

Owner: Losacco, LLC

Applicant/Agent: Asphalt Contractors, Inc.

Town: Burlington

Zoning district(s): M-4 (proposed)

TO THE RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE:

The undersigned requests a conditional use / site plan review permit to (specify use, project, structure, size, etc.)

To establish & operate a non-metallic mineral extraction (sand & gravel) operation including earthmoving, crushing, washing, stockpiling, transportation & reclamation

AT (site address): 7148 McHenry Street, Burlington, WI

Subdivision: _____ Lot(s): _____ Block: _____

Parcel # 002-02-19-07-010-000, 002-02-19-18-015-000 Section(s) 7, 18 T 2 N R 19 E

If served by municipal sewer, check here: _____ Sanitary permit #: _____

Attached are:

- zoning permit application
- 12 SETS: drawn-to-scale site plan that is based on a survey (10 of the 12 should be sized or folded to 8.5" x 11")
- letter of agent status
- hearing/review fee (Fees are non-refundable, & re-publication/amendment fees will be charged where applicable.)
- 3 SETS: ~~landscaping/lighting plan~~ Reclamation Plan
- 12 SETS: report/cover letter & operations plan
- abutting property owners' names & mailing addresses other

print name: Asphalt Contractors, Inc. e-mail address: aci@mia.net
 address: 1701 Main Street telephone #: 262-878-4678
Union Grove, WI 53182

signed: R. Kordus

STAFF USE ONLY:

BASED ON CURRENT MAPPING, check applicable statement(s) below & underline or circle the word "all" or "partially".

- N/A The property is all / partially located in the N/A shoreland area.
- N/A The project is all / partially located in the N/A shoreland area.
- The property is all / partially located in the spring valley creek floodplain.
- N/A The project is all / partially located in the N/A floodplain.
- The property is all / partially located in the wetland.
- N/A The project is all / partially located in the wetland.

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The applicant is subject to the following Racine County Ordinance provisions (specify article/section):

Art VI Div. 70 M-4 Quarrying District - Section 70-1278 Mineral Extraction
zoning & Ch 12.5 Non-metallic Mining Reclamation

Shoreland contract: yes _____ no

Public hearing date: August 17, 2020

Site plan review meeting date: N/A

Submittal received by: [Signature]

Date petition filed: 6/29/2020

cash _____ or check # 53471

amount received: \$ 475.00

APPLICATION FOR ZONING PERMIT
RACINE COUNTY, WISCONSIN (Rev. 11/20)

PERMIT NO. _____
 DATE PERMIT ISSUED _____

OWNER Losacco, LLC
Mailing _____
Address 7148 McHenry Street

APPLICANT Asphalt Contractors, Inc.
Mailing _____
Address 1701 Main Street

Burlington WI 53105
 City State Zip

Burlington WI 53105
 City State Zip

Phone (H) 262-539-2592 (W) _____

Phone (H) 262-878-4678 (W) _____

Parcel Id. # 002-02-19-18-015-000,
002-02-19-07-010-000

Site Address 7148 McHenry Street, Burlington, WI 53105

Municipality Town of Burlington Section(s) 7,18 Town 2 North, Range 19 East

Lot — Block — Subdivision Name _____ CSM # _____

Proposed Construction/Use To establish & operate a nonmetallic mineral extraction (sand & gravel) operation including; earthmoving, chushing, washing, stockpiling, transportation & reclamation

New Principal Bldg. _____ Size (____ x ____)(____ x ____)(____ x ____)
 Addition _____ Accessory _____ Area (sq ft) (see attached plans)
 Alteration _____ Deck _____ # of Units/Stories ____ / ____ Building Ht.-Avg. (ft.) _____
 Conversion _____ Sign _____ Peak Ht. (ft.) _____ 100-Yr. Floodplain Elev. _____
 Temporary _____ Other NMM _____ Eave Ht. (ft.) _____ Flood Protection Elev. _____

Contractor Asphalt Contractors, Inc. **Est. Value w/Labor** \$ _____ **ZONING DISTRICT** (proposed) M-4

