



Dane County

Minutes - Final Unless Amended by Committee

Zoning & Land Regulation Committee

Tuesday, February 27, 2018

6:30 PM

City - County Building, ROOM 354
210 Martin Luther King Jr. Blvd., Madison

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A. Call to Order

Chair Kolar called the meeting of the ZLR Committee to order at 6:30pm in Room 354 of the City-County Building.

Staff present: Everson, Lane, and Violante

Youth Governance Members present: Sam Fischer.

Supervisor Miles arrived at 6:40pm.

Present 5 - JERRY BOLLIG, MARY KOLAR, AL MATANO, PATRICK MILES, and DENNIS O'LOUGHLIN

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

No comments made by the public.

[2017](#)
[RPT-698](#)

Feb 27th ZLR Committee meeting registrants

Attachments: [Feb 27th ZLR meeting registrants](#)

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

11240

PETITION: REZONE 11240
APPLICANT: SCOTT B FRANK
LOCATION: 1980 RATHERT ROAD, SECTION 11, TOWN OF COTTAGE GROVE
CHANGE FROM: A-2 Agriculture District TO A-2 (2) Agriculture District
REASON: reduce the size of a residential lot

Attachments: [11240 Ord Amend](#)

[11240 Staff](#)

[11240 Town](#)

[11240 Density](#)

[11240 Map](#)

[11240 APP](#)

In favor: Scott Frank

Opposed: None

A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-0.

1. The petition shall be amended to change the zoning of the remaining A-1Ex Exclusive Agriculture lands to the A-4 Small Lot Agriculture Zoning District.

Ayes: 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

Absent: 1 - MILES

11241

PETITION: REZONE 11241
APPLICANT: PLEASANTIME HOLDINGS LLC
LOCATION: 5052 STATE HIGHWAY 73, SECTION 28, TOWN OF MEDINA
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District, R-1 Residence District TO RH-1 Rural Homes District
REASON: shifting of property lines between adjacent land owners

Attachments: [11241 Ord Amend](#)

[11241 Staff](#)

[11241 Town](#)

[11241 Density](#)

[11241 Map](#)

[11241 APP](#)

In favor: John Ward

Opposed: None

A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.

Ayes: 4 - BOLLIG,KOLAR,MATANOandO'LOUGHLIN

Absent: 1 - MILES

[11242](#)

PETITION: REZONE 11242

APPLICANT: SCOTT TRAUTMAN

LOCATION: SOUTH OF SKAALLEN ROAD AND WEST OF PLEASANT HILL ROAD, SECTION
34, TOWN OF PLEASANT SPRINGS

CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District

REASON: creating one residential lot

Attachments: [11242 Ord Amend](#)

[11242 Staff](#)

[11242 Town](#)

[11242 Density](#)

[11242 Map](#)

[11242 APP](#)

[11242 site plan](#)

In favor: David Bachhuber

Opposed: None

A motion was made by MILES, seconded by O'LOUGHLIN, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1. A deed restriction shall be recorded on parcel 0611-353-8500-8 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

2. A deed restriction shall be recorded on the proposed A-2 lot to prohibit any land division of the property.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11243](#)

PETITION: REZONE 11243
APPLICANT: CARLA JOY RAATZ
LOCATION: 9854 GREENWALD ROAD, SECTION 26, TOWN OF VERMONT
CHANGE FROM: A-1EX Agriculture District TO A-2 Agriculture District
REASON: creating one residential lot

Attachments: [11243 Ord Amend](#)

[11243 Staff](#)

[11243 Town](#)

[11243 Map](#)

[11243 APP](#)

In favor: Tim and Carla Raatz

Opposed: None

A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11244](#)

PETITION: REZONE 11244
APPLICANT: PETE ANDRINGA
LOCATION: RIDGE ROAD, SECTION 23, TOWN OF COTTAGE GROVE
CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District
REASON: creating one residential lot

Attachments: [11244 Ord Amend](#)

[11244 Staff](#)

[11244 Town](#)

[11244 Density](#)

[11244 CSM](#)

[11244 Map](#)

[11244 APP](#)

In favor: Justin and Sara Lessner

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1. A deed restriction shall be recorded on parcel 0711-231-8500-3 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11245](#)

PETITION: REZONE 11245
APPLICANT: NORMAN STAMM
LOCATION: 6712 RED STONE LANE, SECTION 35, TOWN OF VERONA
CHANGE FROM: A-2 (2) Agriculture District TO RH-1 Rural Homes District
REASON: creating three residential lots from two.

