



PUBLIC SPEAKING INSTRUCTIONS

WRITTEN COMMENTS: You can send comments to the Town Board on any matter, either on or not on the agenda, by emailing mgeller@town.verona.wi.us or twithee@town.verona.wi.us or in writing to Town Board Chair, 7669 County Highway PD, Verona, WI, 53593.

- 1) Call to Order/Approval of the Agenda
- 2) Pledge of Allegiance
- 3) Public Comment – Comments on matters not listed on this agenda could be placed on a future meeting agenda. If the Chair or staff has received written comments for items not on the agenda, these may be read.
- 4) Approval of minutes from May 3rd and May 21st 2022
- 5) Public Hearing: CUP Application 2022-01 by Payne & Dolan (on behalf of the Herfel Trust) to allow for aggregate crushing at 1977 State Highway 69
- 6) Committee Reports
 - A. Plan Commission
 1. Discussion: CUP Application 2022-01 by Payne & Dolan (on behalf of the Herfel Trust) to allow for aggregate crushing at 1977 State Highway 69
 2. Discussion and Possible Action: Land Use Application 2021-11 submitted by Ron Klaas on behalf of Olsen Trust for Final Plat and Declaration of Covenants Approval (parcel numbers 062/0608-361-9190-9, 062/0608-362-9500-2, 062/0608-361-9100-7 (21 acres in total)).
 3. Discussion and Possible Action: Land Use Application 2022-02 submitted by Badger Prairie Needs Network for a rezone of 1.709 acres of parcel 062/0608-142-9502-0 from RM-16 to LC
 4. Discussion and Possible Action: Land Use Application 2022-03 submitted by Dane County for the CSM and rezone of a 39.73-acre AT-35 parcel 062/0608-043-9501-0 into two parcels zoned NR-C
 - B. Public Works
 1. Discussion and Possible Action: Brush Disposal Program
 2. Discussion and Possible Action: 2022 Crack-Filling Projects Bid Award
 - C. Ordinance Committee
 - D. Financial Sustainability Committee
 - E. Natural and Recreational Areas Committee
 - F. EMS Commission
 - G. Senior Services Committee

H. Town Chair's Business

I. Supervisor Announcements

7) Staff Reports

A. Administrator/Planner Report

B. Public Works Director Report

C. Clerk/Treasurer Report

8) Old Business

9) New Business

A. Discussion and Possible Action: Resolution 2022-02 WI DNR NR 208 Compliance Maintenance for 2021

B. Discussion and Possible Action: Renewal Applications for Alcohol Licenses with an Opportunity for Public Comment:

- i. Class "B" retail license for the sale of fermented malt beverages to be consumed on premises for Blackhawk Bowhunters, LLC, Dale Goytowski President/Agent, 2103 County Highway PB
- ii. Class "B" retail license for the sale of fermented malt beverages to be consumed on premises and "Class B" retail license for the sale of intoxicating liquor to be consumed on premises for Ole Duffers Pub, Susan Kaye Buchanan President/Agent, 1755 County Highway PB
- iii. Operator's Licenses for year ending June 30, 2021

C. Discussion: Town Board Workshop Goals Review

D. Discussion: Check Register Review

10) Adjournment

Regular board agendas are published in the Town's official newspaper, The Verona Press. Per Resolution 2016-2 agendas are posted at the Town Hall and online at www.town.verona.wi.us. Use the 'subscribe' feature on the Town's website to receive agendas and other announcements via email. Notice is also given that a possible quorum of the Plan Commission and/or Public Works, Ordinance, Natural and Recreational Areas, and Financial Sustainability Committees and could occur at this meeting for the purposes of information gathering only.

If anyone having a qualifying disability as defined by the American with Disabilities Act needs an interpreter, materials in alternate formats, or other accommodations to access these meetings, please contact the Town of Verona @ 608-845-7187 or twithee@town.verona.wi.us. Please do so at least 48 hours prior to the meeting so that proper arrangements can be made.

Mark Geller, Town Chair, Town of Verona

Sent to VP: 05/27/2022

Amended: 06/02/2022

Posted: 06/03/2022



Town of Verona Strategic Planning Summary

Two strategic planning sessions held by the Town Board, committees, and commissions on November 11, 2017 and February 17th, 2018. The purpose of these sessions was to develop an updated vision statement and outline guiding principles for work going forward.

Town of Verona Vision Statement

To maintain the Town as an independent, financially sustainable, safe,
and healthy rural community

Guiding principles

- Create a welcoming and inclusive community
- Provide efficient services
- Be fiscally responsible
- Anticipate and plan for growth
- Protect and enhance cultural and natural resources
- Maintain open and transparent government
- Coordinate and collaborate with neighboring jurisdictions/key partners

Town of Verona
Town Board Meeting Minutes
Tuesday, May 3, 2022

Town Board Members Present: Chair Geller, Mathies, Lonsdorf, Duerst and Paul

Staff Present: Administrator/Planner Gaskell, Clerk/Treasurer Withee, Public Works Director Barnes and Road Patrolman Judd

Applicants Present: none

- 1) Call to Order/Approval of the Agenda – Chair Geller called the meeting to order at 6:30 pm. Motion by Duerst to approve the agenda, second by Mathies. 4 ayes, 0 nays, motion carried by voice vote.
- 2) Pledge of Allegiance
- 3) Public Comment – none
- 4) Approval of minutes from April 12, 2022. Motion by Mathies to approve the minutes from April 12, 2022, second by Geller. 4 ayes, 0 nays, motion carried by voice vote.

Lonsdorf joined meeting at 6:34 pm

- 5) Presentation of the 2021 Town of Verona Draft General Fund Audit by Johnson Block CPA. Natalie Kalscheur presented Draft Audit. Overall, the town is in a healthy financial position.
- 6) Committee Reports
 - A. Public Works: Duerst stated that they are going to review the postcard responses regarding brush collection and speak with the vendors to get some cost estimates.
 - B. Ordinance Committee: no meeting
 - C. Financial Sustainability Committee: no meeting
 - D. Natural and Recreational Areas Committee: Lonsdorf distributed and summarized a preliminary stormwater inspection practices report. Committee directed to solicit some bids for an inspection of the Town's stormwater pond.
 - E. EMS Commission: Lonsdorf stated that the call volume is continuing to increase. Union negotiations will be starting soon. "No transports: have remained steady.
 - F. Senior Services Committee: no meeting
 - G. Town Chair's Business:
 - a. Discussion and Possible Action: 2022 Committee Appointments. Chair Geller made a motion to approve the committee appointments as listed, second by Duerst. 5 ayes, 0 nays, motion carried by voice vote.

H. Supervisor Announcements: Mathies stated Dane County Towns Association will be meeting at the Town Hall on Wednesday, May 18, 2022, at 7 pm. People may arrive by 6:30 to socialize before meeting. Duerst stated he has been monitoring the work being done on Highway 69 and the work should be done by Thanksgiving.

7) Staff Reports

- a. Administrator/Planner Report – Gaskell stated that the HVAC work is almost complete at Town Hall.
- b. Public Work Director Report – Barnes stated that 856 brush surveys were sent out with 48% returned. He gave an update on the Force Main Sewer Installation Project by MMSD. He updated the Board on the Fitchrona Road project and feasibility for the town depends on how much of the road will be reconstructed.
- c. Clerk/Treasurer Report – no questions or comments

8) Old Business: none

9) New Business:

- A. Discussion: American Rescue Plan Act Funding Projects. Gaskell stated that WTA provided information today that ARPA funds will not negatively impact the town GTA. Board should begin discussions on what projects to fund via ARPA. Mathies stated that there may be a policy requirement regarding federal procurement standards, but the WTA will provide policy template options. Withee stated that the \$10 million in lost revenue was utilized for reporting.
- B. Discussion and Possible Action: Committee Descriptions Review. Mathies stated that he feels it would be more efficient to combine the Finance and Ordinance committees. Lonsdorf questioned why NRAC advised Plan Commission and not the Town Board. Mathies stated that NRAC ties in with the Plan Commission.
- C. Discussion: Stormwater Management Study for Fitchrona Road and Goose Lake. Barnes gave an update on the project. He stated that these issues can never be 100% resolved because they are dependent on nature. This study reviewed the flooding on Fitchrona Road and fluctuation of water levels in Goose Lake. Goose Lake water level is 2 feet lower than it was back in 2017. Study reviewed ways to reduce the flooding on Fitchrona Road.
- D. Discussion: Check Register Review. No questions or comments.

10) Motion by Duerst to adjourn, second by Lonsdorf, meeting adjourned with no objection at 9:00 pm.

Prepared by Teresa Withee, Town Clerk

Approved:

Town of Verona
Special Town Board Meeting Minutes
Saturday, May 21, 2022 9:00 AM

Town Board Members Present: Chair Geller, Mathies, Lonsdorf, Duerst and Paul

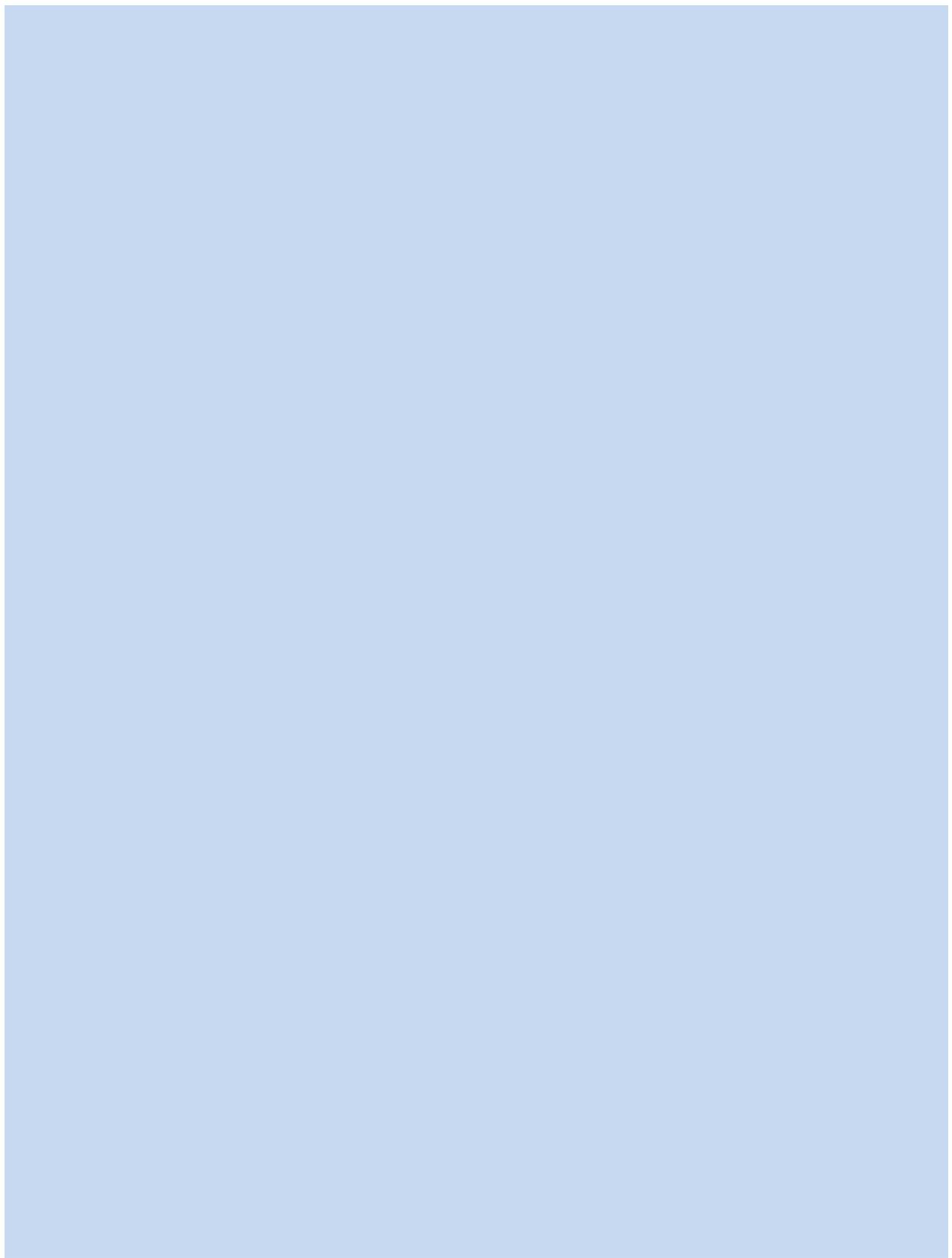
Staff Present: Administrator/Planner Gaskell

Others Present: none

- 1) Call to Order/Approval of the Agenda – Chair Geller called the meeting to order at 9:00am. Motion by Duerst, second by Paul to approve the agenda. Motion carried by voice vote.
- 2) Public Comment – none
- 3) Town Board Supervisors Workshop
 - A. Presentation of the year in review and summary of Town Board Supervisor Questionnaire
 - B. Goal Setting Discussion – 2022 Goals to be refined at June Town Board Meeting
- 4) Motion to Adjourn by Mathies, second by Duerst. Meeting adjourned without objection at 11:00am.

Prepared by Sarah Gaskell, Administrator

Approved:



Hello,

My name is Bill Keen and I am opposed to having a rock crushing operation at the Herfel gravel site. Reasoning for my opinion is that the operation will directly affect those living near the pit, it will affect the avian and animal habitat for the future plans of the county land, and the fact that Payne and Dolan has been less than truthful about what will happen and what actually does.

Noise levels from a rock crushing operation create noises up to 86.5 decibels. 70 decibels is considered safe. It is important to remember that a 20 db increase means the sound is 100 times louder. Due to the inverted megaphone shape of the pit, the decibel level will be automatically increased and dispersed to the area. The Kitto family with three young children will be most affected by being located above the walls of the pit echoing this sound during the day.

This noise level will also have an impact on avian and animal habitat near the pit. Since the county has purchased the Rhiner property, the plans to have a natural area supporting the habitat of the area will be hindered by the racket of the crusher.

Payne and Dolan stating that the crusher being on site would allow the pit to close sooner is hard to believe. All crushing was done off site before and it did not have an effect on the closing of the first side of the pit. To say that the sound of the crusher will not affect the level of noise blaring from the pit is incorrect. The noise from the previous side while excavation was taking place could be heard throughout the day. To increase this clamor during the day with a rock crusher will definitely impact all of us in the neighborhood. There are those of us in the area that are also concerned about the traffic as there will not be an acceleration lane for dump trucks to get up to speed with those racing down hwy 69. We should mention that it was promised that hwy 69 would not be impacted with the increased truck traffic when the operation on the east side of the highway was opened and less than two years later the state had to resurface hwy 69 just so it was not so full of potholes with the contract going to Payne and Dolan.

In conclusion, if there is any chance that this CUP is approved, two conditions should be added to make it tolerable. One would be to have the company fined and prohibited from any rock crushing if a decibel level anywhere beyond 50 feet of the pit is recorded over 70 decibels. The second would be to have both pits open to the public for fishing as the original CUP had land that was to be dedicated to the county for access to Badger Mill Creek and it has not happened yet.

Thank you for your consideration,

Bill Keen

To Town of Verona Board members.

Payne and Dolan has requested to add rock crushing to the next phase of the Herfel gravel pit. THAT IS UNACCEPTABLE TO ME! And I hope to you as well.

For those unfamiliar with the history of the pit, here is a brief recap. A Conditional Use Permit must meet a number of standards, including no detriment to the safety and enjoyment of the neighbors, their property values, and the environment.

1998-The first proposal for a gravel pit was denied by the Town of Verona **and** Dane County Board of Supervisors, which has final say on all matters not within City limits.

2001-Payne and Dolan resubmitted the proposal, which the Town again denied based on the company not protecting the neighbors and environment. The County approved the CUP, however. Local residents pooled their resources and sued Dane County. We achieved a stay of operations as a State Appellate Court ordered the County to reconsider their approval.

April of 2004-the County voted 5-2 to deny the CUP stating it didn't meet environmental standards. CUPS can't be reapplied for in less than a year unless something extraordinary happens, so only months later Payne and Dolan came back saying they were removing rock crushing from the activities at the gravel pit. That was enough for the county to allow another hearing

Feb 2005-Town still denied approval of the pit, but in May the County Zoning board approved it and there weren't enough votes from the full Board of Supervisors to overturn the committee's vote.

The only reason the pit is operating is because Payne and Dolan promised no rock crushing would happen on site. They must be made to hold true to that promise! There is already too much noise and dust! The berms they have erected on the west side of Highway 69 are much lower than the ones on the east side. The noise and dust will have no problems breaching those berms.

At the Plan Commission meeting, one neighbor wrote in support of the proposal, but that is because the Herfels invited him to fish the pond. We have received no such invitation.

Payne and Dolan has trucked all the rocks to another site for crushing and they can do so for this site as well.

Sincerely,
Lisa Keen
2021 Manhattan Drive

TOWN OF VERONA

TO: Town Board of Supervisors

FROM: Sarah Gaskell, Planner/Administrator

DATE: June 7th, 2022

RE: Administrator's Memo – June Town Board Meeting

Plan Commission

- 1) Discussion and Possible Action: Land Use Application 2021-11 submitted by Ron Klaas on behalf of Olsen Trust for Final Plat and Declaration of Covenants Approval (parcel numbers 062/0608-361-9190-9, 062/0608-362-9500-2, 062/0608-361-9100-7 (21 acres in total)).

The Plan Commission recommended approval of the Final Plat and Declaration of Covenants at their May meeting 5-0 with the following conditions:

- a. Update Article 10 to include 10.0 as a section that cannot be amended without Town approval

- 2) Discussion and Possible Action: Land Use Application 2022-02 submitted by Badger Prairie Needs Network for a rezone of 1.709 acres of parcel 062/0608-142-9502-0 from RM-16 to LC

The Plan Commission reviewed this application at their May meeting and recommended approval of rezone subject to the following conditions:

- a. Land Use be restricted to Governmental, institutional, religious or nonprofit community uses
- b. The landscape requirement of screening per Dane County Ordinance requirements be waived.

This application will need to be reviewed by the Joint City/Town Planning Committee.

- 3) Discussion and Possible Action: Land Use Application 2022-03 submitted by Dane County for the CSM and rezone of a 39.73-acre AT-35 parcel 062/0608-043-9501-0 into two parcels zoned NR-C

The Plan Commission reviewed the CSM and rezone at their May meeting and voted to recommend approval 5-0. This application will need to be reviewed by the Joint City/Town Planning Committee.

TOWN OF VERONA
APPLICATION FOR LAND USE CHANGE

Please review the Town of Verona Comprehensive Land Use Plan and Subdivision and Development Ordinance 05-04 (found on the Town website: (www.town.verona.wi.us) and Dane County Ordinances Chapter 10 – Zoning, Chapter 11 – Shoreland, Shoreland-Wetland and Inland-Wetland Regulations, and Chapter 75 – Land Division and Subdivision Regulations prior to application. A pre-application meeting or initial review should be scheduled with Town Staff and/or Plan Commission Chair if you have any questions or concerns and to determine the fees associated with the application.

Proposed land use change for (property address/legal description): 1906 State Highway 69, Verona, WI
Approximately 116 acres located in the SE 1/4 SE 1/4 and the W1/2 SE 1/4 in Section 28, Town 6N, Range 8E

Please check all that apply:

- comprehensive plan amendment – please see specific submittal requirement**
- rezone petition**
current zoning category _____
new zoning category _____
- conditional use permit**
conditional use requested To allow crushing operations in addition to the current extraction operations at the existing Herfel Aggregate Site
- certified survey map**
- preliminary plat**
- final certified survey map**
- concept plan**
- site plan**
- request for Town road access**

Property Owner Phone Curt & Deb Herfel

Address 1955 Locust Drive, Verona, WI 53593 E-Mail N/A

Applicant, if different from the property owner Payne & Dolan, Inc. / Attn. Clint Weninger, Land Resources Manager

Applicant's Phone (262) 524-1258 E-mail cweninger@walbecgroup.com

If the applicant is different from property owner, please sign below to allow the agent to act on behalf of property owner.

I hereby authorize Payne + Dolan, Inc.
to act as my agent in the application process for the above indicated land use change.
[Signature] _____ 3/24/2022
Signature Date

Description of Land Use Change requested: (use reverse side if additional space is needed)

See attached

I certify that all information is true and correct. I understand that failure to provide all required information and any related fees will be grounds for denial of my request.

[Signature] _____ 3/18/2022
Applicant Signature Date
Print Name Clint Weninger, Land Resources Manager

RETURN COMPLETED APPLICATION TO MAP/PLAN AND ANY OTHER INFORMATION VIA EMAIL TO:
Sarah Gaskell, Administrator, Town of Verona
7669 County Highway PD, Verona, WI 53593
sgaskell@town.verona.wi.us
(608) 845-7187

OFFICE USE ONLY
Application # _____
Fee 400.00
Paid by Payne + Dolan
Date 3-24-22 Check # 759360
Receipt # 2022-0084

March 17th, 2022

Mr. Mark Geller, Chair
Town of Verona
7669 County Highway PD
Verona, WI 53593

RE: CUP #1934 - Herfel Aggregate Site
New Conditional Use Permit Request

Dear Mr. Geller:

Payne & Dolan, Inc. has been operating a nonmetallic mineral extraction operation on the Curt and Deb Herfel property in the Town of Verona under Dane County CUP #1934 since it was approved in 2005. CUP #1934 allows for various mineral extraction related operations including site development, sand and gravel extraction, processing, washing, product delivery, and reclamation, but it does not allow crushing.

State Highway 69 which runs directly in front of the Herfel site is being rehabilitated and reconstructed from Belleville to Verona over the next two years. Payne & Dolan will be supplying fill and aggregate for the project. The general contractor for this project has expressed the need for a substantial amount of crushed aggregate for this project. The ability to crush this additional aggregate material on site would result in cost savings on this project and less truck traffic on our roads. There are several other jobs in the area, such as STH 151, which would also benefit from having the ability to crush on-site.

After discussion with Dane County planning staff, an amendment to the existing CUP to allow crushing is not possible. A new conditional use permit that includes crushing would need to be requested, approved and issued. It was recommended that an application that includes all previously approved conditions and plans with the addition of crushing operations be submitted if we wanted to pursue crushing activity at this site.

Therefore, Payne & Dolan is respectfully submitting an application for a conditional use permit to allow crushing operations at the existing Herfel Aggregate Site in addition to all other previously approved operations outlined in CUP #1934. The only difference between this submittal and the currently approved CUP is the ability to bring 2-3 portable crushing units unto the site in order to crush the gravel. All the other operations such as screening, washing and conveying are already allowed. Crushing will only take place on the west side of Highway 69, also

referred to as Phase 2. Payne & Dolan is not requesting any other changes to the permit and will abide by all the applicable conditions in CUP #1934.

If this conditional use permit request is approved, the new conditional use permit would supersede CUP #1934. If this conditional use permit request is denied, then CUP #1934 would remain in place and Payne & Dolan will continue to operate with no changes to the conditions or permit duration.

Thank you for your time and consideration in this request. We have a record of operating ethically, respectfully, and openly, and look forward to continuing to do so in the Town of Verona. If you have any questions and/or need additional information, please do not hesitate to contact me at (262) 524-1258.

Sincerely,

Payne & Dolan, Inc.

A handwritten signature in blue ink, appearing to read "Clint S. Weninger". The signature is fluid and cursive, with the first name "Clint" and last name "Weninger" clearly visible.

Clint Weninger, P.G.
Land Resources Manager

enc.

1977 State Highway 69

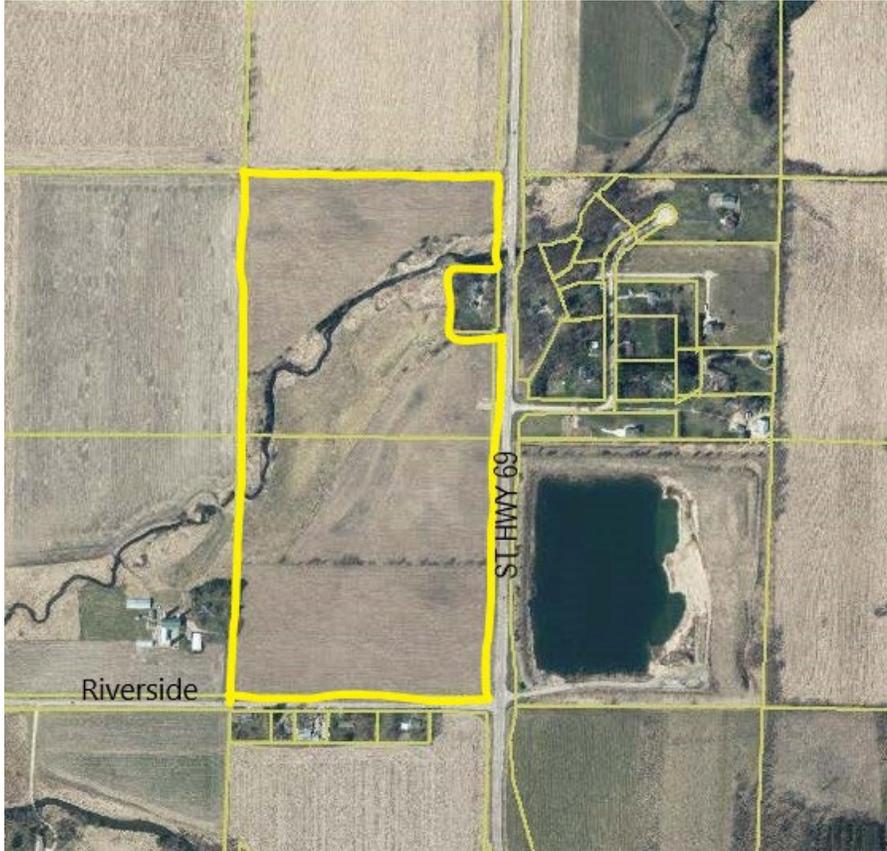
Summary: The applicant seeks a CUP for parcels 062/0608-284-8500-9 and 062/0608-284-9000-2. Currently the site is a 77.9-acre lot zoned AT-35. The CSM would allow the applicant to crush aggregate on site.

Property Owner: Herfel Living Trust

Property Addresses: 1977 State Highway 69

Applicant: Payne & Dolan, Inc.
N3 W23650 Badinger Road
Waukesha WI, 53188

Location Map



The applicant has submitted a new CUP for consideration.

Phase II of the Herfel Aggregate site (CUP #1934) is currently operational. This new CUP would allow for aggregate to be crushed on site, in addition to the current extraction operations at the site provided under CUP #1934. The main advantage of a new CUP is allowing for the direct provision of materials to the adjacent HWY 69 project, which in turn will greatly shorten the amount of time the site is open and operational before reclamation.

