



## Dane County Zoning Division

City-County Building  
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# DANE COUNTY CONDITIONAL USE PERMIT # 2414

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 # 2414 for a Concrete Batch Plant pursuant to Dane County Code of Ordinance Sections 10.126(3), subject to any conditions contained herein:

**EFFECTIVE DATE OF PERMIT: April 25, 2018**

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

LOCATION: 971 State Highway 138, Town of Dunkirk, Dane County, Wisconsin

### Legal Description:

Part of the SE ¼ of the NE ¼ pf Sec 18, T5N, R11E, Town of Dunkirk, Dane County, Wisconsin, described as follows: Commencing at the East ¼ corner of Sec 18; thence N00°08'29"W along the East ling of the SE ¼ of the NE ¼, 539.93 feet; thence S87°54'31"W, 594.96 feet to the point of beginning; thence continue S87°54'31"W, 405 feet; thence N00°08'29"W, 310 feet; thence N87°54'31"E, 405 feet; thence S00°08'29"E, 310 feet to the point of beginning. Containing 2.86 acres.

### **CONDITIONS:**

1. No mineral extraction, no crushing, and no aggregate washing shall occur on-site.
2. There shall be no blasting on the site.
3. Hours of operation shall be as follows:  
5:00 am to 6:00 pm 7 days a week during spring, summer and fall. Winter hours (5 am to 6 pm) are on an as needed basis, weather permitting.
4. The applicant shall update their Dane County Chapter 14 erosion control/storm water management permit.
5. The operator shall apply for and receive a concrete product operations general permit (GP) from the Wisconsin DNR.
6. The operator shall use spray bars (water) and/or water truck to reduce dust. The driveway shall be maintained in a dust free manner using a crushed asphalt or paved surface.
7. The applicant shall apply for and receive all other required local, state and federal permits.
8. The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.

9. The operator shall develop and operate the site according to the site/operations plan submitted with the application materials.
10. The operator and all haulers shall access the CUP site via the current driveway off of State Hwy 138.
11. The operator shall require all trucks to have muffler systems that meet or exceed the current industry standards for noise abatement.
12. The owner/operator must post a copy of this conditional use permit #2414, including the list of all conditions, on the work site.
13. Dane County and the Town of Dunkirk shall be listed as primary additional named insureds on the Rosenbaum, Inc. liability insurance policy, which shall provide for a minimum of \$1,000,000 of combined single limit coverage per occurrence. 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 operations cease.
14. 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.
15. If any portion of these conditions is held invalid the remainder of these conditions and provisions shall not be affected thereby.

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.

*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.