



# DANE COUNTY DEPARTMENT OF PUBLIC WORKS, HIGHWAY and TRANSPORTATION

**County Executive**  
Joe Parisi

2302 Fish Hatchery Road Madison, Wisconsin 53713-2495  
Phone: (608) 266-4261 FAX: (608) 266-4269

**Commissioner / Director**  
Gerald J. Mandli

**TO:** Iron Mountain Towers by Derek McGrew  
23434 Elliot Road  
Defiance, OH 43512

**FROM:** Kevin Eslick, Associate Highway Engineer

**DATE:** 2/6/2023

**SUBJECT:** County Permit Number 23A002

**COMMENTS:** Attached is the subject permit. Note the comments made in the "Other Special Provisions".

If you have any questions please contact me at 608-283-1486





# ACCESS PERMIT

This permit is required and shall be issued in accordance with the provisions of Section 83.027 of the Wisconsin Statutes and Chapter 79 of the Dane County Code of Ordinances.

Name <b>Iron Mountain Towers by Derek McGrew</b>		Co. Trunk Hwy in which access is requested: <b>MN</b>	
Street Address <b>23434 Elliot Road</b>		Town, Village, City <b>Town of Dunn</b>	Section <b>2</b>
City <b>Defiance</b>		State <b>OH</b>	Zip <b>43512</b>
Home Phone <b>(317) 507-4541</b>	Work Phone	Fax Number	E-Mail Address <b>derek@cellusite.net</b>
Existing Access? <b>Yes</b>	If yes, how modified? <input type="checkbox"/> Relocated <input type="checkbox"/> Removed <input checked="" type="checkbox"/> Change of Use <input type="checkbox"/> Culvert Replace <input type="checkbox"/> Asphalt Paving		
Describe Use: <b>Telecommunications facility - tower</b>			
North/South/East/West Side <b>North</b>	Nearest Cross Road <b>N Peninsula Way</b>	Distance & Direction of nearest cross rd <b>490' west to N Peninsula</b>	Existing Zoning: <b>RR-2</b> Meets Intended Use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

### Type of Permit Requested:

- |   |   |
|---|---|
| <input type="checkbox"/> \$110 Temporary Controlled Access                    | <input type="checkbox"/> \$75 Temporary Non-Controlled Access                   |
| <input type="checkbox"/> \$110 Agricultural Controlled Access                 | <input type="checkbox"/> \$75 Agricultural Non-Controlled Access                |
| <input type="checkbox"/> \$110 Residential (single family) Controlled Access  | <input type="checkbox"/> \$75 Residential (single family) Non-Controlled Access |
| <input type="checkbox"/> \$220 Residential, Joint Access > 1 parcel           | <input type="checkbox"/> \$220 Commercial, <100 ADT**                           |
| <input type="checkbox"/> \$1,100 Private/Public, New/Existing, Street or Road | <input type="checkbox"/> \$550 Commercial, >100 and <1,000 ADT                  |
| <input checked="" type="checkbox"/> \$45 Miscellaneous                        | <input type="checkbox"/> \$1,100 Commercial, >1,000 ADT                         |

\*\*ADT denotes Average Daily Traffic. Data substantiating ADT for access or road intersections may be required.

Fees paid in full on 2/1/2023

## PERMIT APPROVAL BY DANE COUNTY

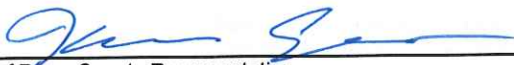
COUNTY PERMIT NO. 23A002

The application submitted is hereby approved and this permit is issued by Dane County subject to full compliance by the Applicant with all provisions and conditions stated herein and on the reverse side hereof and all attachments hereto.

### Other Special Provisions:

- check # 8116 - This permit allows for the change from a residential access to a residential with a communications facility-tower.
- This permit is contingent on all other Local, State and/or County Agency permits, zoning and approvals and applicant must comply with all federal, state and local laws, ordinances and regulations.
- All maintenance of the driveway and culvert is owner's responsibility.
- If any material other than Asphalt or Gravel is used for the access surface, a request must be sent to [eslick.kevin@countyofdane.com](mailto:eslick.kevin@countyofdane.com) for prior approval.

By

  
Signature of Dane County Representative

**Kevin Eslick Associate Highway Engineer**

Name and Title

2/6/2023

Date

608-283-1486

Phone

## CONDITIONS

You are required to contact the authorized representative on the previous page before starting construction. **THIS PERMIT IS VOID ONE YEAR AFTER THE DATE IT IS ISSUED.** If construction is not completed at that time, the applicant is responsible for obtaining a new permit.

You are required to contact the Township and other governmental agencies, including but not limited to, the Dane County Land and Water Resources Department, who have authority to permit the construction of the driveway on and off of highway right-of-way.

Runoff from the driveway shall not be directed toward the roadway shoulder, nor shall the driveway obstruct drainage on the highway. Concrete driveways are not allowed to directly abut the edge of roadway pavements. Decorative paving on highway right-of-way will not be repaired or replaced in kind if damaged during maintenance or removed during repaving/reconstruction. Normal setback is 20 feet from the edge of pavement for concrete and decorative pavement. No poured concrete, stone, brick, wood, or other types of endwalls/headwalls shall be constructed on highway right-of-way. Proper traffic control and signing shall be provided in accordance with the "Manual of Uniform Traffic Control Devices". This permit does not exempt the applicant from any State, County or Local Agency permits or approval processes.