Comprehensive Plan Guidance:

The parcels are operational under an existing CUP that provides for a nonmetallic mineral extraction operation.

Current and Proposed Zoning: The AT-35 zoning will remain unchanged.

Extra-territorial Review/Boundary Agreement Authority: This parcel is in Area D (section 8.05) of the boundary agreement with the City of Verona so further approvals may be required.

Surrounding Land Use and Zoning: Located on the west side of Hwy 69 and north of Riverside Road, the land uses in this area are mixed. There's an existing Town neighborhood with Urban Residential – SFR east of the site. The western boundary of the site abuts Dane County land and there are a few homes south of the site on Riverside Drive.

Site Features: A berm has been built to shield views in/out of the site.

Driveway Access: The current driveway that serves the parcel will remain.

Other:

Phase I reclamation is complete. The only change to the new CUP application vs the current CUP is the addition of the ability to crush aggregate on the "Phase II site", west of Hwy 69. This would be achieved via 2-3 portable crushing units. All other operations such as screening, cleaning and washing and hours of operation will remain unchanged and are all currently allowed under the existing CUP. The addition of crushing would result in a cost savings for the HWY 69 reconstruction project and less truck traffic on local roads. Additionally, it will likely "speed up" the time until site reclamation due to the amount of materials needed for area projects.

Oregon Site (85033)

Sound Level Report for Control #33 and PC #7 07/29/21



Property Line

Inside Berm

Top of Berm

Outside Berm

Asphalt Plant Control #33

Portable Crush Plant #7

Wind Speed	Wind Direction	Cloud Cover	Time
9-10 mph	N / WNW	Mostly Cloudy	10:45 am to 1:00 pm

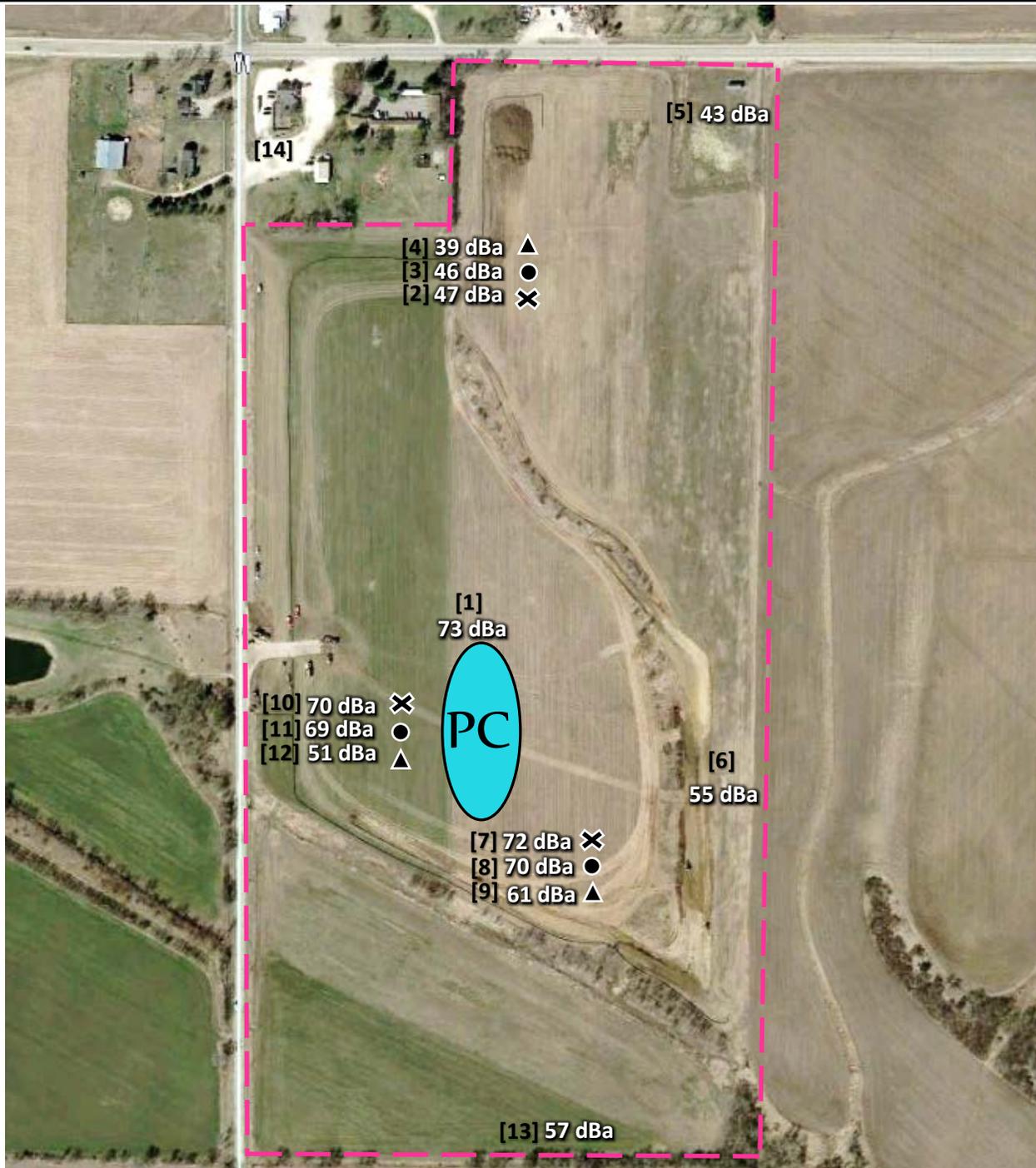
CUP #2510 Condition #6

“Peak noise levels from all operations at the site, including the mineral extraction operation and the asphalt plant, shall not exceed **75 decibels** (dBa scale), as measured from the property line.”

Darien Site (81049)

Sound Level Report for PC 10

07/01/21



Property Line	
Inside Berm	
Top of Berm	
Outside Berm	
Portable Crushing Plant #10 (PC10)	

Wind Speed	Wind Direction	Cloud Cover	Time
11 mph	NE	Clear	11:30am to 12:15pm





An Equal Opportunity Employer

N3 W23650 Badinger Road | Waukesha, WI 53188
262.524.1700 | walbecgroup.com

Herfel Aggregate Site

Conditional Use Permit Application

Location

Town of Verona, Dane County, Wisconsin

Submittal Date

March 17th, 2022

Mineral Extraction Conditional Use Requirements

Legal Description:

Approximately 116 acres located in the SE ¼, SE ¼ and the W ½, SE ¼ in Section 28, Town 6 North, Range 8 East, Town of Verona, Dane County. See attached survey for complete property description.

Tax Parcel Numbers:

31-0608-284-8500-9

31-0608-284-9000-2

31-0608-284-9500-7

A written statement containing the following information:

1. General description of the operation.

This conditional use permit application is to allow crushing operations in addition to the current extraction operations at the existing Herfel Aggregate Site operated by Payne & Dolan, Inc. The property has an approved conditional use permit (CUP #1934) and is an active nonmetallic mineral extraction operation. CUP #1934 does not allow crushing on the property. The only difference between this submittal and the currently approved CUP is the ability to bring 2-3 portable crushing units unto the site in order to crush the gravel.

The site operations will be consistent with the current approved operations with the addition of crushing activities. Current operations include site development, sand and gravel extraction, processing, washing, product delivery, and reclamation. Sand and gravel is removed from below the water table utilizing available technology such as a dragline, backhoe, or dredge. Removal of sand and gravel below the water table will be done "in the wet" and will not require any pumping of water off the site. Equipment used to extract, process, crush, and haul includes, but is not limited to earthmovers, draglines, bulldozers, scrapers, loaders, trucks, conveyors, a scale, scale house, and sizing, washing, and crushing equipment.

The mineral extraction phases will be fenced, gated, signed, and surrounded by berms to ensure security, reduce visibility of the operations, and to contain noise. All excavation will follow the required setback limits and previously approved operations plan.

Areas of the site which are not involved in the extraction or processing operations will continue to be used as crop land.

Payne & Dolan will continue to maintain in full force and effect during the term of the CUP, general liability insurance in the amount of two million dollars (\$2,000,000.00).

2. Existing use of the land.

The property is currently zoned AT-35 – Agriculture Transition Zoning District. The property on the east side of Highway 69, referred to as Phase 1 in CUP #1934, is a reclaimed sand and gravel pit. The property on the west side of Highway 69, referred to as Phase 2, is currently farmland.

3. Existing natural features including approximate depth to groundwater.

Badger Mill Creek crosses the site 500+ feet north of the Phase 2 extraction area. Depth to groundwater varies from 2 to 14 feet below the existing ground surface.

4. The types and quantities of materials that would be extracted.

The deposit is a glacial outwash consisting of high-quality sand and gravel with reserves of approximately 2,000,000 tons.

5. Proposed dates to begin extraction, end extraction and complete reclamation.

The extraction timeline will remain consistent as outlined in CUP #1934. Phase 1 extraction began in 2005 and was reclaimed in 2020. Phase 2 extraction is scheduled to begin in 2022 and is estimated to be reclaimed by 2030.

6. Proposed hours and days of operation.

Hours and days of operations will be consistent with the current approved hours.

Daily Operation:	Monday through Friday
Hours of Operation:	8:00am to 6:00pm (including equipment maintenance)
Hours for Warm-Up:	7:30am to 8:00am
Hours of Cool Down:	6:00pm to 6:30pm

7. Geologic composition and depth to the mineral deposit.

There is an average of 6 feet of overburden, consisting of clay, loam and topsoil, on top of 60+ feet of sand and gravel. There is approximately 5 feet of sand and gravel above the water table.

8. Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.

Haul routes and site entrances have been approved by the DOT.

9. Proposed phasing plan, if any (recommended for larger sites)

The phasing plan will remain consistent with the previously approved operations plan. The approved operations plan is included in this submittal.

10. Types, quantities, and frequency of use of equipment to extract, process, and haul.

Types, quantities, and frequency of use of equipment will be consistent with Phase 1 operations except the addition of portable crushers. All equipment used to extract, process, crush, and haul will be portable and includes earthmovers, draglines, bulldozers, scrapers, loaders, trucks,

conveyors, a scale, scale house, and sizing, washing, and crushing equipment. The use of this equipment will vary depending on the market demands and workload.

11. Whether and how frequently blasting, drilling, crushing, screening, washing, refueling, fuel storage, asphalt batching or concrete mixing would be performed on site.

There will be no blasting, drilling, asphalt batching, or concrete mixing on site. No fuel will be stored on site. Site operations including crushing, processing, screening, washing, and refueling will predominantly occur during the construction season (which is typically April thru November but may vary due to weather and market demands).

12. Whether excavation will occur below the water table and, if so, how ground water quality will be protected.

Similarly to Phase 1, excavation will occur below the water table. Payne & Dolan currently contracts an independent qualified inspector to test wells within 1,000 feet of the site for bacteria and nitrates.

Excavation below the ground water table in Phase 1 did not prove to be detrimental to the ground water quality.

Since approval of CUP #1934, Payne & Dolan has posted and maintained a bond in the amount of \$15,000 as security for its obligations under the private wells and septic claims procedure. The bond will remain in full force and effect until final reclamation of Phase 2 is complete.

Since approval of CUP #1934, Payne & Dolan has posted and maintained a bond in the amount of \$10,000 as security for its obligations under the basement claims procedure. The bond will remain in full force and effect until final reclamation of Phase 2 is complete.

13. Any proposed temporary or permanent structures (e.g., scales, offices).

No building currently exists on the property. No permanent buildings are planned. A temporary scale and scale house will be used. These structures were allowed under CUP #1934 and were included in the approved operations plan.

14. Any special measures that will be used for spill prevention and control, dust control, transportation, or environmental protection.

A spill prevention plan and fugitive dust control plan have been in place since CUP #1934 was approved and will remain in place until final reclamation of Phase 2. A DOT approved entrance road to Phase 2, acceleration and passing lanes have been constructed and paid for by the operator, and adequately support the traffic in the area.

15. Proposed use after reclamation as consistent with Chapter 74.

Final reclamation will remain consistent with the previously approved operations and reclamation plan. The site will be returned to agricultural use – aquaculture.

The site will be clear of debris and left in a workmanlike condition at final reclamation.

All reclaimed areas will be covered with topsoil and seeded to prevent erosion.

Payne & Dolan has obtained NR-135 permit and will meet all requirements for reclamation included in NR-135. Financial assurance for reclamation is posted with Dane County.

General Conditional Use Permit Requirements

Standards for 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.

Public's Health:

- Since the existing mineral extraction CUP for the property was approved in 2005, the operations have not been detrimental to or endangered the public's health.
- The current operational and environmental controls will remain in place.
- No chemicals have been or will be used.
- No visual dust will cross the property lines as per the fugitive dust control plan and DNR regulations.
- A majority of the sand and gravel is being removed from the water, so it is wet when excavated, reducing potential dust.
- There is no discharge of water from the property.
- An erosion control permit for the property has been approved by Dane County. Permit #ECP 3-734
- No water leaves the watershed due to this operation.

Public's Safety:

- Since the existing mineral extraction CUP for the property was approved in 2005, the operations have not been detrimental to or endangered the public's safety.
- A DOT approved entrance road to Phase 2, acceleration and passing lanes have been constructed and paid for by the operator, and adequately support the traffic in this area.
- The location of this source of sand on a State Trunk Highway has reduced many truck miles of hauling to bring sand into Dane County.
- The site is secured by fences, locked gates, and landscaped berms.
- Payne & Dolan currently contracts an independent qualified inspector to test wells within 1,000 feet of the site for bacteria and nitrates.
- A spill prevention plan and fugitive dust control plan have been in place since CUP #1934 was approved and will remain in place until final reclamation of Phase 2.
- All trucks are covered with tarps.
- Groundwater elevations will continue to be monitored at the monitoring wells located near the property.

Public's Comfort:

- Since the existing mineral extraction CUP for the property was approved in 2005, the operations have not been detrimental to or endangered the public's comfort.
- The berms along Riverside Drive and STH 69 will be constructed and landscaped creating a colorful and aesthetically pleasing roadside.
- Noise levels will not exceed 75 dB measured at the property line.
- Hours of operation are consistent with the hours most businesses and individuals are working.
- This source has been providing a long-term economical supply of high quality aggregate which has been improving and maintaining the local infrastructure and will continue to do so.

- The site is located in an area that is surrounded by 90% agricultural land.

Public's General Welfare:

- This site will continue to provide a substantial source of high quality aggregates within the county with which to build our homes, schools, highways, buildings, etc. without incurring additional trucking costs.
- Operations only occur in those areas within the required extraction and shoreland zoning setbacks.
- The existing mineral extraction operation has been and will continue to be an environmentally safe project.

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.

- The site is located in an area that is surrounded by 90% agricultural land and has not been impacted by this operation.
- The existing hours of operation are concurrent with normal business hours and no weekends are worked.
- The surrounding berms will shield vision of the operations areas.
- Payne & Dolan has posted and maintained bonds for wells and septic claims and basement claims. These bonds will remain in full force and effect until final reclamation of Phase 2 is complete.
- No drilling or blasting occurs on site.
- No asphalt or redimix plants are located on the site.
- The site will be secured by a fence and locked gates.
- No fuel is stored on site.
- A spill prevention plan and fugitive dust control plan have been implemented and will remain in place.
- All federal, state and local laws and permits will be acquired and maintained throughout the process.

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 surrounding property use is predominately agricultural. This conditional use is permitted within the AT-35 zoning district and will not impeded surrounding farmland or open space. It will, in fact, ensure this area will remain open space.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

No additional services will be required. The access road and intersection improvements have been approved by WisDOT and constructed and paid for by Payne & Dolan. No water will leave the site.

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.

A WisDOT approved entrance road to Phase 2, acceleration and passing lanes have been constructed and paid for by the operator, and adequately support the traffic in the area.

The portion of State Highway 69 that the site entrance is on is being fully reconstructed in 2022 and 2023 which will include new asphalt pavement, aggregate base, and 8-foot wide shoulders. A significant amount of material from the Herfel Aggregate Site will support this road reconstruction.

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

This plan and proposal meets all applicable regulations of the AT-35 zoning district.

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

A conditional use for mineral extraction was approved for this property in 2005 and mineral extraction operations have been active since.

The Dane County Comprehensive Plan designates this property as high potential for material containing high quality aggregate that may be used in asphalt. The County Comprehensive Plan has a goal to "Identify and protect as much of the county's non-metallic mineral resources as is practicable, in the context of environmental, residential and other land use planning objectives, to supply local and regional needs."

The Town of Verona Comprehensive Plan acknowledges the previously approved Herfel Aggregate Site and notes that the operations are to take place on either side of Highway 69. The Town - Comprehensive Plan Future Land Use Map designates the property as Transitional Agriculture.

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.

This property is not located in a Farmland Preservation Zoning district.

Written Statement of Intent and Operations Plan

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.

This conditional use permit application is to allow crushing operations in addition to the current extraction operations at the existing Herfel Aggregate Site operated by Payne & Dolan, Inc. The property has an approved conditional use permit (CUP #1934) and is an active nonmetallic mineral extraction operation. The only difference between this submittal and the currently approved CUP is the ability to bring 2-3 portable crushing units unto the site in order to crush the gravel.

The site operations will be consistent with the currently approved operations with the addition of crushing activities. Operations have included site development, sand and gravel extraction, processing, washing, product delivery, and reclamation. Sand and gravel is removed from below the water table utilizing available technology such as a dragline, backhoe, or dredge. Removal of sand and gravel below the water table will be done "in the wet" and will not require any pumping of water off the site. Equipment used to extract, process, crush, and haul includes, but is not limited to earthmovers, draglines, bulldozers, scrapers, loaders, trucks, conveyors, a scale, scale house, and sizing, washing, and crushing equipment.

The mineral extraction phases will be fenced, gated, signed, and surrounded by berms to ensure security, reduce visibility of the operations, and to contain noise. All excavation will follow the required setback limits and previously approved operations plan.

Areas of the site which are not involved in the extraction or processing operations will continue to be used as crop land.

Payne & Dolan will continue to maintain in full force and effect during the term of the CUP, general liability insurance in the amount of two million dollars (\$2,000,000.00).

List the proposed days and hours of operation.

Hours and days of operations will be consistent with the previously approved hours.

Daily Operation:	Monday through Friday
Hours of Operation:	8:00am to 6:00pm (including equipment maintenance)
Hours for Warm-Up:	7:30am to 8:00am
Hours of Cool Down:	6:00pm to 6:30pm

List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.

There will be approximately 4 to 5 employees on site. This is similar to the number of employees working on site during Phase 1.

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.

Noise, dust, and runoff mitigation measures have been in place since mineral extraction operations began on the property in 2005. These measures include a fugitive dust control plan, a spill prevention plan, landscaped berms, extraction occurs within the required setback limits, erosion control measures are followed, and all required local, state, and federal permits have been received.

Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.

Materials to be stored outside will be consistent with those included in the previously approved conditional use permit. No material will be brought into the site for washing, crushing or any other process. This excludes recycled material.

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 Chapter 11 of Chapter 14, Dane County Code.

No new facilities or infrastructure is being proposed.

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.

Sanitary facilities on site consist of portable toilets. This is consistent with the sanitary facilities in Phase 1.

List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.

A dumpster will be located on site for trash and other waste. This is consistent with the waste management in Phase 1.

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

Traffic and types and weights of vehicles will be consistent with the previously approved operations. There was no negative impact to the travelling public due to the previously approved operations.

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

There will be no fuel or hazardous materials stored on site. A spill prevention plan and fugitive dust control plan have been in place since the beginning of Phase 1 and will remain in place until final reclamation of Phase 2.

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.

All lights when in use will be pointed down to avoid light pollution leaving the site.

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. 10.800.

The previously approved sign located at the entrance of Phase 1 will be relocated to the entrance of Phase 2. No additional signage is proposed at this time.

Briefly describe the current use(s) of the property on which the conditional use is proposed.

The property has an approved conditional use permit and is an active nonmetallic mineral extraction operation.

Briefly describe the current uses of surrounding properties in the neighborhood.

The surrounding property use is predominately agricultural.



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:	Curt & Deb Herfel	Agent Name:	Payne & Dolan, Inc.
Address (Number & Street):	1955 Locust Drive	Address (Number & Street):	N3 W23650 Badinger Road
Address (City, State, Zip):	Verona, WI 53593	Address (City, State, Zip):	Waukesha, WI 53188
Email Address:	N/A	Email Address:	cweninger@walbecgroup.com
Phone#:	N/A	Phone#:	(262) 524-1258

SITE INFORMATION			
Township:	T6N R8E	Parcel Number(s):	31060828495007, 31060828490002, 31060828485009
Section:	28	Property Address or Location:	1906 State Highway 69, Verona, WI
Existing Zoning:	AT-35	Proposed Zoning:	AT-35
		CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE

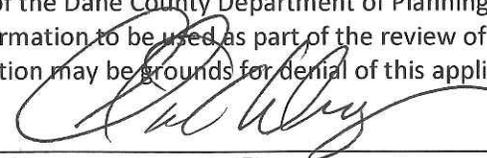
<p>Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):</p> <p>Mineral Extraction</p>	<p>Is this application being submitted to correct a violation?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>Provide a short but detailed description of the proposed conditional use:</p> <p>Payne & Dolan, Inc. has been operating a nonmetallic mineral extraction operation (Herfel Aggregate Site) under Dane County CUP #1934 since it was approved in 2005. CUP #1934 does not allow crushing on the property. Payne & Dolan is requesting the ability to crush on the property. The site operations will remain consistent with the previously approved operations with the addition of crushing. Current operations include site development, sand & gravel extraction, processing, washing, product delivery, and reclamation. The property is zoned AT-35, and the proposed use is allowed by conditional use. If approved, the new CUP would replace CUP #1934.</p>	

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 (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: 
 CLINT WENINGER, P+D

Date: 3/17/2022

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):

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

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.

See attached

List the proposed days and hours of operation.

See attached

List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.

See attached

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.

See attached

Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.

See attached

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 [Chapter 11](#) of [Chapter 14](#), Dane County Code.

See attached

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.

See attached

List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.

See attached

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

See attached

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

See attached

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.

See attached

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. [10.800](#).

See attached

Briefly describe the current use(s) of the property on which the conditional use is proposed.

See attached

Briefly describe the current uses of surrounding properties in the neighborhood.

See attached

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:

- Scale and north arrow.
- Date the site plan was created.
- Existing subject property lot lines and dimensions.
- Existing and proposed wastewater treatment systems and wells.
- All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- All dimension and required setbacks, side yards and rear yards.
- Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- Location and dimensions of any existing utilities, easements or rights-of-way.
- Parking lot layout in compliance with s. [10.102\(8\)](#).
- Proposed loading/unloading areas.
- Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- 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.
- Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- Any lighting, signs, refuse dumpsters, and possible future expansion areas.

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

- Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- 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:

- Hours of operation.
- Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- 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.
- Facilities for managing and removal of trash, solid waste and recyclable materials.
- Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- Signage, consistent with section [10.800](#).

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

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

MINERAL EXTRACTION OPERATIONS

Required Information

For a CUP for mineral extraction, the applicant must provide a legal description, tax parcel numbers, an erosion control plan, and a reclamation plan. In addition, to further describe the operation, the applicant must provide a written statement and operations plan as described:

A written statement containing the following information:

1. General description of the operation.
2. Existing use of the land.
3. Existing natural features including approximate depth to groundwater.
4. The types and quantities of materials that would be extracted.
5. Proposed dates to begin extraction, end extraction and complete reclamation.
6. Proposed hours and days of operation.
7. Geologic composition and depth to the mineral deposit.
8. Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.
9. Proposed phasing plan, if any (recommended for larger sites)
10. Types, quantities, and frequency of use of equipment to extract, process, and haul.
11. Whether and how frequently blasting, drilling, crushing, screening, washing, refueling, fuel storage, asphalt batching or concrete mixing would be performed on site.
12. Whether excavation will occur below the water table and, if so, how ground water quality will be protected.
13. Any proposed temporary or permanent structures (e.g., scales, offices).
14. Any special measures that will be used for spill prevention and control, dust control, transportation, or environmental protection.
15. Proposed use after reclamation as consistent with Chapter 74.

A site/operations plan drawn to scale, at least 11" by 17" in size, and showing the following information:

1. Boundaries of the permit area and of the extraction site.
2. Zoning district boundaries in the immediate area. Label all zoning districts on the submit property and on all neighboring properties.
3. Existing contour lines (not more than 10 foot intervals).
4. Existing natural features including lakes, perennial/navigable streams, intermittent streams, floodplains, wetlands, drainage patterns, and archaeological features.
5. Existing roads, driveways, and utilities. Show width of all driveway entrances onto public and private roads.
6. All residences within 1,000 feet of the property.
7. Specific location of proposed extraction area, staging area, and equipment storage.
8. Proposed location and surfacing of driveways.
9. Proposed phasing plan, if any (recommended for larger sites).
10. Proposed fencing of property, if any, and gating of driveways.
11. Proposed location of stockpiles.
12. Proposed location and type of screening berms and landscaping.
13. Proposed temporary and permanent structures, including scales and offices.
14. Proposed signage, if any.

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)			
2. Written statement that includes the following:			
General description of the operation.			
Existing uses of the land.			
Existing natural features including depth to groundwater.			
Types and quantities of materials that will be extracted.			
Proposed dates to begin extraction, end extraction and complete reclamation.			
Proposed hours and days of operation.			
Geologic composition and depth to the mineral deposit.			
Identify all major proposed haul routes to the nearest Class A highway or truck route. Indicate traffic flow patterns.			
Proposed phasing plan (recommended for larger sites)			
Types, quantities and frequency of use of equipment to extract, process and haul.			
Frequency of blasting, drilling, mining, crushing, screening, washing, refueling.			
Bulk fuel storage.			
Asphalt batching or concrete mixing.			
Proposed storage of recycled materials.			
Does extraction occur below the water table / protection of groundwater.			
Permanent or temporary structures.			
Spill prevention and or dust control.			
Proposed use after final reclamation as consistent with Ch. 74. Separate checklist for reclamation permit.			

