

# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
09/04/2024	DCPCUP-2024-02641
<b>Public Hearing Date</b>	
11/19/2024	

OWNER INFORMATION	AGENT INFORMATION
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OWNER NAME SKAAR PIT LLC	Phone with Area Code (608) 255-9223	AGENT NAME DENNIS RICHARDSON	Phone with Area Code (608) 255-9223
BILLING ADDRESS (Number, Street) 2561 COFFEYTOWN RD		ADDRESS (Number, Street) 2561 COFFEYTOWN ROAD	
(City, State, Zip) COTTAGE GROVE, WI 53527		(City, State, Zip) Cottage Grove, WI 53527	
E-MAIL ADDRESS whuston@rghuston.com		E-MAIL ADDRESS drichardson@rghuston.com	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
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ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
3355 County Highway N					
TOWNSHIP COTTAGE GROVE	SECTION 28	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0711-283-9800-6		---		---	

CUP DESCRIPTION
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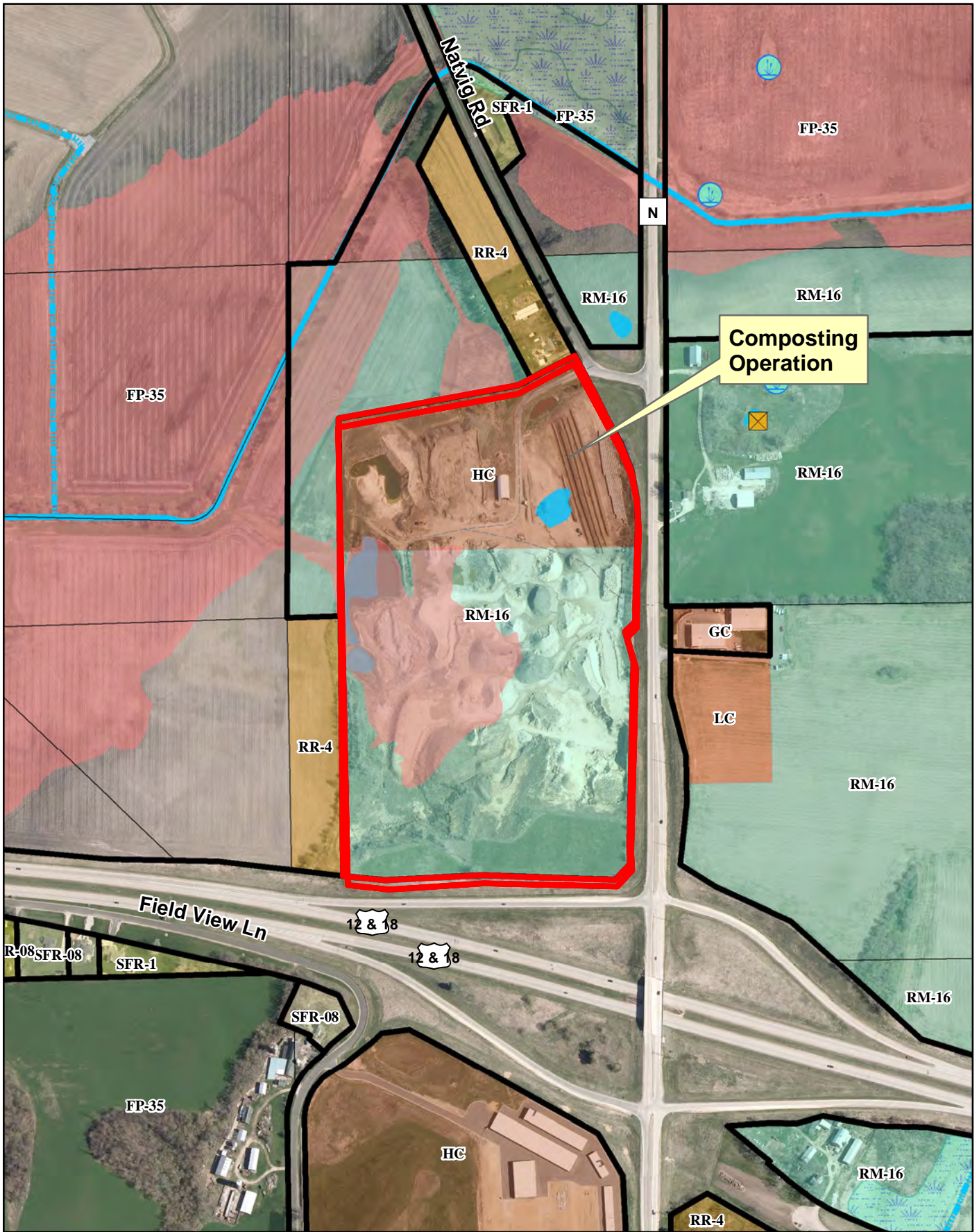
Processing or composting of organic by-products or wastes

