

Dane County

Meeting Agenda - Final

Zoning & Land Regulation Committee

Tuesday, May 11, 2021	6:30 PM	Remote meeting
	Who does not have a voice at the table? How can policymakers mitigate unintended consequences?	
	Who benefits? Who is burdened?	
	Consider:	

ZOOM meeting Webinar ID: 861 6761 5864

The May 11, 2021 Zoning and Land Regulation Committee meeting is being held virtually. The public can access the meeting with the Zoom application or by telephone.

To join the meeting in Zoom, click the following link (after you fill out the form, the meeting link and access information will be emailed to you):

https://us02web.zoom.us/webinar/register/WN_VTTilUv6S_aSQYT1rKMr_A

This link will be active until the end of the meeting.

To join the meeting by phone, dial 1-888-788-0099. When prompted, enter the following Webinar ID: 861 6761 5864

If you want to submit a written comment for this meeting, or send handouts for committee members, please send them to lane.roger@countyofdane.com

PROCESS TO PROVIDE PUBLIC COMMENT: ANY MEMBERS OF THE PUBLIC WISHING TO REGISTER TO SPEAK ON/SUPPORT/OPPOSE AN AGENDA ITEM MUST REGISTER USING THE LINK ABOVE (even if you plan to attend using your phone).

Registrations to provide public comment will be accepted until 1 hour prior to the beginning of the meeting.

If you join the meeting with Zoom, when the item you have registered for is before the board/committee, you will be promoted to a panelist. Once a panelist, you can turn on your webcam and you will be able to unmute yourself.

If you join the meeting with your phone, when the item you have registered for is before the board/committee, you will be unmuted and hear, "the host would like you to unmute your microphone, you can press *6 to unmute." Please press *6.

Interpreters must be requested in advance; please see the bottom of the agenda for more information.

Los intérpretes deben solicitarse con anticipación; consulte el final de la agenda para obtener más información.

Yuav tsuam tau thov txog cov neeg txhais lus hau ntej; thov saib hauv qab kawg ntawm qhov txheej txheem rau cov ntaub ntawv ntxiv.

A. Call to Order

B. Public comment for any item not listed on the agenda

C. Consideration of Minutes

<u>2021 MIN-042</u> Minutes of the April 27, 2021 Zoning and Land Regulation Committee meeting

Attachments: 4-27-21 ZLR public hearing meeting minutes.pdf

D. Public Hearing for Zoning Map Amendments, Conditional Use Permits, and Ordinance Amendments

E. Zoning Map Amendments and Conditional Use Permits from previous meetings

<u>CUP 2509</u>	TO COMPLY WITH PETITION: CUP 0 APPLICANT: JAM LOCATION: EAST 29, TOWN OF CH	ES NOTSTAD LIVING TRUST I 39/90 BETWEEN COUNTY HIGHWA	REQUIREMENTS			
<u>Attachments:</u>	CUP 2509 Stat	ff Memo.pdf				
	CUP 2509 Hwy Access Approval.pdf					
	CUP 2509 Revised Boundary Map.pdf					
	CUP 2509 Revised Map.pdf					
	Neighborhood Map.pdf					
	CUP 2509 Staff Update.pdf					
	CUP 2509 Town Action.pdf					
	CUP 2509 MA	P.pdf				
	<u>CUP 2509 APP</u>					
	CUP 2509 APP Supplement.pdf					
	CUP 2509 Property Value Min Extract Report					
	Nelson opposition					
	Knudson Letter.pdf					
	Lien Letter.pdf					
	CUP 2509 Knutson Opposition information.pdf					
	CUP 2509 objection Daggett.pdf					
	March 23rd opposition comments.pdf					
	<u>CUP #2509 .pdf</u>					
	Legislative History					
	1/26/21	Zoning & Land Regulation Committee	postponed to the Zoning & Land Regulation Committee			

A motion was made by KIEFER, seconded by SMITH, that the Conditional Use Permit be postponed in ordered for the applicant to respond to the concerns raised. The motion carried by the following vote: 4-0. Passed

3/23/21 Zoning & Land Regulation direction for staff Committee

A motion was made by PETERS, seconded by KIEFER, to direct staff to enter the additional written testimony received after the public hearing into the official record. The motion carried by the following vote: 5-0.