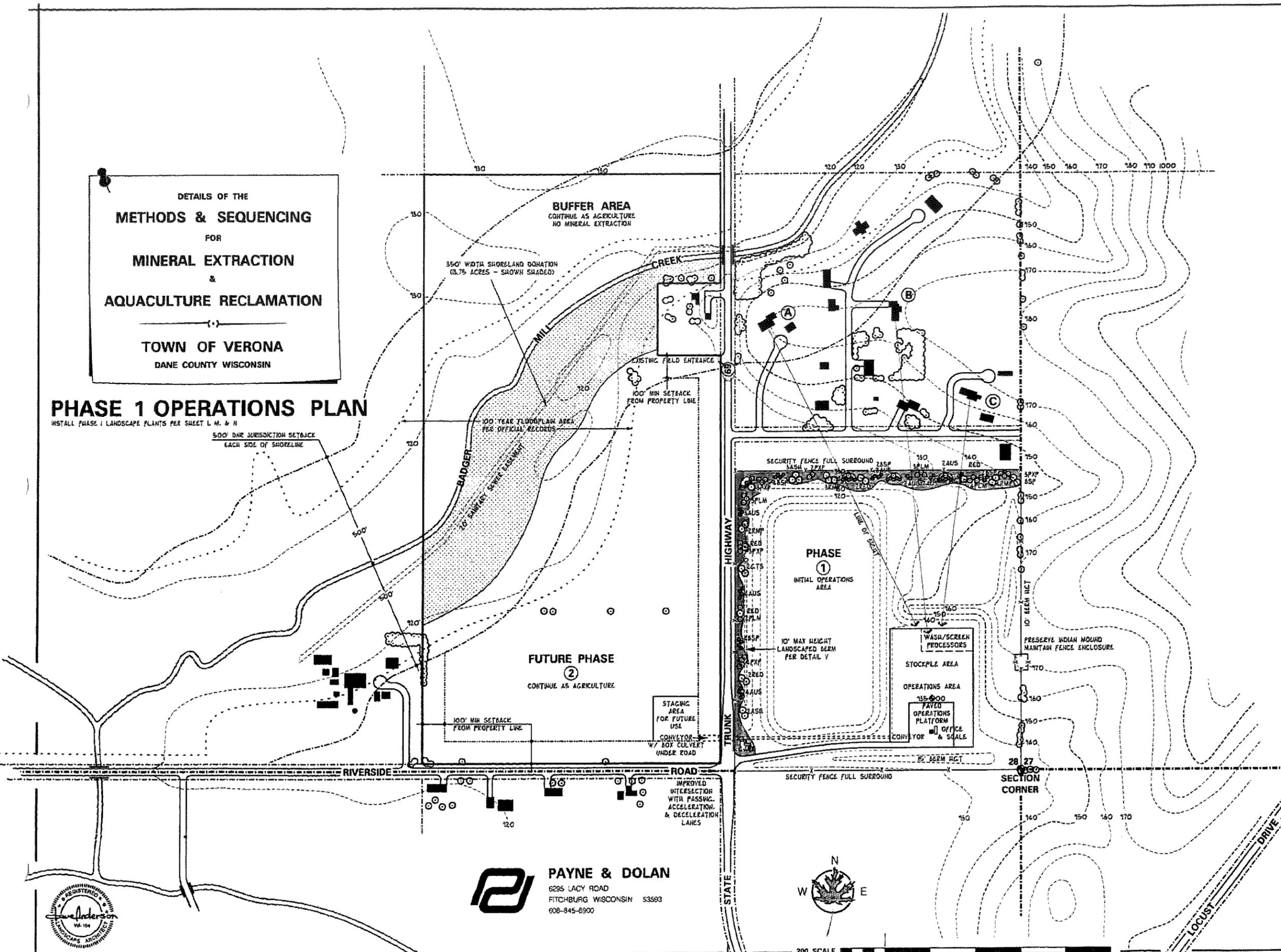
This checklist is required in addition to a complete application for a conditional use permit. Application may be deemed incomplete if required information is not submitted.

DETAILS OF THE
METHODS & SEQUENCING
FOR
MINERAL EXTRACTION
&
AQUACULTURE RECLAMATION
TOWN OF VERONA
DANE COUNTY WISCONSIN

PHASE 1 OPERATIONS PLAN

INSTALL PHASE 1 LANDSCAPE PLANTS PER SHEET L M & N

500' DNR JURISDICTION SETBACK
EACH SIDE OF SHORELINE



 **PAYNE & DOLAN**
6295 LACY ROAD
FITCHBURG WISCONSIN 53593
608-845-8900



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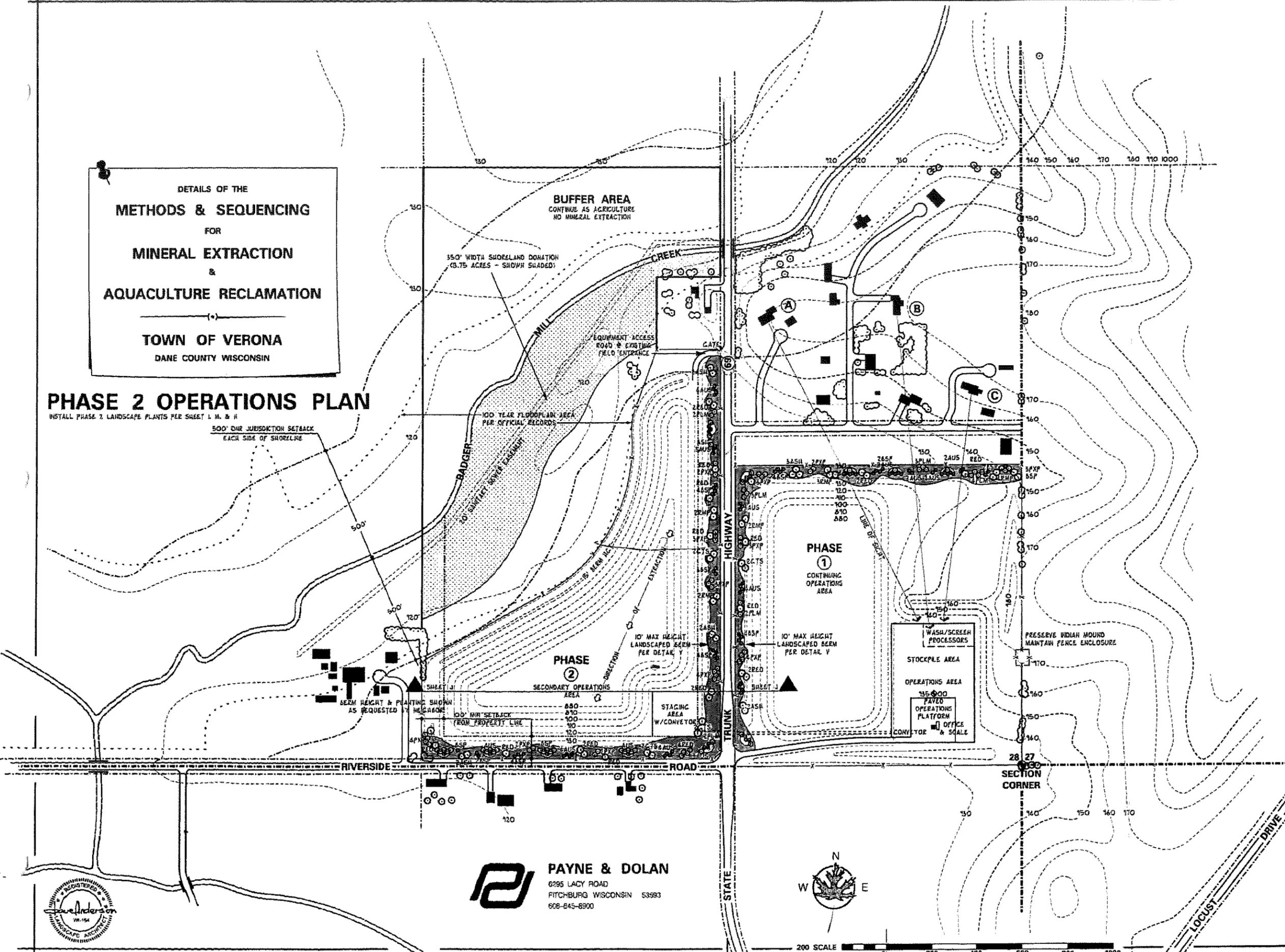
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DATE ISSUED 8 SEP 04
TECHNICIAN 1006
PLAN EXAMINER &
PROJECT MANAGER DDA

DETAILS OF THE
METHODS & SEQUENCING
FOR
MINERAL EXTRACTION
&
AQUACULTURE RECLAMATION
TOWN OF VERONA
DANE COUNTY WISCONSIN

PHASE 2 OPERATIONS PLAN

INSTALL PHASE 2 LANDSCAPE PLANTS PER SHEET L M & H

500' ONE JURISDICTION SETBACK
EACH SIDE OF SHORELINE



PAYNE & DOLAN
6295 LACY ROAD
FITCHBURG WISCONSIN 53593
608-845-8900



PROJECT NUMBER 173807.00
PATH C:\173807\PHASE2.DGN
DATE ISSUED 8 SEP 04
TECHNICIAN 1006
PLAN EXAMINER &
PROJECT MANAGER DDA

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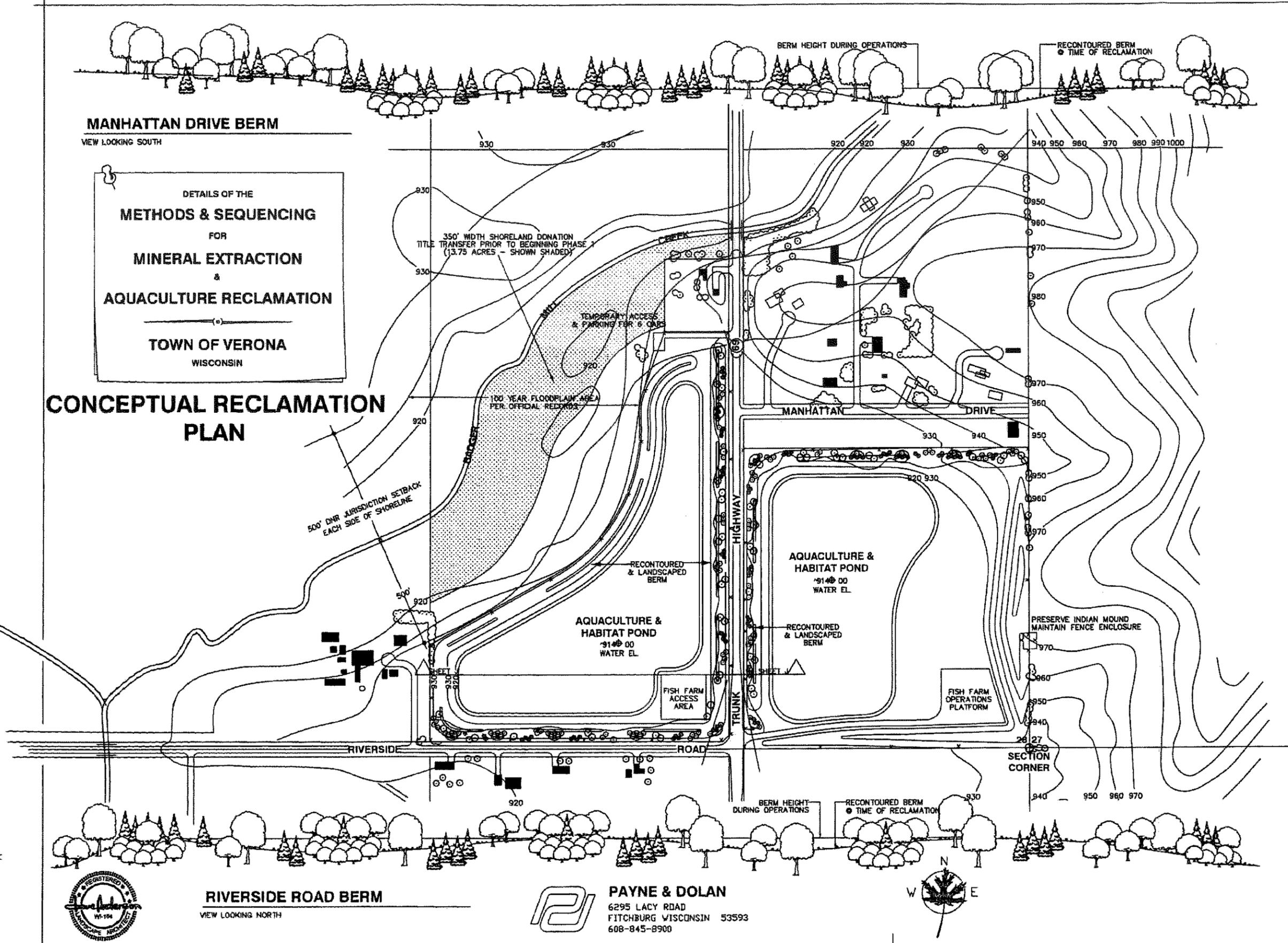
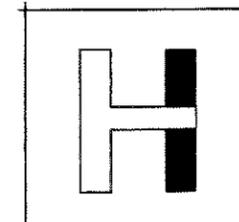
Document #1

**GRAEF
ANHALT
SCHLOEMER**
and Associates Inc.

125 SOUTH 84TH STREET
MILWAUKEE WISCONSIN 53214
414 259 1500
FAX 259 0037

Other Offices Located In:
Green Bay, Wisconsin
Madison, Wisconsin
Chicago, Illinois

PROJECT NUMBER 973807.D0
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DATE ISSUED 30 OCT 01
TECHNICIAN 1006
PLAN EXAMINER &
PROJECT MANAGER DDA



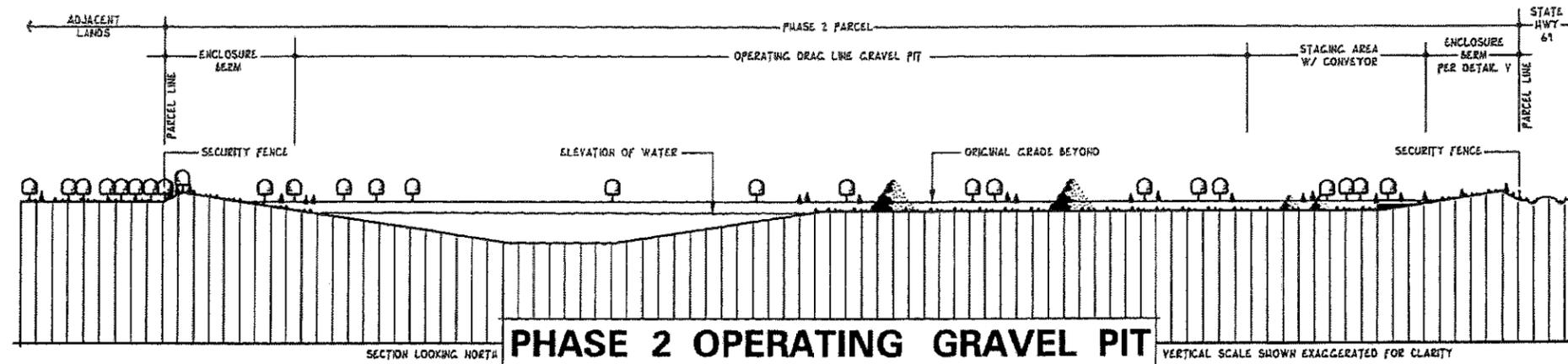
PAYNE & DOLAN
6295 LACY ROAD
FITCHBURG WISCONSIN 53593
608-845-8900

DETAILS OF THE
METHODS & SEQUENCING
 FOR
MINERAL EXTRACTION
 &
AQUACULTURE RECLAMATION
 —————
TOWN OF VERONA
 DANE COUNTY WISCONSIN

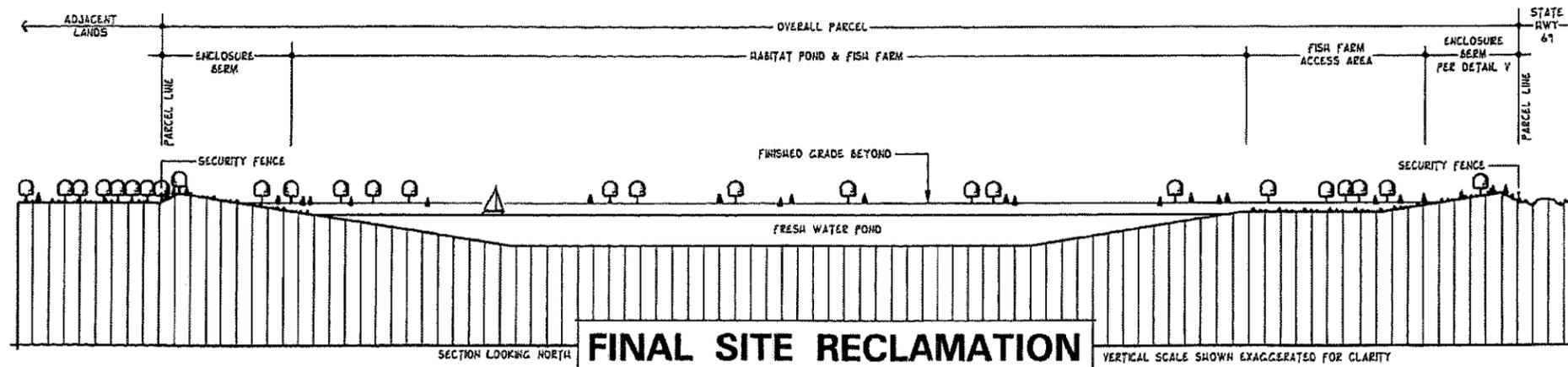


345 NORTH 95TH STREET
 MILWAUKEE WISCONSIN 53226
 414 259 1500
 FAX 259 0037

Other Offices Located In:
 Green Bay, Wisconsin
 Madison, Wisconsin
 Chicago, Illinois



PHASE 2 OPERATING GRAVEL PIT

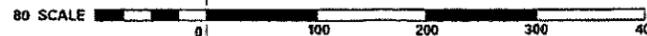


FINAL SITE RECLAMATION

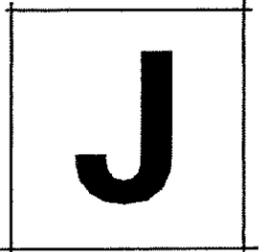
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 DATE ISSUED — 8 SEP 04
 TECHNICIAN — JDD
 PLAN EXAMINER — &
 PROJECT MANAGER — JDD



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 FITCHBURG WISCONSIN 53583
 608-845-8900



LONGITUDINAL SECTIONS

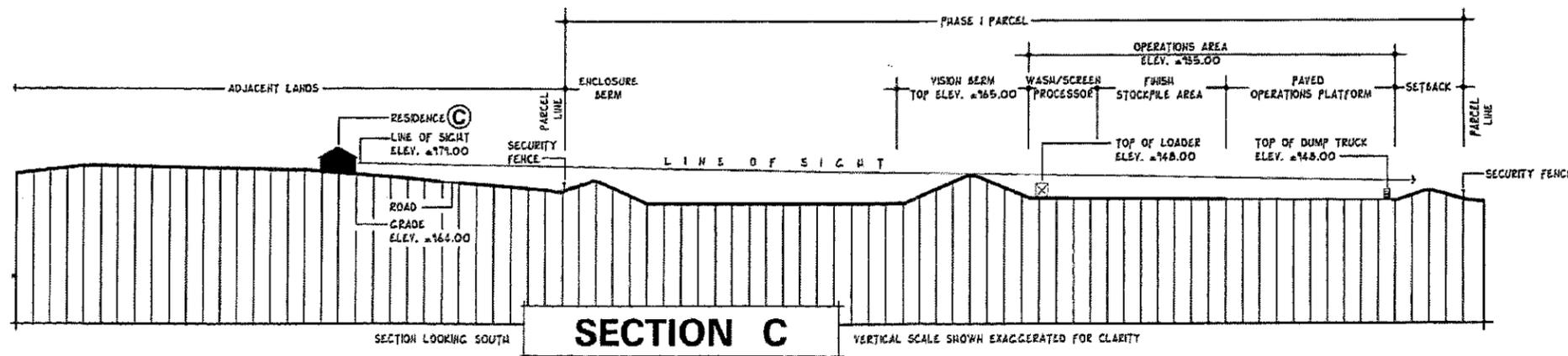
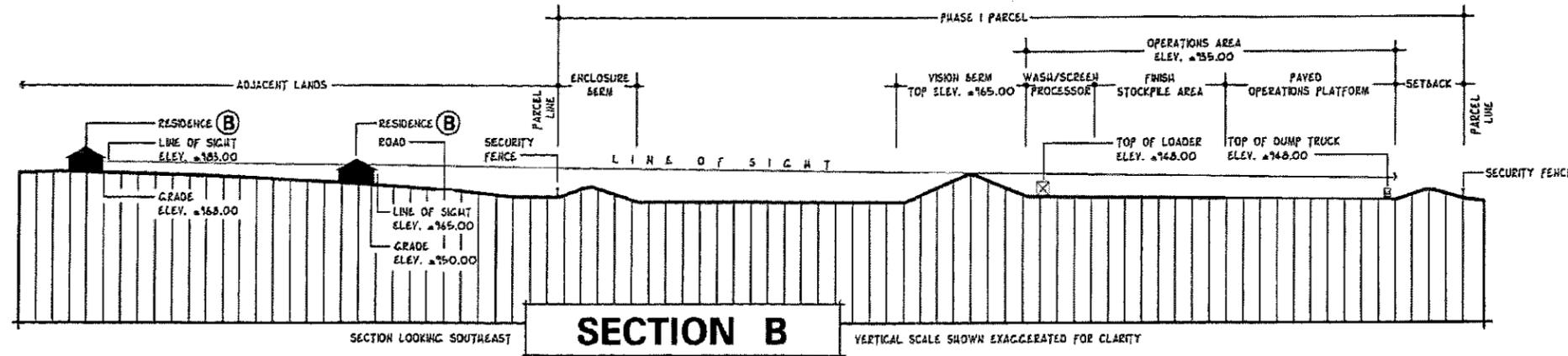
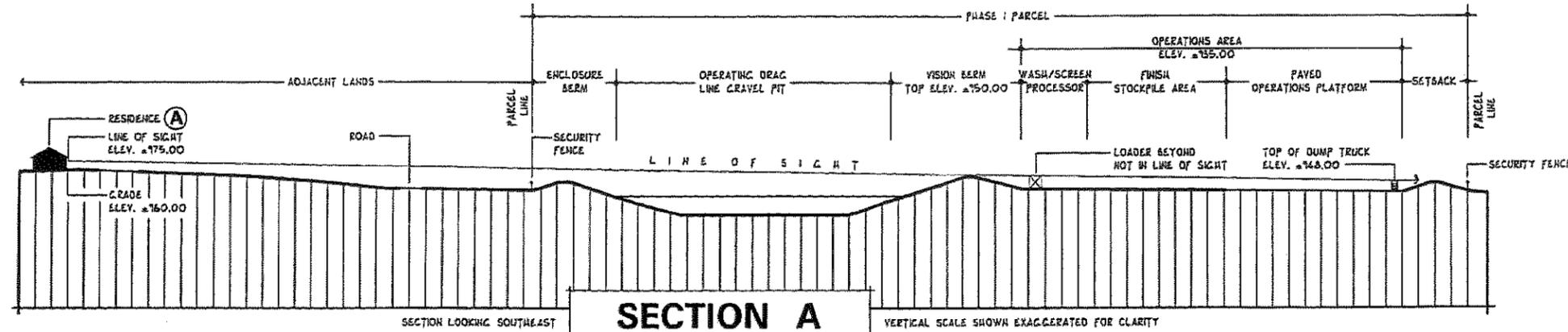


DETAILS OF THE
METHODS & SEQUENCING
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AQUACULTURE RECLAMATION
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TOWN OF VERONA
 DANE COUNTY WISCONSIN



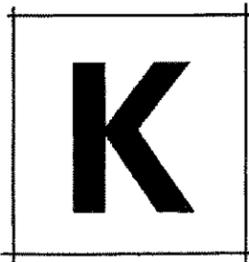
345 NORTH 95TH STREET
 MILWAUKEE WISCONSIN 53226
 414 259 1500
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Other Offices Located In:
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PAYNE & DOLAN
 6295 LACY ROAD
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 808-845-8900

VISION SECTIONS



PROJECT NUMBER 173807.00
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 DATE ISSUED 5 SEP 04
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 PLAN EXAMINER &
 PROJECT MANAGER DBA

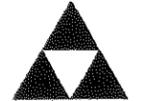
DETAILS OF THE
METHODS & SEQUENCING
 FOR
MINERAL EXTRACTION
 &
AQUACULTURE RECLAMATION
 TOWN OF VERONA
 DANE COUNTY WISCONSIN



CALL BEFORE YOU DIG

STATE LAW REQUIRES YOU TO NOTIFY OWNERS AND OPERATORS OF UNDERGROUND FACILITIES AT LEAST 3 FULL WORKING DAYS BEFORE YOU DIG

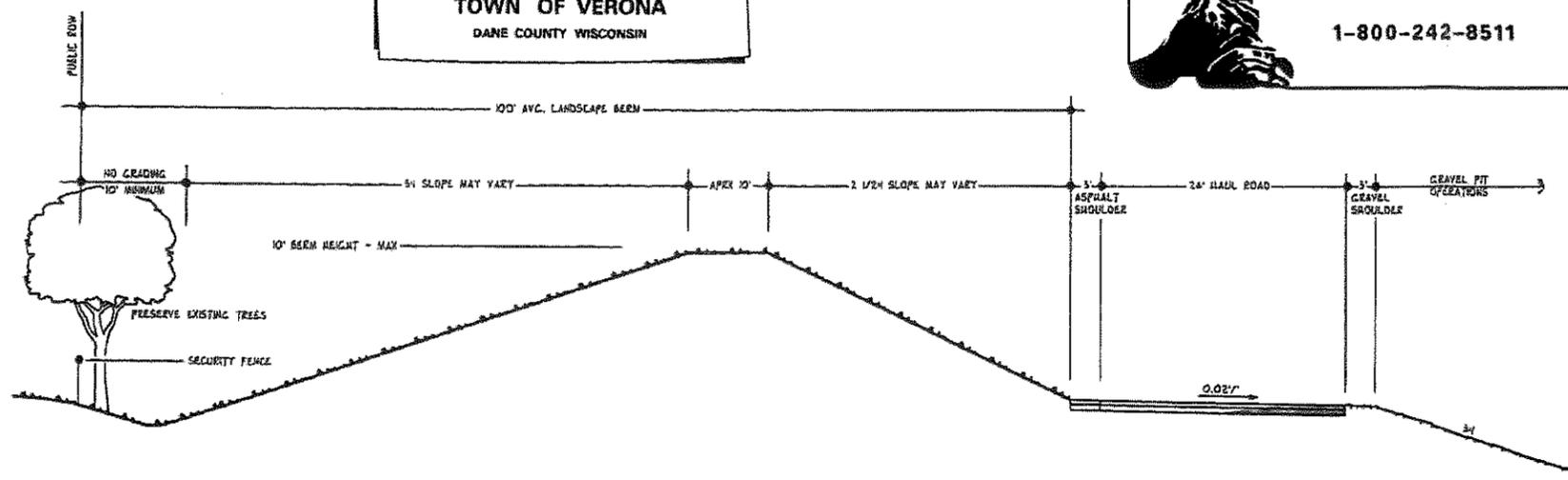
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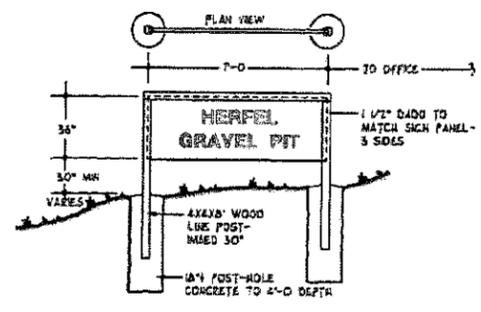
**GRAEF
 ANHALT
 SCHLOEMER**
and Associates Inc.

