



Dane County Zoning Division

City-County Building
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DANE COUNTY CONDITIONAL USE PERMIT #2685

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANTS Conditional Use Permit #2685 allowing a Nonmetallic Mineral Extraction operation on the premise conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

EFFECTIVE DATE OF PERMIT: November 25, 2025

CUP EXPIRATION DATE: November 25, 2035

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

LOCATION: East of 3136 CTH N, Section 4, Town of Pleasant Springs (tax parcels 0611-041-8502-0 and 0611-041-8001-0)

LEGAL DESCRIPTION: Part of the Northwest Quarter and Northeast Quarter of the Northeast Quarter of Section 4, Township 6 North, Range 11 East, Town of Pleasant Springs, Dane County, Wisconsin, more fully described as follows:

Commencing at the North Quarter corner of said Section 4; thence N88°47'54"E, along the northerly line of the Northeast Quarter of said Section 4, 12.22' to the easterly right-of-way line of County Road "N" and the point of beginning; thence continuing along said northerly line, N88°47'54"E, 2218.13' to the northwesterly corner of Lot 1, Certified Survey Map (C.S.M.) number 11520, Dane County Registry; thence S00°21'33"E, along the westerly line of said Lot 1, 215.00' to the southwesterly corner of said Lot 1; thence N88°47'54"E along the southerly line of said Lot 1, 439.50' to the Easterly line of the Northeast Quarter of said Section 4; thence along said Easterly line, S00°21'23"W, 1141.77' to the Southeast corner of the Northeast 1/4 of the Northeast Quarter of said Section 4; thence S88°21'00"W along the southerly line of the Northeast Quarter and Northwest Quarter of the Northeast Quarter of said Section 4, 2328.26' to the westerly line of C.S.M. 1714, Dane County Registry; thence along the easterly line of said C.S.M. 1714 and C.S.M. 10921 Dane County Registry; N00°21'54"E, 954.08' to the northeasterly corner of Lot 1, said C.S.M. 10921; thence along the northerly line of said Lot 1, S88°27'44"W, 330.18' to the easterly right-of-way line of County Road "N", thence along said Easterly right-of-way line, N00°21'54"E, 422.85' to the point of beginning. This description contains approximately 3,222,793 square feet or 73.985 acres.

CONDITIONS:

1. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan, phasing plan, and following conditions.
2. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
3. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
4. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
5. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
6. All vehicles and equipment must access the site only at the approved location identified in the site plan and operations plan.
7. Off-street parking must be provided, consistent with s. 10.102(8).
8. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
9. 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. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
10. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
11. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
12. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.
13. Topsoil, or appropriate topsoil substitute as approved in a reclamation plan under Chapter 74, Dane County Code, from the area of operation shall be saved and stored on site for reclamation of the area. Topsoil or approved topsoil substitute must be returned to the top layer of fill resulting from reclamation.
14. The applicant shall submit an erosion control plan under Chapter 14, Dane County Code covering the entire CUP area for the duration of operations, and receive approval of an erosion control permit prior to commencing extraction operations.
15. The permit period shall be ten (10) years from effective date.
16. Reclamation shall meet all requirements of Chapter 74 of the Dane County Code of Ordinances. In addition, all reclamation plans must meet the following standards:

- a. Final land uses after reclamation must be consistent with any applicable town comprehensive plan, the Dane County Comprehensive Plan and the Dane County Farmland Preservation Plan.
 - b. Final slopes shall not be graded more than 3:1 except in a quarry operation.
 - c. The area shall be covered with topsoil and seeded to prevent erosion.
 - d. The area shall be cleared of all debris and left in a workmanlike condition subject to the approval of Dane County.
 - e. Highwalls shall be free from falling debris, be benched at the top, and certified by a civil engineer to be stable.
17. Solid waste dumping is prohibited.
18. The driveway accessing the subject site shall either be paved or covered with crushed asphalt for a minimum distance of 100 feet from the public right-of-way. The operator shall maintain the driveway in a dust free manner in accordance with local, state, and federal regulations, and shall clean any dust, debris or mud tracked onto public roads.
19. The access to the driveway shall have gates securely locked when the extraction site is not in operation. The site shall be signed "no trespassing."
20. All surface and subsurface operations shall be setback a minimum of 20' from property lines that do not abut a public right of way. Operations shall adhere to the conditional use permit boundary as shown on the operation plan.
21. Excavations below the grade abutting of North Star Rd. shall be setback 30 feet from the property line. Excavations below the grade abutting CTH N shall be setback 42 feet from the property line.
22. Subject to State Statute 66.0441(3)(c), hours of operation shall be 6:00 a.m. to 6:00 p.m., Monday through Saturday. There shall be no operations of any kind on Sundays and holidays. Holidays are to include: New Year's Eve, New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve, and Christmas Day.
23. The operator shall use spray bars (water) in the crushing process to reduce dust when necessary. 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.
24. There shall be a safety fence around the entire extraction area at all times. That safety fence shall be a minimum of 4 feet in height.
25. Any water pumped off-site shall be in accordance with Wisconsin DNR Stormwater Discharge requirements. There shall be no dewatering of groundwater from the site for operations below the water table.
26. The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed then current industry standards for noise abatement.
27. The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076, Wisconsin Administrative Code.
28. Dane County and the Town 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 commence. The liability insurance policy shall remain in effect until reclamation is complete.
29. Blasting:
 - a. No blasting shall occur on Sundays and holidays.
 - b. Notice shall be provided to nearby residents as described in SPS 307, Wisconsin Administrative Code.

- c. All blasting on the site must conform to all requirements of SPS 307, Wisconsin Administrative Code, as amended from time to time, or its successor administrative code regulations.
 - d. Fly rock shall be contained within the permitted mineral extraction area.
- 30. Any fuel storage on-site shall comply with ATCP 93, Wisconsin Administrative Code, including provisions for secondary spill containment. All excavation equipment and vehicles shall be fueled, stored, serviced, and repaired on lands at least 3 feet above the highest water table elevation to prevent against groundwater contamination from leaks or spills.
 - 31. In the event that operations destroy an existing Public Land Survey Monument, witness monuments must be established in safe locations and a RG Huston only. CUP #2685 is non-transferrable to a different operator.
 - 32. This CUP is limited to RG Huston only. CUP #2685 is non-transferrable to a different operator.
 - 33. Berms and landscaping shall be established and maintained.
 - 34. Noise Limitation shall not exceed 75 decibels at a point 100 feet away from the property line. The decibel level shall be measured in DbA for average over a 15-minute period.
 - 35. Back-up alarms - The on-site traffic flow shall be designated to establish minimal backing up of vehicular traffic during normal work operations. Whenever possible, the operator shall utilize alternatives to standard backup beeps, for instance, those making a sweeping sound if approved by MSHA.
 - 36. Engine breaking is prohibited for all vehicles either entering, leaving or driving onsite.

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.
- 7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
- 8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220.

EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.