Attachments: [11245 Ord Amend](#)

[11245 Staff](#)

[11245 Town](#)

[11245 Map](#)

[11245 APP](#)

In favor: Norman Stamm

Opposed: None

A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11246](#)

PETITION: REZONE 11246
APPLICANT: DENNIS G REISDORF
LOCATION: 1190 SUNRISE ROAD, SECTION 9, TOWN OF RUTLAND
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: creating one residential lot

Attachments: [11246 Ord Amend](#)

[11246 Staff](#)

[11246 Town](#)

[11246 Map](#)

[11246 APP](#)

In favor: Dennis Reisdorf

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11247

PETITION: REZONE 11247

APPLICANT: JOHN P ZIEGLER

LOCATION: 1256 US HIGHWAY 14, SECTION 7, TOWN OF RUTLAND

CHANGE FROM: LC-1 Limited Commercial District TO R-1A Residence District

REASON: creating one residential lot

Attachments: [11247 Ord Amend](#)

[11247 Staff](#)

[11247 Town](#)

[11247 Density \(sending farm\)](#)

[11247 Map TDR](#)

[11247 Map](#)

[11247 APP](#)

In favor: John Ziegler

Opposed: None

A motion was made by BOLLIG, seconded by O'LOUGHLIN, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1. A deed restriction shall be recorded on parcel #0510-104-8500-3 (part of sending property) prohibiting residential development.
2. A notice document shall be recorded on the "sending" property - parcels 0510-104-8500-3, 0510-101-9000-9, and 0510-101-8501-5 indicating that one split was transferred from the property leaving only 2 possible splits remaining.
3. A notice document shall be recorded on the subject "receiving" property indicating that the property was established as a new residential lot pursuant to a transfer of development rights.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11248](#)

PETITION: REZONE 11248
APPLICANT: DONALD L PARRELL
LOCATION: 4543 BLUE MOUNDS TRAIL, SECTION 3, TOWN OF VERMONT
CHANGE FROM: RH-4 Rural Homes District TO RH-3 Rural Homes District, RH-4 Rural
Homes District TO RH-3 Rural Homes District
REASON: creating two residential lots

Attachments: [11248 Ord Amend](#)

[11248 Staff](#)

[11248 Town](#)

[11248 Density](#)

[Petition 11210](#)

[11248 Previous Density](#)

[11248 Map](#)

[11248 APP](#)

In favor: Don Parrell

Opposed: None

**A motion was made by O'LOUGHLIN, seconded by MILES, that this Zoning
Petition be recommended for approval. The motion carried by the following vote:
5-0.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11249](#)

PETITION: REZONE 11249
APPLICANT: JOSEPH M SCHWARZ & SON LLC
LOCATION: NORTH OF 4473 BLUE MOUNDS TRAIL, SECTION 9, TOWN OF VERMONT
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District
REASON: creating one residential lot

Attachments: [11249 Ord Amend](#)

[11249 Staff](#)

[11249 Town](#)

[11249 Density](#)

[11249 Map](#)

[11249 APP](#)

In favor: Joseph Schwarz

Opposed: None

**A motion was made by MILES, seconded by BOLLIG, that this Zoning Petition be
recommended for approval. The motion carried by the following vote: 5-0.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

11250

PETITION: REZONE 11250

APPLICANT: CONTROLLED SURFACE FINISHING, INC

LOCATION: 830 US HIGHWAY 51, SECTION 3, TOWN OF DUNKIRK

CHANGE FROM: C-1 Commercial District TO C-2 Commercial District

REASON: changing zoning from C1 to C2 combining the 2 existing parcels

Attachments: [11250 Ord Amend](#)

[11250 Staff](#)

[11250 Town](#)

[11250 DOT concerns](#)

[11250 Staff Recommendation Map](#)

[11250 Amended Zoning Map](#)

[11250 Prelim CSM](#)

[11250 Map](#)

[11250 APP](#)

In favor: Steven Tortarici

Opposed: None

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 5-0.