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
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10.282(3)	45.3
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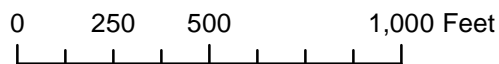
<b>DEED RESTRICTION REQUIRED?</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No  Applicant Initials _____	Inspectors Initials  RUH1	<b>SIGNATURE:(Owner or Agent)</b>  <hr/> <b>PRINT NAME:</b>  <hr/> <b>DATE:</b>  <hr/>
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COMMENTS: EXTENDING CURRENT CUP #2342 WHICH WAS APPROVED IN 2016 WITH AN EXPIRATION DATE OF FEB. 25, 2025



**Legend**

-  Wetland
-  Floodplain



**CUP 2641**  
**Skaar Pit LLC**



**Dane County**  
**Department of Planning and Development**  
 Zoning Division  
 Room 116, City-County Building  
 210 Martin Luther King Jr. Blvd.  
 Madison, Wisconsin 53703  
 (608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

\*\*\*REVISED 8/30/2024\*\*\*

## CONDITIONAL USE PERMIT APPLICATION

### APPLICANT INFORMATION

Property Owner Name:		Agent Name:	
Address (Number & Street):		Address (Number & Street):	
Address (City, State, Zip):		Address (City, State, Zip):	
Email Address:		Email Address:	
Phone#:		Phone#:	

### SITE INFORMATION

Township:		Parcel Number(s):	
Section:		Property Address or Location:	
Existing Zoning:	Proposed Zoning:	CUP Code Section(s):	

### DESCRIPTION OF PROPOSED CONDITIONAL USE

<b>Type of conditional use permit</b> (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):	<b>Is this application being submitted to correct a violation?</b> Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide a short but detailed description of the proposed conditional use:	

### GENERAL APPLICATION REQUIREMENTS

**Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.**

<input type="checkbox"/> Complete attached information sheet for standards	<input type="checkbox"/> Site Plan drawn to scale	<input type="checkbox"/> Detailed operational plan	<input type="checkbox"/> Written legal description of boundaries	<input type="checkbox"/> Detailed written statement of intent	<input type="checkbox"/> Application fee ( <b>non-refundable</b> ), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

- |   |
|---|
| 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.  |
| 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.   |
| 3. 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.  |
| 4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.   |
| 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.  |
| 6. That the conditional use shall conform to all applicable regulations of the district in which it is located.   |
| 7. The conditional use is consistent with the adopted town and county comprehensive plans.  |
| 8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary. <ul style="list-style-type: none"><li>• Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:</li><br/><li>• Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:</li><br/><li>• Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:</li><br/><li>• Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:</li><br/><li>• Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:</li></ul> |

**WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN**

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.
List the proposed days and hours of operation.
List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.
Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.
For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under <a href="#">Chapter 11</a> of <a href="#">Chapter 14</a> , Dane County Code.
List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.
List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.
Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.
Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.
Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. <a href="#">10.800</a> .
Briefly describe the current use(s) of the property on which the conditional use is proposed.
Briefly describe the current uses of surrounding properties in the neighborhood.

## APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

### **SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:**

- |     |  |
|-----|--|
|     | <input type="checkbox"/> Scale and north arrow.  |
|     | <input type="checkbox"/> Date the site plan was created.   |
|     | <input type="checkbox"/> Existing subject property lot lines and dimensions.   |
| N/A | <input type="checkbox"/> Existing and proposed wastewater treatment systems and wells.   |
| N/A | <input type="checkbox"/> All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.  |
| N/A | <input type="checkbox"/> All dimension and required setbacks, side yards and rear yards.   |
|     | <input type="checkbox"/> Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.  |
| N/A | <input type="checkbox"/> Location and dimensions of any existing utilities, easements or rights-of-way.  |
| N/A | <input type="checkbox"/> Parking lot layout in compliance with s. <a href="#">10.102(8)</a> .  |
|     | <input type="checkbox"/> Proposed loading/unloading areas.   |
|     | <input type="checkbox"/> Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.  |
| N/A | <input type="checkbox"/> All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade. |
| N/A | <input type="checkbox"/> Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.  |
| N/A | <input type="checkbox"/> Any lighting, signs, refuse dumpsters, and possible future expansion areas.   |

### **NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:**

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed. |
| <input type="checkbox"/> | Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.             |

### **OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:**

- |     |  |
|-----|--|
|     | <input type="checkbox"/> Hours of operation.   |
|     | <input type="checkbox"/> Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.  |
|     | <input type="checkbox"/> Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.   |
|     | <input type="checkbox"/> Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.  |
|     | <input type="checkbox"/> Compliance with county stormwater and erosion control standards under <a href="#">Chapter 11</a> of <a href="#">Chapter 14</a> , Dane County Code.  |
| N/A | <input type="checkbox"/> Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department. |
| N/A | <input type="checkbox"/> Facilities for managing and removal of trash, solid waste and recyclable materials.   |
|     | <input type="checkbox"/> Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.  |
| N/A | <input type="checkbox"/> A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.  |
| N/A | <input type="checkbox"/> Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.  |
| N/A | <input type="checkbox"/> Signage, consistent with section <a href="#">10.800</a> .   |

### **ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):**

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an <a href="#">event plan</a> . |
| <input type="checkbox"/> | <a href="#">Domestic pet</a> or <a href="#">large animal boarding</a> must provide additional information in site and operations plans.              |
| <input type="checkbox"/> | Communication towers must submit additional information as required in s. <a href="#">10.103(9)</a> .  |
| <input type="checkbox"/> | Farm residences proposed in the FP-35 district must submit additional information as required in s. <a href="#">10.103(11)</a> .                     |
| <input type="checkbox"/> | Mineral extraction proposals must submit additional information as required in s. <a href="#">10.103(15)</a> .                                       |

# SKAAR PIT, LLC

## “EXISTING SKAAR PIT MINERAL EXTRACTION SITE & COMPOSTING SITE”

**\*Revised 8/16/2024)**

### NEIGHBORHOOD CHARACTERISTICS:

The proposed rezone of this parcel is to rezone an existing mineral extraction site and an existing composting site to accommodate the new Dane County zoning that was put in place a few years back. This parcel was originally split into a north, 14.51-acre parcel, that was used for mineral extraction and composting, and a southern parcel of 31.01-acres, that was used for mineral extraction.

Both parcels had existing Conditional Use Permits allowing for Composting and Mineral Extraction. We have started conversations about renewing both CUP's which is when County Zoning brought to our attention the need to now change the zoning to Manufacturing & Industrial Zoning District (MI) which is compatible with both types of CUPs and the Town of Cottage Grove's long-range planning for this area.

This parcel is surround by the following zoning:

West: Farmland zoned FP-35, RM-16 and RR-4.

South: Highway 12/18.

East: Farmland & farmhouse (which we own) zoned RM-16 and LC; commercial business (Paul Davis) zoned GC.

