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# BELKEN Engineering, Inc.

July 18, 2017

Mr. Roger Lane,  
Dane County Zoning Administrator  
Room 116, City-County Building  
Madison, WI 53703

Re: Condition Use Permit Application  
South Fill Area (Expired CUP # 1672)  
Sun Prairie Concrete, Inc.  
Town of Burke, Dane County, WI

Emailed / Mailed 7-18-2017

Dear Mr. Lane:

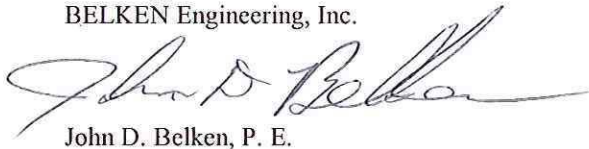
After further consideration Sun Prairie Concrete, Inc. wishes to amend its application for a Conditional Use Permit for Mineral Extraction. Sun Prairie Concrete is amending its application to now request a Conditional Use Permit for a clean fill site and withdraws their original request for mineral extraction. A permitted use as a clean fill site will allow Sun Prairie Concrete, Inc. to accept clean fill to reduce the height of the vertical sidewalls of the quarry area during the reclamation process. Final use of the site will be as open space.

Sun Prairie is requesting this CUP be granted for a period of five years.

On behalf of Sun Prairie Concrete, Inc. we are submitting a copy of Amended Conditional Use Permit Application in its entirety. The amended application supercedes the previously submitted materials. The drawings previously submitted are applicable and should delete any reference to mineral extraction.

If you have any questions, please do not hesitate to call or email me.

Sincerely,  
BELKEN Engineering, Inc.



John D. Belken, P. E.

Encl. As stated

Cc Mr. Dennis Cook, Sun Prairie Concrete, Inc., 315 Linnerud Drive, Sun Prairie, WI 53590  
Ms Brenda Ayers, Town Clerk, 5365 Reiner Road, Madison, WI 53718

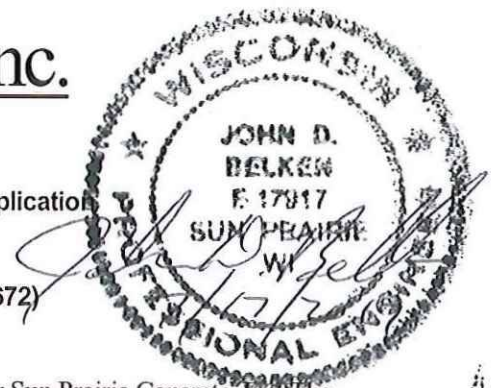
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# BELKEN Engineering, Inc.

## Amended Conditional Use Permit Application

Sun Prairie Concrete, Inc.  
South Fill Area (Expired CUP #1672)  
Town of Burke



This application provides information for a Conditional Use Permit (CUP) for Sun Prairie Concrete, Inc. The facilities consist of 29.52 acres. The portion of the property will be referenced as the south fill area. A new CUP is required for the south fill area. The CUP will allow Sun Prairie Concrete, Inc. to accept clean fill for the purpose of reducing the height of the former quarry sidewalls and providing open space of the area. CUP #1672 (south pit quarry area) expired during 2016. Quarry operations have ceased in this area since the expiration. The following provides information for approval of this CUP application for acceptance of clean fill to reduce the vertical sidewall height of the former quarry area.

- **Hours of Operation**  
The hours of operation will be 6:00 am – 7:00 pm Monday through Friday. Saturday operations shall be 6:00 am through 12:00 noon. No operations occur on Sundays or legal holidays, except snow plowing activities, which include hauling and disposal of snow.
- **Number of Employees**  
Currently there are no employees at the site. As clean fill is placed equipment operators will be on-site to spread and grade clean fill. The number of employees varies depending on amount of fill material accepted for placement and market conditions, but is not expected to vary significantly. Fill placement and grading will be done by contracted operators on an as needed basis.
- **Anticipated Customers**  
Anticipated customers include, but not limited to contractors, builders, private homeowners, municipalities and others whom require clean fill disposal from construction projects.
- **Outside Storage**  
Overburden material will be stored on-site in stockpiles. Perimeter berms screen the active fill areas from general public viewing. Equipment is stored and parked at designated locations on-site.
- **Outdoor Activities**  
Outdoor activities are consistent with filling activities, including but not limited to dumping clean fill, spreading, final grading and transporting fill material on-site and from project locations.
- **Outdoor Lighting**  
No outdoor lighting is provided in the south fill area. Operations normally occur during daylight hours.

- Outside Loudspeakers.  
Outside speakers are not provided on-site. Normal communication is by cell phones and/or walkie-talkies.
- Proposed signs  
The former quarry area is fenced with woven wire with a single strand barbed wire top wire with warning signs placed. Signs indicate "PRIVATE PROPERTY – NO TRESPASSING."
- Trash removal  
Trash removal is provided by local haulers under contracted services. Trash bins are located in designated areas, when needed.