## INDEMNIFICATION/HOLD HARMLESS

For purposes of this document, "the Permit Holder or their Agent(s)" is understood to mean the individual(s) causing this access construction and/or access improvements.

- a. Permit holder shall indemnify, hold harmless and defend County, its boards, commissions, agencies, officers, employees and representatives against any and all liability, loss (including, but not limited to, property damage, bodily injury and loss of life), damages, costs or expenses which County, its officers, employees, agencies, boards, commissions and representatives may sustain, incur or be required to pay as a result of the permit or activities associated with the permit, provided, however, that the provisions of this paragraph shall not apply to liabilities, losses, charges, costs, or expenses caused by or resulting from the acts or omissions of County, its agencies, boards, commissions, officers, employees or representatives. The obligations of the permit holder under this paragraph shall survive the expiration or termination of the permit.
- b. If any and all claims against Dane County or any of its officers, agents, or employees by any employee of the Permit Holder, the Permit Holder's Agent(s), anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, the indemnification obligation under this contract shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Permit Holder or the Permit Holder's Agent(s) under worker's compensation acts, disability benefit acts, or other employee benefit acts.
- c. The obligations of the Permit Holder or the Permit Holder's Agent(s) under this Contract shall not extend to the liability of an architect or engineer, his/her agents or employees arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, or specifications or (2) the giving of or the failure to give directions or instructions by an architect or engineer, his/her agents or employees provided such giving or failure is the primary cause of the injury or damage.
- d. Dane County shall not be liable to the Permit Holder or the Permit Holder's Agent(s) for damages or delays resulting from work by third parties or by injunctions or other restraining orders obtained by third parties.

## CONTROLLED/NON-CONTROLLED ACCESS COUNTY TRUNK HIGHWAYS

Following is a list of controlled access County Trunk Highways. All other County Trunk Highways are non-controlled access.

- CTH "AB" ..... From the eastern boundary of the City of Madison to CTH "MN".  
CTH "B" ..... From the eastern boundary of the City of Fitchburg to USH 51.  
CTH "B" ..... From USH 51 to CTH "N" (except areas within the City of Stoughton).  
CTH "B" ..... From the northern boundary of the Village of Rockdale to the southern boundary of the Village of Cambridge.  
CTH "BB" ..... From the eastern boundary of the City of Madison to the western boundary of the Village of Cottage Grove.  
CTH "BB" ..... From the eastern boundary of the Village of Cottage Grove to STH 73.  
CTH "BW" ..... (Broadway) From Raywood Road easterly to Copps Avenue  
CTH "C" ..... From STH 19 to Happy Valley Road (except areas within the City of Sun Prairie).  
CTH "CC" ..... From CTH "D" to the western boundary of the Village of Oregon.  
CTH "CV" ..... From the northern boundary of the City of Madison to USH 51.  
CTH "CV" ..... From the southern boundary of the Village of DeForest to STH 19.  
CTH "D" ..... From CTH "CC" to Wingra Drive (except areas within the Cities of Madison and Fitchburg).  
CTH "G" ..... From STH 92 to USH 18-151.  
CTH "ID" ..... From the west county line to the intersection of STH 78 (except areas within the Village of Blue Mounds).  
CTH "K" ..... From USH 12 to CTH "M".  
CTH "M" ..... From the northern boundary of the City of Verona to CTH "S".  
CTH "M" ..... From the eastern boundary of the City of Middleton to STH 113.  
CTH "MC" ..... Those segments outside the City of Madison.  
CTH "MM" ..... From the northern boundary of the Village of Brooklyn to the southern boundary of the Village of Oregon.  
CTH "MM" ..... From the northern boundary of the City of Fitchburg to CTH "MC" (except areas in the City of Madison).  
CTH "N" ..... From the northern boundary of the City of Stoughton to the southern boundary of the Village of Cottage Grove.  
CTH "N" ..... From the northern boundary of the Village of Cottage Grove to the southern boundary of the City of Sun Prairie.  
CTH "N" ..... From the northern boundary of the City of Sun Prairie to CTH "V".  
CTH "P" ..... From CTH "S" in Section 33 Town of Cross Plains to the southern boundary of Village of Cross Plains.  
CTH "PB" ..... From STH 69/92 in Section 33 Town of Montrose to CTH "M".  
CTH "PD" ..... From the eastern boundary of the Village of Mt. Horeb to the City of Fitchburg (except areas in City of Madison).  
CTH "Q" ..... From the northern boundary of the City of Middleton to the southern boundary of the Village of Waunakee.  
CTH "S" ..... From STH 78 to the western boundary of the City of Madison.  
CTH "T" ..... From the eastern boundary of the City of Madison to the Village of Marshall.  
CTH "TT" ..... From Seminary Springs to Ridge Road.  
CTH "V" ..... From STH 113 to USH 51 (except areas within the Village of DeForest).