North: Farmette (owned by an employee of ours) zoned RR-4.

### OPERATIONAL NARRATIVE:

#### ***Nonmetallic Mineral Extraction***

We are applying for a 10-year time extension of an existing mineral extraction site. The existing sand and gravel pit has been in operation since 1998. The site involves the mining, recycling, processing of aggregates and soils for local construction projects ranging from residential home sites, commercial sites, local roadways to major highways.

The current and proposed hours of operations are as follows:

Monday through Friday: 6 am to 6 pm

Saturday: 8 am to 1 pm.

Sunday & Holidays: no work

Special hours with notification/acknowledgement by Town chairman.

# SKAAR PIT, LLC

## “EXISTING SKAAR PIT MINERAL EXTRACTION SITE & COMPOSTING SITE”

**\*Revised 8/16/2024)**

The site typically sees one to three full-time employees operating the site depending on if processing equipment is brought in to process material. Processing usually takes place over a few weeks and then the processing equipment moves to another quarry/pit site.

A loader will typically always remain on site for loading out of material into dump trucks.

We do not anticipate any changes to the current operations and still anticipate traffic to fluctuate currently as it does daily with no anticipated traffic issues.

The site is currently permitted by the WisDNR and Dane County for dust and stormwater management. We will continue to utilize water when needed to control dust. Noise is controlled based on elevations (down in a hole for the most part) and rural location of the operation.

The site already has had the driveway improved along with the intersection of Natvig Road and County Highway N improved including a by-pass lane.

No fuel or explosives stored on site. Equipment is fueled on upland portions of the site by a WisDNR certified fuel delivery truck, which carries its own spill containment contingencies.

**This pit is a glacial outwash area with quality sand and gravel readily at the surface (couple feet of overburden max). Mineral extraction is continuing to the south and west to within a few (3) feet of groundwater. Also, ground water is basically at the existing detention pond elevation (approximately elevation 858ish). We anticipate having to increase the final detention pond size to accommodate future commercial development of the property – that engineering/design/Town-County approvals will come at a later date closer to the end of the pit.**

No additional permanent signage or permanent lighting is required.

On-site sanitary facilities are accomplished by use of a port-a-potty.

The site is part of the Town of Cottage Grove’s long range plan for future commercial development.

### ***Composting***

The composting site has been in operation since 2016. The site involves the recycling of farm waste into compost used for numerous purposes such as engineered soil mixes, rain garden mixes, farm field amendments, etc.

The current and proposed hours of operations follow the mineral extraction operation hours as follows:

Monday through Friday: 6 am to 6 pm

Saturday: 8 am to 1 pm.



**SKAAR PIT, LLC**  
**“EXISTING SKAAR PIT MINERAL EXTRACTION SITE &  
COMPOSTING SITE”**

**\*Revised 8/16/2024)**

Sunday & Holidays: no work

Special hours with notification/acknowledgement by Town chairman.

The site typically sees one part-time employee on site making/mixing the compost windrows and tracking their progress.

A loader will typically always remain on site for making/mixing the windrows and for loading out of the finished compost product.

We do not anticipate any changes to the current operations and still anticipate traffic to fluctuate currently as it does daily with no anticipated traffic issues.

The site is currently permitted by the WisDNR and Dane County. We will continue to utilize water when needed to control dust. Noise is controlled based on elevations (down in a hole for the most part) and rural location of the operation.

The site already has had the driveway improved along with the intersection of Natvig Road and County Highway N improved including a by-pass lane.