345 NORTH 95TH STREET
 MILWAUKEE WISCONSIN 53226
 414 259 1500
 FAX 259 0837

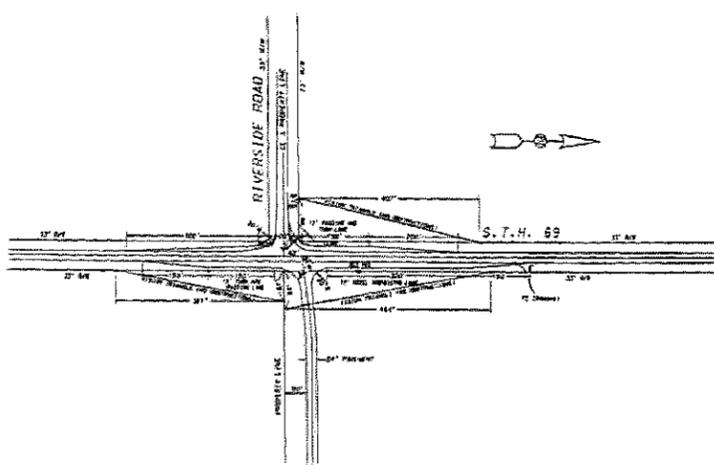
Other Offices Located In:
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 Madison, Wisconsin
 Chicago, Illinois



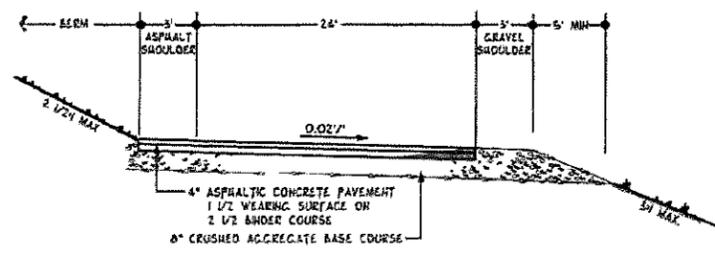
V SECTION THRU LANDSCAPED BERM
 INSTALL LANDSCAPE PLANT MATERIAL AS Laid OUT PER SHEETS I - M - N



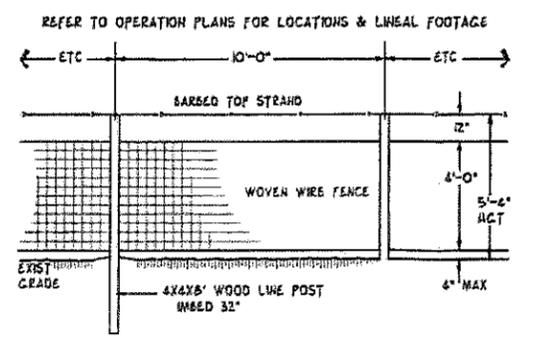
Z LANDSCAPED ENTRY FEATURE
 VIEW LOOKING EAST



X INTERSECTION DETAIL @ STH 69



W PAVING SECTION @ HAUL ROAD
 ENTRY PAVING SECTION



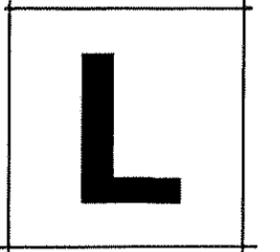
Y WOVEN WIRE SECURITY FENCE
 SUBMIT SHOP DWG-BILL OF MATERIALS ALONG W/ BID PROPOSAL
 TEMPORARY SUBGROUND - GRAVEL PIT ONLY



PAYNE & DOLAN
 6295 LACY ROAD
 FITCHBURG WISCONSIN 53593
 608-845-8900

PROJECT NUMBER 175807.00
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 DATE ISSUED 5 SEP 04
 TECHNICIAN TLE
 PLAN EXAMINER &
 PROJECT MANAGER DDA

OPERATIONS DETAILS



**REVISED 4-25-2022
FOR CUP#2567**



**GRAEF
ANHALT
SCHLOEMER**
and Associates Inc.

345 NORTH 95TH STREET
MILWAUKEE WISCONSIN 53226
414 259 1500
FAX 259 0037

Other Offices Located In:
Green Bay, Wisconsin
Madison, Wisconsin
Chicago, Illinois

DETAILS OF THE
METHODS & SEQUENCING
FOR
MINERAL EXTRACTION
&
AQUACULTURE RECLAMATION
TOWN OF VERONA
WISCONSIN

EXISTING SITE PLAN

500' DNR JURISDICTION SETBACK
EACH SIDE OF SHORELINE

100 YEAR FLOODPLAIN AREA
PER OFFICIAL RECORDS

BADGER
20' SANITARY SEWER EASEMENT

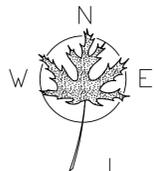
EXISTING FIELD ENTRANCE

EXIST. INDIAN
MOUND

28.27
SECTION
CORNER

CUP# 2567
PERMIT AREA

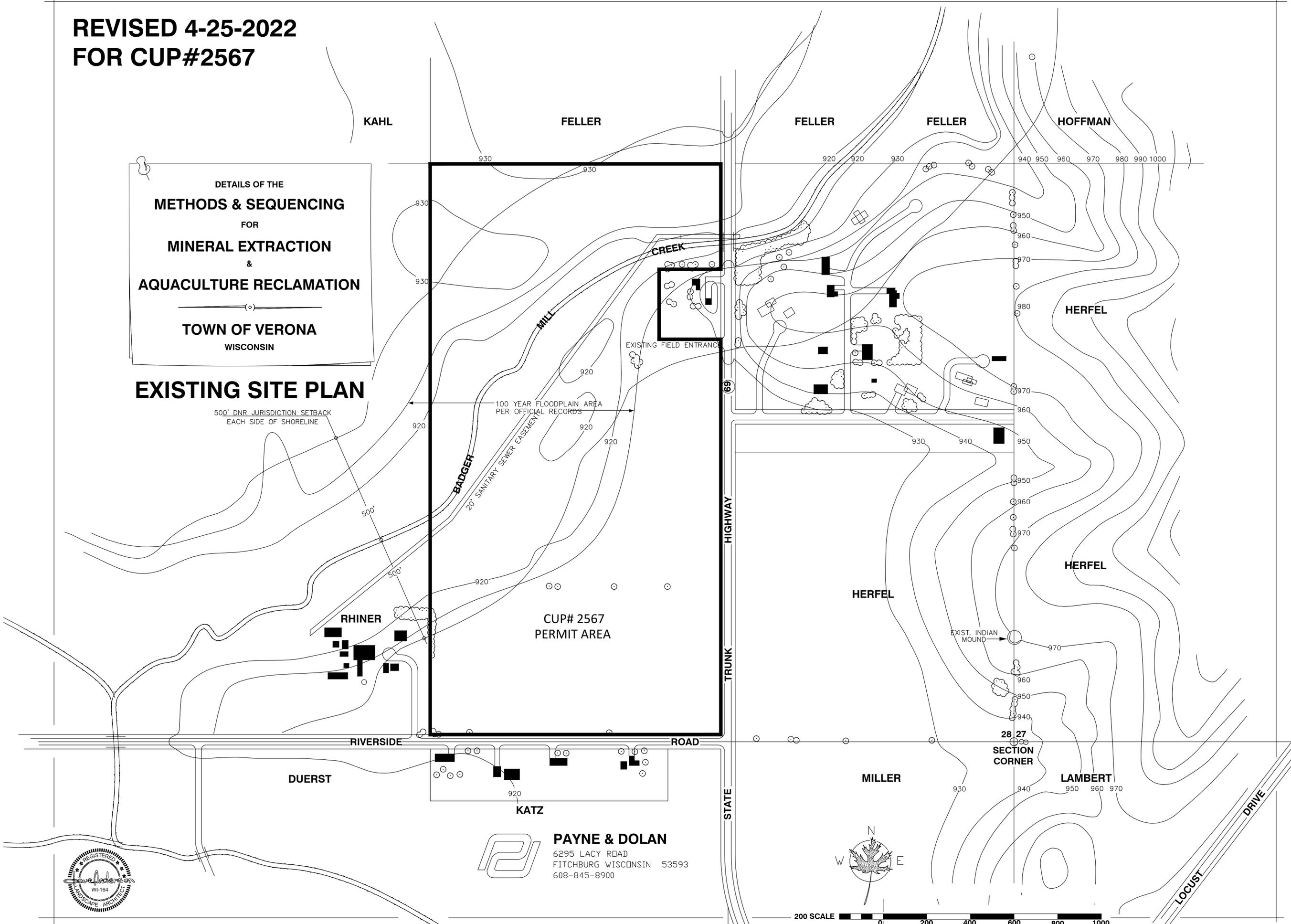
PAYNE & DOLAN
6295 LACY ROAD
FITZBURG WISCONSIN 53593
608-845-8900



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PLAN EXAMINER &
PROJECT MANAGER DDA

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**REVISED 4-25-2022
FOR CUP#2567**

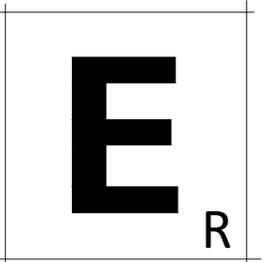


**GRAEF
ANHALT
SCHLOEMER**
and Associates Inc.

345 NORTH 95TH STREET
MILWAUKEE WISCONSIN 53226
414 259 1500
FAX 259 0037

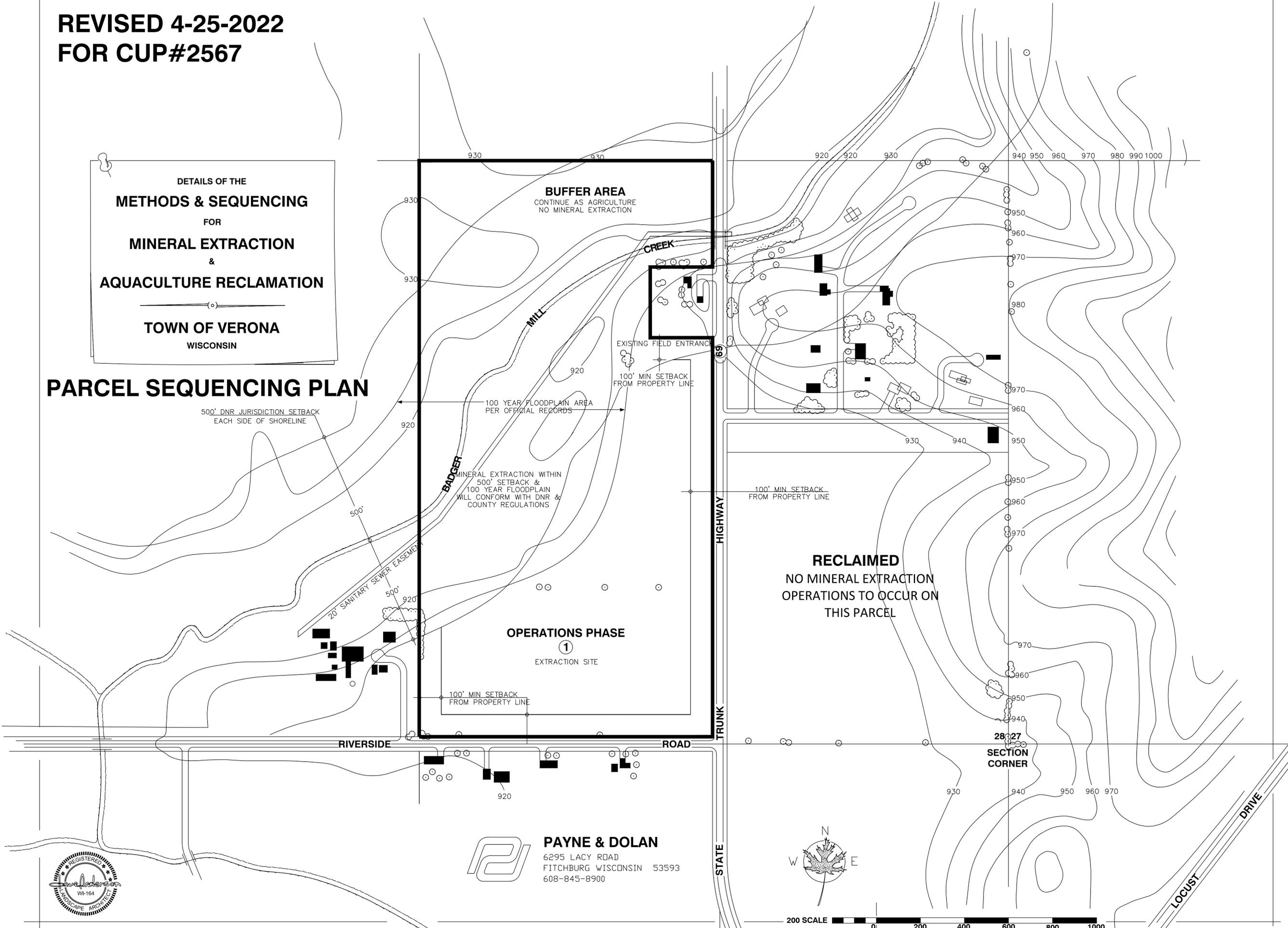
Other Offices Located In:
Green Bay, Wisconsin
Madison, Wisconsin
Chicago, Illinois

PROJECT NUMBER 973807.00
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TECHNICIAN 1006
PLAN EXAMINER &
PROJECT MANAGER DDA

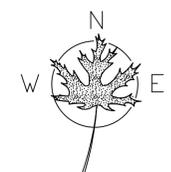


**DETAILS OF THE
METHODS & SEQUENCING
FOR
MINERAL EXTRACTION
&
AQUACULTURE RECLAMATION
TOWN OF VERONA
WISCONSIN**

PARCEL SEQUENCING PLAN



PAYNE & DOLAN
6295 LACY ROAD
FITCHBURG WISCONSIN 53593
608-845-8900



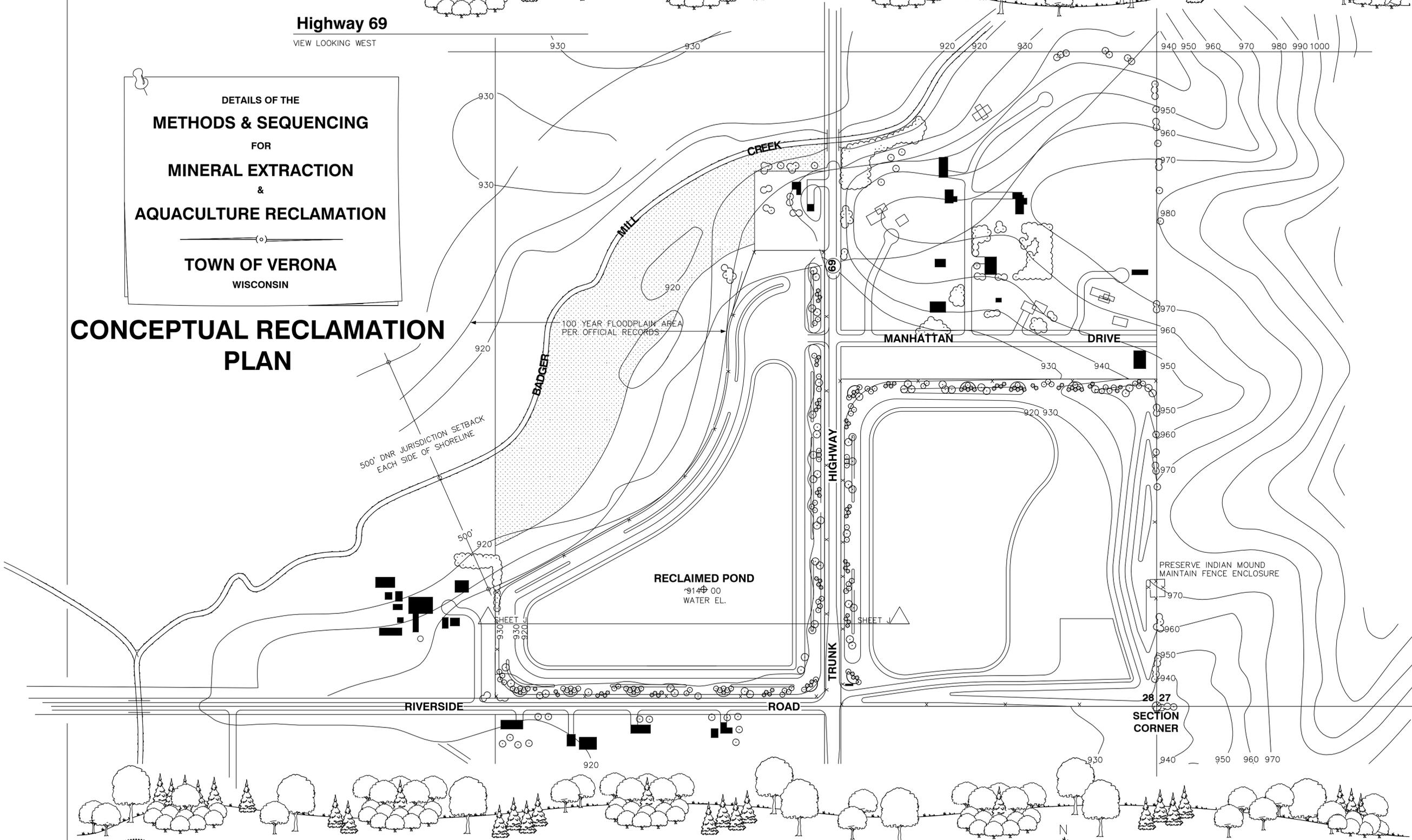
**REVISED 4-25-2022
FOR CUP#2567**

Highway 69
VIEW LOOKING WEST

DETAILS OF THE
METHODS & SEQUENCING
FOR
MINERAL EXTRACTION
&
AQUACULTURE RECLAMATION

TOWN OF VERONA
WISCONSIN

**CONCEPTUAL RECLAMATION
PLAN**



500' DNR JURISDICTION SETBACK
EACH SIDE OF SHORELINE

100 YEAR FLOODPLAIN AREA
PER OFFICIAL RECORDS

RECLAIMED POND
14' 00" WATER EL.

PRESERVE INDIAN MOUND
MAINTAIN FENCE ENCLOSURE

SECTION CORNER



RIVERSIDE ROAD BERM
VIEW LOOKING NORTH

PAYNE & DOLAN
6295 LACY ROAD
FITCHBURG WISCONSIN 53593
608-845-8900



125 SOUTH 84TH STREET
MILWAUKEE WISCONSIN 53214
414 259 1500
FAX 259 0037

Other Offices Located In:
Green Bay, Wisconsin
Madison, Wisconsin
Chicago, Illinois

PROJECT NUMBER 973807.00
PATH G:\973807\RECLAIM.DGN
DATE ISSUED 30 OCT 01
TECHNICIAN 1006
PLAN EXAMINER &
PROJECT MANAGER DDA



DANE COUNTY
CONDITIONAL USE PERMIT #1934

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.255(2) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANT Conditional Use Permit #1934 for a mineral extraction site subject to any conditions contained herein.

EFFECTIVE DATE OF PERMIT: March 2, 2005

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

Part of the S 1/2 of the SE 1/4 and part of the NW 1/4 of the SE 1/4 of Section 28, Town of Verona described as follows: Beginning at the Southeast corner of said Section 12; thence S89°02'58" West along the South line of the SE 1/4, 2643.10 feet to the South quarter corner; thence N00°10'48" East along the West line of the SE 1/4, 2633.65 feet to the center quarter corner; thence N89°17'22" East along the North line of the SE 1/4, 1317.59 feet to the Northeast corner of the NW 1/4 SE 1/4; thence S00°05'45" West along the East line of the NW 1/4 of the SE 1/4, 20.90 feet; thence N89°59'39" West, 32.57 feet to the West right-of-way of State Highway 69; thence S09°39'14" West along said right-of-way, 101.44 feet; thence S00°00'21" West along said right-of-way, 346.72 feet; thence S89°17'22" West parallel with the North line of the SE 1/4, 233.00 feet; thence S00°00'21" West parallel with said right-of-way, 320.00 feet; thence N89°17'22" East parallel with the North line of SE 1/4, 231.67 feet to the West right-of-way of State Highway 69; thence S12°23'59" East along said right-of-way, 85.31 feet, thence S89°59'39" East, 31.23 feet to the East line of the NW 1/4 of the SE 1/4, thence S00°05'45" West along the East line of the NW 1/4 of the SE 1/4, 443.08 feet to the Northwest corner of the SE 1/4 of the SE 1/4; thence N89°10'09" East along the North line of the SE 1/4 of the SE 1/4, 1319.56 feet to the Northeast corner of the SE 1/4 of the SE 1/4; thence S00°00'41" West along the East line of the SE 1/4, 1311.24 feet to the point of beginning.

CONDITIONS:

- 1) An archeological survey of the CUP site shall be conducted by a qualified professional and forwarded onto the State Historical Preservation Division and Dane County;
- 2) An erosion control permit for each phase must be obtained from Dane County prior to beginning development of each phase;
- 3) The mineral extraction phases shall be fenced with a 5 foot high fence with a single strand of barbed wire at the top;
- 4) The enclosure fence shall be posted with "No Trespassing" signs;
- 5) The entrance to each phase shall be gated, and that gate shall have a locking mechanism;
- 6) The only access to Phase II shall be from the existing field entrance;
- 7) A fence around the Indian mound on the east boundary of Phase I shall be constructed at least 25 feet from the described Indian Mound and all other human remains;
- 8) The mineral extraction phases shall be surrounded by earthen berms as shown on the plans and per the WisDOT requirement along STH 69 which requests a 10 foot setback from the current right-of-way easement line to ensure adequate right-of-way width for future STH 69 improvements and that the berms along STH 69 be reduced to 10 feet in height to aid in the maintenance of the highway and coordination of future improvement plans as mentioned in a letter to John Norwell dated 1/1/2002. The construction berms must be completely outside of the highway setback area;
- 9) The berms shall be seeded and landscaped and maintained in a reasonable condition per the submitted planting plan and elevations, Exhibit I;
- 10) The berms on Phase I and Phase II shall have the planned landscaping completed within one year of beginning site development for each phase;
- 11) There shall be no drilling or blasting for the purpose of mineral extraction anywhere on the Herfel property;
- 12) No asphalt plant or concrete plant is to be permitted on Phase I or Phase II sites ever;
- 13) Mineral extraction excavation shall be set back from property lines and rights-of-way a minimum of 100 feet;
- 14) No permanent buildings shall be erected on the site;
- 15) The operator shall secure and maintain in full force and effect during the term of CUP #1934 general liability insurance in the amount of \$2 million dollars, naming the county as an additional insured;
- 16) The only truck access to Phase I shall be the paved haul road entrance onto STH 69 as shown on the plans submitted with the application;

- 17) The Riverside Road intersection must be upgraded to a Type B1 and the entrance to Phase I must also be a Type B1 with an extended acceleration lane of 300 feet on the northbound lane. The intersection and land improvements shall be the expense of the developer as approved by WisDOT. A "Permit to Work on the Right-of-Way" and "Driveway Permits" shall be required and obtained through WisDOT;
- 18) No crushing shall be done on site;
- 19) The "vision triangles" shown on the haul road entrance shall be maintained by the Operator;
- 20) Days and hours of all operations, equipment warm-up, cool down, maintenance and repairs shall be as follows:

Daily Operation= Monday through Friday
Hours of Operation = 8:00 a.m. to 6:00 p.m. (including
equipment maintenance)
Hours for Warm-Up = 7:30 a.m. to 8:00 a.m.
Hours for Cool Down = 6:00 p.m. to 6:30 p.m.

