

Dane County Conditional Use Permit Application

Application Date	C.U.P Number
01/19/2023	DCPCUP-2023-02587
Public Hearing Date	
03/28/2023	

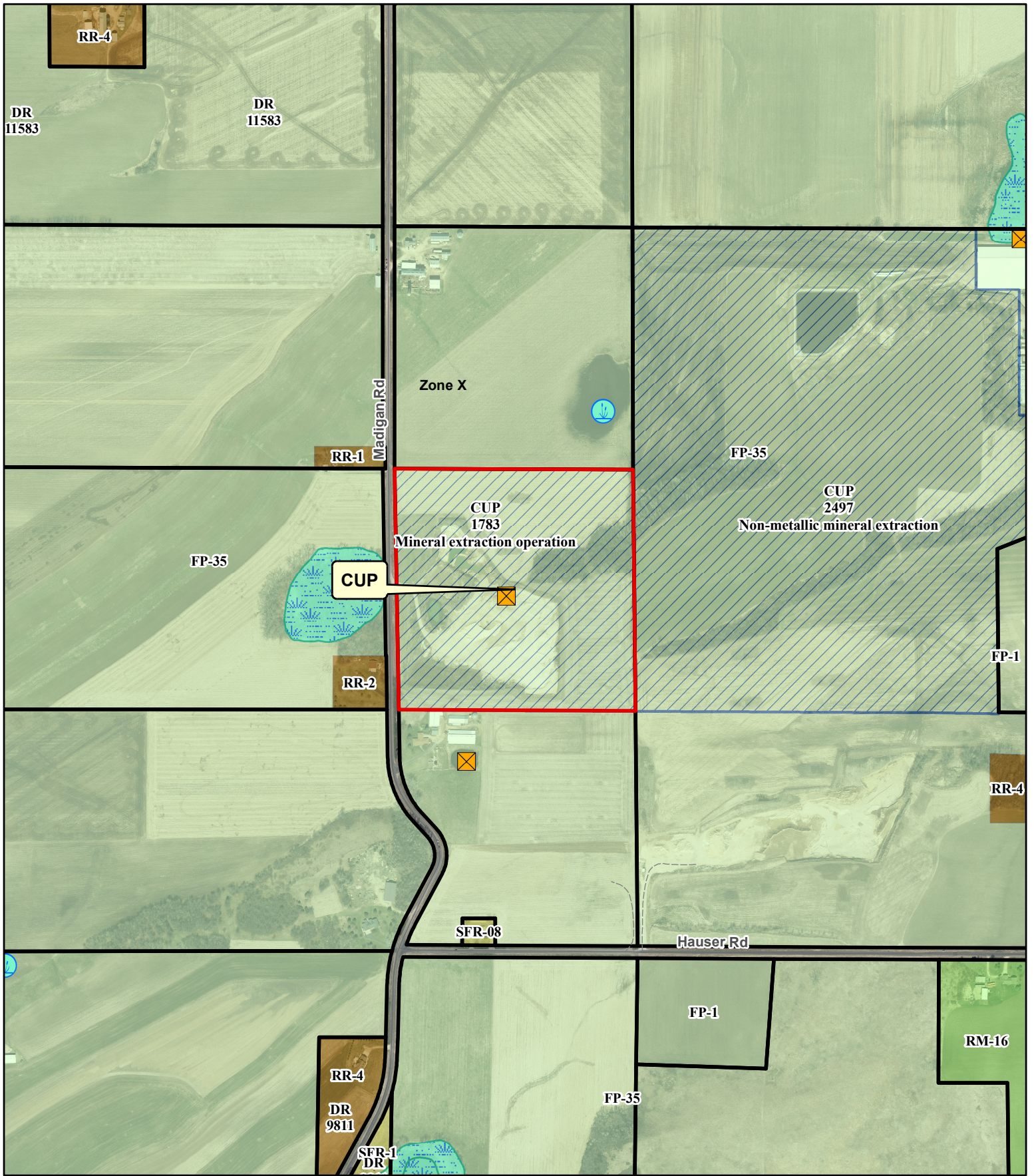
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME MICHAEL AND DIANNE RIPP	Phone with Area Code (608) 849-7150	AGENT NAME TRI COUNTY PAVING, INC.	Phone with Area Code (608) 846-4657
BILLING ADDRESS (Number, Street) 6939 MADIGAN RD		ADDRESS (Number, Street) 7579 MEIXNER ROAD	
(City, State, Zip) WAUNAKEE, WI 53597		(City, State, Zip) DeForest, WI 53532	
E-MAIL ADDRESS		E-MAIL ADDRESS dgradel@tricitypaving.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
North of 6970 Madigan Road					
TOWNSHIP VIENNA	SECTION 20	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0909-204-8500-7		---		---	

CUP DESCRIPTION
Continuation of an existing mineral extraction operation (previous CUP has expired)

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.103(15)	40

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials RWL1	SIGNATURE:(Owner or Agent)
		PRINT NAME:
		DATE:



Legend

-  Wetland
-  Floodplain



0 175 350 700 Feet

CUP 02587
 MICHAEL and DIANNE
 RIPP



RESIDENTIAL & COMMERCIAL
EXCAVATING ▲ GRADING ▲ GRAVEL ▲ PAVING

P.O. Box 394 • DeForest, WI 53532 • 608-846-4657 • Fax: 608-846-2570

MICHAEL RIPP PROPERTY

Conditional Use Permit Application

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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	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	Michael and Dianne Ripp	Agent Name:	Tri County Paving Inc.
Address (Number & Street):	6939 Madigan Rd.	Address (Number & Street):	7579 Meixner Rd.
Address (City, State, Zip):	Waunakee WI. 53597	Address (City, State, Zip):	DeForest WI. 53532
Email Address:		Email Address:	dgradel@tricitypaving.com
Phone#:	608-849-7150	Phone#:	608-846-4657

SITE INFORMATION			
Township:	Vienna	Parcel Number(s):	090920485007
Section:	20	Property Address or Location:	North of 6970 Madigan Rd. Waunakee WI. 53597
Existing Zoning: FP-35	Proposed Zoning: FP-35	CUP Code Section(s):	10103(15)

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use): Mineral Extraction	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Provide a short but detailed description of the proposed conditional use: This application to the Town of Vienna and The County of Dane is a request for a Conditional Use Permit and Reclamation permit for a Sand and Gravel operation for the purpose of extracting sand, gravel and clay material. This site had a previous CUP # 1783 and expired 6-25-22. The site has 20 years of reserves and will be used for various of construction projects in the area.	

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 checked="" type="checkbox"/> Complete attached information sheet for standards	<input checked="" type="checkbox"/> Site Plan drawn to scale	<input checked="" type="checkbox"/> Detailed operational plan	<input checked="" type="checkbox"/> Written legal description of boundaries	<input checked="" type="checkbox"/> Detailed written statement of intent	<input checked="" type="checkbox"/> Application fee (non-refundable), 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: *Michael Ripp*

Date: 1-20-23

Eight Standards of a Conditional Use Permit

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.