Existing Nonconforming?	N/A	* Yes _____ No <input checked="" type="checkbox"/>	Yard Setbacks	Proposed _____ OK? _____
*Structure's Fair Mrkt Value \$	_____	Cumulative % _____	Street-1 st	_____
*>50% of Fair Market Value?	N/A	Yes _____ No _____	Street-2 nd	_____
Structure in Shoreland? (per map)	_____	Yes _____ No <input checked="" type="checkbox"/>	Side-1 st	<u>see attached</u>
Structure in Floodplain? (per map)	_____	Yes _____ No <input checked="" type="checkbox"/>	Side-2 nd	<u>plans</u>
Structure in Wetland? (per map)	_____	Yes _____ No <input checked="" type="checkbox"/>	Rear	_____
Substandard Lot?	_____	Yes _____ No <input checked="" type="checkbox"/>	Shore	_____
Abutting Lot-Same Owner/Closely Related?	_____	Yes _____ No <input checked="" type="checkbox"/>	Total Acc. Structures	_____
BOA Variance Needed?	_____	Yes _____ No <input checked="" type="checkbox"/>	Date of Approval	_____
<u>Conditional Use</u> Site Plan Needed?	_____	Yes <input checked="" type="checkbox"/> No _____	Date of Approval	_____
Shoreland Contract Needed?	_____	Yes _____ No <input checked="" type="checkbox"/>	Date of Approval	_____

Additional Zoning Permit Stipulations Listed on Back of this Form? Yes _____ No _____ (If "Yes," see back)

The applicant hereby acknowledges receipt of notice contained herein and certifies that submitted information/ attachments are true and correct to the best of the knowledge and belief of the signer, and that all construction/ use will be done in accordance with the Zoning Ordinance, applicable stipulations, and Wisconsin laws.

BOA/Conditional Use/Site Plan Pd: \$ 475.00
 CC Date/Check/Cash # 59435

R. Korowus Pres 6-29-2020
Signature of Owner /Applicant **Date**

Shoreland Contract Fee Pd: \$ _____
 CC Date/Check/Cash # _____

Robert Korowus
Print Name(s)

Zoning Permit Fee Pd: \$ _____
 CC Date/Check/Cash # _____

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 Notes (revisions, extensions, etc.)

Other: _____ Pd: \$ _____

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if shoreland erosion review fee is included above Zoning Administrator _____ (Staff Initials)

RACINE COUNTY
 Make checks payable to "Racine County Development Services" - Note: ALL FEES ARE NONREFUNDABLE (OVER)

PIN 0090919 - 07 - 010000
 062019 18 014000

If a private onsite wastewater treatment system (POWTS) serves the property, check here and complete # 1-6 below:

- 1) Sanitary Permit # _____ Date issued _____ Year installed _____ Failing? _____
- 2) **If zoning permit is for an accessory structure without plumbing, check here and go to #4 below.**
- 3a) If a commercial facility, public building, or place of employment, will there be a change in occupancy of the structure; or will the proposed modification affect either the type or number of plumbing appliances, fixtures or devices discharging to the system? Yes* No N/A
- 3b) If a dwelling, will the addition/alteration change the number of bedrooms? Yes* No N/A
*If "Yes" above, documentation must be submitted per SPS 383.25 (2) (d) to verify system can be used.
- 4) Will construction interfere with the setback requirements to the POWTS per SPS 383.43 (8) (i)? Yes No
If "Yes," provide variance approval date: _____
- 5) Has a new sanitary permit been issued to accommodate the structure or proposed modification in wastewater flow or contaminant load and/or County sanitary approval granted? Yes No
- 6) Comments _____
POWTS Inspector's Signature: _____ Date: _____

ZONING PERMIT REQUIREMENTS

A Plat of Survey shall be prepared by a Land Surveyor registered in Wisconsin for all new principal structures located on lots less than five (5) acres in size. All zoning permit applications shall be accompanied by plans drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon and any primary and accessory buildings, the lines within which the building shall be erected, altered or moved, the existing and/or intended use of each building or part of a building and the number of families and/or employees the building is intended to accommodate. Include floodplain, wetlands, environmental corridors, easements and such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for ordinance enforcement. Adequate driveway access and off-street parking stalls must be provided in accordance with Sec. 20-1088, Racine County Code of Ordinances. In addition, if a private sewage system exists, the location of the tank(s), system and vent shall be shown on the plan with setback distances to the closest part of the proposed construction.

