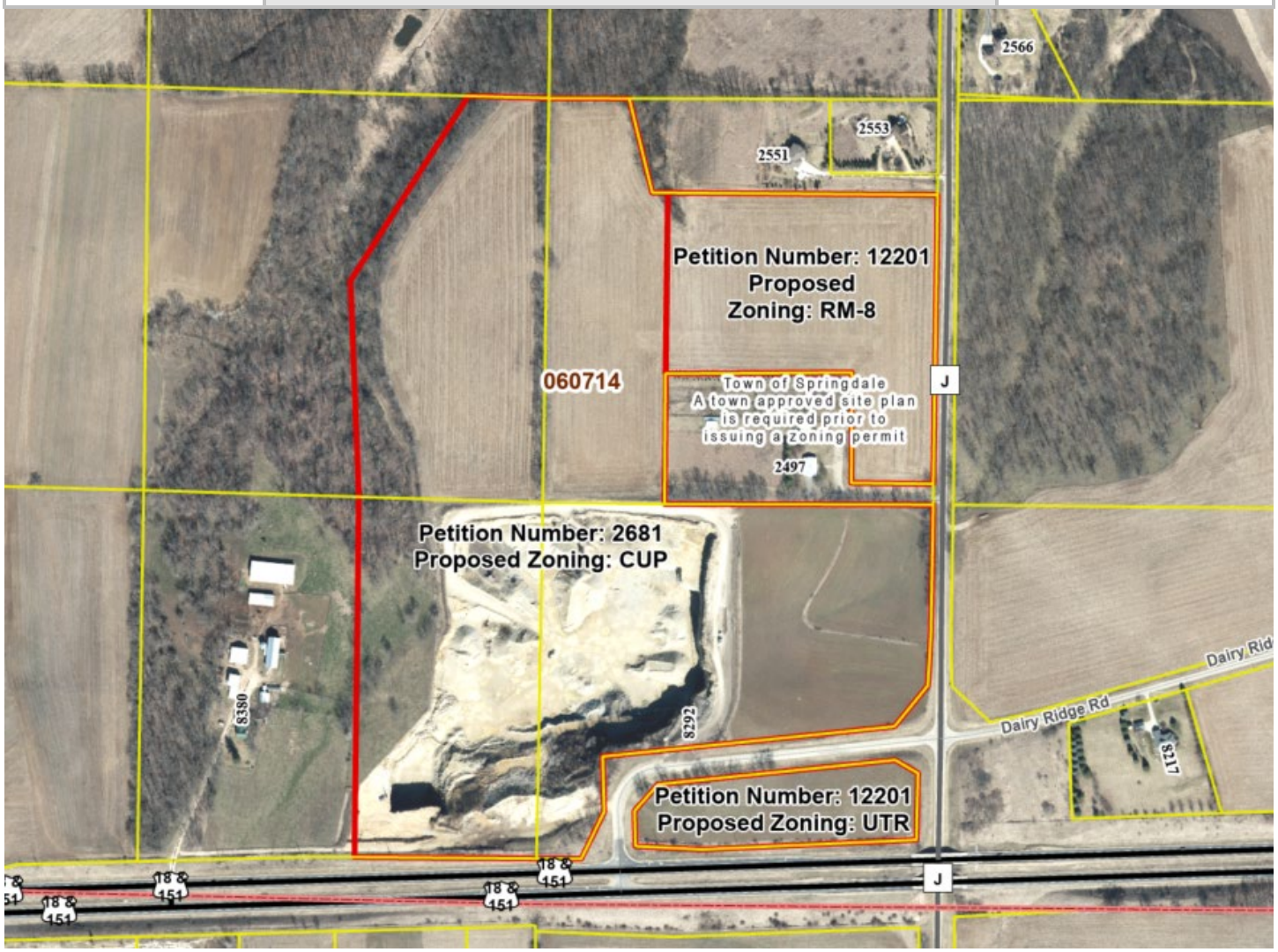
Staff Report Zoning & Land Regulation Committee	*Public Hearing:* **October 28, 2025**		**Conditional Use 02681**
	Zoning Amendment Requested: **TO CUP: Mineral extraction**		*Town, Section:* **SPRINGDALE, Section 14**
	Size: **69.95 Acres**	*Survey Required:* yes	*Applicant:* **YAHARA MATERIALS**
	Reason for the request: **Expand existing mineral extraction site.**		*Address:* **8292 DAIRY RIDGE RD.**



DESCRIPTION: Yahara Materials is requesting a new Conditional Use Permit for non-metallic mineral extraction that replaces the existing CUP (2152) and expands the current operations further to the north.