Berming is in place and maintained to provide for visual and sound barriers to any adjoining residences. Dust Control; The entire access entrance is paved with asphalt and watering will be done in the sand pit as needed to control dust. Erosion Control and a storm water pollution prevention plan is in place. We will meet all MSHA requirements.

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.

Adjacent Property owners will feel little to no impact with the proposed mineral extraction. The mechanized equipment used is not louder than typical farm machinery. Berms are in place and maintained to provide for visual and sound barriers to other properties in the neighborhood. The entrance is paved with asphalt and watering will be done in the quarry to control dust as needed. This sand and gravel pit has been in service for over 20 years and just recently expired. The town designates this area as an Agricultural Preservation Planning area which greatly limits additional housing in the surrounding area. Most of the surrounding area is used for agricultural production.

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.

The existing land is currently be used as a sand and gravel pit. The proposed reclamation plan will show that most of the site will be placed back to row crops with more gradual contours. The orderly development of the area is geared toward agricultural production. Very little residential development is allowed on adjacent properties. Once the sand and gravel is extracted, the area will be returned to agricultural production.

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

The proposed conditional use is located in an area that will be satisfactorily served by and will not impose undue burden on any improvements, facilities, utilities or services provided by the public agencies serving the subject property. We will be using an existing entrance for access to the proposed quarry. Madigan Road is capable of handling truck traffic. We will guarantee maintenance of the road with the Township as per requirements. Storm water will be contained in the proposed quarry, we have included the Storm Water Pollution Prevention Plan.

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.

The town road has been very suitable for truck traffic and vehicle traffic. There is an existing wide entrance for trucks to enter the site safely. The entrance is paved with asphalt. There is a security gate installed.

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

Tri County Paving Inc. will follow all regulations/ordinances laid out by the State of Wisconsin, County of Dane, and Town of Vienna. The existing sand and gravel pit is located in an FP-35 Zoning District. FP-35 Zoning Districts allow for quarry operations under a conditional use permit. Tri County Paving Inc. also acknowledges the special requirements for mineral extraction found under DCCO 10.103(15).

7: The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.

The Town of Vienna and County of Dane will find that the proposed use is consistent with agricultural use and pursuant to Sect. 91.75(5) of the Wisconsin Statutes: (a) that the sand and gravel pit is an activity that will not convert land that has been used for primarily for agricultural purposes; (b) is not an activity which will conflict with agricultural operations subject to farmland preservation agreement of the subject property; and (d) is not an activity which will conflict with agricultural operations on other properties. The Town of Vienna allow non-metallic mine in Farmland Preservation zones.

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(1)

- 1. The use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district.**

All measures will be made for as much land to be row cropped as possible, the reclamation of the quarry will create more gradual elevation contours that are more conducive for row cropping.

- 2. The use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations, or specifically approved under state or federal law.**

Non-Metallic Mining is allowable under Farmland Preservation, the sand and gravel pit will be located in a rural area with very few homes adjacent to the property or even in the vicinity.

- 3. The use is reasonably designed to minimize the conversion of land, at and around the site of the use, for agricultural use or open space use.**

Tri County Paving Inc. will operate and maintain the sand and gravel pit in order to allow row cropping to continue as material is extracted.

- 4. The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.**

Tri County Paving Inc. is in the process of reclamation to reestablish row crop farming as soon as possible. Clean fill is being installed to lower the slope and make for better farmland.

- 5. Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.**

All measures will be made for as much land to be row cropped as possible. The reclamation of the sand and gravel pit will create more gradual contours that are conducive to row cropping and help minimize erosion.

BUSINESS PURPOSE AND PLANNED ACTIVITY

This application to the Town of Vienna and County of Dane is a request for a Conditional Use Permit and Reclamation permit for a Sand and Gravel operation for the purpose of extracting Sand, Gravel, fill material by Tri County Paving Inc. The Sand and Gravel operations will be located at the property of Michael and Dianne Ripp, just north of 6970 Madigan Rd. Waunakee, Wisconsin 53597. Tri County Paving Inc is requesting to operate and conduct nonmetallic mineral extraction on the site. The site has approx.: 20 years of reserves and will be used for various construction projects in and around the Dane County area. We would use the material for local projects in the area.

Conditional Use Permit - Mineral Extraction Application Checklist

Applicant			Zoning
Plan Requirement	✓	Location in plan - page #	✓
1. Legal description - CSM and/or exact metes & bounds. Size of area requesting - acreage Parcel number(s)	✓	Page 17	
2. Written statement that includes the following:			
General description of the operation.	✓	Page 5 Para 3	
Existing uses of the land.	✓	Page 5 Para 4	
Existing natural features including depth to groundwater.	✓	Page 6 Para 6	
Types and quantities of materials that will be extracted.	✓	Page 6 Para 5	
Proposed dates to begin extraction, end extraction and complete reclamation.	✓	Page 6 Para 7	
Proposed hours and days of operation.	✓	Page 6 Para 8	
Geologic composition and depth to the mineral deposit.	✓	Page 6 Para 9	
Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.	✓	Page 6 Para 10	
Proposed phasing plan (recommended for larger sites)	✓	Shown on Vierbicher Plans	
Types, quantities and frequency of use of equipment to extract, process and haul.	✓	Page 7 Para 12	
Frequency of blasting, drilling, mining, crushing, screening, washing, refueling.	✓	Page 7 Para 13	
Bulk fuel storage.	✓	Page 7 Para 13	
Asphalt batching or concrete mixing.	✓	Page 7 Para 13	
Proposed storage of recycled materials.	✓	Page 7 Para 14	
Does extraction occur below the water table / protection of groundwater.	✓	Page 7 Para 15	
Permanent or temporary structures.	✓	Page 7 Para 16	
Spill prevention and or dust control.	✓	Page 8 Para 17	
Proposed use after final reclamation as consistent with Ch. 74. Separate checklist for reclamation permit.	✓	Page 8 Para 20	

This checklist is required in addition to a complete application for a conditional use permit. Application may be deemed incomplete if required information is not submitted.

APPLICATION FOR CONDITIONAL USE PERMIT BY TRI COUNTY PAVING INC. FOR NON METALIC MINING ON PROPERTY OWNED BY Michael and Dianne Ripp, Just North of 6970 MADIGAN ROAD WAUNAKEE , WISCONSIN 53597, TOWN OF VIENNA, DANE COUNTY, WISCONSIN.

1. **LEGAL DESCRIPTION:** Located on Page 19

2. **TAX PARCEL NUMBER:** Located on Page 19

3. **DESCRIPTION OF OPERATIONS:** The proposed Sand and Gravel pit will be used to produce Sand, Gravel, Fill for various purposes, including, but not limited to, construction of buildings and roads. The Sand and Gravel operations will consist of: (a) removing topsoil and overburden to be stock piled and used in the reclamation of the Sand and Gravel pit. Equipment to be used in the Sand and Gravel operations include earthmovers, bulldozers, loaders, scrapers, trucks.

4. **EXISTING USES OF THE LAND:** The existing use of the property is a Sand and Gravel pit.

5. **TYPES AND QUANTITIES OF MATERIALS THAT WILL BE EXTRACTED:** Sand, Gravel, Clay Fill will be the material that will be extracted. Tri County Paving Inc. has estimated there to be 250,000 tons plus to be extracted.