1. Amend the petition to rezone the proposed 1.8 acre parcel around the house and accessory building (lot 2) to A-2(1) Agriculture to provide zoning compliance for the residential use of the property.
2. Applicant shall coordinate with WISDOT staff and comply with any requirements related to safe ingress/egress and/or access restrictions.
3. A deed restriction shall be recorded on the proposed C-2 Commercial lot as follows: Limit commercial uses exclusively to the following: light manufacturing and assembly plants; machine shops; distribution centers; incidental warehousing and indoor storage; offices / office buildings; Prohibit the installation of off-premises advertising signs (billboards).

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11251](#)

PETITION: REZONE 11251
APPLICANT: JOHN G MORSCHAUSER
LOCATION: SOUTHWEST QUADRANT OF BURVE ROAD AND SMITH DRIVE, SECTION 7,
TOWN OF DEERFIELD
CHANGE FROM: A-1EX Agriculture District TO A-4 Agriculture District, A-1EX Agriculture District
TO RH-1 Rural Homes District
REASON: creating one residential lot

Attachments: [11251 Ord Amend](#)

[11251 Staff](#)

[11251 Town](#)

[11251 Density](#)

[11251 APP](#)

[11251 Map](#)

In favor: John Morschauser

Opposed: None

**A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning
Petition be recommended for approval. The motion carried by the following vote:
5-0.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[11253](#)

PETITION: REZONE 11253
APPLICANT: SCHROEDER LIVING TR, DALE KENNETH
LOCATION: 7108 LAVINA ROAD, SECTION 34, TOWN OF DANE
CHANGE FROM: A-2 (1) Agriculture District TO LC-1 Limited Commercial District
REASON: zoning to allow for a limited commercial business.

Attachments: [11253 Staff](#)

[11253 Map](#)

[11253 APP](#)

In favor: Gerald Acker

Opposed: None

**A motion was made by O'LOUGHLIN, seconded by MATANO, that this Zoning
Petition be postponed due to no town action. The motion carried by the following
vote: 5-0.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[CUP 02406](#)

PETITION: CUP 02406

APPLICANT: TOAD HILL CHILDRENS HOUSE LLC

LOCATION: 4560 RUSTIC DRIVE, SECTION 2, TOWN OF BLOOMING GROVE

CUP DESCRIPTION: child care center and Montessori school in RH-1

Attachments: [CUP 2406 Staff](#)

[CUP 2406 Town](#)

[CUP 2406 Map](#)

[CUP 02406 APP](#)

In favor: Rebecca Katzenmeyer, Emily Steinwehe, April Netz, Tara Vondollen, Ann Newman, Jody Czaja, Eli Katzenmeyer, Lenni Jenkins, and Kathleen McHugh.
Opposed: None.

A motion was made by BOLLIG, seconded by MATANO, that this Conditional Use Permit be postponed to the March 13th meeting. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[CUP 02407](#)

PETITION: CUP 02407

APPLICANT: CAMBRIDGE SCHOOL DISTRICT

LOCATION: 37 OAKLAND ROAD, SECTION 24, TOWN OF CHRISTIANA

CUP DESCRIPTION: charter school

Attachments: [CUP #2407](#)

[CUP 2407 Staff](#)

[CUP 2407 Town](#)

[CUP 2407 Site & Concept Plan](#)

[CUP 2407 Map](#)

[CUP 02407 APP](#)

In favor: Michael Rumpf and Bernie Nikolay
Opposed: None

A motion was made by O'LOUGHLIN, seconded by MILES, that this Conditional Use Permit be approved with 5 conditions. The motion carried by the following vote: 5-0.