The site involves mining, processing of onsite aggregates for various projects for local municipalities, counties, WisDOT, and private customers. The proposal would renew the existing CUP for another 20 years. Mining will continue south to north with the floor of the quarry well above the local groundwater table.

OBSERVATIONS/ FACTUAL INFORMATION: The site is located at 8292 Dairy Ridge Road, directly north of USH 18/151 and centered between the Village of Mount Horeb and the City of Verona. The existing limestone quarry has been in operation since the 1970's and later approvals under a CUP in 1995. Proposed acreage affected is about 70 acres and the current footprint associated with the operations today is about 36 acres. There are two entrances off of Dairy Ridge Rd. The main access to the site is the northerly entrance while the southern access point appears to be for materials coming in for reclamation. Both entrances will need to comply with the access requirements in order to prevent the tracking of materials off site.

The current CUP (2152) was made effective on December 29, 2010 and expires on January 6, 2036. As part of this application, the Kelly Davis Trust is acquiring about 12 acres of farmland from the Hillenbrand's which is associated with rezone petition #12201.

Operational hours are proposed to be Monday through Friday, 6:00 am to 6:00 pm. with no operations on the weekends and holidays. Night work associated with municipal or WisDOT projects may occur on a limited basis.

The current land use adjacent or near to the proposed site is predominately agricultural in nature. A large wooded ravine that is located directly to the west and drains or flows south to north. The Kelly farm is located directly to the west and two existing residential homesites accessed off of CTH J are located to the north.

Mineral extraction is listed as an allowable conditional use in the AT-35 Zoning District. *S. 10.231(s)(c).* Importing of materials from different sites is not allowed to be processed and exported. Importing of clean fill is allowed to further achieve reclamation. Stockpiling and processing concrete and asphalt pavements for the purpose of recycling for reuse in asphalt or concrete mixtures or base course products is allowed as an accessory use to Mineral Extraction. The approved reclamation plan on file with the county will need to be amended as a condition of approval of the CUP.

RESOURCE PROTECTION: There are no resource protection corridors on or within 300 feet of the property. The mapped intermittent stream to the west is not considered to be navigable.

COMPREHENSIVE PLAN: The expansion of this continued use is consistent with the comprehensive plan guidelines for AT-35 mineral extraction as a conditional use, following County and Town guidelines for operation and remediation. For questions about the town plan, contact Senior Planner Bridgit Van Belleghem at (608) 225-2043 or *VanBelleghem.Bridgit@danecounty.gov.*

CONDITIONAL USE PERMIT DECISION MAKING: "Conditional uses" are those land uses which, because of unusual nature and potential for impacts on neighboring lands, public facilities, the environment or general welfare, warrant special consideration and review.

Prior to granting or denying a conditional use, the zoning committee shall make findings of fact based on evidence presented and determine whether the proposed conditional use, with any recommended conditions, meets all of the standards required to obtain a CUP. Below is the list of the applicable standards from Section 10.101(7)(d) of the Zoning Code, and a summary of the relevant facts including the applicant's testimony with regards to meeting the standards.

1. ***That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.***

   This Kelly Quarry will continue to meet *the demand for construction aggregates in the local market. Safety precautions include fencing, berms, vegetative cover, and locked* gates *at entrances. In addition, operational and engineering controls have been developed* as *part of the conditional* use *permit application* process. *These include detailed plans for* safety, aesthetics, *noise abatement, emission control, blasting,* storm *water pollution prevention, and reclamation. In addition, the* site *will be operated in compliance with all federal MSHA,* state *of Wisconsin, Dane County and Town of Springdale requirements.*

2. ***That 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.***

   This site has been in operation since 1975 to supply the local market demands for limestone products. Continued operation of the quarry will not devalue or interfere with the enjoyment of the surrounding properties. The existing quarry is surrounded by agricultural land and the proposed berms, vegetative cover, and existing trees will help obstruct the view from the surrounding residences and public. The site will continue to be accessed from the existing drive located on Dairy Ridge Road. There is no evidence that quarry expansion will have an adverse impact on the neighboring properties.

   Portable equipment will be used as needed to strip, drill, blast, process, and stockpile material. Best management practices outlined in the operational plan for the site will be used to reduce noise and dust control.