6. **EXISTING NATURAL FEATURES INCLUDING DEPTH TO GROUNDWATER:** The existing natural feature of the land is a sand and gravel pit. The land around the pit is being used as cropland, with small area of trees. Groundwater is located at an elevation of 940' ASL.

7. **PROPOSED DATES TO BEGIN EXTRACTION, END EXTRACTION AND COMPLETE RECLAMATION:** Tri County Paving Inc. will begin extracting materials in 2023. We anticipate the materials will last till the year 2043 depending on the construction market. Reclamation is ongoing. We plan to put the area back to crop production as soon as possible.

8. **PROPOSED NUMBER OF EMPLOYEES, HOURS AND DAYS OF OPERATION:** It is possible to have a loader operator on site while hauling out material. During regular hours truck drivers will be in and out of the quarry as need for various projects. There will be at least 2 operators while reclaiming the site. Hours of operation will be Monday thru Friday 7:00 am to 6:00 pm. Saturdays 7:00 am to 4:00 pm.

9. **GEOLOGICAL COMPOSITION AND DEPTH TO THE MINERAL DEPOSIT:** Consist of approx: 12" of topsoil, 6-8 feet of clay and Sand and Gravel 10-20 feet

10. **WHERE MATERIAL WILL BE HAULED AND OVER WHAT ROUTES:** All material will be hauled from the Sand and Gravel pit North on Madigan Rd to County Hwy V and head east or west.

11. **PROPOSED PHASING**: 1 phase is anticipated, and reclamation is ongoing.

12. **TYPES, QUANTITIES AND FREQUENCY OF USE OF EQUIPMENT TO EXTRACT, PROCESS AND HAUL**: Equipment used at site: Loaders, dozers, Haul trucks, Scrapers, Dump Trucks. We anticipate +/- 10,000 ton of processed gravel to be extracted per year. The total amount will depend on the construction market and need for Sand and Fill.

13. **FREQUENCY OF BLASTING, DRILLING, MINING, CRUSHING, SCREENING, WASHING, REFUELING, ASPHALT BATCHING OR CONCRETE MIXING WOULD BE PERFORMED ON SITE**: There will be no blasting or Crushing taking place on this site. Refueling will take place as needed. There shall be no permanent bulk fuel stored on site. No plans for Asphalt or Concrete plant to be needed on this site.

14. **PROPOSED STORAGE OF RECYCLED MATERIALS**: We do not anticipate storage of Concrete and Asphalt recycled materials on site.

15. **DOES EXTRACTION OCCUR BELOW THE WATER TABLE**: All operations will be conducted above the water-table and there will have no impact on underground water.

16. **PERMANENT OR TEMPORARY STRUCTURE**: No temporary or permanent structures are anticipated.

17. **SPILL PREVENTION AND OR DUST CONTROL**: Education of plant personnel in safe petroleum product handling, proper maintenance procedures, and routine inspections of the plant and machinery during and after operation. Tri County Paving Inc. has contracted with Shaper Excavating and Petroleum LLC. to handle all fuel spills and or removal of any contaminated soils. Good Housekeeping practices are stressed for control of minor drips and leaks from daily maintenance and operation. Dust control will start with asphalt paving from the entrance at Madigan road to the bottom or beginning of the quarry. Dust control in the quarry will be controlled by spraying water from a water tank truck as needed throughout the day. All berms and landscaped areas will be seeded. Tracked material onto the asphalt roadway will be cleaned as needed. We will meet and exceed all Town and County requirements.

18. **LIGHTING**: Minimal lighting is needed. The lighting will be screened by berms, and lighting will be directed towards the ground.

19. **NOISE**: The use of berms will be used and maintained as necessary to provide for visual and sound barriers to other properties in the neighborhood. Our equipment has new technology with electric motors and noise reducing capabilities. Back up alarms will be used on equipment and trucks.

20. **PROPOSED USE AFTER FINAL RECLAMATION AS CONSISTENT WITH CH. 74**: The proposed reclamation plan will show that the majority of the CUP site will return to row crop production.

Dane County

Non-Metallic Mining Reclamation Permit Application

CHAPTER 74 Dane County Reclamation Ordinance

Zoning office use only

Permit #: _____
Date: _____

Landowner: Michael and Dianne Ripp
Address: 6939 Madigan Rd.
Waunakee WI 53597
Phone: 608-849-7150
E-mail: _____

Agent: Tri County Paving Inc.
Address: 7579 Meixner Rd.
DeForest WI 53532
Phone: 608-846-4657
E-mail: dgradel@tricitypaving.com

Address of site: North of 6970 Madigan Rd Waunakee WI 53597

Township: Vicenna
(may need to be assigned)

Parcel #: 090920485007
Parcel #: _____
Parcel #: _____
Parcel #: _____

Parcel #: _____
Parcel #: _____
Parcel #: _____
Parcel #: _____

Type of aggregate: Sand & Gravel

Total site acreage: 40.3

Plan review fees: \$1,100.00
(Less than one acre: NO FEE, 1 to 25 acres: \$875.00, 25 to 50 acres: \$1,100.00, More than 50 acres: \$1,300.00)

Non-conforming: Yes or No

Conditional use permit #: _____
Effective Date: _____
Expiration Date: _____

Erosion control/Stormwater permit #: _____ Expiration Date: _____

I hereby request on behalf of the applicant a non-metallic mining permit. I certify, as a duly authorized representative or agent that the operator listed above will comply with the statewide non-metallic mining reclamation standards established in ss. NR 135.05 through NR 135.15, Wis. Adm. Code. The applicant agrees to provide to Dane County an annual fee as established by county ordinance and site access for county officials necessary to evaluate this application and ensure compliance with a permit. Also, financial assurance standards as established in Ch. 74.141 of Dane County Code of Ordinances.

Applicant signature: _____ Date: _____

If the person applying (submitting the application in-person, at the counter) is not the landowner, a notarized statement authorizing the applicant to act as the landowner's agent must be attached.

Permit received by: _____ Date: _____

Permit reviewed by: _____ Date: _____

**This application must be submitted in person M - F, 8 A.M. - 4 P.M.,
with two copies of all permit materials to:
Dane County Zoning, 210 Martin Luther King Jr. Blvd. Room 116, Madison, WI**