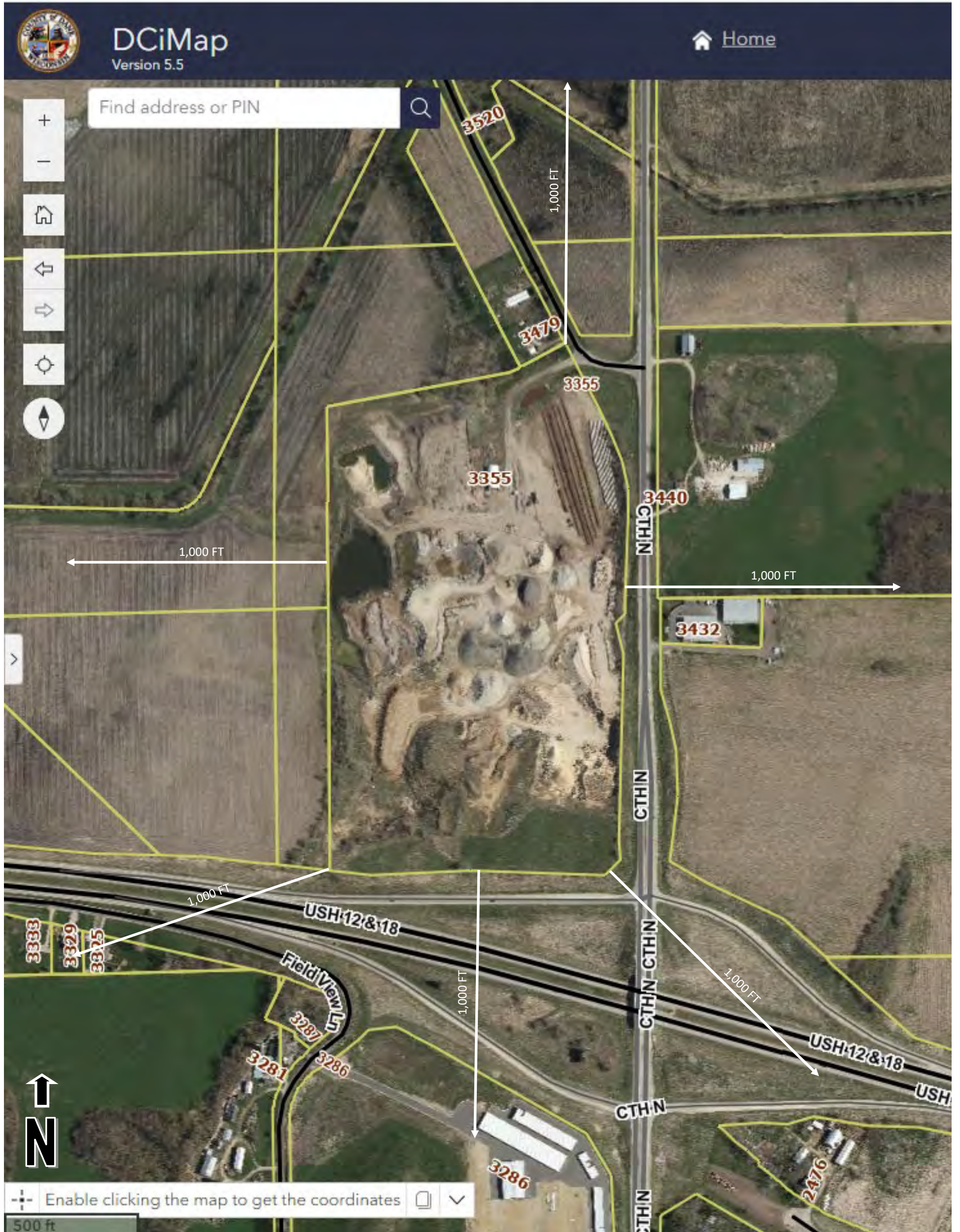
No fuel stored on site. Equipment is fueled on upland portions of the site by a WisDNR certified fuel delivery truck, which carries its own spill containment contingencies.

No additional permanent signage or permanent lighting is required.

On-site sanitary facilities are accomplished by use of a port-a-potty.