3. ***That 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.***

   The Town of Springdale comprehensive plan dated March 12, 2022 looks at "preserving the agricultural land, open spaces *and other natural resources of a rural town". This proposed conditional* use *will not increase the buildable* lots *on the associated properties, preserving the rural character of the neighborhood. The* site *will be phased from south* to *north* to *preserve farmland* as *long* as *possible.* As *the resource* is *consumed, offsite material will be imported* to *reclaim the area* as *room permits. The* site *will be restored* to *agricultural land.* as *proposed in the reclamation plan.*

4. ***That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.***

   The operational plan for the site identifies the current entrance of Dairy Ridge Road for the site and internal travel ways. *The current entrance road* is *constructed with 1.25"* base *course and a top coating of recycled asphalt. Per our operational plan, we will comply with permits issued by Wisconsin DNR and Dane County for erosion control and storm water pollution prevention, which the site currently has.*

5. ***That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.***

   The site will continue to use the existing access from Dairy Ridge Road. This access point has serviced the site for over thirty years with no incidents.

6. ***That the conditional use shall conform to all applicable regulations of the district in which it is located.***

   The proposed expansion area is *zoned AT-35 and will remain zoned* as *such. Non-metallic mineral extraction* is *permitted in areas designated AT-35 through the issuance of a Dane County conditional* use *permit (CUP). Yahara Materials will operate the quarry expansion area in compliance with the CUP,* as *well* as *all Federal MSHA, State of Wisconsin, Dane County, and Town of Springdale requirements.*

7. ***That the conditional use is consistent with the adopted town and county comprehensive plans.***

   The Town of Springdale expresses *their desire to preserve the agricultural character of their land. The current zoning of AT-35 allows non-metallic mineral extraction under a CUP, protecting the agricultural* use *of this land. A portion of the land during the operational phase of the mine* site *will remain farmland and the quarry will be substantially reclaimed* to *pasture.*

8. ***If the conditional use is located in a Farmland Preservation Zoning district, the town board and zoning committee must also make the findings described in s. 10.220(1).***

   Not applicable.

POTENTIAL NUISANCES ASSOCIATED WITH THE CONDITIONAL USE: Mineral extraction has potential nuisances that pertain to blasting, truck traffic, dust, noise and aesthetics. The applicant has submitted information regarding how those potential nuisances are handled as part of their application.

Potential conditions of approval specific to this CUP can be developed after public input and deliberation by the Zoning and Land Regulation (ZLR) Committee. Common topics include but are not limited to, hours of operation, hours for blasting, blasting notification procedures, screening, duration, site access, and identification of haul routes.

Under Dane County Zoning Ordinance section 10.103(15), there are special requirements for mineral extraction operations to address many of the potential conflicts with the land use activity. In addition to conditions required for all conditional use permits, the Town Board and zoning committee shall impose, at a minimum, the following conditions on any approved conditional use permit for mineral extraction:

1. Topsoil shall be saved and stored on site for reclamation of the area.
2. The applicant shall receive approval of an erosion control permit prior to commencing extraction operations.
3. The Town and Committee will set an expiration date for the conditional use permit based on the quantity of material to be removed. *(See staff suggested conditions below)*

4. Reclamation of the site shall meet all requirements of Chapter 74 of the Dane County Code of Ordinances.
5. The driveway accessing the site shall be paved or covered with crushed asphalt for a minimum distance of 100 feet.
6. The access have gates securely locked when the extraction site is not in operation.
7. All excavation shall be setback a minimum of 20' from any property line.
8. All excavations shall be setback to the building setback requirements from streets.
9. The Town and Committee will assign hours of operation appropriate to the particular application. [Note: Typical hours of operation are from 6:00 a.m. to 6:00 p.m., Monday through Friday, and 8 a.m. to early afternoon on Saturday. If there are residences nearby, hours may be more limited (e.g., start at 7:00 a.m. with no Saturday hours). *(See staff suggested conditions below)*
10. 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.
11. Discharge of water from a site is limited. *(See staff suggested conditions below)*
12. All trucks and excavation equipment to have muffler systems that meet current industry standards for noise abatement.
13. The operator shall meet DNR standards for particulate emissions.
14. The operator shall carry liability insurance with Dane County and the Town listed as additional named insureds.
15. The town board and zoning committee may set further reasonable restrictions on a mineral extraction operation. *(See staff suggested conditions below)*
a. Blasting shall conform to Wisconsin Administrative Code SPS 307. Blasting shall occur between sunrise and sunset, as required by SPS 307. The zoning committee and town board may set further daily limits on hours when blasting may occur to minimize impact on neighboring properties.
b. All fuel storage must comply with ATCP 93, Wisconsin Administrative Code, including provisions for secondary spill containment.
c. All excavation equipment, plants, 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.
d. In the event that a mineral extraction operation will destroy an existing Public Land Survey Monument, witness monuments must be established in safe locations and a new Monument Record filed by a Professional Surveyor, prior to excavation and disturbance of the existing monument.