Non-metallic Mining Reclamation Application Checklist

Applicant			Zoning	LCD
Plan Requirement	I	Location in Plan - page number	I	I
1. Site information - maps of the site including the general location, property boundaries, aerial extent, geologic composition and depth of the deposit, the distribution, thickness and type of soil, the approximate elevation of ground water, the location of surface waters and the existing drainage patterns.	✓	Page 9 Para 1 Vierbicher Plans		
2. Biological resources - plant communities and wildlife use at and adjacent to the site.	✓	Page 9 Para 2		
3. Existing topography - contour maps of the site at ten foot contour intervals.	✓	Vierbicher Plans		
4. Location of manmade features - on or near the site.	✓	Vierbicher Plans		
5. Plan view - (existing mines) showing the location and extent of land previously affected by non-metallic mining for existing sites.	✓	Not Applicable		
6. Post-mining land use - consistent with local land use plans/local zoning.	✓	Page 10 Para 7b		
7. Under exclusive agricultural zoning?	✓	Page 9 Para 6		
8. Reclamation measures - description of the proposed reclamation, including methods and procedures to be used and a proposed schedule for the completion of reclamation.	✓	Page 10 Para 7a → 7f		
9. Proposed earthwork and reclamation - final slope angles, high wall reduction, benching and terracing.	✓	Page 10 Para 7a Vierbicher Plans		
10. Methods of topsoil - topsoil substitute material removal and storage.	✓	Page 10 Para 7b		
11. Anticipated topography of the reclaimed site.	✓	Vierbicher Plans		
12. Plan map that shows surface structures - after the cessation of mining.	✓	Vierbicher Plans		
13. Estimated cost of reclamation.	✓	Page 11 Para 7g		
14. Revegetation plan - shall include timing and methods of seed bed preparation, rates and kinds of soil amendments, seed application timing, methods and rates, mulching and any other techniques needed to accomplish soil and slope stabilization.	✓	Page 12 Para 4		
15. Standards for revegetation - may be based on the percent of vegetative cover, productivity, plant density, diversity or other applicable measures.	✓	Page 12 Para 4		
16. Erosion control and stormwater - chapter 14 requirements.	✓	Pages 12+13 Vierbicher Plans		
17. Description of interim reclamation.	✓	Page 13 Para 2		
18. Financial assurance - \$1500/acre.	✓	Bonding Will be Provided		

NON-METALLIC MINING RECLAMATION PLAN MICHAEL RIPP PROP.

1. **SITE INFORMATION:** Map of the site including the general location, property boundaries, aerial extent. (shown on Reclamation Plan) Geological composition Consists of 10" to 12" of topsoil, 6 to 8 feet of clay and 10 – 20' of Sand. The ground water is 940' ASL. The existing drainage pattern is internally draining.
2. **BIOLOGICAL RESOURCES:** The adjacent properties consist of County roadways, agricultural land and single family homes. The surrounding lands are primarily agricultural. The terrain is rolling with wetlands to the north. These adjacent lands support native wild life such as coyotes, white tail deer, raccoons, fox, possums, skunks, various birds and other types of wild life commonly found in this part of Wisconsin. The native plant life in the minimal wooded area is typical of the woodland area of South Central Wisconsin. The surrounding agricultural fields are annually rotated between soybeans, wheat, corn, oats, and alfalfa.
3. **EXISTING TOPOGRAPHY:** Shown on Reclamation plan provided
4. **LOCATION OF MANMADE FEATURES:** The Owners, farm sheds and miscellaneous farm buildings.
5. **UNDER EXCLUSIVE AGRICULTURAL ZONING:** The property is located in the Farmland Preservation District.

6. **RECLAMATION MEASURES/EARTHWORK:** In order to comply with all mandates Tri County Paving Inc. is proposing the following reclamation measures:
- a) **Vertical Faces:** all vertical faces will be graded for a maximum of 3 to 1 slopes: wherever possible the slope angle will be decreased. While mining all high walls will be protected by berms so that motorized vehicles cannot go over. We will bench and terrace walls as much as possible.

 - b) **Grading/Topsoil:** All soils that are stripped will be stockpiled and the perimeter of the site and made into berms. When the area is worked out, these soils can then be used in the reclamation process. This process will take place as soon as the area and space become available. The soils will be spread at a minimum rate of 10" – 12" on the flat areas and 6-10" on the slopes, which is reflective of the current topsoil on the undisturbed areas of the site. Naturally, where more dirt is available it will be used on the level areas to promote agricultural land use. All stockpile soils will be seeded to prevent erosion. The post mining land use will fall under NR 135.19(3)(6) land used for non-metallic mineral extraction in areas zoned under exclusive agricultural use ordinance pursuant to S. 91.75 Stats., and shall be restored to agricultural use.

 - c) **SEEDING:** All slopes and non-farmable areas will be seeded at a rate of 7 pounds per 1000 sq.ft. of #20 Wisconsin DOT specification seed mixture within 7 days of completion of the grading operation. To optimize growth all planting will be conducted between May 15th in the spring and no later than September 15th in the Fall. Fertilizer shall be applied at a rate of 10 pounds per 1000 square ft. of 16-8-8 (NPK). The steeper slopes of the pit will be stabilized with seed and polymer treatment to prevent any erosion. As the long-range plan is to return this site to agriculture, the relatively flat or gentle sloping areas would be returned to row crops, such as corn, and soybeans or grass crops such as alfalfa. Therefore seeding the pit floor will be unnecessary except to allow for any waterways within the site.

- d) **DRAINAGE:** Currently the site drainage is internally draining in the existing Sand pit. Final restoration will allow for surface water to be spread out over the entire area.
- e) **EROSION CONTROL:** During the mining operation and reclamation, disturbed areas will be closely monitored for potential erosion. The use of silt fencing, rip rap, hay bales and prompt seeding and mulching of the finished areas will minimize any erosion. All slopes will drain into the pit itself. Upon completion of restoration this site will be monitored to ensure that all erosion control measures are maintained and functioning as designed.
- f) **PROPOSED DATES TO BEGIN EXTRACTION, END EXTRACTION AND COMPLETE RECLAMATION:** Tri County Paving Inc. will begin extracting materials in 2023. We anticipate the materials will last till the year 2043 depending on the construction market. Reclamation is ongoing and will be completed at the end of the Sand and Gravel pit. We plan to put the area back to row crop production as soon as possible.
- g) **COST:** The cost incurred in this restoration plan is a \$ 3300.00 per acre to complete, Tri County Paving Inc. will do the majority of the work. In an ongoing operation concurrent with the mineral extraction process. This method allows for timely restoration at a lower cost per acre to complete.
- h) **FINANCIAL ASSURANCE:** Tri County Paving Inc. will provide bonding of \$ 1500.00 per acre.
- i) **CONCLUSION:** We feel that this plan is well designed and can be easily implemented while still meeting all requirements of the Town of Vienna and Dane County.

EROSION CONTROL AND STORMWATER MANAGEMENT PLAN

EROSION CONTROL MEASURES:

ENTRANCE: The entrance to this site is paved with asphalt which will prevent tracking of material on the public roads. All slopes are seeded with grass to provide cover.

BERMS: Berms are already in place and the topsoil and the subsoil will be used in the final restoration.

SILT FENCING: Silt Fencing is used as necessary when soils are being stripped and stockpiled.

REVEGETATION PLAN AND STANDARDS: All berms (if reconstructed) and non-farmable areas will be seeded at a rate of 7 pounds per 1000 square ft. of #20 WISDOT specification seed mixture. Within 7 days of completion of the grading operations. To optimize growth all planting will be conducted between May 15th in the Spring and no later than September 15th in the fall. Fertilizer shall be applied at a rate of 10 pounds per 1000 square ft. of 16-8-8 (NPK). The steeper slopes of the pit will be stabilized with seed and polymer treatment to prevent erosion. As the long-range plan is to return this site to agricultural. We intend to restore 100 % of the mining area back to row crop farming. The berms will be stabilized with 90 pounds per 1000 sq.ft. (2.5 tons/sq.ft.) of mulch.