All dimensions shown relating to the location and size of the lot shall be based upon an actual survey. Lot area shall not contain road right-of-way. The lot and location of the building thereon shall be staked out on the ground before construction is started. NOTE: All street yard, side yard, and rear yard setbacks shall be measured from the closest property lines. Shore yard setbacks shall be measured from the closest point of the ordinary highwater mark of a navigable body of water. All elevations shall be provided in mean sea level datum.

All zoning permits issued pursuant to this ordinance are valid for nine (9) months unless substantial construction has commenced and is continuing, otherwise such zoning permits shall become null and void and a new zoning permit is required. It is the responsibility of the applicant to secure all other necessary permits required by any federal, state or local agency. The issuance of a zoning permit is not a guaranty or warranty that the requirements have been met for other necessary permits, or that the site is otherwise suitable for construction.

NOTICE: YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER. See DNR web site <http://dnr.wi.gov/wetlands/locating.html> for more information.

ADDITIONAL ZONING PERMIT STIPULATIONS (check all that apply)

- Proposed structure is for personal use only and not to be used for human habitation or separate living quarters. No business, commercial or industrial use is allowed.
- All disturbed soils must be reseeded and mulched or sodded immediately upon completion of project.
- Must install the following within 14 days of completion of roof: gutters and downspouts which outlet onto splashblocks or into drain tiles; or a hard surface material that extends at least 16" beyond the dripline of the structure.
- All excess soil not used for backfilling project must be removed from the shoreland area within 10 days of excavation.
- A hard surface material must be placed beneath the deck to prevent soil erosion.
- All existing yard grade elevations will remain unchanged.
- Firmly anchor, no floor < ____'; Buoyant, flammable, explosive or injurious materials/utilities/electric & 1st floor ≥ ____'

MAP AND LEGAL DESCRIPTION
 -FOR-
 PROPOSED REZONE
 -OF-

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 2 NORTH,
 RANGE 19 EAST OF THE 4TH PRINCIPAL MERIDIAN.

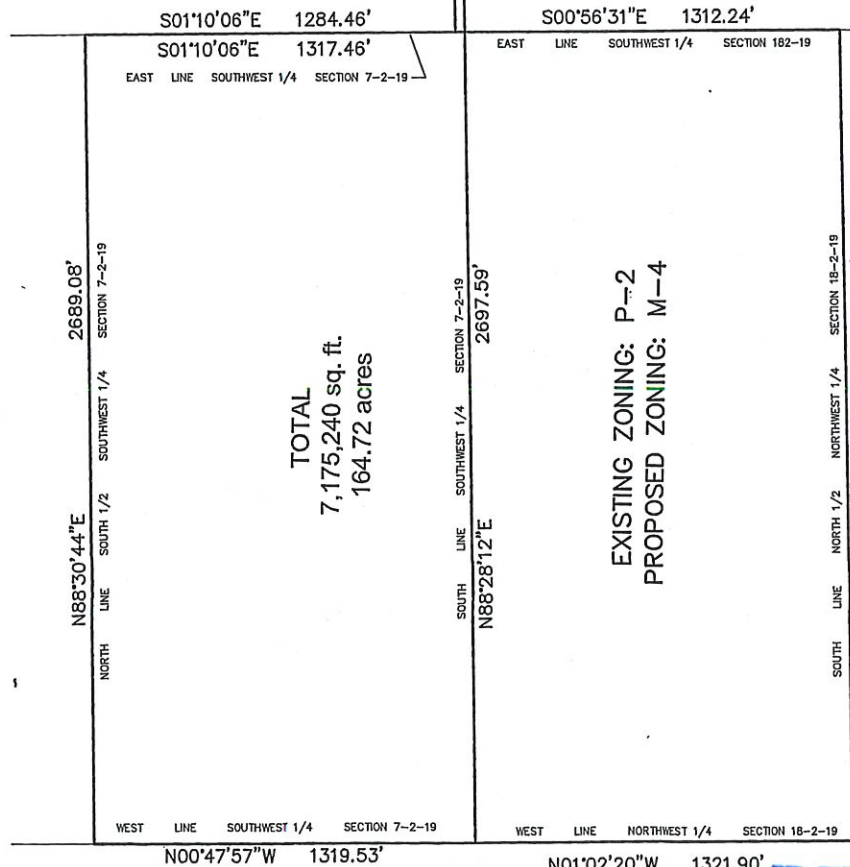
ALSO: THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 2
 NORTH, RANGE 19 EAST OF THE 4TH PRINCIPAL MERIDIAN.