# SKAAR PIT, LLC

## EXISTING SKAAR PIT MINERAL EXTRACTION SITE & COMPOSTING SITE LOCATION MAP



# SKAAR PIT, LLC

## EXISTING SKAAR PIT MINERAL EXTRACTION SITE & COMPOSTING SITE EXISTING SITE PLAN

(REVISED 8/16/2024)



# SKAAR PIT, LLC

## EXISTING SKAAR PIT MINERAL EXTRACTION SITE & COMPOSTING SITE EROSION CONTROL & STORMWATER MANAGEMENT PLAN SUMMARY





# LEGAL DESCRIPTION

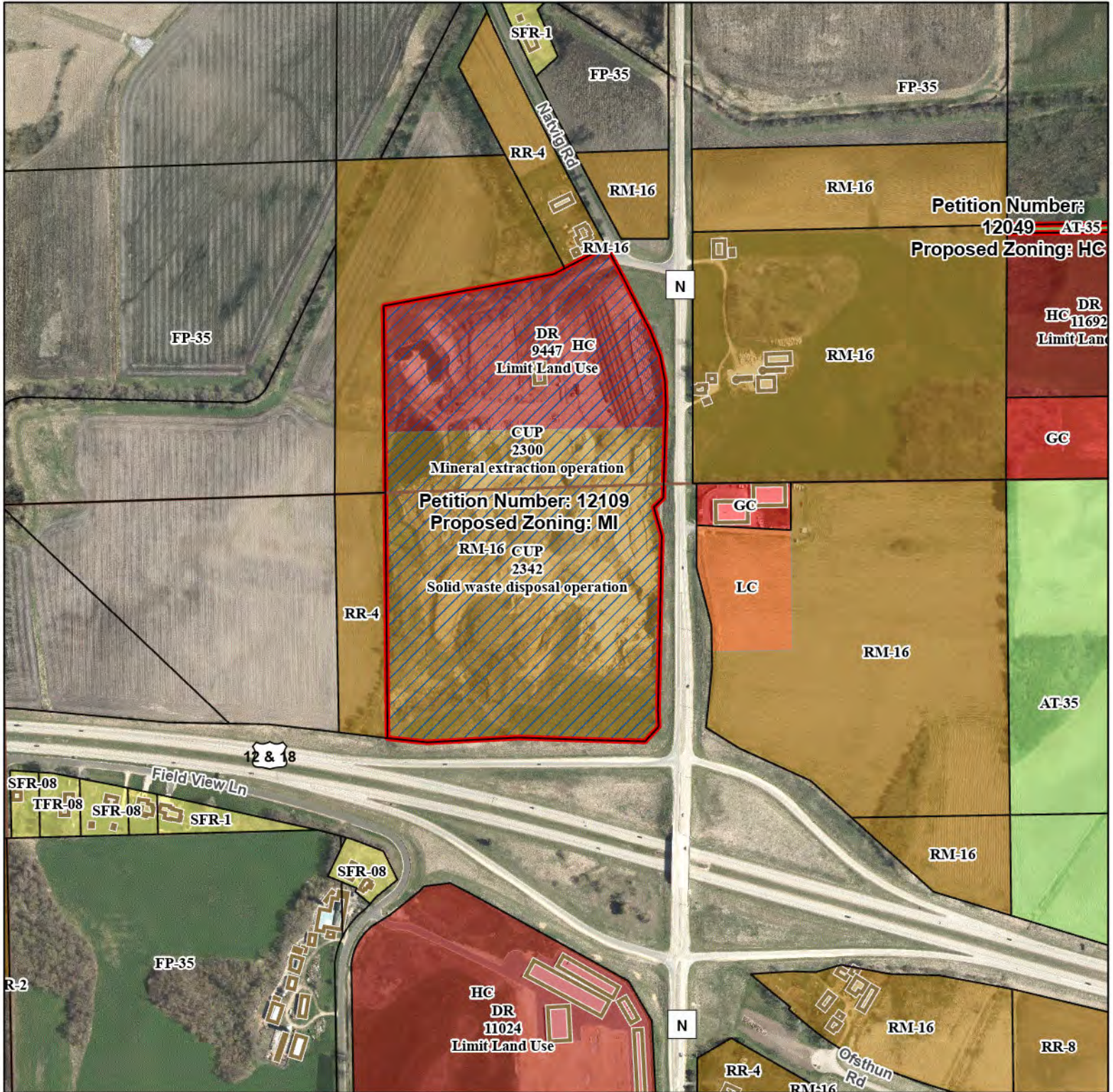
A PART OF THE SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 28 AND PART OF THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 33, T7N, R11E, TOWN OF COTTAGE GROVE, DANE COUNTY, WISCONSIN NOR PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH  $\frac{1}{4}$  CORNER OF SAID SECTION 28: THENCE S87°48'15" W, 23.76 FEET TO THE WEST RIGHT OF WAY LINE OF COUNTY TRUNK HIGHWAY N AND THE POINT OF BEGINNING:

THENCE ALONG SAID WEST RIGHT OF WAY LINE N01°15'44"E, 308.32 FEET;  
THENCE CONTINUING ALONG SAID WEST LINE N02°53'06" W, 100.08 FEET;  
THENCE CONTINUING ALONG SAID WEST LINE N11°54'15" W, 101.98 FEET;  
THENCE CONTINUING ALONG SAID WEST LINE N22°23'44" W, 107.70 FEET;  
THENCE CONTINUING ALONG SAID WEST LINE N28°31'04" W, 113.18 FEET;  
THENCE CONTINUING ALONG SAID WEST LINE N27°36'57" W, 112.25 FEET;  
THENCE CONTINUING ALONG SAID WEST LINE N29°02'26" W, 146.65 FEET;  
THENCE S61°51'56" W, 237.87 FEET; THENCE S79°25'30" W, 686.42 FEET;  
THENCE S01°12'09" E, 1717.49 FEET TO THE NORTH RIGHT OF WAY LINE OF UNITED STATES HIGHWAYS 12 & 18; THENCE ALONG SAID NORTH LINE S83°56'37" E (REC. AS S83°48'28" E), 158.15 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N86°17'51" E (REC. AS N86°31'58" E), 355.09 FEET; THENCE CONTINUING ALONG SAID NORTH LINE S08°45'13" E (REC. AS S88°42'02" E), 500.56 FEET; THENCE CONTINUING ALONG SAID NORTH LINE N42°20'28" E (REC. AS N42°26'28" E), 81.29 FEET TO THE WEST LINE OF SAID C.T.H. N; THENCE ALONG SAID WEST LINE N02°53'49" W (REC. AS N02°48'40" W), 68.59 FEET (REC. AS 68.47 FEET); THENCE CONTINUING ALONG SAID WEST LINE N01°32'37" E (REC. AS N01°39'11" E), 690.41 FEET; THENCE CONTINUING ALONG SAID WEST LINE N16°18'41" W (REC. AS N16°12'07" W), 118.28 FEET; THENCE CONTINUING ALONG SAID WEST LINE N45°02'09" E (REC. AS N45°08'43" E), 52.69 FEET; THENCE CONTINUING ALONG SAID WEST LINE N00°04'19 E, 55.71 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 45.1727 ACRES.

# 3355 County Highway N, Town of Cottage Grove

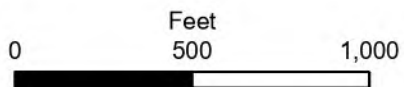
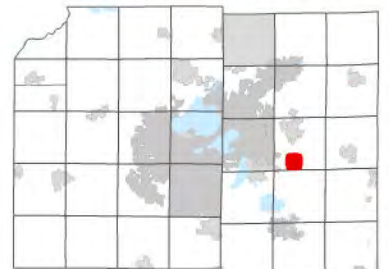
## Neighborhood Map



Petition Number:  
12049 ~~AT-35~~  
Proposed Zoning: HC

Petition Number: 12109  
Proposed Zoning: MI

Location in Dane County



9/4/2024

Created by Dane County Planning and Development Department, Zoning Division