MAINTENANCE: The berms will be inspected and repaired according to needs of the site. The driveway will be maintained free of sediment or soil deposits.

INTERIM RECLAMATION: We will reclaim the proposed mine as we open areas we will use the stripping material from the new areas of the mine to reclaim previously mined areas.

CRITERIA FOR SUCCESSFUL RECLAMATION: Reclamation of the site will involve returning the land to usable farmland. Planning and Zoning Staff will be contacted to inspect the site when the site is ready to be returned to useable farmland.

OPERATIONS PLAN

1. This application to the Town of Vienna and County of Dane is a request for a Conditional Use Permit and Reclamation permit for a sand and gravel operation for the purpose of extracting Sand, Fill material by Tri County Paving Inc. The quarry operations will be located at the property of Michael and Dianne Ripp just North of 6970 Madigan Rd Waunakee, WI 53597. Tri County Paving Inc is requesting to operate and conduct nonmetallic mineral extraction on the site. The site has approx: 20 years of reserves and will be used for various construction projects in and around the Dane County area. We would sell the material to local residences, businesses, and government agencies. The project area is 40.3 acres.
2. Hours of operation will be Monday thru Friday 7:00 am to 6:00 pm. Saturdays 7:00 am to 4:00 pm.
3. During regular hours truck drivers will be in and out of the quarry. On busy days there will be a loader operator.
4. **SPILL PREVENTION AND OR DUST CONTROL**: Education of plant personnel in safe petroleum product handling, proper maintenance procedures, and routine inspections of the plant and machinery during and after operation. Tri County Paving Inc. Has contracted with Shaper Excavating and Petroleum LLC. to handle all fuel spills and or removal of any contaminated soils. Good Housekeeping practices are stressed for control of minor drips and leaks from daily maintenance and operation. Dust control will start with asphalt paving from the entrance at Madigan road to the bottom or beginning of the quarry. Dust control in the quarry will be controlled by spraying water from a water tank truck as needed throughout the day. All berms and landscaped areas will be seeded. Tracked material onto the asphalt roadway will be cleaned as needed. We will meet and exceed all Town and County requirements

5. **Berming** ; berms have been constructed as necessary and maintained to provide for visual and sound barriers to any adjoining residences. Access ; an entrance is already constructed to enter Madigan rd. Dust Control ; The entire entrance is paved with asphalt and watering will be done in the quarry as needed to control dust. Erosion Control ; A storm water pollution prevention plan is in place. We already installed a locking gate at the driveway entrance into the Sand and Gravel pit.
6. **LIGHTING** : Minimal lighting is needed. The lighting will be screened by berms, and lighting will be directed towards the ground.
7. **NOISE**: The use of existing berms will be maintained to provide for visual and sound barriers to other properties in the neighborhood. Our equipment has new technology with electric motors and noise reducing capabilities. Back up alarms will be used during operations for safety.
8. **TYPES, QUANTITIES AND FREQUENCY OF USE OF EQUIPMENT TO EXTRACT, PROCESS AND HAUL**: Equipment used at site: Loaders, dozers, Haul trucks, Scrapers, Dump Trucks. We anticipate +/-10,000 ton of material to be extracted per year. The total amount will depend on the construction market and need for gravel.
9. **FREQUENCY OF BLASTING, DRILLING, MINING, CRUSHING, SCREENING, WASHING, REFUELING, ASPHALT BATCHING OR CONCRETE MIXING WOULD BE PERFORMED ON SITE**: There will not be any blasting or crushing on site. Refueling will take place daily or as needed. There shall be no permanent bulk fuel stored on site. There will not be a concrete and asphalt mixing plant on site.

10. **WHERE MATERIAL WILL BE HAULED AND OVER WHAT ROUTES:** All material will be hauled accessing Madigan Rd., heading north to County Rd. V.
11. Erosion control and Storm water management plan is attached to this application
12. All row crop land surrounding the proposed quarry will drain away from the quarry, so no manure spread on the row crop land will drain into the proposed quarry.
13. Signs are already installed.

Madigan Quarry Parcel

Part of the NW 1/4 of the SE 1/4 of Section 20, Town 09 North, Range 09 East, Town of Vienna, Dane County, Wisconsin, being more particularly described as follows:

Commencing at the East Quarter Corner of Section 20;

thence along the north line of the Southeast Quarter of said Section 20, N89°46'36"W, 1325.17 feet to the northeast corner of the NW1/4 of the SW1/4 and the Point of Beginning;

thence along the east line of the NW1/4 of the SW1/4 of Section 20, S00°31'40"W, 1321.97 feet to the southeast corner of the NW1/4 of the SW1/4;

thence along the south line of NW1/4 of the SW1/4 of Section 20, N89°43'46"W, 1295.96 feet to the easterly right-of-way of Madigan Road;

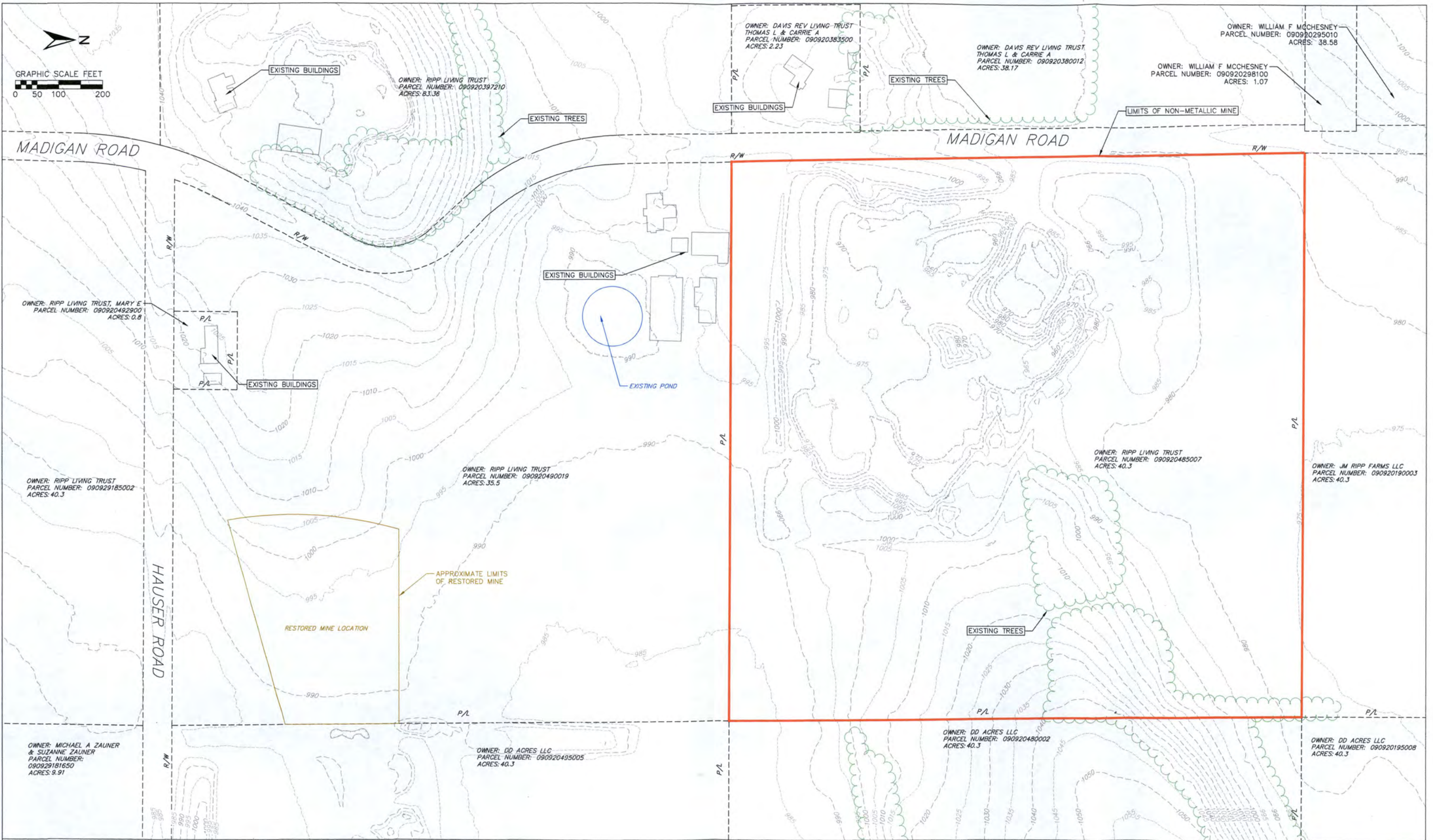
thence along said easterly right-of-way of Madigan Road, N01°00'24"W, 1321.09 feet to the north line of the Northwest Quarter of the Southeast Quarter of Section 20;