Applicant's supplemental information regarding property values - Jeremy Knutson's letter, gravel pit property value loss information, home value information, US study on quarry impact - Brett Daggett's letter of opposition -Karen Paxon's comments on registration slip - Douglas Nelson's comments on registration slip - Kylie Nelson's comments on registration slip - Carrie Nelson's comments on registration slip Passed

3/23/21	Zoning & Land Regulation	approved with conditions
	Committee	

A motion was made by PETERS, seconded by KIEFER, that the Conditional Use Permit be approved with 20 conditions. The motion carried by the following vote: 5-0.

 Topsoil, or appropriate topsoil substitute as approved in a reclamation plan under Chapter74, Dane County Code, from the area of operation shall be saved and stored on site for reclamation of the area. Topsoil or approved topsoil substitute must be returned to the top layer of fill resulting from reclamation.
 The applicant shall submit an erosion control plan under Chapter 14, Dane

County Code covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.

3) Operations shall cease no later than ten (10) years from the permit effective date.

4) Reclamation shall meet all requirements of Chapter 74 of the Dane County Code of Ordinances. In addition, all reclamation plans must meet the following standards:

a) Final land uses after reclamation must be consistent with any applicable town comprehensive plan, the Dane County Comprehensive Plan and the Dane County Farmland Preservation Plan.

b) Final slopes shall not be graded more than 3:1 except in a quarry operation.

c) The area shall be covered with topsoil and seeded to prevent erosion.

d) The area shall be cleared of all debris and left in a workmanlike condition subject to the approval of Dane County.

e) Highwalls shall be free from falling debris, be benched at the top, and certified by a civil engineer to be stable.

5) The entire driveway must be blacktopped within two years. Crushed asphalt must be placed on the driveway immediately and watered at least twice weekly during the first year.

6) 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.

7) 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."8) All surface and subsurface operations shall be setback a minimum of 20' from any property line that does not abut a public right of way.

9) Excavations below the grade of an abutting public street or highway shall be set back from the street or highway a distance at least equal to the distance that is required for buildings or structures under s. 10.102(9). The committee and town board may require greater setbacks where necessary to avoid subsidence, or for consistency with Chapters 11, 14, 17 or 74, Dane County Code.

10) Hours of operation shall be 6:30 a.m. to 5:30 p.m. Monday through Friday, and 6:30 a.m. to 3:30 p.m. on Saturdays. No operations of any kind shall take place on Sundays or legal holidays. Blasting shall be limited to 8:00 a.m. to 4:00 p.m. on weekdays.

11) A safety fence shall be placed around the perimeter of the extraction area that contains high walls and/or steep slopes.

12) Except for incidental removal associated with dust spraying or other routine operations under this permit, water shall not be pumped or otherwise removed from the site.

13) The operator shall require all trucks and excavation equipment to have

muffler systems that meet or exceed then current industry standards for noise abatement.

14) The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076, Wisconsin Administrative Code. 15) Dane County and the Town shall be listed as additional named insureds on the operator's 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.

16) Blasting:

a) All blasting on the site must conform with all requirements of SPS 307, Wisconsin Administrative Code, as amended from time to time, or its successor administrative code regulations.

b) Fly rock shall be contained within the permitted mineral extraction area.

c) A 72-hour notice shall be made prior to blasting to all residences/businesses within a one-half mile radius of the property, as well as to any parties who have requested notification either via mail or email as well as to the Town of Christiana.

d) The Town of Christiana and up to three neighbors shall receive a report and a seismograph reading from each blast.