#### RESPONSE TO SIX STANDARDS OF A CONDITIONAL USE PERMIT

- 1) The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.  
Access is through an existing access driveway. The driveway entrance to the south fill area is gated. The former use of a portion of the property was a sandstone and gravel quarry. This CUP will allow the former quarry area to be filled with clean fill to reduce the vertical quarry sidewall height and restore the parcel to open space. Reiner Road right-of-way borders the eastern side of the site. An existing stone and gravel quarry, owned by others, border the northern portion of the site. Agricultural lands border the western portion of the property. The south fill area owners control the agricultural lands to the south. Existing screening berms and on-site soil stockpiles screen the former area of the quarry. A residential house is located on the property and is currently rented. The house is located outside the fenced area.
- 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.  
Filling the former quarry area will not prevent the uses, values and enjoyment of other property in the neighborhood for purposes already permitted and in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use. Reiner Road borders the eastern boundary. The neighboring properties are used for private residences, agricultural fields, existing businesses and an existing quarry operated by others. The former use of the property was a sandstone and gravel quarry. This CUP application will allow the former quarry area to be returned to open space use. In 1990 CUP #788 was approved for quarry operations. CUP #1672 replaced CUP #788.
- 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.  
Filling the former quarry area will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The neighboring properties are used for private residences, agricultural fields, existing businesses and an existing quarry operated by others. Land on the North is an existing quarry operated by others. The East boundary is public right-of-ways for Reiner Road. The existing Reclamation Plan, dated 2005, provides the final anticipated use of the site. The Reclamation Plan is being reference as part of this application. No changes to the Reclamation Plan are proposed as part of this CUP application. As part of the CUP application, the drawings of the reclamation plan are on file with Dane County and indicate current conditions. A Stormwater & Erosion Control Plan was prepared and implemented. The Stormwater & Erosion Control Plan will be renewed as part of this application. Existing storm water runoff is directed internally to the lower elevations of the former quarry area. This CUP will allow the former quarry area to be restored to open space. The neighboring properties are used for private residences, agricultural fields, existing businesses and an existing quarry operated by others.

- 4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

Adequate utilities, access roads, drainage and other site improvements are in-place and will continue to be developed as the former quarry area receives clean fill. Ongoing site improvements include stormwater controls within the active fill area and the fill access drive. The former use of the property was a sandstone and gravel quarry. This CUP application will allow the former quarry area to receive clean fill. Infrastructure improvements, drainage, access drives, etc, are in place. Stormwater runoff for the south fill area is directed internally to the former quarry area.

- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Access is by the existing paved driveway onto the property that serves both a single-family residence and the south fill area (expired CUP area #1672). The driveway is located off Reiner Road and is gated at the former quarry area. No additional driveway improvements are required or planned. The current use of a portion of the property is a former sandstone and gravel quarry. This CUP will allow the former quarry area to be returned to open space and reduce the vertical height of the former quarry sidewalls. Current ingress and egress will be used.

- 6) That the conditional use shall conform to all applicable regulations of the district in which it is located.

The conditional use will conform to all applicable regulations of the district including: Dane County Code of Ordinances Section 10.12(3)(d); WI Stats 60.72; DNR standards for particulate emissions Wisconsin Administration Code NR 144.43 and 144.44; Stormwater and Erosion Control requirements of Chapter 14, Dane County Code of Ordinances. This CUP application is being submitted simultaneously to the Town of Burke.

#### **ATTACHMENT A**

##### **Submittal Requirements for a CUP for Mineral Extraction**

The following is additional information is provided to Dane County Conditional Use Permit - Clean Fill Dumping.

##### **1) Legal Description**

###### **a. Description of Property and Location**

South Fill Area Boundary Map Description:

Part of the Northeast 1/4 of the Northeast 1/4 and a part of the Southeast 1/4 of the Northeast 1/4 and a part of the Northeast 1/4 of the Southeast 1/4 all in Section 26, T8N, R10E, Town of Burke, Dane County, Wisconsin being more particularly described as follows: Commencing at the East 1/4 Corner of said Section 26; thence S89°41'19"W, 33.01 feet to a point on the West right of way line of Reiner Road and the point of beginning; thence along said West right of way line S00°28'06"W, 1000.00 feet; thence S89°45'21"W, 1285.82 feet to a point on the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 26; thence N00°28'19"E, 1000.00 feet along said West to the Southwest corner of the Southeast 1/4 of the Northeast 1/4; thence N89°45'19"E, 1285.73 feet along the North line of the Northeast 1/4 of the Southeast 1/4 to a point of beginning, containing 1,285,676 Sq. Feet or 29.52 Acres, more or less.

The area of the south fill area is 1,285,676 Sq. Feet or 29.52 Acres, more or less.

###### **b. Tax parcel number**

South Fill Area (NE 1/4 – SE 1/4)

Parcel Number: 014/0810-264-8001-8

**(2) Written Statement that includes the following:**

**a. General Description of the Operation.**

The current use of the property is a former sandstone and gravel quarry. The proposed CUP will allow the former quarry area to accept clean fill to reduce the height of the vertical sidewalls of the former quarry. The site was granted a CUP for quarry operations in 1990 (CUP # 788). CUP # 1672 replaced CUP #788. The proposed use of the site is open space.