thence along said north line of said NW1/4 of the SW1/4 of Section 20, S89°46'36"E, 1306.99 feet to the Point of Beginning.

Total Parcel Area = 39.48 acres

Active Quarry Area = 25.62 Acres, more or less

Dane County Parcel #090920485007

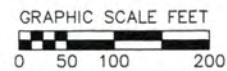


MADIGAN NON-METALLIC MINE - EXISTING CONDITIONS

TOWN OF VIENNA, WISCONSIN
12-22-2022

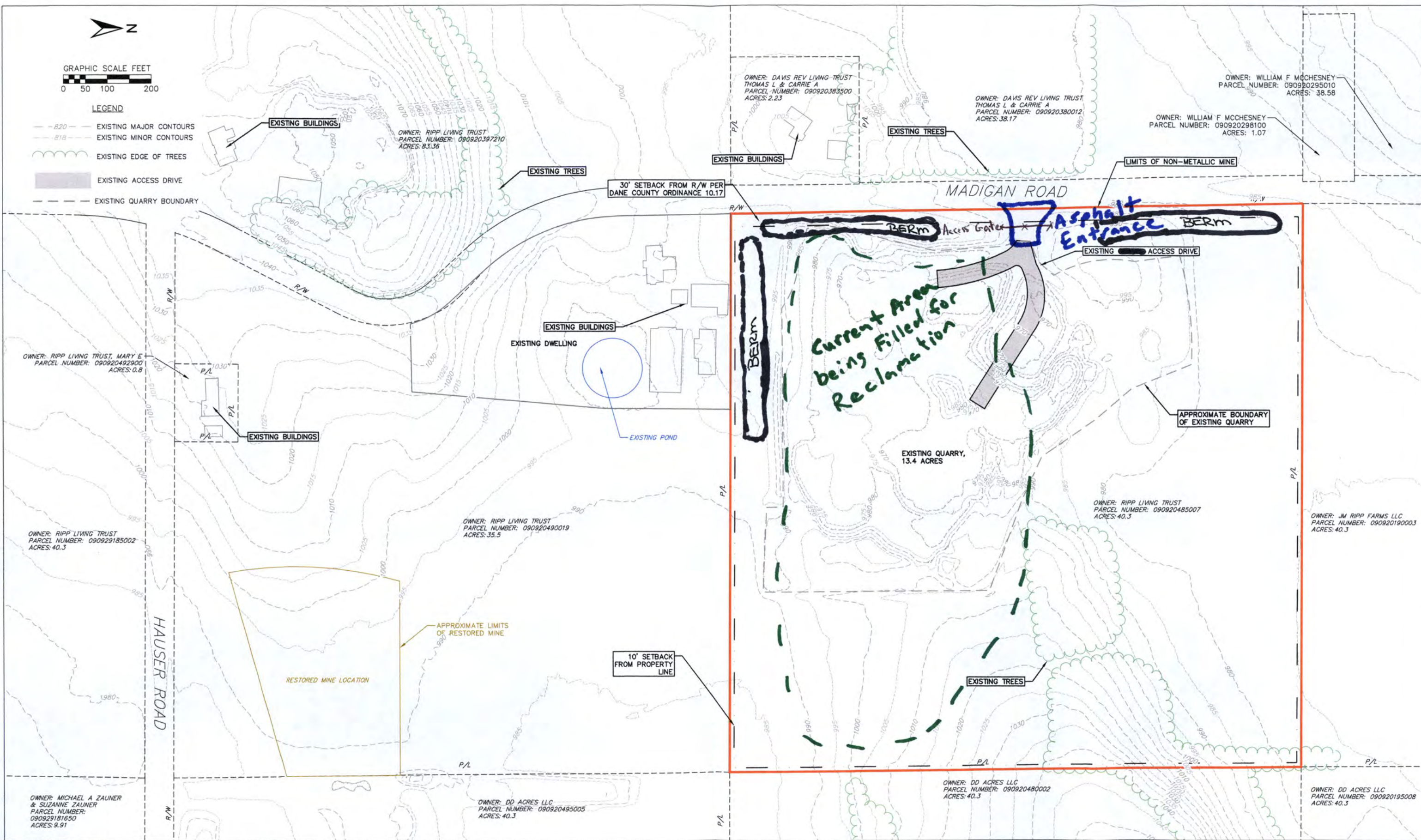
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LEGEND