- 1. This Conditional Use Permit shall cover the following uses of the property: operation of a Charter School and associated nonprofit / governmental uses.**
- 2. Hours of operation are between 7:00am and 5:00pm.**
- 3. Number of school students shall not exceed fifty (50).**
- 4. Adequate off street parking and interior traffic circulation shall be provided in accordance with section 10.18 of the Dane County zoning ordinance.**
- 5. Special events will be Summer School events only, with such events sanctioned by the Cambridge School District. For such special events, adequate sanitary facilities (temporary and/or permanent) shall be provided to accommodate anticipated number of patrons.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

CUP 02408

PETITION: CUP 02408

APPLICANT: JAMES ACE

LOCATION: 1825 GREEN ROAD, SECTION 34, TOWN OF DUNN

CUP DESCRIPTION: parking of trucks used for hauling ag commodities

Attachments: [CUP #2408](#)

[CUP 2408 Staff](#)

[CUP 2408 Town](#)

[CUP 2408 Map](#)

[CUP 02408 APP](#)

In favor: James Ace

Opposed: None

A motion was made by MILES, seconded by O'LOUGHLIN, that this Conditional Use Permit be approved with 5 conditions. The motion carried by the following vote: 5-0.

- 1) This Conditional Use Permit is for an Agricultural Accessory Use – Agricultural Commodities Trucking business;**
- 2) A maximum of 7 trucks may be used for the business;**
- 3) The trucks must continue to be parked amongst the buildings;**
- 4) The business can employ a maximum of 4 full-time equivalent employees;**
- 5) The CUP will expire upon sale or transfer of the property.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[CUP 02409](#)

PETITION: CUP 02409

APPLICANT: BLOOMING GROVE, TOWN OF

LOCATION: 3325 THURBER AVE, SECTION 5, TOWN OF BLOOMING GROVE

CUP DESCRIPTION: park facility, artist studio (art production and education)

Attachments: [CUP #2409](#)

[CUP 2409 Staff](#)

[CUP 2409 Town](#)

[CUP 2409 Map](#)

[CUP 2409 APP](#)

In favor: Town Clerk Mike Wolf, Mark Penisten, Cassandra Horstmeier, and Jule Stroick.

Opposed: None

**A motion was made by BOLLIG, seconded by MATANO, that this Conditional Use Permit be approved with 6 conditions. The motion carried by the following vote:
5-0.**

- 1. Hours of operation shall be 8 am to 9 pm 7 days a week.**
- 2. The artist will have access to the studio 24/7**
- 3. There will be no outdoor storage**
- 4. There will be no outdoor lighting beyond what is already is already present**
- 5. There shall be no outdoor loudspeakers**
- 6. The permit period shall be 10 years from approval date.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

[CUP 02410](#)

PETITION: CUP 02410

APPLICANT: LAURENCE D THIEMANN

LOCATION: EAST OF 3700 OLD MILITARY ROAD, SECTION 26, TOWN OF CROSS PLAINS

CUP DESCRIPTION: kennel/dog park

Attachments: [CUP #2410](#)

[CUP 2410 Staff](#)

[CUP 2410 Town](#)

[CUP 2410 Map](#)

[CUP 2410 AKC guidance](#)

[CUP 2410 APP](#)

In favor: Larry Thiemann

Opposed: None

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Conditional Use Permit be approved with 10 conditions. The motion carried by the following vote: 5-0.

1. All operations and improvements must conform to the site plan provided with this application.
2. Hours of operation shall be from dawn to dusk.
3. No more than 20 people and their dogs shall be on the premises at any given time.
4. Offsite parking, consistent with s.10.18, Dane County Code, for at least 20 vehicles must be provided.
5. Any materials or supplies associated with the dog park will be stored indoors.
6. Landowners must provide for adequate pet waste removal and appropriate disposal. Copies of any contracts for waste removal services will be provided to the zoning administrator. Covered waste collector bins must be provided near park gates.
7. The landowner shall retain liability insurance for the operation of a dog park on the property.
8. The entire perimeter of the dog park area must be fenced. Fences must be a minimum of 4 feet in height, constructed of durable, scratch-resistant material and maintained in good condition. All gates shall be of double-gated design to reduce risk of pet escape.
9. All dogs on the site must wear collars and ID tags at all times and have all required licenses and inoculations.
10. Signage, conforming to appropriate requirements of the Dane County sign ordinance (Subchapter II, Chapter 10, Dane County Code), shall be posted at each park gate. Signs shall indicate hours of operation, contact telephone numbers for park operators and park rules.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