- 21) All loaded dump trucks shall be tarped prior to leaving the site;
- 22) Phase II shall be excavated from north to south. During Phase II excavation, groundwater elevation at Riverside Road shall be monitored at MW#4. If a rise in groundwater is directly attributable to the excavation, the excavation shall be stopped until a plan is developed and implemented to mitigate any potential damage to the homes south of Riverside Road from Phase II. The plan shall be approved by the ZLR Committee following input from the Land Conservation Committee (or their successors). The absence of approval of such a plan within one year shall result in the initiation of reclamation activities. (amended 05-19-2005 by County Board)
- 23) The operator shall require all trucks to be equipped with muffler systems, which meet or exceed the then current standards for noise abatement. All excavation equipment shall meet or exceed the then current industry standards for noise abatement;
- 24) No water from the site is to be pumped off the site;
- 25) There shall be no bulk fuel stored on site;
- 26) No chemical additives are to be used with the water used for washing aggregates or dust control;
- 27) The operator shall meet DNR standards for particulate emissions as described in NR 415.075 and NR 415.076 Administrative Code;
- 28) A spill prevention and counter-measure plan shall apply to all operations on the site including subcontractors and suppliers as per the plans submitted by the applicant;

- 29) The operator shall implement a fugitive dust control plan;
- 30) The operator shall implement a groundwater-monitoring plan as follows:
 - a. Prior to the commencement of any site excavation after the issuance of CUP #1934, the applicant shall offer to sample and inspect local existing wells within 1,000 feet of the CUP limits, which have not been previously inspected. The inspections shall be conducted by an independent qualified inspector approved by the County Sanitarian, selected and paid for by Payne & Dolan;
 - b. Neighbors' wells located within 1,000 feet of the site will be tested semi-annually for bacteria and nitrates;
 - c. On-site monitoring wells will be measured for water elevation on a quarterly basis;
 - d. All sampling and testing will be done by an independent qualified inspector, selected and paid for by Payne & Dolan, and approved by the County Sanitarian;
 - e. If at any time, the annual sample results exceed the levels established in the Wisconsin Administrative Code NR 140.10, the County Sanitarian will be notified and appropriate remedial steps will be taken as outlined in the Wisconsin Administrative Code;
 - f. All remedial steps to be taken shall be as per the attached wells, septic systems and basement claims procedure.
- 31) The area north of Badger Mill Creek shall be designated a "buffer area" as designated on the plans. No mineral extraction shall take place within the "buffer area." Mineral extraction shall not take place within the 100 foot setbacks or within a flood plain, mapped wetland or within 500 feet of Badger Mill Creek;
- 32) If the Wisconsin DNR determines that a decrease in the groundwater base flow to Badger Mill Creek has occurred as a direct result of the operation of CUP #1934, the operator shall replenish the lost flow volume with approximately 60-degree water from a source within the site mutually agreeable to the Wisconsin DNR and the operator;
- 33) The site operator shall follow all aspects of the site/operation plans;
- 34) The operator shall apply for, receive and maintain all other local, state and federal permits;
- 35) The Zoning Administrator or designee may enter the CUP site to conduct inspections for compliance with these conditions or to investigate an alleged violation during normal operating hours and with reasonable notice to the operator;
- 36) The landowners shall sign a covenant that limits access to the two driveways indicated on Payne & Dolan's plans. The

- driveway on the west side of STH 69 shall be a restricted use driveway;
- 37) WisDOT agrees to the concept of the production crossing under the highway provided that a safety section is included and that maintenance and removal agreements are submitted with a "Permit to Work in Right-of-Way";
 - 38) A 13.75+/- acre parcel of land south of Badger Mill Creek with a public access will be offered to the Dane County Parks system upon approval of the conditional use permit. This offer of land will serve as the initial step in preserving open space along Badger Mill Creek as outlined in Dane County's and the Town of Verona's land use plans. The parcel will be enhanced and deeded to Dane County when the owners have acquired replacement pasture;
 - 39) The on-site traffic flow shall be designed to establish minimal backing up of vehicular traffic during normal work operations;
 - 40) Mandatory well testing for bacteria and nitrates to be done semi-annually, and VOCs to be done annually. Contract to be in place before start of operation. All results will be made available to all property owners within 1,000 feet of the site;
 - 41) No material will be brought in to the site for washing, crushing, or any other process. This excludes recycled materials;
 - 42) Phase I extraction operations shall end no later than 13 years after initiation of operations under CUP #1934. Reclamation of Phase I shall be completed within 12 months of the end of extraction operations. Phase II extraction operations shall end no later than 25 years after the initiation of operations under CUP #1934. Reclamation of Phase II shall be completed within 12 months of the end of extraction operations. Payne & Dolan may request a maximum 2 year extension of the permit termination dates by making that request in writing to Dane County Zoning;
 - 43) The mining operation shall be conducted in two phases, beginning with mineral extraction on the Phase I area, (east side of STH 69) and continuing onto the Phase II area (west of STH 69). There shall be no conveyance of material from Phase II to Phase I. The culvert and conveyor system under STH 69 shall be eliminated from the plans. Development of Phase II may begin within 12 months of the anticipated end of the mining and processing operations on Phase I and may include such activities as fencing, berm construction, haul road construction, landscaping, extraction, processing, stockpiling, etc. Loading and hauling of finished products from Phase II shall not begin until hauling of products from

- Phase I has ceased. Reclamation of Phase I shall be completed within 12 months of the completion of mining operations on Phase I. Payne & Dolan, Inc. shall select an engineer to perform a traffic study for the purpose of determining where the access for Phase II will be located and the highway and/or town road improvements necessary to provide safe access to Phase II. The report shall be presented to the WisDOT for their review and approval. Dane County and the Town of Verona shall be given a copy of the approved report. Access to Phase II shall be constructed per the approved traffic and access report. Payne & Dolan, Inc. shall pay all costs associated with performing the traffic study, designing the access improvements and constructing the Phase II haul road access. The traffic study, haul road access design and approval by WisDOT shall be completed before beginning work on the Phase II area;
- 44) Trucking of materials from the site shall be limited to trucks owned or hired by Payne & Dolan, Inc. or customers who have entered into a sales contract with Payne & Dolan, Inc. which includes trucking, in which case the contract with the customer shall include a clause directing the customer to abide by all applicable conditions of CUP #1934;
- 45) Payne & Dolan must offer to place drain tiles around the homes at 7211 and 7229 Riverside Road prior to beginning Phase II. Furnishing and placing of the drain tiles will only be done with written approval of the property owner;
- 46) Payne & Dolan must offer the following protections for neighbors' wells, septic systems and basements:
- a. Private well and septic system assurance. Prior to the commencement of any site excavation after the issuance of CUP #1934, Payne & Dolan shall offer to inspect and test local existing wells and septic systems within 1,000 feet of the CUP limits for bacteria and nitrates. The inspections shall be conducted by an independent qualified inspector approved by the County Sanitarian, selected, and paid for by Payne & Dolan.

In the event any well or septic system within 1,000 feet of the site fails or is deemed unusable, Payne & Dolan, upon notification by the property owner, shall immediately provide water and/or septic services without regard to the cause.

Payne & Dolan shall post and maintain at all times during the term of CUP #1934, a bond in favor of Dane County in the amount of fifteen thousand dollars

(\$15,000) as security for its obligations under the private wells and septic systems claims procedure.

- b. Basement assurance. Prior to the commencement of any site excavation after the issuance of CUP #1934, Payne & Dolan shall offer to inspect basements of homes within 1,000 feet of the CUP area. The inspections are to establish and to document existing conditions of the basement prior to commencing development of the CUP site.

Payne & Dolan shall post and maintain at all times during the term of CUP #1934 a bond in favor of Dane County in the amount of ten thousand dollars (\$10,000) as security for its obligations under the basement claims procedure.

Mitigation may include, but is not limited to drain tile, sump pump, rebuilding the basement, etc. The owner shall give their approval for the mitigation in writing prior to beginning the mitigation. Should the need for mitigation be found to be necessary due to the operation of CUP #1934, Payne & Dolan shall maintain the equipment and provide electrical power, if used, for the life of CUP #1934.

- c. Private well, septic system, and basement claims procedure. Any damage to private wells, septic systems or basements located within 1,000 feet of the CUP area, including the immediate relief provided in the previous paragraph caused by gravel pit operations shall be compensated by Payne & Dolan in accordance with the following procedures:
 - 1. In the event any well within 1,000 feet of the site fails or is deemed unusable, Payne & Dolan, upon notification by the property owner, shall mitigate any inconvenience to the property owner, without regard to the cause. This mitigation may include providing water, septic services or other remedy;
 - 2. Any claim for damage shall be presented to Payne & Dolan in writing with a sworn certification, estimate of damage, and request for payment;
 - 3. Payne & Dolan shall have the right to inspect the well to determine whether in its own good faith

judgment, the damage was caused by gravel pit operations;

4. In the event of a good faith dispute, Payne & Dolan shall post 125% of the amount of claimed damage with a bank identified by Dane County and the matter shall be referred to the University of Wisconsin-Madison Department of Civil Engineering or other qualified independent third party approved by the County Sanitarian for determination of the cause of the damage claimed by the property owner. Such determination shall be promptly rendered after presentation. Payne & Dolan shall pay the claim within five (5) business days of decision if the decision maker determined that the gravel pit operations caused the damage;
 5. The non-prevailing party to the dispute shall have the responsibility for payment of all reasonable costs and reasonable attorney's fees of the prevailing party and the costs of the University of Wisconsin-Madison Department of Civil Engineering or other qualified independent third party incurred in rendering its decision.
- 47) Payne & Dolan must extend an offer for seven days after approval of CUP #1934 for a "*Property Value Agreement*" to homeowners within $\frac{1}{4}$ mile of the CUP site.

THE ZONING AND NATURAL RESOURCES COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDING 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.

EXPIRATION OF PERMIT

In addition to any time limit established as a condition in granting this CUP, Section 10.255(2)(n) of the Dane County Code of Ordinances provides that any use for which a conditional use permit has been issued, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated and any future use shall be in conformity with the ordinance.



TOWN OF VERONA
APPLICATION FOR LAND USE CHANGE

Please review the Town of Verona Comprehensive Land Use Plan and Subdivision and Development Ordinance 05-04 (found on the Town website: (www.town.verona.wi.us) and Dane County Ordinances Chapter 10 – Zoning, Chapter 11 – Shoreland, Shoreland-Wetland and Inland-Wetland Regulations, and Chapter 75 – Land Division and Subdivision Regulations prior to application. A pre-application meeting or initial review should be scheduled with Town Staff and/or Plan Commission Chair if you have any questions or concerns and to determine the fees associated with the application.

Proposed land use change for (property address/legal description): WARREN & MARY ANN OLSEN
6466 SUNSET DRIVE

Please check all that apply:

- comprehensive plan amendment – please see specific submittal requirement
- rezone petition
 - current zoning category RR-2
 - new zoning category MFR-08
- conditional use permit
 - conditional use requested _____
- certified survey map
- preliminary plat (CONDO PLAT)
- final certified survey map
- concept plan
- site plan
- request for Town road access

Property Owner Phone 845-7972

Address 6466 SUNSET DR. E-Mail WOLSEN@CHARUS.NET

Applicant, if different from the property owner RONALD R. KLAAS, D'INFRIIO KOTKE

Applicant's Phone (608) 833-7530 E-mail RKLAAS@DINFRIIO.CC

If the applicant is different from property owner, please sign below to allow the agent to act on behalf of property owner.

I hereby authorize _____
to act as my agent in the application process for the above indicated land use change.

Signature _____

Date _____

Description of Land Use Change requested: (use reverse side if additional space is needed)

4 UNIT CONDOMINIUM PLAT TO CREATE 3 ADDITIONAL
HOME SITES

I certify that all information is true and correct. I understand that failure to provide all required information and any related fees will be grounds for denial of my request.

Applicant Signature [Signature]

Date 11-12-21

Print Name RONALD R KLAAS

RETURN COMPLETED APPLICATION TO MAP/PLAN AND ANY OTHER INFORMATION VIA EMAIL TO:

Sarah Gaskell, Administrator, Town of Verona
7669 County Highway PD, Verona, WI 53593
sgaskell@town.verona.wi.us
(608) 845-7187

OFFICE USE ONLY

Application # _____
Fee _____
Paid by _____
Date _____ Check # _____
Receipt # _____

There are no objections to this condominium with respect to Sec. 703 Wis. Stats and is hereby approved for recording.

Dated this ____ day of _____, 20____

Dane County Planning and Development

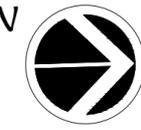
SUNSET DRIVE PINES

A CONDOMINIUM PLAT

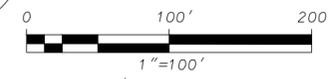
LOCATED IN THE SE1/4 OF THE NW1/4 AND THE SW1/4 OF THE NE1/4
OF SECTION 36, T6N, R8E,
TOWN OF VERONA, DANE COUNTY, WISCONSIN

Building Setbacks (in feet)

Unit Number	NORTH	SOUTH	EAST	WEST
1	50	100	50	50
2	50	100	50	50
3	50	50	50	50
4	50	50	50	50



GRID NORTH
WISCONSIN COUNTY
COORDINATE SYSTEM
(DANE ZONE)
THE SOUTH LINE OF THE NE
1/4 OF SECTION 36, T6N,
R8E BEARS N89°29'52"W



- LEGEND**
- PLACED 3/4"X18" IRON REBAR (WT=1.5 LBS/FT)
 - FOUND 3/4" IRON REBAR
 - ⊙ FOUND 1" IRON PIPE
 - ⊙ FOUND 1/2" IRON PIPE
 - () "RECORDED AS" INFORMATION

LEGAL DESCRIPTION

A parcel of land located in the SE1/4 of the NW1/4 and the SW1/4 of the NE1/4 of Section 36, T6N, R8E, Town of Verona, Dane County, Wisconsin to-wit: Commencing at the East 1/4 corner of said Section 36; thence N89°29'52"W, 2292.80 feet along the South line of said NE1/4; thence N00°47'27"E, 33.00 feet to a point on the North right-of-way line of Sunset Drive, also being the point of beginning; thence N89°29'52"W, 322.64 feet along said North right-of-way line; thence N89°30'09"W, 326.28 feet along said North right-of-way line to a point on the East line of Lot 2, Certified Survey Map No. 12066; thence N01°09'44"E, 1275.28 feet along the East line of Lot 2, Certified Survey Map No. 12066 and the Northerly extension thereof to point on the North line of said SE 1/4 of the NW 1/4; thence S89°31'27"E, 321.14 feet to the Southeast corner of said Unit 3, Deer Haven Estates Condominium; thence S89°43'03"E, 319.52 feet to the Southeast corner of said Unit 3; thence S00°47'27"W, 1276.56 feet along the West line of Deer Haven Trail and the Southerly extension thereof to the point of beginning. Containing 822,482 square feet (18.882 acres).

SURVEYOR'S CERTIFICATE

I, Brett T. Stoffregan, Professional Land Surveyor, S-2742, hereby certify that the plat hereon is prepared in accordance with Wisconsin Statutes, Section 703.11 and is a correct representation of the condominium described. I further certify that such map correctly represents all exterior boundaries and that the locations of each unit and the common elements can be determined from the plat.

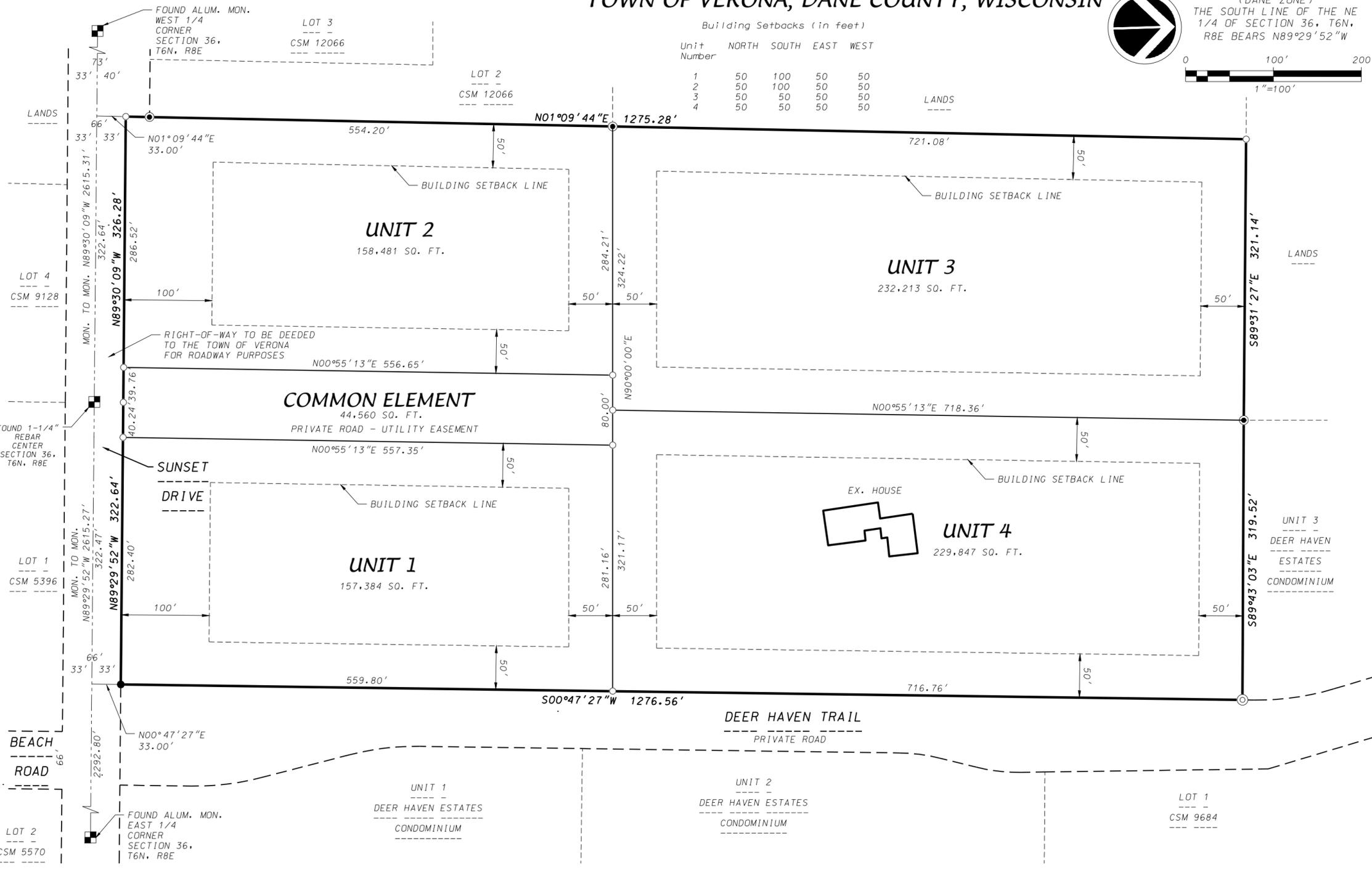
Dated this ____ day of _____, 2022

Brett T. Stoffregan,
Professional Land Surveyor, S-2742

REGISTER OF DEEDS CERTIFICATE

Received for recording this ____ day of _____, 2022 at ____ o'clock ____ M. and recorded in Volume ____ of of Condominium Plats on Pages ____ as Document Number ____.

Kristi Chlebowski, Dane County Register of Deeds



BEACH ROAD

DEER HAVEN TRAIL
PRIVATE ROAD

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089

SUNSET DRIVE PINES

A Small Condominium Created Under Wis. Stats. § 703.365

This Document was drafted by and should be returned to:

Robert C. Procter, Esq.
Axley Brynelson, LLP
2 East Mifflin Street, Suite 200
Post Office Box 1767
Madison, WI 53701-1767

Tax Parcel Identification Numbers

There are no objections to this condominium with respect to Sec. 704 Wis. Stat. and is hereby approved for recording.

Dated this _____ day of _____, 2023

Dane County Planning and Development

**DECLARATION
OF
SUNSET DRIVE PINES CONDOMINIUM**

This Declaration (the “*Declaration*”) is made under and pursuant to the Condominium Ownership Act of the State of Wisconsin (the “*Act*”) as codified in Chapter 703, Wisconsin Statutes, as amended, by the Olsen Trust (the “*Declarant*”).

**ARTICLE 1
STATEMENT OF DECLARATION AND PURPOSE**

The Declarant hereby subjects the real property and improvements described in Section 2.1 (the “*Property*” or the “*Condominium*”) to the condominium form of ownership in the manner provided by the Act.

**ARTICLE 2
DESCRIPTION, NAME AND RESTRICTIONS**

2.1 Legal Description. The Property subject to this Declaration is owned by the Declarant and is described on Exhibit A. The Condominium shall consist of four (4) units which shall be designated as Unit 1, Unit 2, Unit 3, and Unit 4.

2.2 Name and Address. The name of the Condominium is “*Sunset Drive Pines*”. The Condominium’s principal address is 6466 Sunset Drive, Town of Verona, Dane County, Wisconsin, 53593.

2.3 Covenants, Conditions, Restrictions, and Easements. The Condominium shall be, on the date this Declaration is recorded, subject to:

- (a) General taxes and special assessments not yet due and payable;
- (b) Easements and rights in favor of gas, electric, telephone, water, and other utilities;
- (c) All other easements, covenants, and restrictions of record;
- (d) All municipal, zoning, and building ordinances; and
- (e) All other governmental laws and regulations applicable to the Condominium.

2.4 Small Condominium. The Condominium shall be a small condominium as defined in Wis. Stats. § 703.02(14m), and as set forth under Article 5 of this Declaration.

2.5 Purpose / Restrictions. The Condominium building and the Units may be used for any purposes subject to recorded deed restrictions and applicable zoning ordinances.

ARTICLE 3
UNITS, UNIT OWNERS AND UNIT USES

3.1 Definition of a Unit. “*Unit*” shall mean a part of the Condominium intended for independent use.

3.2 Description. A Unit in the Condominium shall be a cubicle of air whose perimetrical boundaries shall be set forth for such unit on the Condominium Plat, whose lower boundary is an imaginary horizontal plane located parallel to and 100 feet below the surface of the ground, extended to the perimetrical boundaries; and whose upper boundary is an imaginary horizontal plane located parallel to and 500 feet above the surface of the ground, extended to the perimetrical boundaries.

3.3 Identification. The Units are identified by unit number on the Condominium Plat, together with any and all improvements constructed or to be constructed thereon. A copy of the Condominium Plat is attached as Exhibit B.

3.4 Separation, Merger, and Boundary Relocation. Boundaries between Units may be separated, merged or relocated consistent with the Section 703.13 of the Act. Any separation, merger or boundary relocation shall require approval of the Town Board and Dane County.

3.5 Unit Owner. “*Unit Owner*” or “*Owner*” means a person, combination of persons, partnership, corporation, or other legal entity, which holds legal title to a Unit; *provided, however*, that in the event equitable ownership has been conveyed in the Unit by means of a land contract or other similar document, “Unit Owner” or “Owner” shall mean the land contract purchaser or vendee.

ARTICLE 4
COMMON ELEMENTS

4.1 Common Elements. “*Common Elements*” means all of the Condominium except the Units including, without limitation, any portion of the land and improvements to the Property that are not included in the definition and description of Unit, and all tangible personal property used in the operation, maintenance, and management of the Condominium. **NOTE: AT THE TIME OF THE RECORDING OF THIS DECLARATION, THE ONLY COMMON ELEMENT IS THE SHARED DRIVEWAY.**

4.2 Ownership / Percentage Interest. Each Unit has an equal, undivided interest in the Common Elements determined by taking the number one and dividing it by the total number of Units.

4.3 Limited Common Elements.

(a) Definition. “*Limited Common Elements*” shall mean those Common Elements identified in this Declaration and on the Condominium Plat as reserved for the exclusive use of one or more but less than all of the Owners of Units.

(b) Description. **As of the recording of this Declaration, there are no limited common elements. Accordingly, this section 4.3 would only be applicable if the condominium is amended in the future to include limited common elements.**

ARTICLE 5 AGREEMENT IN LIEU OF BYLAWS AND VOTING RIGHTS

5.1 Governance. Pursuant to Wis. Stat. § 703.365(3m), the administration of the Condominium shall be governed by this Declaration, which shall conclusively constitute an agreement in lieu of Bylaws. As provided under Wis. Stat. § 703.365(1) (a) and (b), the following subsections shall apply to this Declaration: Wis. Stat. § 703.365(2) (a) - (e), and (3) (a) - (d), (3m), and (5)-(8). Any subsection under Wis. Stat. § 703.365 that is not specifically incorporated hereunder shall not apply to this Declaration.

5.2 Association. The Association shall be known as the “*SUNSET DRIVE PINES CONDOMINIUM ASSOCIATION*”. All aspects of management, operation and duties of the Association shall be delegated to the Board of Directors. The Board of Directors shall be composed of one representative from each Unit, chosen by and from among the Unit Owner(s) of that Unit. Upon any transfer in Unit ownership, the new Unit Owner shall automatically be a member of the Association and subject to this Declaration and the Act. By becoming members of the Association, each Unit Owner assigns the management of the Common Elements of the Condominium to the Association. The Association shall act as trustee for the Unit Owners in any proceedings involving any settlements or agreements related to injury, destruction or taking of Condominium property. All actions of the Board of Directors must be approved by an affirmative vote or written consent of at least 75% of the Directors.

5.3 Voting Rights. Each Unit shall be entitled to one vote. If a Unit is owned by more than one person, the vote for the Unit shall be cast as agreed by the persons who have an ownership interest in the Unit, and if only one such person is present, it is presumed that person has the right to cast the Unit vote unless there is contrary evidence presented. In the event the persons cannot agree on the manner in which the vote is to be cast, no vote may be accepted from the Unit.

5.4 Notice. Notice of Association meetings shall be given to each Unit Owner at least three business days prior to a Meeting of the Association; provided, however, that a Unit Owner may waive its right to receive Notice under this provision.

5.5 Expenses, Maintenance and Operation. Any disputes relating to the Expenses, Maintenance and Operation shall be resolved consistent with Wis. Stat. § 703.365(6).

ARTICLE 6 REPAIRS AND MAINTENANCE

6.1 Units. Each Unit Owner shall be responsible for the construction, maintenance, repair, and replacement of all improvements constructed on or within the Unit. A Unit Owner may make improvements or alterations within his/her Unit in accordance with the Declaration.

6.2 Common Elements. The Common Elements may require repair or replacement from time-to-time, and the Association shall undertake the obligations to repair or replace the Common Elements as needed consistent with Article 5 of this Declaration; provided, however, that any damages to any of the Common Elements caused by a Unit Owner or a Unit Owner's employees, customers, guests, invitees, etc., shall be charged to the Unit Owner that caused such damages. **NOTE: AT THE TIME OF THE RECORDING OF THIS DECLARATION, THE ONLY COMMON ELEMENT IS THE SHARED DRIVEWAY.** Each Unit Owner is responsible for the construction and maintenance of the portion of their individual driveway within the Common Element, from the shared driveway to the Unit boundary.

ARTICLE 7 INSURANCE

7.1 Unit Owners' Insurance. Each Unit Owner shall obtain adequate property and liability insurance for its respective Unit including, without limitation, coverage for all buildings, improvements, fixtures, furniture, equipment and personal property located within the Unit.

7.2 Property Insurance. If there are any Common Elements in the future, the Board of Directors on behalf of the Unit Owners shall obtain and maintain insurance for the Common Elements covering the perils of fire, extended coverage, vandalism, and malicious mischief on a repair and replacement cost basis, for an amount not less than the full replacement value of the insured property.

7.3 Liability Insurance. If there are any Common Elements, the Board of Directors on behalf of the Unit Owners shall maintain comprehensive general liability insurance against all claims commonly insured against and in such amounts as the Board of Directors shall deem suitable for the Common Elements. Each Unit Owner's policy shall also contain "severability of interest" endorsements which shall preclude the insurer from denying the claim of a Unit Owner because of negligence on the part of the Association or other Unit Owners.

7.4 Administration. Any and all premiums associated with the insurance purchased on behalf of the Association covering the Common Elements shall be Common Expenses. All insurance shall be obtained from generally acceptable and commercially respectable insurance carriers.

ARTICLE 8 COMMON EXPENSES

8.1 General Assessments. The Board of Directors may levy general assessments (the “*General Assessments*”) against the Units for the regular maintenance, repair and replacement of Common Elements.

8.2 Special Assessments. The Board of Directors may levy special assessments (the “*Special Assessments*”) against the Units, for any purpose for which the Board of Directors may determine a Special Assessment is necessary or appropriate for the improvement or benefit of the Condominium. Special Assessments shall be paid at such time and in such manner as the Association may determine.

8.3 Lien. The assessments shall constitute a lien on the Units against which they are assessed. Attachment, filing, effectiveness, priority, and enforcement of the lien shall be as provided in Section 703.165 of the Wisconsin Statutes, as amended.

