



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT # 2416

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 # 2416 for a Concrete Batch Plant pursuant to Dane County Code of Ordinance Sections 10.12, subject to any conditions contained herein:

EFFECTIVE DATE OF PERMIT: OCTOBER 1, 2018

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

Legal Description:

COMMENCING AT A POINT ALONG THE SOUTHERLY RIGHT OF WAY LINE OF NELSON ROAD THENCE S 35'00'47" W ALONG THE NORTHWESTERLY RIGHT OF WAY OF THE WISCONSIN AND SOUTHERN RAILROAD, 1172.59 FEET; THENCE N 90'00'00" W, 214.16 FEET; THENCE N 00'00'00" E, 978.75 FEET, THENCE N 89'41'46" E ALONG THE SOUTHERLY RIGHT OF WAY OF NELSON RD, 853.03 FEET TO THE POINT OF THE BEGINNING.

CONDITIONS:

- 1) The Conditional Use Permit is limited to the 12 acres described as noted above.
- 2) The operator shall operate the site in accordance with the submitted site operations plan and shall be required to follow the information contained within the operations narrative.
- 3) Hours of operation shall be 6:00 a.m. to 8 p.m. Monday through Friday and 6 a.m. to 2 p.m. on Saturday. Occasional operations may be necessary in the event of emergencies and to meet contractual obligations. If hours of operations are extended for a period of five (5) days or more, the operator shall provide a written notice to the Town Clerk no less than 24 hours in advance of extending the hours of operation.
- 4) The operator shall take reasonable measures to control dust on the property and shall comply with Wisconsin DNR Best Management Practices for fugitive dust. Interior roads and storage areas shall be swept and/or watered as necessary to reduce dust.
- 5) The operator shall meet DNR standards for particulate emissions as described in NR 415.

- 6) The operator shall obtain all permits for concrete production from the Wisconsin DNR regarding Wisconsin Pollutant Discharge Elimination System (WPDES) program prior to operation.
- 7) The applicant shall obtain permits regarding Dane County Code of Ordinances Chapter 14 for erosion control and storm water management. All storm water facilities shall be installed and maintained per approved plans.
- 8) Fuel storage tanks on site shall meet applicable State and Federal standards including spill prevention.
- 9) The applicant shall apply for and receive all other required local, state and federal permits.
- 10) The site and driveway shall be paved as designated on the operations plan.
- 11) Outdoor lighting on the property shall be down cast to minimize impact on neighboring properties. The light intensity shall be no more than 0.5 foot candles at the conditional use permit boundary line. The luminaires shall be installed at maximum height of 25 feet above the ground.
- 12) Landscaping screening shall be located in accordance with the operations plan. The evergreen trees and hardwood trees shall be planted prior to operation. The evergreens and hardwood trees shall be maintained and any dead trees removed and replaced. All existing trees within 25 feet of the east property line shall remain to provide additional screening.
- 13) The existing trees, shrubs, and berms (undisturbed area) within 150 feet of Nelson Road shall not be removed unless they interfere with the vision triangle of the ingress and egress.
- 14) The operation of the concrete batch plant shall not exceed a noise limitation of 75 decibels DbA as measured along Nelson Road and Felland Road.
- 15) Outdoor loudspeakers are prohibited.
- 16) Any signs installed on the property shall comply with Dane County Sign Ordinances. Wall signs are prohibited on any buildings or towers.
- 17) An annual road maintenance fee of \$2,000 submitted to the municipality by December 31st of each year.
- 18) The site plan including driveway location, ingress, egress, turn lanes, etc. shall be approved by the Town Engineer prior to construction. The operator shall install any driveway improvement features as deemed necessary by the Town Engineer.
- 19) The operator and all haulers shall access the CUP site via Nelson Road as described in the operations plan.
- 20) The operator shall require all trucks to have muffler systems that meet or exceed the current industry standards for noise abatement.
- 21) A copy of the conditional use permit shall be kept on site.

22) 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.

23) 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.