- - - 820 - - - EXISTING MAJOR CONTOURS
- - - 818 - - - EXISTING MINOR CONTOURS
- ~~~~~ EXISTING EDGE OF TREES
- █ EXISTING ACCESS DRIVE
- - - - - EXISTING QUARRY BOUNDARY

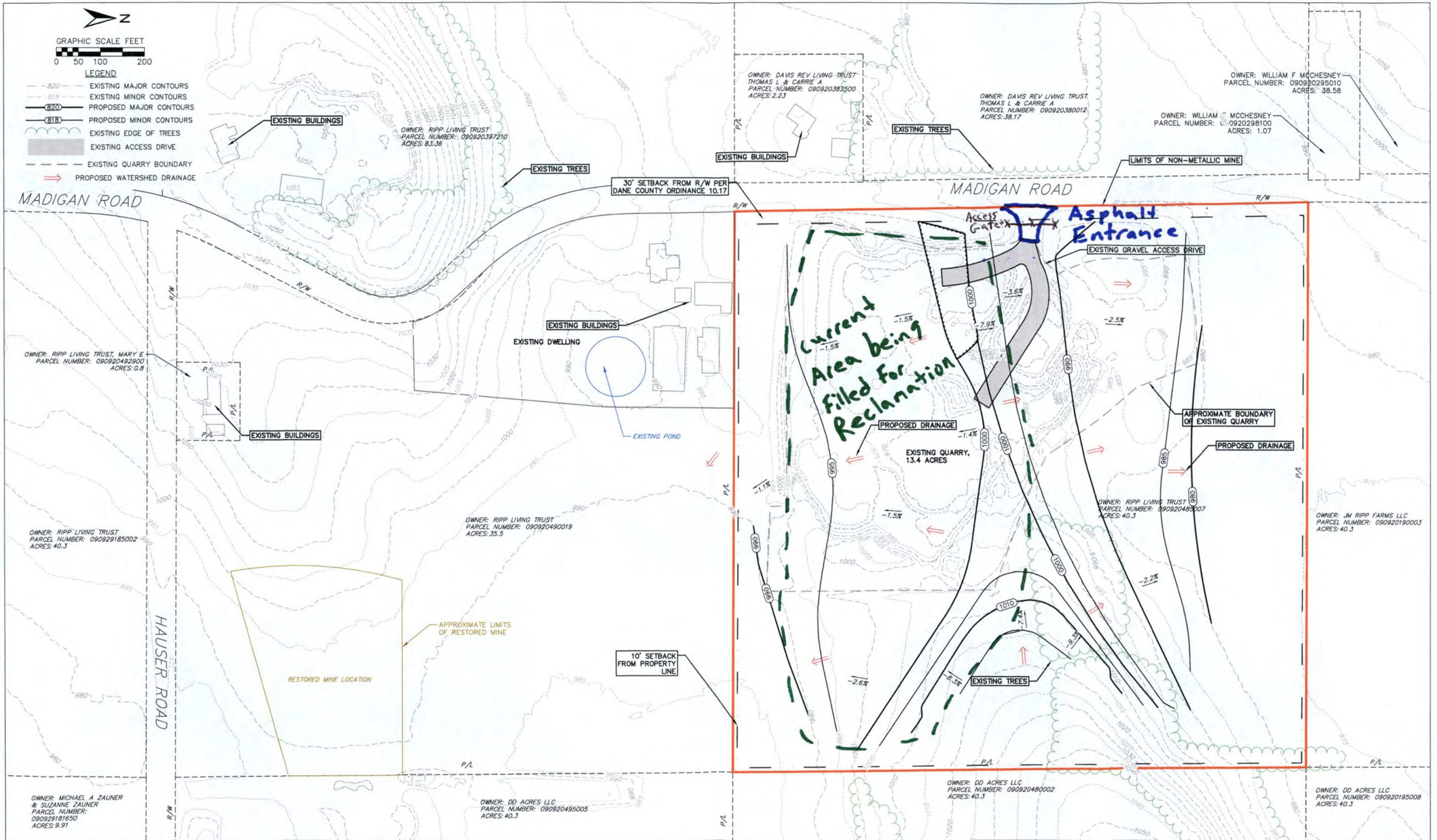


MADIGAN NON-METALLIC MINE - SITE PLAN

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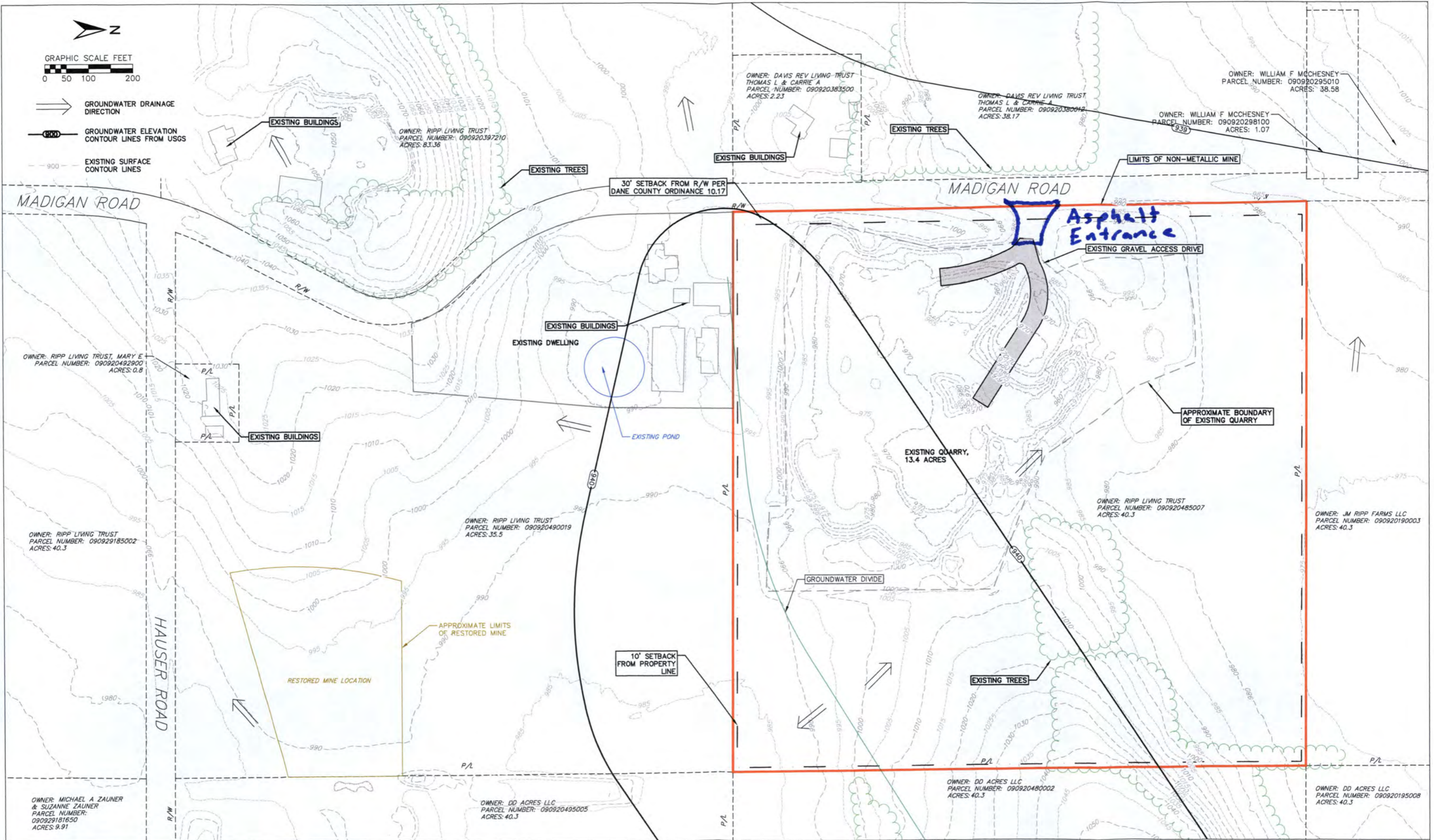




MADIGAN NON-METALLIC MINE - GRADING PLAN
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MADIGAN NON-METALLIC MINE - GROUNDWATER ELEVATION MAP

TOWN OF VIENNA, WISCONSIN
12-22-2022

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OWNER: VIRGIL A RIPP & SARAH M RIPP
 PARCEL NUMBER: 090929280010
 ACRES: 32.3

OWNER: DANNY R KESSENICH &
 STEPHANIE L MANLEY
 PARCEL NUMBER: 090929283400
 ACRES: 5.9

OWNER: RIPP LIVING TRUST
 PARCEL NUMBER: 090920397210
 ACRES: 83.36

OWNER: DAVIS REV LIVING TRUST
 THOMAS L & CARRIE A
 PARCEL NUMBER: 090920383900
 ACRES: 2.23

OWNER: DAVIS REV LIVING TRUST
 THOMAS L & CARRIE A
 PARCEL NUMBER: 090920380012
 ACRES: 38.17

OWNER: WILLIAM F MCCHESENEY
 PARCEL NUMBER: 090920295010
 ACRES: 38.58

OWNER: WILLIAM F MCCHESENEY
 PARCEL NUMBER: 090920298100
 ACRES: 1.07

OWNER: JAMES L MEIER
 & BEVERLY F MEIER
 PARCEL NUMBER:
 090920280004
