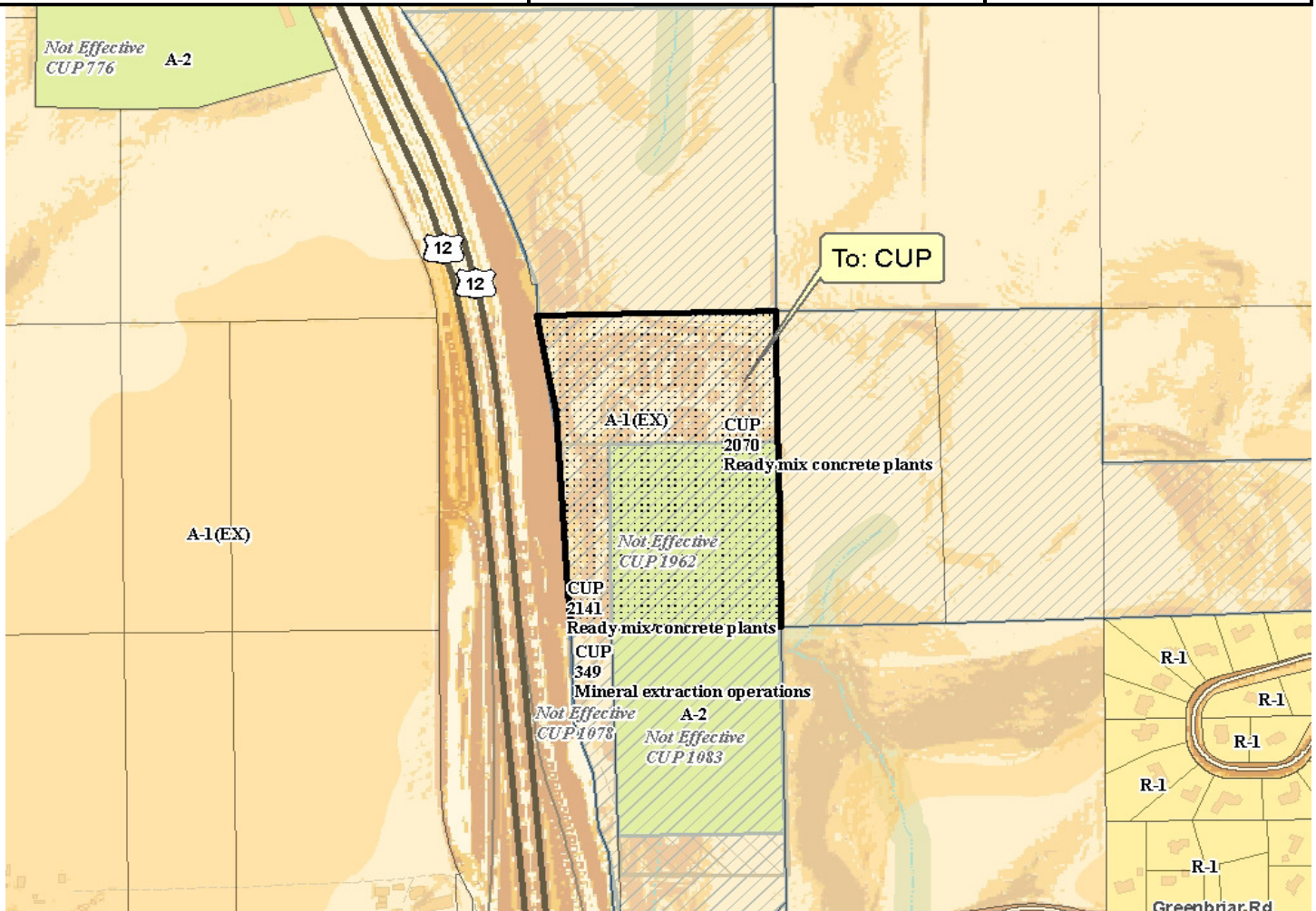
Reason:
Portable concrete batch plant

Petition: **CUP 2351**

Town/sect:
**Springfield
Section 35**

Applicant
Meinholz LLC

Location:
6750 Greenbriar Road



DESCRIPTION: The applicant, Yahara Materials, would like to continue to operate a concrete batch plant in a legal non-conforming quarry located at the northwest edge of the City of Middleton along US Highway 12.