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

11221

PETITION: REZONE 11221
APPLICANT: ANDREW J VEUM
LOCATION: 135 HOOPEN ROAD, SECTION 36, TOWN OF CHRISTIANA
CHANGE FROM: A-1EX Agriculture District TO RH-4 Rural Homes District, A-1EX Agriculture District TO RH-4 Rural Homes District, RH-1 Rural Homes District TO RH-4 Rural Homes District
REASON: Expand existing lot

Attachments: [11221 Ord Amend](#)
[11221 Staff Update](#)
[11221 Town](#)
[11221 Density](#)
[11221 Map](#)
[11221 APP](#)

A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

CUP 02405

PETITION: CUP 02405
APPLICANT: KIRK K EILENFELDT
LOCATION: NORTH OF 2294 US HIGHWAY 12/18, SECTION 27, TOWN OF COTTAGE GROVE
CUP DESCRIPTION: mineral extraction

Attachments: [CUP 2405 Staff Update](#)
[CUP 2405 Town](#)
[Opposition to CUP #2405](#)
[Opposition Feb 8 supplement](#)
[CUP 2405 Applicant supp information](#)
[CUP 2405 Map](#)
[CUP 02405 APP](#)
[Opposition Feb 22 supplement](#)
[Info submitted at meeting](#)

**A motion was made by BOLLIG, seconded by MATANO, to accept submittal items: Opposition Feb 8 supplement, CUP 2405 Applicant supp information, and Opposition Feb 22 supplement into the official record.
The motion carried by the following vote: 5-0.**

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

A motion was made by MATANO, seconded by MILES, to suspend committee rules to allow one person representing persons in support and one person representing persons in opposition to address the committee for 5 minutes. The motion carried by the following vote: 5-0.

Wade Cattell spoke in support of the conditional use permit.

Attorney Christa Westerberg spoke in opposition of the conditional use permit.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

A motion was made by O'LOUGHLIN, seconded by BOLLIG, to accept the information that was presented at the meeting (petition in opposition and information on Act 67) into the official record. Motion carried, 5-0.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that this Conditional Use Permit be approved with 30 conditions. The motion carried by the following vote: 5-0.

- 1) The applicant shall submit an erosion control plan covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.
- 2) The applicant shall apply for and receive all other required local, state and federal permits.
- 3) The operator shall develop and operate the site according to the proposed site operations plan.
- 4) Operations shall cease no later than ten (10) years from the date of CUP approval.
- 5) The applicant will reclaim and seed 6 acres of disturbed land in the existing quarry.
- 6) A maximum of 9 acres can be active at any one time, including all three phases of up to 3 acres each: a) operating, b) dewatering, c) reclamation.
- 7) Reclamation shall be completed as required by Chapter 74 of the DCCO and NR135. The plan shall cover the existing site (NC site) as well as the expansion area, treating it as one overall site and operation. The reclaimed areas must be returned to agricultural use.
- 8) The following are prohibited on this 35 acre site: blasting, drilling, crushing, screening, production of asphalt or concrete, storage of recycled material, permanent structures, additional water wells, lighting, vehicle storage or fuel storage.
- 9) The operator shall use multi-frequency back-up alarms to minimize disturbance to surrounding properties, and trucks will be routed to avoid unnecessary back-ups.
- 10) The property boundaries must be surveyed and the entire property must be surrounded by a perimeter fence.
- 11) Exterior sides of active acres shall have a 7' high berm with 1:1 side slopes, and interior sides of active areas shall have a 5' berm with 1:1 side slopes.
- 12) Berms shall be seeded within 14 days.
- 13) 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. The operator will follow the Dust Control Plan.
- 14) Haul roads must be maintained for dust control.
- 15) The operator and all haulers shall access the CUP site through the existing access points.
- 16) The access to the driveways shall have gates securely locked when the extraction site is not in operation. The site shall be signed "NO TRESPASSING."
- 17) Hours of operation shall be as follows:
 - a. 6 am to 6 pm Monday through Fridays..
 - b. 6 am to 4 pm on no more than six Saturdays each year, with 7 days prior notice provided to the Town Clerk, and residents at 2252, 2272 and 2292 US Hwy 12&18, 3380 North Star Road, and all others within 500 feet of the new site. Rocky Rights LLC and those receiving notice will define the means of notification.
 - c. No operations shall take place on Sundays or legal holidays
- 18) There shall be a safety fence around the entire extraction area at all times. This fence shall be comprised of a basic farm fence with posts and "NO TRESPASSING" signs at regular intervals of at least 100 ft. around the entire perimeter of the anticipated disturbed area.
- 19) The operator shall use water spray bars in the crushing process to reduce dust. Use of spray bars is not required when the temperature is below freezing.