TOWN ACTION: Approved with recommended conditions.

STAFF RECOMMENDATION: The contents of this staff report summarize the information provided by the applicant. As part of the conditional use permit process, the public has an opportunity to provide additional information and raise concerns. Concerns raised will need to be addressed by the applicant.

Pending any comments at the public hearing, the Committee will need to make findings of fact as to whether the proposed CUP will meet the applicable CUP standards outlined above in the decision making section.

Below are a list of conditions as required under both sections 10.101(7)(h) (standard conditions applicable to all CUPs), and section 10.103(15) (special requirements for mineral extraction) of the zoning ordinance that will need to be part of the conditional use permit, if approved. Additional conditions or alterations to the conditions recommended below may be needed to address concerns raised at the public hearing. The recommended conditions are largely reflective of the previous conditions imposed under CUP 2152.

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) Township roads shall not be used for hauling to or from the site, either empty or full, unless the applicant or customers are serving a resident/business on the township roads. All other use of town roads requires Town Board approval.

8) Off-street parking must be provided, consistent with s. 10.102(8).

9) 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.

10) 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.

11) 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.

12) 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.

13) 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.

14) Topsoil, or appropriate topsoil substitute as approved in a reclamation plan under Chapter74, 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.

15) 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.

16) The permit period shall be twenty (20) years from effective date.

17) 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.

18) Solid waste dumping is prohibited.

19) The driveway(s) 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.

20) 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."

21) 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.

22) Excavations below the grade abutting of Dairy Ridge Rd. shall be setback 30 feet from the property line. Excavations below the grade abutting USH 18/151 and CTH J shall be setback 42 feet from the property line.

23) Subject to State Statute 66.0441(3)(c), hours of operation shall be 6:00 a.m. to 6:00 p.m. Monday through Friday. Saturday and Sunday operations are prohibited, except general maintenance on Saturday only. General maintenance does not include crushing, loading, hauling, drilling and blasting. There shall be no operations of any kind on Saturdays, 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.

24) The operator shall use spray bars (water) 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.

25) 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.

26) 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.

27) The operator shall require all trucks and excavation equipment to have muffler systems that meet or exceed then current industry standards for noise abatement.

28) The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076, Wisconsin Administrative Code.

29) 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.

30) Blasting:

a) The operator of the site shall comply with the Town of Springdale Ordinance Title 7 Chapter Regulation of Blasting.

b) Blasting shall be limited to Monday through Friday, 8:00 AM to 3:00 PM only. No blasting shall occur on weekends or holidays.

c) Notice of Blasting Events. Prior to any blasting event, operator to notify affected neighbors of blasts and to offer pre-blast surveys to nearby residents. Notice shall be provided to nearby residents as described in SPS 307, Wisconsin Administrative Code. In addition, the operator shall maintain a list of residents within ¼ mile of the site who wish to be notified of blasts. Residents need to communicate with operator regarding such requests.

d) 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.

e) Fly rock shall be contained within the permitted mineral extraction area.

31) 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.

32) In the event that a mineral extraction operation will destroy an existing Public Land Survey Monument (center corner of section 14, T06N R07E), witness monuments must be established in safe locations and a new Monument Record filed by a Professional Surveyor, prior to excavation and disturbance of the existing monument.

33) This CUP is limited to Yahara Materials only. CUP #2681 is non-transferrable to a different operator.

34) Berms and landscaping shall be established and maintained.

35) 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.

36) 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.

37) Engine breaking is prohibited for all vehicles either entering, leaving or driving onsite.

38) The Town of Springdale may request documentation of any Dane County inspections and permit renewals.

Any questions about this petition or staff report, please contact Dan Everson at (608) 267-1541 or email at everson.daniel@danecounty.gov