OBSERVATIONS: Approvals have been granted in 2010 to allow a batch plant to operate this location. The property contains a quarry pit that is approximately 100 feet deep. Access to the site is gained from Greenbriar Road and trucks are directed to US Highway 12. The closest residence is 2000 feet away from the operation area.

TOWN PLAN: The property is located in the Agricultural Preservation District. The plan identifies this property as a permitted non-metallic mineral extraction site. Concrete batch plants are allowed in conjunction with mineral extraction sites. Water and air quality impacts should be reviewed.

RESOURCE PROTECTION: The property is outside the resource protection area.

STAFF: The proposal is consistent with Town Plan policies. Staff suggests 11 conditions be placed on the CUP.

TOWN: The Town approved the CUP for a 10-year time frame. Conditions as noted by the Town Engineer shall be incorporated into the CUP.

Proposed Conditional Use Permit #2351

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.

1. The applicant shall submit an erosion control plan covering the entire CUP area for the duration of aggregate production operations that meets with the approval of the Dane County Land Conservation Department and receive approval of an erosion control permit from the Dane County Planning and Development Department before the aggregate production may commence.
2. The applicant shall apply for and receive any other required local, state and federal permits before production commences and proof of such permits shall be filed with both Dane County Planning and Development Department and the Town of Springfield.
3. Operations shall cease no later than November 30, 2026. The operator will conduct a mandatory review with the Town in 5 years (2021). The Town reserves the right to have an annual review if issues arise. The plant shall be removed within ten (10) days of cessation of operations. The operator may apply for renewal of this CUP before its expiration.
4. Ordinary hours of operation will be: 6:00 a.m. to 7:00 p.m. Monday through Friday; 6:00 a.m. to 12:00 p.m. Saturdays; none on Sundays or state legal holidays. To accommodate the work schedules of construction projects, production may occur between 7:00 p.m., and 6:00 a.m., as needed to provide concrete for that project. Construction crews, equipment and vehicles not involved in batch plant operations may enter and leave the facility outside of the stated hours of production activities. Supplies and equipment may be loaded and unloaded from vehicles outside of the stated hours for noise-producing activities. In addition, equipment and vehicles may be repaired and maintained at the repair facilities outside of the stated hours for batch plant activities. Some equipment warm up and cool down time may also be required. The batch plant operation shall not generate more than 70 decibels of noise measured at the property line.
5. The aggregate production facility, raw materials and vehicle paths shall be laid out with a "flow through" traffic pattern" which minimizes the need for vehicles to back up. The plant shall be no larger in capacity than the plant which was on the site in 2008. Limit night hours of operations to a maximum of 100 nights per season. Lighting for the concrete batch plant is to shine down into the quarry so as not to disturb the neighborhood when operating throughout the night.

Continued to page 2

(CUP #2351 continued)

6. The operator shall meet DNR standards for particulate emissions as described in NR415.075 and NR415.076.
7. The Zoning Administrator or designee may enter the premises of the operation to inspect those premises with reasonable advance notice to ascertain compliance or to investigate an alleged violation. Anyone inspecting the property will be escorted by Yahara Materials and will comply with all safety regulations.
8. Unless required by Town of Springfield ordinance or other governmental regulation, all truck traffic will be directed to Highway 12 and not east to Green Briar Road. Yahara Materials shall notify the truck drivers doing business at the site of this condition. The operator shall designate a traffic route for each project which shows the route to be taken from the quarry to the destination of the trucks. Notification of routes, dates and projects to be provided to the Town and surrounding neighbors.
9. A spill prevention and emergency response plan shall be in place and apply to all operations on the site including subcontractors and suppliers.