- The operator shall spray the site with water if and when needed to control dust.
- 20) There shall be no storage of recycled material on the site.
- 21) There shall be no permanent structures on the site.
- 22) All of the material extracted on this site shall be taken to the existing batch plant.
- 23) All vehicles shall be stored on lands three (3) feet above highest water table elevation to prevent against groundwater contamination from leaks or spills.
- 24) The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed current industry standards for noise abatement.
- 25) The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076.
- 26) No minerals shall be excavated within 20 feet of the property boundaries with the exception of the south property line.
- 27) There shall be no alteration of topography within 5 feet of the property line.
- 28) Dane County and the Town of Cottage Grove 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 may commence. The liability insurance policy shall remain in effect until reclamation is complete. Copies of appropriate insurance policies shall be filed with the Town of Cottage Grove.
- 29) The Zoning Administrator or designee may enter the premises of the operation to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. If the operation is not in reasonable compliance with the terms of this approval, such approval is subject to amendment or revocation.
- 30) No minerals shall be excavated within 20 feet of the property boundaries with the exception of the south property line.

Ayes: 5 - BOLLIG,KOLAR,MATANO,MILESandO'LOUGHLIN

E. Plats and Certified Survey Maps

[2017 LD-049](#) Klosterman proposed 3-lot CSM
Town of Middleton

Attachments: [map](#)
[KODL review](#)
[20180207095559](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, that the Land Division be approved. The motion carried by a voice vote, 5-0

[2017 LD-050](#) Preliminary Plat - Cardinal Prairie
Town of Middleton
Acceptance and schedule for future consideration.

Attachments: [acceptance](#)
[KODL review](#)
[17-0489-Prelim Plat of CARDINAL PRAIRIE 1-17-2018](#)
[Untitled](#)

A motion was made by MILES, seconded by MATANO, that the preliminary plat be accepted and schedule for future consideration. The motion carried by a voice vote, 5-0.

[2017 LD-051](#) Preliminary Plat - Parkside Ridge
Village of Cottage Grove
Staff recommends a certification of non-objection.

Attachments: [Untitled](#)
[27794 Parkside Ridge](#)

A motion was made by MILES, seconded by MATANO, that the plat be certified with no objections. The motion carried by a voice vote, 5-0.

F. Resolutions

G. Ordinance Amendment

H. Items Requiring Committee Action

[2017
ACT-615](#) Discussion of written request to revoke Conditional Use Permit #2175 for the operation of a concrete batch plant, Rocky Rights LLC, 2294 US Highway 12/18, Section 34, Town of Cottage Grove

Attachments: [Letter requesting revocation of CUP #2175](#)
[Support revocation Feb 8 supplement](#)
[Letter from landowner in opposition of revocation](#)
[Staff report on CUP #2175.pdf](#)
[Map CUP 2175](#)
[Support revocation Feb 22 supplement](#)

A motion was made by O'LOUGHLIN, seconded by BOLLIG, to take no action on the request. The motion carried by the following vote: 4-1 (Matano: No)

Ayes: 4 - BOLLIG, KOLAR, MILES and O'LOUGHLIN

Noes: 1 - MATANO

I. Reports to Committee

[2017](#) Report of approved Certified Survey Maps
[RPT-681](#)

Attachments: [Feb 2018](#)

J. Other Business Authorized by Law

K. Adjourn

A motion was made by MILES, seconded by BOLLIG, to adjourn the Zoning and Land Regulation Committee meeting at 7:55pm. The motion carried unanimously.

Questions? Contact Roger Lane, Planning and Development Department, 266-4266, lane.roger@countyofdane.com