 ACRES: 39.4

MADIGAN ROAD

MADIGAN ROAD

OWNER: RIPP LIVING TRUST, MARY E
 PARCEL NUMBER: 090920492900
 ACRES: 0.8

OWNER: RIPP LIVING TRUST
 PARCEL NUMBER: 090929185002
 ACRES: 40.3

OWNER: RIPP LIVING TRUST
 PARCEL NUMBER: 090920490019
 ACRES: 35.5

OWNER: RIPP LIVING TRUST
 PARCEL NUMBER: 090920485007
 ACRES: 40.3

OWNER: JM RIPP FARMS LLC
 PARCEL NUMBER: 090920190003
 ACRES: 40.3

OWNER: MAIER FARMS
 REAL ESTATE LLC
 PARCEL NUMBER:
 090920185000
 ACRES: 39.5

HAUSER ROAD

RESTORED MINE
 LOCATION

PROJECT BOUNDARY

OWNER: DD ACRES LLC
 PARCEL NUMBER: 090920495005
 ACRES: 40.3

OWNER: DD ACRES LLC
 PARCEL NUMBER: 090920480002
 ACRES: 40.3

OWNER: DD ACRES LLC
 PARCEL NUMBER: 090920195008
 ACRES: 40.3

OWNER: MICHAEL A ZAUNER &
 SUZANNE ZAUNER
 PARCEL NUMBER: 090929181650
 ACRES: 9.9

OWNER: PRAIRIE ENTHUSIASTS INC
 PARCEL NUMBER: 090929182250
 ACRES: 45.0

OWNER: KOCH FAMILY
 FARM LLC
 PARCEL NUMBER:
 090920180005
 ACRES: 39.5

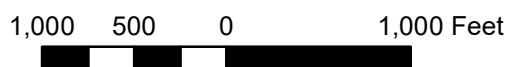
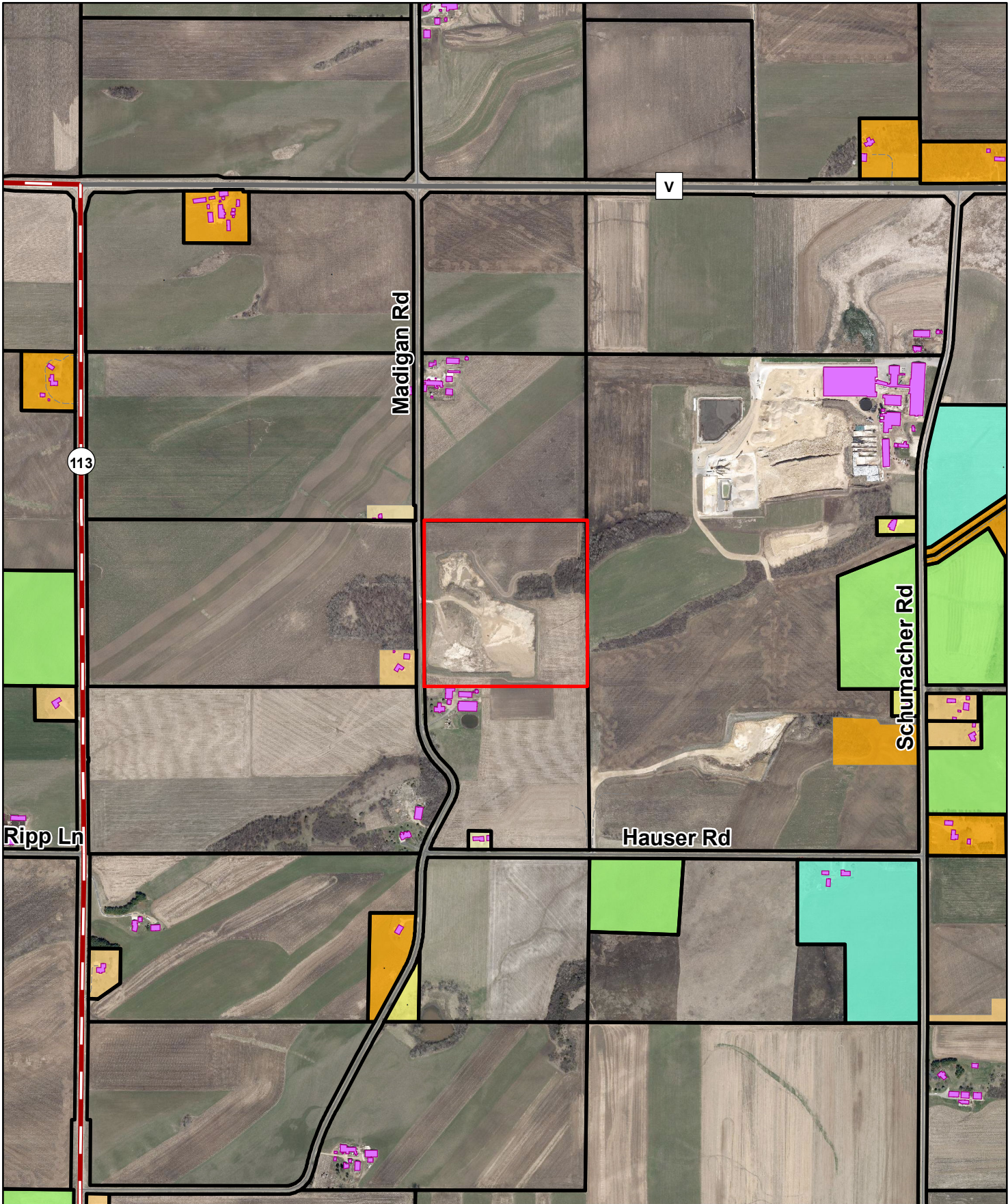
1000' OFFSET FROM PROJECT BOUNDARY

MADIGAN NON-METALLIC MINE - 1000' OFFSET PROJECT BOUNDARY MAP

TOWN OF VIENNA, WISCONSIN
 12-22-2022

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NEIGHBORHOOD MAP