8.4 Unit Sale. Except as otherwise provided herein, unpaid assessments against a Unit shall be a joint and several liability of the seller and purchaser in a voluntary transfer of the Unit if a statement of condominium lien covering the delinquency shall have been recorded prior to the transfer.

ARTICLE 9 PROTECTIVE COVENANTS, ARCHITECTURAL CONTROL

9.1 General Purpose, Standards, Variances.

- (a) *General Purpose.* The general purpose of the covenants and restrictions set forth in this Article 9 (the “*Protective Covenants*”) is to help assure that the Condominium will become and remain an attractive and safe community.
- (b) *Standard of Review.* It is the intent of these Protective Covenants to create reasonable restrictions that are enforced in a reasonable manner. In any enforcement action, the court or arbitrator shall interpret and enforce these Protective Covenants in a manner that will impose a reasonable result balancing the cost to the Unit Owner(s) subject to the enforcement action and the impact to the Condominium.
- (c) *Variances.* The Board shall grant variances from any provision of this Declaration where such variance is not inconsistent with the

intent and spirit of this Declaration, and such variance is reasonable and does not have a significant, negative impact on the aesthetics or property values of the Condominium or other Units. The granting or denial of any variance shall be subject to the Standard of Review set forth under Section 9.2.

- (d) *Board Review.* No buildings shall be erected or placed on a Unit until the plans, specifications, lot drawing showing elevations and location shall have been approved in writing by the Board. The purpose of this approval is to ensure that the planned construction meets the covenants and restrictions of this document and is not intended to review floor plan arrangements, building style or design unless specifically outlined in this document. In the event the Board, or its agent do not object to such construction plans, specifications, lot plan and elevations in writing within 15 days after the above has been submitted, then such approval shall be deemed to have been given. All other conditions outlined in these covenants and restrictions are still binding and may be enforced by legal process.
- (e) *Liability of Board.* The Board and its designee or its individual members shall not be liable under any circumstances for any damage, loss or prejudice suffered or claimed on account of:
 - (i) The approval or disapproval of any plans and specifications, whether or not defective;
 - (ii) The construction or performance of any work, whether or not pursuant to approved plans and specifications; or
 - (iii) The development of any property within the Condominium.

9.2 Protective Covenants.

- (a) *Structures.* Each Unit owner shall have the right to construct within his or her Unit a residential dwelling and accessory building(s) so long as they comply with all applicable governmental zoning and land use regulations, and this Declaration. All buildings on the Unit shall conform with the setback requirements shown on the plat, and shall be within a 30,000 sf buildable envelope. Each single family residential building:
 - (i) shall not exceed two stories in height above basement or foundation level.

- (ii) shall have a minimum of 1,500 square feet of living space. For the purposes of determining living space, attached garages, open and screened porches, and basements, even if basements are finished, shall be excluded in the determination of square footage.
- (iii) shall have an attached garage and such garage shall contain not less than two (2) automobile garage stalls.
- (b) *Accessory Building.* Accessory building(s) may be erected on a Unit as long as it complies with applicable zoning and is placed within the 30,000 sf buildable envelope.
- (c) *Fences.* All fences shall meet existing county and Town of Verona fence ordinances.
- (d) *Garage and Driveway.* All garage floor surface areas shall be of concrete and all driveway surfaces shall be of asphalt or concrete.
- (e) *Limitations On Residential Uses.* No trailer, tent, shack, garage, barn or accessory building or any part thereof shall ever be used for residential purposes.
- (f) *Parking.* Parking or storage of boats, travel trailers, trailers, mobile homes, campers, snowmobiles, construction equipment, trucks, and other vehicles is prohibited unless kept inside attached garages or accessory building or stored in rear lot areas not in view of street sight line. This shall not prohibit the temporary storage of such vehicles for the purpose of load or unloading for a period not to exceed seventy-two (72) hours.
- (g) *Signs.* No commercial or business sign of any kind shall be displayed to the public view on any Unit except one professional sign of not more than six square feet advertising the Unit for sale during the hours of open house showings only, or signs provided and allowed exclusively by Declarant for builders or licensed real estate brokers during the initial construction and sales periods and for the resale of any Unit or Dwelling. The Declarant reserves the right to erect signs, gates or other entryway features surrounded with landscaping at the entrances to the Development and to erect appropriate signage for the sales of Units. This provision shall not be construed to prohibit signs associated with elections or other matters of public interest.
- (h) *Garbage and Refuse Disposal.* All receptacles for storage and disposal of garbage and waste material (e.g. garbage cans) shall

follow all Town of Verona requirements and directions, and shall be kept in a clean and sanitary condition and suitably screened from view from the street.

- (i) *Mailboxes.* Mail delivery and pick up is located on Sunset Drive. Each Unit will be responsible for its share of mailbox expense and maintenance.

9.3 Tree Maintenance within the western setback of Unit 2 and the setback on the south side of Units 1 & 2.

Clear Cutting of all conifer trees in these setbacks is prohibited unless permission is obtained from the Association. Removing dead, deceased, or fallen trees is allowed.

**ARTICLE 10
AMENDMENTS**

Except as otherwise provided herein, this Declaration may only be amended by the written consent of all of the Unit Owners. No amendment to the Declaration affecting the status or rights of the Declarant may be adopted without the written consent of Declarant. No amendment to this Declaration shall be effective until an instrument containing the amendment and stating that the required consents or votes were duly obtained, signed on behalf of the Association, and duly acknowledged or authenticated, is recorded with the Dane County Register of Deeds. For purposes of this provision and Declaration, each Unit shall have one (1) vote. No termination, amendment, variance or other modification to the provisions in this Declaration for sections 3.4, 9.2 (a), 9.2 (b), 9.3, and 10 shall be effective without the approval of the Town Board.

**ARTICLE 11
NOTICES**

11.1 Resident Agent. The resident agent and person to receive service of process for the Condominium or the Association shall be Warren Olsen, 6466 Sunset Drive, Verona, WI 53593 or such other person as may be designated from time to time by the Association, which designation shall be filed with the Wisconsin Department of Financial Institutions.

11.2 Notices to Unit Owners. Subject to Section 5.4 hereof, all notices required to be sent to Unit Owners shall be in writing, personally delivered or sent by first class mail to the Unit Owner's address. Said address shall be the address of the Unit owned by the Unit Owner in the Condominium, unless said Unit Owner has provided to the Association, in writing, another address for delivery of notices. For purposes of this Declaration, all time periods with respect to notice shall commence on the date that notice is personally delivered or the date upon which notice is mailed to the Unit Owner. It is acknowledged

by all Unit Owners that personal service or mailing shall constitute sufficient notice for the purposes of this Declaration.

ARTICLE 12
GENERAL

12.1 Assignability of Declarant's Rights. The Declarant reserves the right to assign its declarant rights, powers, and obligations by a written record instrument to any other party who assumes such rights, powers, and obligations. Upon the recording of any such assignment, such assigns shall become the Declarant under this Declaration and shall succeed to all such rights, powers, and obligations. Such amendment needs be signed only by the assignor and the assignee named therein.

12.2 Utilities. Each Unit Owner shall pay for all of its telephone, electrical and other utility services which shall be separately metered or billed for each user by the respective utility companies.

12.3 Warranties. The Declarant has made no warranty or representation in connection with the Condominium, except as specifically set forth in this Declaration. No person shall rely upon any warranty or representation unless contained in this Declaration.

[SIGNATURES ON FOLLOWING PAGE]

EXHIBIT A
Legal Description

EXHIBIT B
Condominium Plat
See attached

TOWN OF VERONA
APPLICATION FOR LAND USE CHANGE

Please review the Town of Verona Comprehensive Land Use Plan and Subdivision and Development Ordinance 05-04 (found on the Town website: (www.town.verona.wi.us)) and Dane County Ordinances Chapter 10 – Zoning, Chapter 11 – Shoreland, Shoreland-Wetland and Inland-Wetland Regulations, and Chapter 75 – Land Division and Subdivision Regulations prior to application. A pre-application meeting or initial review should be scheduled with Town Staff and/or Plan Commission Chair if you have any questions or concerns and to determine the fees associated with the application.

Proposed land use change for (property address/legal description): 1200 E Verona Ave., Verona, WI
See reverse side for legal description.

Please check all that apply:

- comprehensive plan amendment – please see specific submittal requirement
- rezone petition
 - current zoning category Rural Mixed Use
 - new zoning category General Commercial
- conditional use permit
 - conditional use requested _____
- certified survey map
- preliminary plat
- final certified survey map
- concept plan
- site plan
- request for Town road access

Property Owner Phone (608) 266-4021

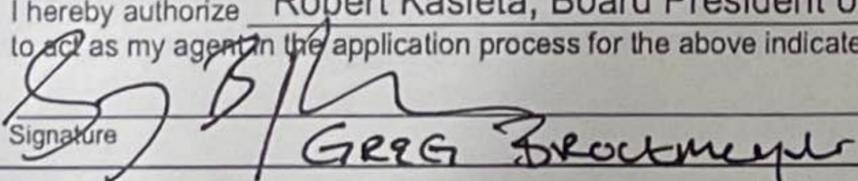
Address 210 MLK Jr. BLVD, Rm 116 Madison WI 53703 E-Mail Brockmeyer@CountyofDane.com

Applicant, if different from the property owner Badger Prairie Needs Network

Applicant's Phone (608) 662-2286 E-mail rjkasieta@kasieta.com

If the applicant is different from property owner, please sign below to allow the agent to act on behalf of property owner.

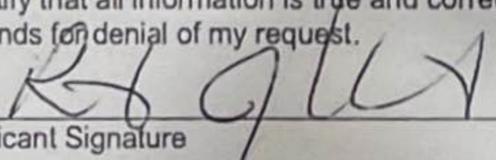
I hereby authorize Robert Kasieta, Board President of Badger Prairie Needs Network
to act as my agent in the application process for the above indicated land use change.

Signature  Date 4/20/22

Description of Land Use Change requested: (use reverse side if additional space is needed)

See reverse side for description of land use change requested.

I certify that all information is true and correct. I understand that failure to provide all required information and any related fees will be grounds for denial of my request.

Applicant Signature  Date 4/20/22

Print Name Robert J Kasieta

RETURN COMPLETED APPLICATION TO MAP/PLAN AND ANY OTHER INFORMATION VIA EMAIL TO:
Sarah Gaskell, Administrator, Town of Verona
7669 County Highway PD, Verona, WI 53593
sgaskell@town.verona.wi.us
(608) 845-7187

OFFICE USE ONLY
Application # _____
Fee _____
Paid by _____
Date _____ Check # _____
Receipt # _____

Legal Description:

Part of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 14, Township 06 North, Range 08 East, City of Verona, Dane County, Wisconsin, more particularly described as follows:

Commencing at the West Quarter corner of Section 14 aforesaid; thence South 88 degrees 43 minutes 33 seconds East along the South line of the Northwest Quarter of Section 14, aforesaid, 2434.26 feet; thence North 01 degrees 16 minutes 27 seconds East, 276.08 feet to the North right-of-way line of East Verona Avenue, also being the Point of Beginning; thence North 11 degrees 40 minutes 32 seconds West, 187.18 feet; thence North 78 degrees 05 minutes 41 seconds East, 21.22 feet; thence North 11 degrees 53 minutes 54 seconds West, 54.91 feet; thence North 33 degrees 16 minutes 40 seconds East, 46.60 feet; thence South 56 degrees 43 minutes 20 seconds East, 30.00 feet; thence North 33 degrees 16 minutes 40 seconds East, 56.81 feet; thence North 90 degrees 00 minutes 00 seconds East, 33.68 feet; thence South 00 degrees 00 minutes 00 seconds East, 15.00 feet; thence North 90 degrees 00 minutes 00 seconds East, 145.00 feet; thence South 12 degrees 08 minutes 47 seconds East, 241.59 feet to the North right-of-way line of East Verona Avenue; thence South 77 degrees 59 minutes 03 seconds West along said North right-of-way line, 289.24 feet to the Point of Beginning. Said lease area contains 74,428 square feet or 1.709 acres.

Description of Land Use Change Requested:

The rezoning request is to rezone a lease parcel area from Rural Mixed Use (RM-16) to General Commercial (GM) to support the operations of the Badger Prairie Needs Network (BPNN) facility at 1200 E Verona Ave, Verona, WI. The change will allow BPNN to install a pylon sign with messaging to inform and communicate with the local communities it serves. The current zoning does not permit an electronic message sign. The rezone is consistent with current and proposed land uses with BPNN operating as a Non-Profit Community use. The rezone request will also be consistent with surrounding uses on the County property with government/Institutional type of use with the Badger Prairie Health Care Center and Dane County Consolidated Foods. The parcel outside the rezoned parcel will remain RM-16 zoning.

1200 East Verona Avenue, Verona

Summary: The applicant seeks a rezone of a leased parcel (1.709 acres) from Rural Mixed Use (RM-16) to General Commercial (GC). The rezone would allow for the installation of a pylon messaging sign for the facility located on the parcel.

Property Owner/Leasee: Dane County/Badger Prairie Needs Network

Property Addresses: 1200 East Verona Avenue

Applicant: Badger Prairie Needs Network
1200 East Verona Avenue
Veroan WI, 53593

Location Map



The applicant has submitted an application for a rezone.

The rezone would only apply to 1.709 acres of the 30-acre site. The 1.7 acres is owned by Dane County and leased by Badger Prairie Needs Network. The zoning change would allow for the installation of a pylon message sign to communicate with the community it serves. Current zoning prohibits such signs. The rezone is consistent with the current use of the leased parcel. The remainder of the parcel will remain in RM-16.

Comprehensive Plan Guidance:

The parcel is under the Commercial Land Use category and would remain unchanged. The rezone is consistent with this category.

Current and Proposed Zoning: Current zoning for the whole site is RM-16. 1.709 acres would be rezoned to GC.

Extra-territorial Review/Boundary Agreement Authority: This parcel is in Area A (section 8.05) of the boundary agreement with the City of Verona so further approvals may be required.

Surrounding Land Use and Zoning: This parcel is part of a larger Dane County site that houses Badger Prairie Park, Dane County Consolidated Food Service and the Badger Prairie Health Center. The parcel abuts City of Verona boundaries to the west and south.

Site Features: None of significance.

Driveway Access: The current driveway that serves the parcel will remain.

Other:

From the Dane County application:

This location houses the Badger Prairie Needs Network (BPNN), an all-volunteer 501.c.3 nonprofit organization dedicated to fighting hunger and ending poverty locally. BPNN operates one of Dane County's busiest food pantries, a food recovery program with Epic, a commercial kitchen that hosts nutrition classes for senior citizens and children, a free weekend community meal, and provides free legal advocacy for individuals with limited financial resources. BPNN also provides office space for a Dane County Joining Forces for Families social worker. A new 4800 Sq Ft addition to the facility and expanded parking will be used to provide job training for low-income Dane County residents in partnership with the Latino Academy of Workforce Development and the Work Force Development Board of South-Central Wisconsin. The goal is to position program graduates to successfully obtain family-sustaining better-than-living-wage jobs that alter the trajectory of low/no income Dane County households.

Outdoor lighting and measures taken to mitigate light pollution impacts to neighboring properties AND Signage

The primary purpose for this rezoning application is to permit BPNN to install a pylon type sign with an electronic message board on two sides. The electronic message panel meets Dane County and Town of Verona standards for limited no greater than 5,000 Nits. Message changing will be no faster than every 6 seconds to avoid strobing effects and the onboard software allows us to schedule auto dim from dusk to dawn or turn it completely off on schedule as needed. The sign and base are being engineered to withstand 110 MPH winds.

GC General Commercial Zoning District

Zoning district for commercial uses – CH. 10-Zoning [Section 10.272](#)

Permitted Uses 10.272(2)

- Contractor, landscaping or building trade operations
- Undeveloped natural resource and open space areas
- Day care centers
- Governmental, institutional, religious, or nonprofit community uses
- Light industrial
- Office uses
- Indoor entertainment or assembly
- Indoor sales
- Indoor storage and repair
- Personal or professional service
- A transportation, utility, communication, or other use required by law.
- Transient or tourist lodging
- Utility services associated with a permitted use
- Veterinary clinics
- Agriculture and accessory uses (livestock not permitted)

Conditional Uses: 10.272(3)

- Airport, landing strip or heliport
- Animal boarding, domestic pets
- Cemeteries
- Commercial Indoor Lodging
- Contractor, landscaping or building trades operation
- Communication towers
- Drive-in establishment
- Marinas
- Outdoor active recreation
- Outdoor entertainment
- Outdoor storage
- Offsite parking
- Residential and associated accessory uses
- Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- Vehicle repair or maintenance service

Setbacks and Height Requirements 10.272(4),(6)

Front setback for all structures from highway centerline / right-of-way line (whichever is greater)

State or Fed. Hwy: 100/42 feet minimum
County Highway: 75/42 feet minimum
Town Road: 63/30 feet minimum
Subdivision streets platted prior to ordinance: 20 feet minimum
All other streets: 30 feet minimum

Height:

Business or mixed-use buildings: 4 stories maximum
Residential dwelling: 2 stories or 35 feet maximum

Side yard:

10 feet minimum

Rear yard:

Exclusive business use: 10 Feet minimum
Residential or combined use: 25 feet minimum

Lot Width & Area: 10.272(5)

Commercial lots: None

Residential or mixed-use: lot width 60 feet
Private sewer: 5,000 sq. feet per apartment
Public sewer: 2,000 - 2,250 sq. feet per apartment

Lot Coverage 10.11(5)

60% maximum

Residential uses by conditional use permit 10.272(3)l

- Caretaker's residence
- Single family residential
- Attached or detached accessory dwelling units
- Two family residential
- Multifamily residential
- Mixed residential and commercial developments
- Institutional residential
- Manufactured housing communities , subject to s. 10.103(14)
- Rooming house

Dane County Rezone Petition

Application Date	Petition Number
04/15/2022	DCPREZ-2022-11842
Public Hearing Date	
06/28/2022	

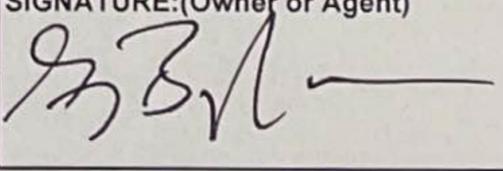
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DANE COUNTY	PHONE (with Area Code) (608) 266-4519	AGENT NAME Robert J Kasieta BPNN Board President	PHONE (with Area Code) (608)848-2499
BILLING ADDRESS (Number & Street) 210 MARTIN LUTHER KING JR BLVD RM 425		ADDRESS (Number & Street) 1200 E Verona Ave	
(City, State, Zip) MADISON, WI 53703-3342		(City, State, Zip) Verona, WI 53593	
E-MAIL ADDRESS brockmeyer@countyofdane.com		E-MAIL ADDRESS rjkasieta@kasieta.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
1200 E. Verona Avenue					
TOWNSHIP VERONA	SECTION 14	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0608-142-9502-0					

REASON FOR REZONE

UPDATE ZONING TO ACCOMMODATE EXISTING LAND USE (BADGER PRAIRIE NEEDS NETWORK)

FROM DISTRICT:	TO DISTRICT:	ACRES
RM-16 Rural Mixed-Use District	GC General Commercial District	1.7

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	INSPECTOR'S INITIALS RWL1	SIGNATURE:(Owner or Agent) 
			PRINT NAME: Greg Brockmeyer	
			DATE: 4.20.22	



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:	\$395
Farmland Preservation:	\$495
Commercial:	\$545
<ul style="list-style-type: none"> • PERMIT FEES DOUBLE FOR VIOLATIONS. • ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION. 	

REZONE APPLICATION

APPLICANT INFORMATION			
Property Owner Name:	Dane County	Agent Name:	Robert J Kasieta BPNN Board President
Address (Number & Street):	210 MLK, JR. BLVD., RM. 425	Address (Number & Street):	1200 E Verona Ave
Address (City, State, Zip):	MADISON, WI 53703-3342	Address (City, State, Zip):	Verona, WI 53593
Email Address:	brockmeyer@countyofdane.com	Email Address:	rjkasieta@kasieta.com
Phone#:	(608)266-4519	Phone#:	(608)848-2499

PROPERTY INFORMATION			
Township:	Verona	Parcel Number(s):	060814295020
Section:	14	Property Address or Location:	1200 E. Verona Ave., Verona WI 53593

REZONE DESCRIPTION	
<p>Reason for the request. In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.</p>	<p>Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

The rezoning request is to rezone a lease parcel area from Rural Mixed Use (RM-16) to General Commercial (GC) in effort to continue to support the operation of Badger Prairie Needs Network (BPNN) facilities located at 1200 E. Verona Ave., Verona, WI. The zoning change will allow BPNN to install a pylon sign with messaging to inform and communicate with the community which it serves. The current zoning does not permit any monument/pylon messaging signs. The rezone will be tied to the legal description of the Lease Parcel, as attached. The rezone is consistent with current and proposed land uses with BPNN operating a Non-Profit Community use. The rezone request will also be consistent with the surrounding uses on the County property with governmental/institutional type of use with Badger Praire Health Care Center & Dane County Consolidated Food Service. The parcel are outside the lease parcel will maintain the same RM-16 zoning.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
RM-16	GC	1.709 acres

Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine 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 commercial development proposals, or as may be required by the Zoning Administrator.

<input checked="" type="checkbox"/> Scaled drawing of proposed property boundaries	<input checked="" type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input type="checkbox"/> Pre-application consultation with town and department staff	<input type="checkbox"/> Application fee (non-refundable), payable to the Dane County Treasurer
--	--	---	--	--

I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

Owner/Agent Signature Date 4.20.22

Supplemental Information for Commercial Development

NEIGHBORHOOD CHARACTERISTICS

1. Current Use of the Property at 1200 E Verona Ave.

This location houses the Badger Prairie Needs Network (BPNN), an all-volunteer 501.c.3 nonprofit organization dedicated to fighting hunger and ending poverty locally. BPNN operates one of Dane County's busiest food pantries, a food recovery program with Epic, a commercial kitchen that hosts nutrition classes for senior citizens and children, a free weekend community meal, and provides free legal advocacy for individuals with limited financial resources. BPNN also provides office space for a Dane County Joining Forces for Families social worker. A new 4800 Sq Ft addition to the facility and expanded parking will be used to provide job training for low-income Dane County residents in partnership with the Latino Academy of Workforce Development and the Work Force Development Board of South-Central Wisconsin. The goal is to position program graduates to successfully obtain family-sustaining better-than-living-wage jobs that alter the trajectory of low/no income Dane County households.

2. Current Uses of Surrounding Properties.

The BPNN facility is located next to Dane County's Badger Prairie Health Center and Consolidated Foods facility. Across Verona Avenue to the south is a Park and Ride lot. To the north, beyond the Health Care Facility, is the Badger Prairie County Park.

OPERATIONAL NARRATIVE

3. Hours of Operation

Programming at the facility occurs between 8am and 10pm with most traffic present during food pantry shopping hours (Tuesdays and Fridays 10am-12pm; Thursdays 11am – 6:30pm; and Saturdays 10am-12:30pm). The community meal operates on Saturdays from 10am – 2pm. Job training will primarily occur in the evenings and on weekends.

4. Employees

BPNN volunteers are onsite most weekdays between 8am and 5pm. During non-pandemic times, about 15 volunteers help at the pantry. On weekends when the community meal is served, as many as 40 volunteers will be onsite. We do not yet have numbers for the class sizes for job training, but the expanded parking lot should accommodate the increased traffic.

5. Anticipated Noise, odors, soot, runoff and mitigation measures

A new bioretention pond to accommodate run-off from the addition has been installed and will be planted as soon as weather permits. Significant site planning during this construction phase has corrected previous runoff issues that existed on the site before BPNN occupied the facility.

6. Description of any materials stored outside and activities or operations outside the building

BPNN has two dumpsters that are enclosed in a fenced area on the health center side next to the loading dock. Another small, fenced area in that same vicinity is used to store containers for Second Harvest Food Bank between deliveries.

The training center addition has an outdoor patio on the Verona Ave side. This area is being furnished with pedestal mounted permanently installed tables like the one shown.

During the pandemic, demand for food assistance at BPNN increased by 76% and for safety reasons, our distribution method has been limited to drive-up service. This has created extra traffic on the frontage road leading to the health center facility. As the pandemic subsides and we reopen the pantry for in-person shopping, congestion and any resulting vehicle noise on the frontage road should ease considerably.



7. Compliance with County stormwater and erosion control standards.

The addition project has been permitted by both Dane County and the DNR for stormwater and erosion control. Work on the bioretention area should be completed by the end of May 2022.

8. Sanitary Facilities

The BPNN facility is owned by Dane County and leased to the nonprofit organization. We use City of Verona sewer and water along with the rest of the campus residents.

9. Managing and Removing Trash

BPNN contracts with Pellitteri Waste Systems for trash and recycling pickup. The dumpsters are in the fenced in area next to the loading dock.

10. Anticipated daily traffic, types and weights of vehicle.

BPNN volunteers and guests that use our services generally operate passenger vehicles or light weight trucks. We take delivery from food bank partners that operate anywhere from a 25' box truck to a full length semi-tractor/trailer. These deliveries occur no more than 2 days a week for no more than 60-minute periods.