Filling of the former quarry area will occur in a single phase. Fill placement will occur along the vertical sidewall along the site perimeter and will be graded to 3:1 slopes or flatter from the quarry floor to the top of the vertical sidewalls.

**b. Existing uses of the land.**

The neighboring properties are used for private residences, agricultural fields, existing businesses and quarry operations. The current use of a portion of the property was a stone and gravel quarry. The quarry operations have ceased. The CUP will allow the former quarry area to be filled with clean fill to reduce the vertical quarry sidewall height and restore the parcel to open space.

**c. Existing natural features including depth to ground water.**

Wisconsin Geologic and Natural History Survey (WGNHS) Report #HA-360 gives an overview of the bedrock and glacial geology. Regionally, unconsolidated deposits of glacial origin consisting of till, outwash, and glacial lake sediments cover the area, often to a thickness of several hundred feet. Bedrock consists of Cambrian sandstones overlain in some areas by Ordovician dolomites. Precambrian bedrock lies under the sandstone at depths of greater than 500 feet. Cambrian sandstone of the St. Peter Group underlies the dolomite.

The WGNHS indicates quarry operations are mostly bedrock of the St. Peter Sandstone and the Prairie du Chien group consisting mostly of dolomite. The WGNHS indicates thickness up to 350 and 250 feet, respectively.

Wisconsin Geologic and Natural History Survey (WGNHS) Report #HA-360 gives an overview of the regional groundwater regime. Depth to groundwater in the area of the mining operation is typically less than 150 feet according to the WGNHS report. This is supported by mining operations, with depths of approximately 70 feet and not encountering ground water.

Groundwater moves away from high points on the potentiometric surface and discharges into lakes, streams, wetlands and areas of pumpage. Flow paths are short.

Former mining operations north of the south fill area have extracted minerals to a depth of approximately 40 to 50 feet without encountering groundwater.

**d. Types and quantities of materials that will be dumped.**

Clean uncontaminated fill will be used to fill the former quarry area.

**e. Proposed dates to begin fill placement.**

Initial mineral extraction began in 1990. CUP permits have been renewed to continue mineral extraction until 2016. The previous CUP expired during 2016. Rate of dumping clean fill is dependent on demand and market conditions. The site will be graded and restored as open space. A reclamation plan has been prepared and will be followed. Attached drawings indicate the general contours anticipated during the fill placement process.

**f. Proposed hours and days of operation.**

Hours of operation shall be as follows:

- a. Filling, placement and grading operations may begin at 6:00 am Monday -Saturday.

- b. Filling and grading shall cease at 7:00 pm Monday -Friday and at 12:00 noon on Saturday.
- c. Equipment and vehicles not involved in filling operations may enter and leave the site outside of the stated hours of operations. Supplies and equipment may be loaded and unloaded from vehicles; and equipment and vehicles may be repaired and maintained outside the stated hours of operation. Some equipment warm up and cool down time may also be allowed.
- g. Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.  
Truck ingress and egress will be from Reiner Road following major truck routes to and from destination job sites. See attached drawing for site access routes and driveway locations.
- h. Proposed phasing plan.  
The south fill area will be completed in one phase with fill placement along the north and west sidewalls extending the west sidewall eastward. Existing topsoil screening berm are located around the perimeter of the site for screening and storm water / snow melt runoff control.
- i. Types, quantities, and frequency of use of equipment to extract, process and haul.  
Equipment used for fill placement includes, but not limited to, graders, front-end loaders, backhoes, haul trucks, and general site maintenance equipment. Frequency will depend on market demand. All operations will occur during normal operating hours.
- j. Bulk fuel storage.  
There are no bulk storage fuel tanks on site. The operator may bring temporary bulk storage fuel tank(s) on-site during fill placement operations.
- k. Asphalt batching or concrete mixing.  
The facility does not provide asphalt batching or concrete mixing at this location.
- l. Proposed storage of recycled materials.  
Recycled concrete is stored on-site for use in projects and/or site filling areas.
- m. Protection of groundwater.  
The former quarry operations did not encounter groundwater. Storm water collection areas are a minimum of five feet above groundwater elevations.
- n. Permanent or temporary structures.  
South fill area – A house is located on the east side of the area and rented out by the owner. The remainder of the south fill area is used for fill placement. See attached drawings.
- o. Spill prevention and or dust control.  
The operator will take whatever measures are available for spill prevention and control, dust control, transportation, or environmental protection.
- p. A Site/Operations Plan drawing is attached, showing the overall layout of the facility: internal drives, processing areas, stockpiles, and building located on the site.

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Additional items submitted with application

- 1) Fill Area Boundary, see attached drawing.
- 2) Notification to Town Board  
This Amended CUP Application is being submitted simultaneously to the Town of Burke.
- 3) Notification to Town Board Filing Fee  
The filing fee was paid at the time of the initial application was submitted.

JDB/jdb/JDB

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