17) Fuel storage. All fuel storage must comply with ATCP 93, Wisconsin Administrative Code, including provisions for secondary spill containment.18) Mineral extraction at or near groundwater. All excavation equipment, plants, and vehicles shall be fueled, stored, serviced, and repaired on lands at least 3 feet above the highest water table elevation to prevent against groundwater contamination from leaks or spills.

19) In the event that a mineral extraction operation will destroy an existing Public Land Survey Monument, witness monuments must be established in safe locations and a new Monument Record filed by a Professional Surveyor, prior to excavation and disturbance of the existing monument.

20) This Conditional Use Permit (#2509) for mineral extraction is for the operator Forever Sandfill & Limestone and is not transferable to any other operator. Passed

3/23/21 Zoning & Land Regulation suspended from the rules Committee

A motion was made by KIEFER, seconded by SMITH, to suspend Committee rules to allow persons to speak regarding the additional testimony received pertaining to property value impacts. The motion carried by the following vote: 5-0. Passed

<u>11676</u>	PETITION: REZONE 11676 APPLICANT: RONALD P HEFFRON LOCATION: 41 CLARKSON ROAD, SECTION 1, TOWN OF MEDINA CHANGE FROM: FP-35 Farmland Preservation District TO RR-1 Rural Residential District REASON: creating one residential lot					
<u>Attachments:</u>	11676 Staff Update.pdf					
	<u>11676 Town.pdf</u>					
	11676 Density.pdf					
	<u>11676 Map</u>					
	<u>11676 APP.pdf</u>					
	Legislative History					
		Zoning & Land Regulation Committee nade by DOOLAN, seconded by tponed due to public opposition. 5-0 Passed	-			
<u>11682</u>	18, TOWN OF VEI CHANGE FROM: A District, AT-35 Agr Agriculture Transit	N ROCK LLC I'H OF DAIRY RIDGE ROAD AND EAS1	gle Family Residential District, AT-35 Conservation District			
<u>Attachments:</u>	11682 Staff Up					
	<u>11682 Town.pdf</u>					
	<u>11682 Opposition - Chesmore.pdf</u> <u>11682 Map</u>					
	11682 APP					

Legislative History

 4/27/21
 Zoning & Land Regulation Committee
 postponed to the Zoning & Land Regulation Committee

 A motion was made by PETERS, seconded by DOOLAN, that the Zoning Petition be postponed due to no Town action. The motion carried by the following vote: 5-0. Passed

 02517 PETITION: CUP 02517 APPLICANT: GREGORY L STAMN LOCATION: JUST NORTH OF 1371 STATE HIGHWAY 92, VERONA, WI 53593, SECTION 2, TOWN OF PRIMROSE CUP DESCRIPTION: private landing strip

Attachments: CUP 2517 Staff Update.pdf

CUP 2517 Town.pdf

CUP 2517 FAA Conditional Approval.pdf

CUP 2517 WISDOT Site Approval.pdf

CUP 2517 - Letter of Support.pdf

CUP 2517 Neighbor Support

<u>CUP 2517 Map</u>

CUP 2517 APP

Legislative History

 4/27/21
 Zoning & Land Regulation Committee
 postponed to the Zoning & Land Regulation Committee

 A motion was made by PETERS, seconded by SMITH, to postpone action on the CUP due to no Town action. The motion carried by the following vote: 5-0.

 Passed

F. Plats and Certified Survey Maps

G. Resolutions

H. Ordinance Amendment

I. Items Requiring Committee Action

J. Reports to Committee

2021 RPT-058 Report of approved Certified Survey Maps

Attachments: May 2021

2021 PRESENTATION ON REGIONAL HOUSING STRATEGY BY OLIVIA PARRY

PRES-033

Attachments: ZLR Intro.pdf

K. Other Business Authorized by Law

L. Adjourn

Questions? Contact Planning and Development Staff, 266-4266, or plandev@countyofdane.com

NOTE: If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.

NOTA: Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

LUS CIM: Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnub ua hauj lwm ua ntej yuav tuaj sib tham.