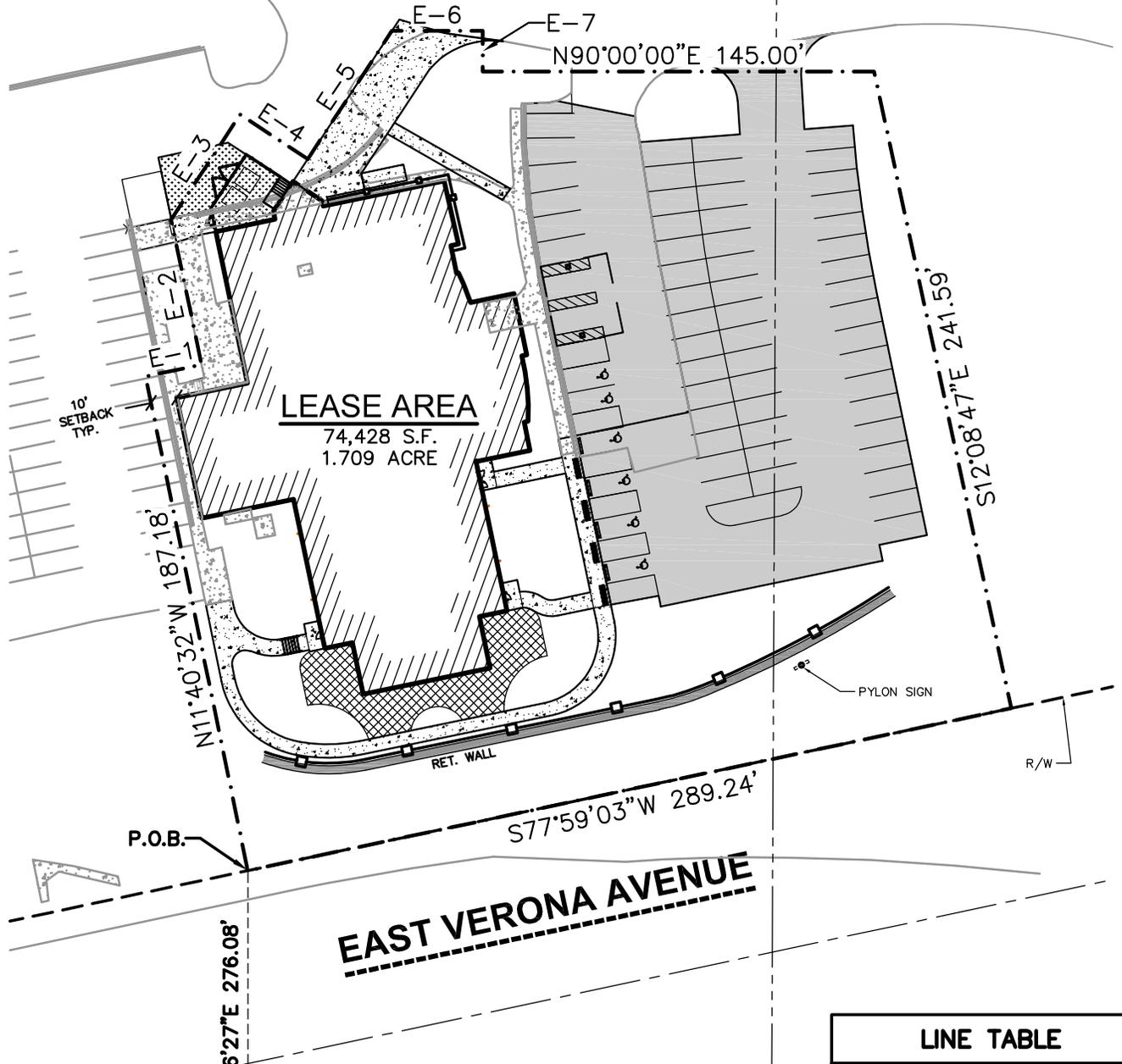
11. Hazardous, toxic. Or explosive materials on site: None

12. & 13. Outdoor lighting and measures taken to mitigate light pollution impacts to neighboring properties AND Signage

The primary purpose for this rezoning application is to permit BPNN to install a pylon type sign with an electronic message board on two sides. The electronic message panel meets Dane County and Town of Verona standards for limited no greater than 5,000 Nits. Message changing will be no faster than every 6 seconds to avoid strobing effects and the onboard software allows us to schedule auto dim from dusk to dawn or turn it completely off on schedule as needed. The sign and base are being engineered to withstand 110 MPH winds.

Other signage at the site includes traffic management signs at the entrance and exit of the expanded parking lot as well as non-illuminated signs to direct vehicles to the facility.

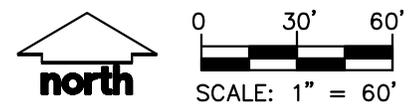




LINE TABLE		
LINE	BEARING	DISTANCE
E-1	N78°05'41"E	21.22'
E-2	N11°53'54"W	54.91'
E-3	N33°16'40"E	46.60'
E-4	S56°43'20"E	30.00'
E-5	N33°16'40"E	56.81'
E-6	N90°00'00"E	33.68'
E-7	S00°00'00"E	15.00'

- LEGEND**
- GOVERNMENT CORNER
 - LEASE LINE
 - RIGHT-OF-WAY LINE
 - CENTERLINE
 - BUILDING
 - BITUMINOUS PAVEMENT

- NOTES**
1. FIELD WORK PERFORMED ON MARCH 24, 2022.
 2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 03-06-08, RECORDED AS S88°43'33"E.



JSD
MADISON REGIONAL OFFICE
161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
P. 608-848-5060

PROJECT:
**BADGER PRAIRIE
NEEDS NETWORK**
1200 E VERONA ROAD
VERONA, WI 53593

SHEET TITLE:
LEASE BOUNDARY

PROJECT NUMBER:
20-9512
DRAWN BY: JK CHECKED BY: TJB
DATE:
APRIL 08, 2022

SHEET NUMBER:
1



LEASE AREA
Legal Description

Part of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 14, Township 06 North, Range 08 East, City of Verona, Dane County, Wisconsin, more particularly described as follows:

Commencing at the West Quarter corner of Section 14 aforesaid; thence South 88 degrees 43 minutes 33 seconds East along the South line of the Northwest Quarter of Section 14, aforesaid, 2434.26 feet; thence North 01 degrees 16 minutes 27 seconds East, 276.08 feet to the North right-of-way line of East Verona Avenue, also being the Point of Beginning; thence North 11 degrees 40 minutes 32 seconds West, 187.18 feet; thence North 78 degrees 05 minutes 41 seconds East, 21.22 feet; thence North 11 degrees 53 minutes 54 seconds West, 54.91 feet; thence North 33 degrees 16 minutes 40 seconds East, 46.60 feet; thence South 56 degrees 43 minutes 20 seconds East, 30.00 feet; thence North 33 degrees 16 minutes 40 seconds East, 56.81 feet; thence North 90 degrees 00 minutes 00 seconds East, 33.68 feet; thence South 00 degrees 00 minutes 00 seconds East, 15.00 feet; thence North 90 degrees 00 minutes 00 seconds East, 145.00 feet; thence South 12 degrees 08 minutes 47 seconds East, 241.59 feet to the North right-of-way line of East Verona Avenue; thence South 77 degrees 59 minutes 03 seconds West along said North right-of-way line, 289.24 feet to the Point of Beginning.

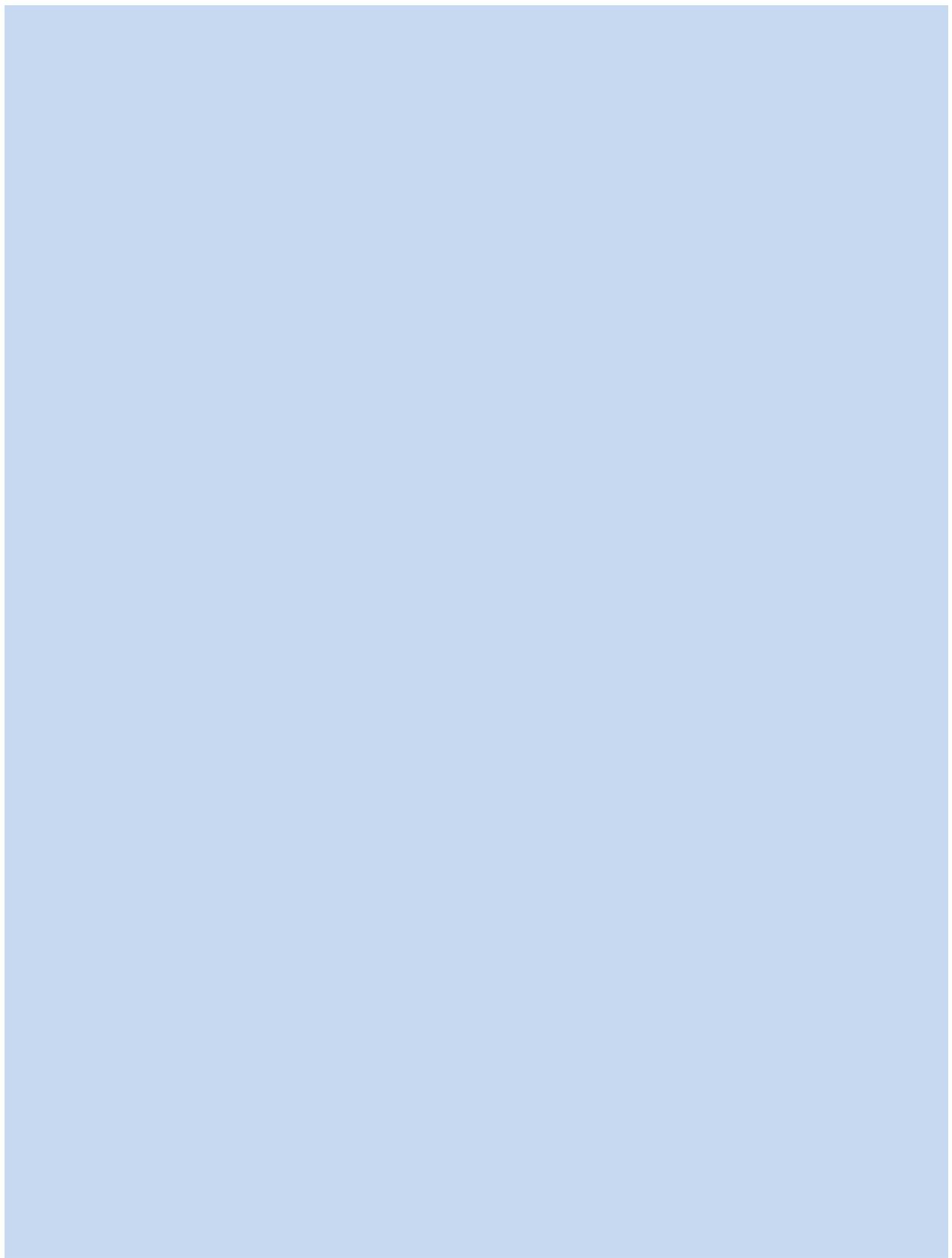
Said lease area contains 74,428 square feet or 1.709 acres.



30 Sqft.

12 Sqft.

Sign Type: Pylon Sign
 Height: 16'-0"
 Ground Clearance: 8'-0"
 Total Square Feet: 42
 LED sign has Auto Dimmer with
 Dusk to Dawn built into the unit.
 Max brightness setting 5,000 Nits
 Min brightness setting 500 Nits
 Hold time 6 seconds
 Transition setting: Instant
 UL Compliant



TOWN OF VERONA
APPLICATION FOR LAND USE CHANGE

Please review the Town of Verona Comprehensive Land Use Plan and Subdivision and Development Ordinance 05-04 (found on the Town website: www.town.verona.wi.us) and Dane County Ordinances Chapter 10 – Zoning, Chapter 11 – Shoreland, Shoreland-Wetland and Inland-Wetland Regulations and Chapter 75 – Land Division and Subdivision Regulations prior to application.

APPLICATION IS MADE to the Town of Verona Board for a land use change for:

Property address/legal description THE SE 1/4 OF THE SW 1/4 OF SECTION 4, T6N, R8E, TOWN OF VERONA

Please check all that apply:

- comprehensive plan amendment
- rezone petition
 - current zoning category AT-35
 - new zoning category requested NR-C
- conditional use permit
 - conditional use requested _____
- certified survey map
- preliminary plat
- final certified survey map
- concept plan
- site plan
- request for Town road access

Property Owner: DANE COUNTY Phone# 608-576-4485

Address: 5201 FEN OAK DR, MADISON, WI 53718 E-Mail SMITH.SHARENE@COUNTYOFDANE.COM

Applicant, if different from the property owner: _____

Applicant's Phone# _____ E-Mail _____

If the applicant is different from property owner, please sign below to allow the agent to act on behalf of property owner.

I hereby authorize _____
to act as my agent in the application process for the above indicated land use change.

Signature _____
Date

Description of Land Use Change requested: (use reverse side if additional space is needed)

THIS LAND IS BEING REZONE FOR PARK USES AND SPLIT BETWEEN CITY OF MADISON AND DANE COUNTY.

I certify that all information is true and correct. I understand that failure to provide all required information will be grounds for denial of my request

Applicant Signature Sharene Smith Date 3/21/2022

Print Name SHARENE SMITH

RETURN COMPLETED APPLICATION OF MAP/PLAN AND ANY OTHER INFORMATION VIA EMAIL TO:

Sarah Gaskell, Planner/Administrator, Town of Verona
7669 County Highway PD, Verona, WI 53593-1035
sgaskell@town.verona.wi.us

A pre-application meeting or initial review may be scheduled with Town Staff and/or Plan Commission Chair if you have questions or concerns. Please call 608-845-7187 with questions.

Planning Report

Town of Verona

May 19th, 2022

062/0608-043-9501-0

Summary: The applicant seeks a CSM and rezone for parcel 062/0608-043-9501-0. The 39.73-acre AT-35 site would be split into two parcels. The 30.59-acre parcel would be owned by Dane County and the 8-acre parcel would be owned by the City of Madison. Both parcels would be rezoned to NR-C for the creation of a new Dane County Conservation Park.

Property Owner: Dane County Parks

Property Addresses: Woods Road – SE ¼ of the WW1/4 of Section 14, T6N, R8E, Town of Verona

Applicant: Dane County
5201 Fen Oak Drive
Madison, WI 53718

Location Map



The applicant has submitted an application for a rezone and CSM to create a new Dane County Conservation Park, located near the intersection of Woods Road and CTH M.

This park is the result of a collaborative effort between Dane County, the Cities of Verona and Madison and the Town of Verona to preserve a fully wooded 40 acre parcels containing two kettle ponds, also part of the terminal moraine.

Comprehensive Plan Guidance:

The parcel is in the RR 4-8 category and shares its northern border with an existing City of Madison parkland, currently undeveloped. The rezone would be consistent with the Comprehensive Plan under the purposes of conservation of prime woodlands and rural character.

Current and Proposed Zoning: Currently zoned AT-35, the parcel will be rezoned to NR-C (Natural Resource Conservation).

Extra-territorial Review/Boundary Agreement Authority: While in Area B of the boundary agreement with the City of Verona, no further approval is required, as the City of Verona is a partner in the project.

Surrounding Land Use and Zoning: The parcel abuts City of Madison borders to the north and east. West of the site, the majority of abutting lands are in AT-35. It is likely that higher density development will occur on the parcel directly south of the park at some point.

Site Features: The site is a mature oak forest with rolling terrain. There are two kettle ponds located in the woods and this particular parcel would provide an opportunity to provide Ice Age Trail linkage.

Driveway Access: There is not currently any formal access to the site from Woods Road. Once approved, a park plan will include a driveway and trailhead.

Other:

Please see the attached press articles detailing the project.

NR-C Natural Resource Conservancy Zoning District

Zoning district to protect, maintain, and enhance natural resources and open space areas.

CH. 10-Zoning, [Section 10.211](#)

Permitted Uses 10.211 (2)

- Undeveloped natural resource and open space areas
- Hiking, fishing, trapping, hunting, swimming and boating
- Outdoor passive recreation
- Propagation and raising of game animals, fowl and fish
- Silviculture (planting, thinning and harvesting of timber)
- Harvesting of wild crops in a manner that is not injurious to the natural reproduction of such crops
- Pasturing/grazing of livestock
- Uses permitted within a wetland under DCCO 11.07 and 11.08
- Soil conservation, shoreland, wetland and ecological restoration practices approved by the Director of the Land and Water Resources
- Nonresidential buildings or structures accessory to any permitted use
- Invasive species control

Conditional Uses 10.211(3)

- Establishment and development of public parks, private parks, recreational areas, boat access sites, outdoor education areas, historic areas, wildlife refuges, game preserves, and private wildlife habitat areas
- Soil conservation, shoreland, wetland and ecological restoration practices not listed as a permitted use
- Construction and maintenance of roads, railroads, or utilities which cannot practically be located outside of the NR-C district

Livestock 10.211(2)

- The pasturing and grazing of livestock is limited to one (1) animal unit for each full acre
- One animal unit shall be defined as being the equivalent of 1 cow, 4 hogs, 10 sheep, 10 goats, 100 poultry, 1 horse, 1 pony, 1 mule or 100 rabbits or an equivalent combination thereof. The WI DNR Animal Unit Worksheet shall be used to determine animal unit if not defined above

Setbacks and Height Requirements for Principal Structures 10.211(4)

Front setbacks for all structures from highway centerline / right-of-way line (whichever is greater)

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet minimum

All other streets: 30 feet minimum from right-of-way

Lots without road frontage: Structures must be at least 4 feet from the lot line where primary access is provided.

Side yard:

4 feet minimum

Rear yard:

4 feet minimum

Lot Area: 10.211(4)

Minimum lot size: None

Maximum lot size: None

Maximum Lot Coverage: 10.211(6)

All buildings and structures: 10% of the lot in the NR-C district

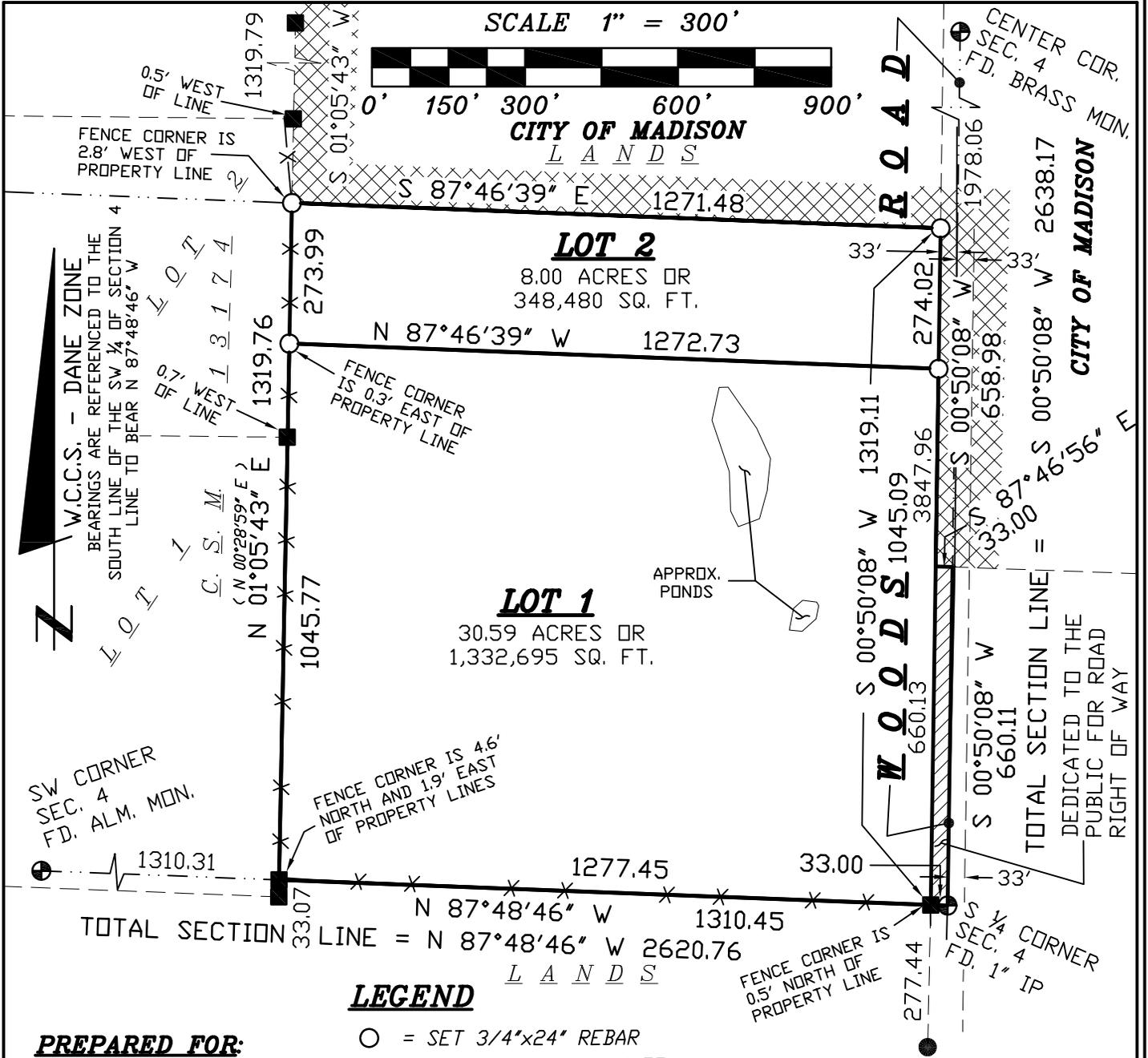


CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE 1/4 of the SW 1/4 of Section 4, T6N, R8E,
Town of Verona, Dane County, Wisconsin.



SURVEYORS SEAL

REV. DATE: 4-5-2022

21W-487



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE 1/4 of the SW 1/4 of Section 4, T6N, R8E,
Town of Verona, Dane County, Wisconsin.

SURVEYOR'S CERTIFICATE

I, Chris W. Adams, Professional Land Surveyor hereby certify that this survey is correct to the best of the professional surveyor's knowledge and belief and is in full compliance with the provisions of Chapter A-E 7 and Chapter 236.34 Wisconsin Statutes, the subdivision regulations of Dane County, and by the direction of the owners listed below, I have surveyed, divided, and mapped a correct representation of the exterior boundaries of the land surveyed and the division of that land, being part of the SE 1/4 of the SW 1/4 of Section 4, T6N, R8E in the Town of Verona, Dane County, Wisconsin, more particularly described as follows:

Beginning at the South 1/4 corner of said Section 4; thence N 87°48'46" W along the south line of said SW 1/4, 1310.45 feet; thence N 01°05'43" E, 1319.76 feet; thence S 87°46'39" E, 1271.48 feet to the westerly right of way line of Woods Road, also being the boundary of the City of Madison; thence S 00°50'08" W along said westerly right of way and City boundary, 658.98 feet; thence S 87°46'56" E along said City boundary, 33.00 feet to the east line of said SW 1/4; thence S 00°50'08" W along said east line, 660.11 feet to the point of beginning. This parcel contains 39.09 acres and is subject to a road right of way dedication of 33.00 feet over the most easterly part, as shown.

Williamson Surveying and Associates, LLC
by Chris W. Adams

Date _____

Chris W. Adams S-2748
Professional Land Surveyor

NOTES:

2.) THIS SURVEY WAS PREPARED WITH REFERENCE TO THE TITLE REPORT FOR THE SUBJECT TRACT PER FIDELITY NATIONAL TITLE INSURANCE COMPANY (COMMITMENT NO. 121100491).

- SUBJECT TO RESOLUTION DOC. 1994443. (BLANKET IN NATURE)

3.) WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.

4.) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

5.) ALL SECTION CORNER TIES FOR THE SW, SOUTH AND CENTER CORNERS WHERE VERIFIED PER THE LATEST TIE SHEET ON RECORD.

SURVEYORS SEAL



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NOA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE 1/4 of the SW 1/4 of Section 4, T6N, R8E,
Town of Verona, Dane County, Wisconsin.

OWNERS' CERTIFICATE:

As owner, I hereby certify that I caused the land described on this certified survey map to be surveyed, divided, dedicated and mapped as represented on the certified survey map. I also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee for approval.

WITNESS the hand seal of said owners this _____day
of _____, 20____.

Greg Brockmeyer
Director of Administration
County of Dane

STATE OF WISCONSIN)
DANE COUNTY)

Personally came before me this _____ day of _____, 20____ the
above named Greg Brockmeyer to me known to be the person who executed
the foregoing instrument and acknowledge the same.

_____ County, Wisconsin.

My commission expires _____

Notary Public

Print Name

SURVEYORS SEAL



CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE 1/4 of the SW 1/4 of Section 4, T6N, R8E,
Town of Verona, Dane County, Wisconsin.

TOWN BOARD RESOLUTION

Resolved that this certified survey map and road right of way dedication is hereby accepted and approved by the Town of Verona on this _____ day of _____, 20__.

Teresa Withee
Town Clerk

CITY OF MADISON COMMON COUNCIL:

Resolved that this Certified Survey Map located in the City of Madison was hereby approved by Enactment number _____, File ID Number _____, adopted on the _____ day of _____, 20__, and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this _____ day of _____, 20__

Maribeth Witzel-Behl
City of Madison, Dane County

CITY OF MADISON PLAN COMMISSION:

Approved for recording per Secretary, Madison Planning Commission action of _____ day of _____, 20__

Matthew Wachter
Secretary Plan Commission

DANE COUNTY APPROVAL

Approved for recording per Dane County Zoning and Land Regulation Committee action on _____.

NOTE:

REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL SURVEY.

Daniel Everson
Assistant Zoning Administrator

REGISTER OF DEEDS:

Received for recording this ___ day of _____, 20__ at ___ o'clock __.M. and recorded in Volume _____ of Dane County Certified Surveys on pages _____ through _____.

Kristi Chlebowski
Register of Deeds

DOCUMENT NO. _____

CERTIFIED SURVEY MAP NO. _____

SURVEYORS SEAL



REZONE MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ, PROFESSIONAL LAND SURVEYORS
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in the SE 1/4 of the SW 1/4 of Section 4, T6N, R8E,
Town of Verona, Dane County, Wisconsin.

SCALE 1" = 300'



CITY OF MADISON
LANDS

S 87°46'39" E 1271.48

W.C.C.S. - DANE ZONE
BEARINGS ARE REFERENCED TO THE
SOUTH LINE OF THE SW 1/4 OF SECTION 4
LINE TO BEAR N 87°48'46" W

LOTT
C.S.M.
(N 00°28'59" E)
N 01°05'43" E 1319.76

AT-35 TO NR-C

39.09 ACRES OR
1,702,953 SQ. FT.

APPROX.
PONDS

ROAD
CENTER COR.
SEC. 4
FD. BRASS MON.

WOODS

CITY OF MADISON

SW CORNER
SEC. 4
FD. ALM. MON.

1310.31

TOTAL SECTION LINE = N 87°48'46" W 1310.45
N 87°48'46" W 2620.76
LANDS

S 1/4 CORNER
SEC. 4
FD. 1" IP

1978.06
33'
S 00°50'08" W 658.98
33'
S 00°50'08" W 2638.17
33.87°
33.00
S 00°50'08" W 660.11
TOTAL SECTION LINE =
33'
S 00°50'08" W

LEGEND

○ = SET 3/4"x24" REBAR
WT 1.5 LB PER LIN FT

■ = FOUND 1" PIPE

● = FOUND 3/4" REBAR

⊕ = FOUND SECTION CORNER

(##) = RECORDED AS

-x-x- = FENCE

PREPARED FOR:

DANE COUNTY PARKS
5201 FEN OAK DR
MADISON, WI 53718

https://madison.com/news/local/govt-and-politics/proposed-2-7m-land-buy-would-create-new-park-future-ice-age-trail-connector/article_d2b762d2-5e2a-56a3-9686-79394f5c404c.html

ALERT

PUBLIC LAND PROPOSAL | ICE AGE TRAIL

Proposed \$2.7M land buy would create new park, future Ice Age Trail connector

Chris Hubbuch | Wisconsin State Journal

Dec 7, 2021



A trail marker along Midtown Road points hikers to a segment of the Ice Age Trail, a 1,200-mile route that follows the path of the Wisconsin Ice Age Trail roughly 11,000 years ago.

Chris Hubbuch | Wisconsin State Journal

Chris Hubbuch | Wisconsin State Journal

Dane County and the cities of Madison and Verona are proposing to pay \$2.7 million for land in a rapidly developing area west of Madison that could eventually provide a missing link in the popular Ice Age Trail.

Covered in mature oak forest, the 40-acre lot on the west side of Woods Road, just north of County Highway PD, is “a wonderful example of glacial geology,” said Kevin Thusius, director of land conservation for the **Ice Age Trail Alliance**.

“The glacier ended right here and it left behind glacial till — a lot of rock and debris that created a nice hill,” Thusius said. “There are some great examples of kettle ponds — where there was a hunk of ice left when the glacier melted away.”

Watch now: rehabilitated kestrel takes flight

Wisconsin’s only designated National Scenic Trail, the **Ice Age Trail** follows the southern edge of where glaciers covered much of the state roughly 11,000 years ago, stretching about 1,200 miles from Door County to near the Illinois border then north through Dane County and eventually west to the Minnesota border in Polk County.

People are also reading...

- 1 **Nursing board chair resigns over Gov. Tony Evers' veto of advanced practice nursing bill**
- 2 **Hawaii helicopter crash that killed Madison businesswoman, daughter was '100% preventable'**
- 3 **Group claims responsibility for attack on anti-abortion organization in Madison, warns of more violence**
- 4 **Wisconsin men's basketball coach Greg Gard worries about NIL, transfer portal 'collision course'**

About 2.3 million people use the trail each year, according to a study completed in 2019 just before the onset of the COVID-19 pandemic.

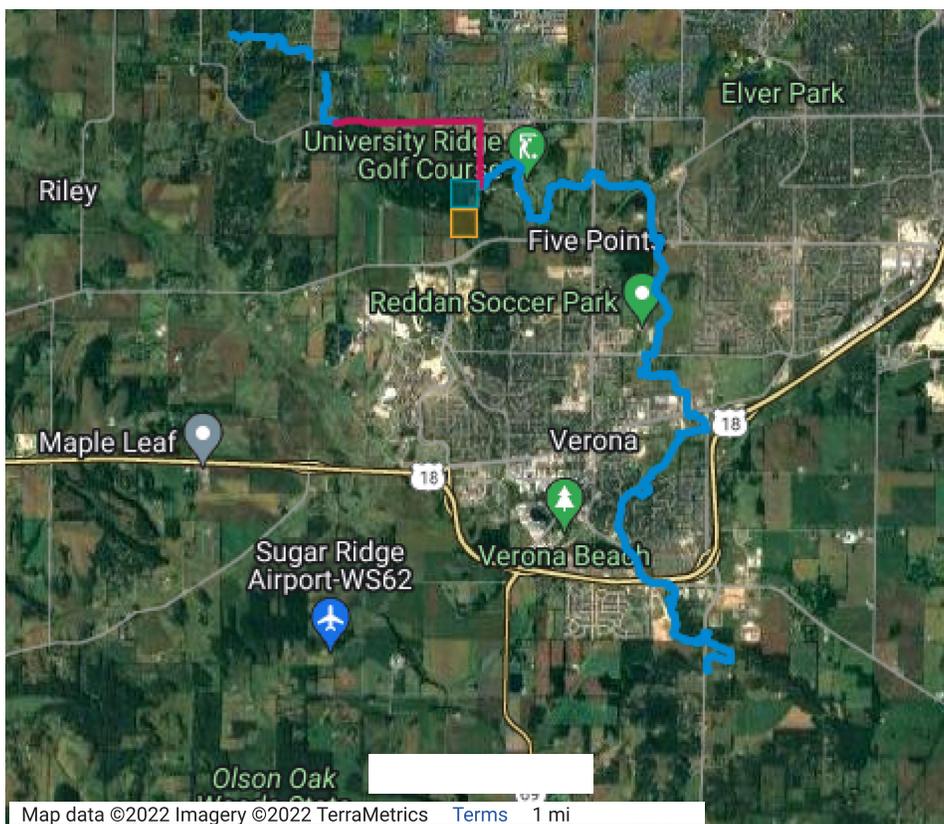
“We are certain that it’s only increased significantly since then,” Thusius said.



Ice Age Trail acquisition ☆

Chris Hubbuch

This map was made with Google My Maps.



The county has negotiated to buy the land from Mary M. Christiansen, Loveday Herrling and the Martha G. Cowling Revocable Trust for its appraised value of \$2.7 million.

Under the agreement, the county would pay \$1.66 million, Madison would pay \$540,000 and the city of Verona \$500,000. The town of Verona would provide maintenance services such as mowing and snow removal, and the Ice Age Trail Association would be responsible for construction and maintenance of the new trail segment.

The Madison City Council is scheduled to vote Tuesday on its share of the purchase. The county resolution is still working its way through the committee process.

Together with an adjacent 40-acre parcel purchased by the city of Madison in 2018, the land would form a new city-county park that could include trail loops and eventually link two segments of the Ice Age Trail where users now have to walk about 1.8 miles along the roadside.

“These two properties combined ... and hopefully more to the north and west will create this sort of belt around the city of Madison,” Thusius said.

The land is within the designated Ice Age Trail corridor, land identified by the National Park Service and state Department of Natural Resources for future acquisition.

“The purpose of the Ice Age Trail is lost if adjoining parcels such as this aren’t protected,” said Laura Hicklin, director of the Dane County Land and Water Resources Department.

Thusius said acquisitions like this are “vital” to building the final 500-some miles of trail.

“The counties where we’re closest to completing the trail are the suburban counties — partly because we get good buy-in from municipalities,” Thusius said. “It’s like links in the chain — sometimes you get the end ones first. ... We are used to sometimes moving at a glacial pace.”

Phil Brinkman's favorite drone videos of 2021

As the Wisconsin State Journal's city editor, I don't get the chance to get out from behind my desk as much as I did when I was a reporter. But as the newspaper's FAA-certified drone pilot, I can always find an excuse to get outside to fly (or, as happened sometimes last year, even inside). Seen from the air, even some of the most mundane things take on a fresh appearance. Here are five short projects from 2021 that stood out.



In mid-winter, a summer oasis for Madison-area tennis players

Dec 8, 2021 |



TOWN OF VERONA

TO: Public Works Committee

DATE: June 2, 2022

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: Brush Collection Postcard Survey Results

One of the town Board of Supervisors' goals for 2021 was to review the town brush and yard waste collection policy. Currently, town residents dispose of their yard waste and brush through their own means. The Public Works Department picks up and disposes brush generated by a tree or limb downfall in the public right of way. Currently the town disposes of this brush by burning at the town public works site or by chipping and disposing of the chips along the town right of way. There are several options available to residents to dispose of woody brush and debris with chipping, burning, and composting being the chief methods. As of 2022 Dane County landfills only accepts clean branches (no leaves, grasses, garden debris, or weeds) for recycling and logs and wood chips for recycling.

In February 2022, town staff solicited interest from local landscape companies regarding their interest in offering brush collection to town residents. After discussions with the two interested companies (Maple Leaf Landscaping and Barnes, Inc.) it became apparent that input was needed from town property owners regarding their interest in various program types. Based on available cost data, a survey was developed to gauge interest in a program and to gather relative geographical locations of the respondents. Postcards with a cover letter were mailed to all property owners in the town and were to be returned by April 30, 2022. A copy of the survey and cover letter are attached. The complete survey results are shown on the attached sheets.

Respondents were asked 3 questions.

1. Were they interested in a town wide roadside brush collection program?
2. If yes, were they willing to pay approx. \$225 per year for three pick-ups?
3. Were they interested in a brush-only drop off at the town facility for approx. \$25 per drop-off?

A total of 856 surveys postcards were sent out and 423 were returned for a response rate of 49.4%. A summary of the results is below.

supplied by Pellitteri Waste which would be filled with loose brush and then transported to Purple Cow Organics for processing. 2) a separate contained drop-off area behind the Public Works garage that residents could deposit brush and when full, a landscape contractor would mobilize to chip the brush and haul off for their own disposal. Either option would likely be open on one or two Saturday mornings a month and one afternoon a week. The town would need to supply labor to monitor the loads delivered, check for residency and collect fees. The costs for these types of programs were reviewed to establish the estimated \$25/load fee. Hopefully, bulk processing could bring this fee down, and still provide sufficient monies for the program to be self-funded.

Based on the survey results and discussions with local landscape contractors, if a brush program is determined to be warranted by the Board, town staff recommends pursuing the drop-off options with the interested landscape contractors to obtain costs to provide the drop-off brush collection/disposal services. Once the costs are known, then a contract can be executed between the successful company and the town for a pilot program. After a trial period, the program can be evaluated to determine the success of the program and more definitive costs going forward.

In the current labor market, the most challenging aspect will be to hire part-time labor to monitor the operation when open. Lacking the ability to find weekend part-time labor, a drop-off site may be limited to hours in which current staff are available.

Should you have any questions regarding this memo, please let me know.

Cc Sarah Gaskell, Town Planner and Administrator

TOWN OF VERONA

TO: Town Board

DATE: June 1, 2022

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: 2022 Road Maintenance - Crack Filling

As the Board is aware, the Town performs annual crack filling which consists of applying a hot asphalt sealant after routing and air blowing the road cracks. Crack filling is key preventative maintenance which helps keep water from getting into the road base. Once water gets to the road base material, the aggregate loses its strength and causes further surface cracking and settlement. The budget for street maintenance crack filling in 2022 is \$10,000.

Staff requested quotes on Maple Grove Road (Verona Road to County Highway Department building), Cross Country Road (Verona soccer fields to 1,000 feet east), and Allegheny (Nesbitt Road to north end). Three companies were contacted, and two quotes were received. The quotes are as follows:

Crack Filling Service Corp, Cross Plains, WI	No Bid
Fahrner Asphalt Sealers Inc., Waunakee, WI	\$8,250.00
Thunder Road, LLC, Genesee, WI	\$8,450.00

It is recommended that the Town accept the quote from Fahrner Asphalt Sealers, Inc. for crack filling in 2022. Fahrner has successfully performed similar asphalt work for the Town for a number of years.

cc: Sarah Gaskell, Town Planner and Administrator

TOWN OF VERONA

TO: Town Board of Supervisors

FROM: Sarah Gaskell, Planner/Administrator

SUBJECT: Administrator Report for June 2022

Upcoming Meetings

- NRAC – June 14th, 6:30pm Town Hall
- Public Works – June 21st, 6:30pm Town Hall
- Plan Commission – June 16th, 6:30pm Town Hall
- Financial Sustainability – June

General

- Schedule Summer Open House
- Staff vacation: Gaskell out of office June 24 – July 4

Work Plan

- Town Board Supervisor Handbook
- Municipal Court
- ARPA project determination
- Communications Plan
- Emergency Plan
- Impact Fee Analysis

TOWN OF VERONA

TO: Town Board of Supervisors
Public Works Committee

DATE: May 31, 2022

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: Monthly Report – May 2022

The monthly Public Works Department Activity report is submitted for the information and review of the Board and the Committee. May was an active month with the beginning of the annual mowing season, brush clearing for sight distance, pothole patching and beginning of the road construction season. Numerous citizen and resident concerns and action requests were received and addressed on a daily basis. If you should have any questions, please let me know.

Road Maintenance Activities

- Performed tree removal and brush chipping on Country View Road and Sunset Drive
- Pothole patching on Whalen Road, Grandview Road, Sunset Drive and Manhattan Drive.
- Picked up roadside fly dumping debris from Fitchrona Road Drive
- Analyzed postcards for town-wide brush program survey
- Placed 36 tons of shoulder material on Fitchrona Road
- Began roadside mowing-town wide.

Equipment and Facility Activities

- Prepared 2007 Peterbilt for Wisconsin Surplus Auction.
- Performed spring maintenance on mowers and Case tractor
- Received final 100 tons of road salt allotment

Sanitary Sewer Utility Activities

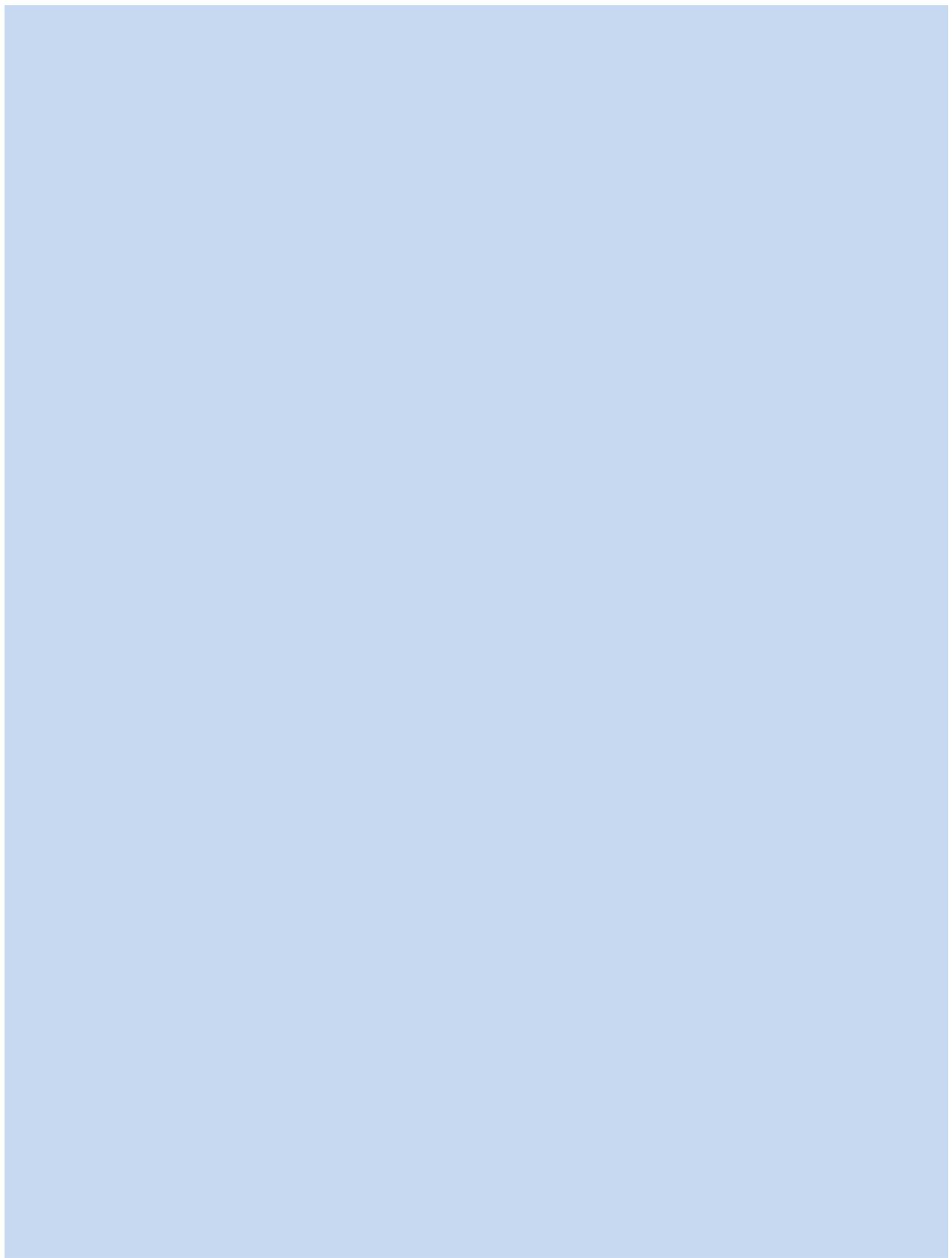
- Received the sanitary sewer televising reports for the cleaned sewer for review
- Met with Madison Metro Sewerage District staff to discuss the upcoming force main relief project, and provided comments for the selected route.
- Responded to 2 Digger Hotline utility locate requests

Engineering Activities

- Continued working with WISDOT on the successful grant application for Fitchrona Road reconstruction in conjunction with the City of Fitchburg. The plan is to reduce the project limits to Nesbitt Road to Lacy Road to stay within the town budgeted local match.
- Began construction of the 2022 roads, (Sunset Drive, Grandview Road, and Rolling Oaks Lane) paving is scheduled for early June.
- Began funding applications for Federal Infrastructure funding (BIL) for road projects.
- Issued 1 driveway permits (Twin Rock Road)
- Received 2022 Crack filling quotes.



c: Sarah Gaskell, Town Planner/Administrator
Mark Judd, Road Patrolman



TOWN OF VERONA

TO: Town Board of Supervisors

FROM: Teresa Withee, Clerk/Treasurer

SUBJECT: May 2022 Clerk/Treasurer Report

Clerk

- Attended Town Board meeting and recorded minutes.
- Liquor Licenses / Operator Licenses Renewals processed and prepared for town board approval
- Printed and witnessed oath of office filings for committees and town board members
- Followed up with letters requesting additional information and entered absentee and registration requests sent out by a 3rd party mailing

Treasurer

- Reviewed invoices, printed checks, prepared unpaid invoice report and check detail report
- Monthly bank reconciliations
- Completed Statement of Assessment form for Dane County
- Reviewed draft audit reports with auditors prior to board meeting presentation

2022 - 02
Town of Verona
WI DNR NR 208 Compliance Maintenance for 2021

Resolution for the Compliance Maintenance to WI DNR for the Annual
Report on Town of Verona Wastewater Treatment Collection System
(sewer lines)

WHEREAS, it is a requirement under the Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources to file a Compliance Maintenance Annual Report (CMAR) for its wastewater treatment/wastewater collection system under Wisconsin Administrative Code NR 208; and

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the Compliance Maintenance Annual Report (CMAR) for year 2021; and

WHEREAS, the Town of Verona has received an "A" rating;

BE IT THEREFORE RESOLVED, by the Town Board of the Town of Verona that the following actions will be taken to ensure continued compliance of Utility District #1 collection system as identified in the Compliance Maintenance Annual Report (CMAR) as follows:

- Continue to compare actual costs with those forecast in the five-year financial management plan
- Work with the City of Fitchburg on an agreement to maintain the shared main along Fitchrona Road and to address with infiltration/outflow issues in a cooperative manner
- Continue to address maintenance issues based upon televising reports from preceding year

ADOPTED by the Town of Verona Board on June 7, 2022, Dane County, Wisconsin.

Mark Geller, Town Chair

I hereby certify that the foregoing resolution was duly adopted by the Town of Verona Board at a legal meeting on the 7th day of June, 2022.

Teresa Withee, Clerk/Treasurer

Dated _____

**Notice of Applications for Liquor / Beer Licenses
Town of Verona Public Notice**

Notice is hereby given that the following individual(s) have filed with the Town Clerk of the Town of Verona an application for liquor / beer licenses expiring on June 30, 2022.

Application for a Class "B" Beer License has been made for:

Trade Name: Blackhawk Bowhunters, Inc
Agent: Dale Goytowski, president
Address: 2013 County Highway PB, Verona, WI 53593

Application for a "Class B" Liquor and Class "B" Beer License have been made by:

Trade Name: Ole Duffers Pub, LLC
Agent: Susan Kaye Buchanan, Agent
Address: 1755 County Highway PB, Verona, WI 53593

This notice is given pursuant to Section 125.04(3)(g) Wis. Statute. The Town of Verona Board will consider these applications at the regular town board meeting to be held on Tuesday, June 7, 2022 at 6:30 pm.

Teresa Withee
Clerk/Treasurer

Published: May 26, 2022

TOWN OF VERONA
REQUEST FOR TOWN BOARD CONSIDERATION

ITEM DESCRIPTION: Request for Operator’s Licenses for 2022 – 2023

REPORT PREPARED BY: Teresa Withee

MEETING DATE: **June 7, 2022**

STATUTORY REFERENCE: **Wisconsin Statutes: ss. 125.32(2) and 125.68(2)**

STAFF COMMENTS: The following persons have applied for an Operator’s License in the Town of Verona.

License Number	Applicant	Establishment	License Type	Course Completed	Background Check
2022-01	Derrick Buchanan	Ole Duffers Pub	Renewal	Yes	N/A
2022-02	James Kampfer	Ole Duffers Pub	Renewal	Yes	N/A
2022-03	Betty Katzenmeyer	Ole Duffers Pub	Renewal	Yes	N/A
2022-04	Denise Ketelboeter	Ole Duffers Pub	Renewal	Yes	N/A
2022-05	Natalie Marking	Ole Duffers Pub	Renewal	Yes	N/A
2022-06	Eric Wersland	Ole Duffers Pub	Renewal	Yes	N/A
2022-07	Anthony Bickel	Blackhawk Bowhunters	Renewal	Yes	N/A
2022-08	Amy Crooks	Blackhawk Bowhunters	Renewal	Yes	N/A
2022-09	Ann Gleisner	Blackhawk Bowhunters	Renewal	Yes	N/A
2022-10	Jerry Gleisner	Blackhawk Bowhunters	Renewal	Yes	N/A
2022-11	Dale Goytowski	Blackhawk Bowhunters	Renewal	Yes	N/A
2022-12	Dannielle Hendon	Blackhawk Bowhunters	Renewal	Yes	N/A
2022-13	Jeffrey Schultz	Blackhawk Bowhunters	Renewal	Yes	N/A
2022-14	James Zahalka	Blackhawk Bowhunters	Renewal	Yes	N/A

- ✓ **Background checks** are conducted only on new (not renewal) applications which include criminal history and wanted / probation status. Crime Information Bureau (CIB) Fee is (\$10) to conduct the background check.
- ✓ **New and Renewal License Fees** are (\$25).
- ✓ As required by Wisconsin Statutes s.125.17(6), the applicant has provided a copy of **Wisconsin Seller/Server Certification** for completion of an alcohol awareness course dated within the last 2 years. Renewal applicants are exempted from the training course requirement if they are renewing an existing operator’s license, have completed the training course within the last two years, or have held a retail license, manager’s or operator’s license anywhere in the state within the last two years.
- ✓ When can an Operator’s license be denied? If the basis for denial is that the applicant has an arrest or conviction record, then that record must substantially relate to the licensed activity. Wisconsin s. 125.04(5)(b) states: “No license or permit related to alcohol beverages may, subject to ss. 111.321, 111.322 and 111.335, be issued under this chapter to any person who has habitually been a law offender or has been convicted of a felony unless the person has been duly pardoned.” S. 111.335(3)(a)1 further states: “...the individual has been convicted of any felony, misdemeanor, or other offense the circumstances of which substantially relate to the circumstances of the particular job or licensed activity”. This will always be a case-by-case analysis. Generally, ordinance violations and civil court cases are not criminal cases; the type of criminal charge and how recently it happened are factors. The State Department of Justice Crime Information Bureau (CIB) was utilized to perform adequate background checks.
- ✓ ACTION REQUESTED: Motion to approve the issuance of Operator’s Licenses to the above listed applicants for the Year/License ending 06-30-2022.

2022 GOALS FOR THE YEAR AS DETERMINED BY TOWN BOARD WORKSHOP

1. Hold monthly/quarterly events at the Town Hall that might be of interest to residents
 - a. Supervisor listening sessions
 - b. Invited speakers – CARPC, Land Use Planners, Ice Age Trail Alliance etc
2. Municipal Court Future
3. Inter-agency/Inter-Governmental Meeting to Discuss Goose Lake
 - a. Potential invitees: Cities of Madison, Fitchburg and Verona; CARPC, DNR; MMSD
4. Examine the Gaps in the IAT within the Town and plan for completion of gaps
5. ARPA fund usage determination
6. Knowledge Capture – Succession Planning for both staff and supervisors

2022 GOALS FOR THE YEAR (collected via questionnaire)

- Keep the Town moving forward with a good tax base and good roads
- Provide services efficiently
- Improve public safety
- Communicate clearly with residents
- Support conversation
- Knowledge capture
- Increase awareness and understanding of land use in the town and surrounding region
- Use the goals and objectives from the Comprehensive Plan to develop a “Strategic Plan” for the Town

- Develop a Township Conservation Plan to specifically look at Farmland Preservation and conservation of natural areas
- Define Rural Character functionally and develop ways to preserve it in the Town
- Provide safe roads and efficient services within budget constraints
- Engage town residents through higher use of the town website
- To look at the possible introduction of more commercial rural development to our town
- To be proactive in looking at property that may be loss to neighboring cities and work with property owners to see what the town can do to keep them in the Town
- Keep the mill rate on its downward trend and remain debt free
- Promote the Town Hall as a “town center”, community gathering spot
- Approach challenges with a long-term goal of keeping the Town viable long into the future
- To continue to listen to property owners and honor their rights and needs in the town but making sure it fits with our comprehensive plans and future for the town
- To keep the Town sustainable and viable using the resources available to stop large annexation and land loss whenever possible

MEASURABLE STEPS/OUTCOMES FOR THE YEAR*

- Keep doing what we’ve been doing; it’s working well
- Rewrite the driveway ordinance (ORD)
- Review traffic calming approaches (PW)
- Municipal court discussion (Staff)
- Succession information for future staff and supervisors (Staff)

- Town Hall Site Plan (NRAC)
- Investigate how to increase tree planting in the Town (NRAC)
- Investigate how to reduce invasive plants in the Town (NRAC)
- Consider opting out of Dane County zoning (PC)
- Evaluate installation of back up generator at Town Hall (Staff/FSC)
- Consider contract extension for Town Planner/Administrator (TB)
- Develop a 3-5 year strategic plan for the Town based on Ch 12 of the Comp Plan (PC)
- Develop and implement a Stormwater Pond inspection Plan (NRAC/Staff)
- Protect lands (prevent development) in the IAT corridor in the two areas in the Town that have gaps in the trail and help the IATA “close the gaps” or complete the trail in the town (NRAC)
- Develop an economic plan to attract more commercial or recreational businesses to the Town (Staff/consultant)
- Develop a PDR program to allow the town to participate in protection of town lands (NRAC)
- Put solar panels on the Town building and encourage homeowners to do the same with their houses (TB)
- Host a Land-Use workshop at the Town Hall, presented by a “neutral” party and invite residents and officials from neighboring communities to attend (TB/Staff)
- Develop and identify equipment purchases for road maintenance (PW/FSC)
- Develop and identify needs vs wants for future Capital projects (all)
- Identify use for APRA funds (TB)
- Promote events at the Town Hall, encourage people to subscribe to the Town weekly updates

- Hold Quarterly town meetings to discuss happenings about town and neighboring municipalities and listen to our town residents' issues and suggestions
- Keep on top of the City of Verona future development plans and share with our residents on why and how it is happening so no surprises whenever possible (Staff/PC)
- Look at creating a wish list for possible commercial development and where (PC)

* potential committee assignment if item is selected for further action