ALSO: THE SOUTH 33 FEET OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP
 2 NORTH, RANGE 19 EAST OF THE 4TH PRINCIPAL MERIDIAN LYING WEST OF
 THE WEST LINE OF COUNTY TRUNK HIGHWAY "P".

SAID LAND LYING AND BEING IN THE TOWNSHIP OF BURLINGTON, COUNTY OF
 RACINE AND STATE OF WISCONSIN.

PREPARED FOR: ROBERT KORDIS

C.T.H.
 34.20
 S13°31'20"W
 "P"
 (MCHEHRY STREET)



TOTAL
 7,175,240 sq. ft.
 164.72 acres

EXISTING ZONING: P-2
 PROPOSED ZONING: M-4

BEARINGS HEREON RELATE TO THE
 WEST LINE OF THE SOUTHWEST 1/4
 OF SECTION 7-2-19, ASSUMED
 BEARING NORTH 00°47'57\"



B.W. SURVEYING, INC.
 LAND SURVEYS
 MAPPING AND PLANNING
 412 N. PINE STREET
 BURLINGTON, WI 53105
 (262)-767-0225

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Tel (262)878-4678 Fax (262)878-5411 www.asphaltinc.com

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Application for Conditional Use

Project Description

The proposal is to open and operate a sand and gravel operation on the former campground west of the Highway P and Fish Hatchery Road intersection. The existing paved driveway to the site will provide truck access to Highway P. The gravel mining will include removal of the soil overburden, crushing, screening and stockpiling of sand gravel, trucking and site reclamation. A portion of the products will be crushed to supply the company's asphalt plant operation in Burlington, WI. This pit is needed to make specialized crushed product unique to producing asphalt mixes. There are two products in particular that no one procures in this region. The two homes with related buildings will not be removed.

Operation Methods

Refer to attached operation plan that shows the phased operations and final reclamation. Site work will begin with grading for driveways and equipment staging and stockpile areas. The truck road will be paved with asphalt to the truck scale.

The work will begin in phase one, where trees and brush will be burned and buried on site. Crushing will begin at roughly elevation 855 to level hills, which will provide area for equipment and stockpiles. Washing ponds will be built in a natural valley west of the farm buildings. After the first level is excavated, another cut will be made closer to the finished elevation in the northwest corner. When enough material is crushed out, a new pond will be dug to provide fresh water for washing. When there is enough room in the bottom of the pit, the washing ponds will be moved to the bottom of the pit. Silt removed from the ponds will be deposited into the finished slopes at the perimeter of the pit.

During each phase topsoil and clay which averages two to three feet thick, will be placed in separate soil berms in various areas of the pit. Soil from the first phase will be placed around the perimeter of the old farm area that will not be excavated. Soil berms will also continue along the southside of the new truck road until it connects to the woods near the existing road. The gravel varies in depth from 20 to 80 feet deep.



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After the first phase is excavated and mining moves to the next phase, a portion of phase one will be reclaimed from soil excavated from phase two without putting more soil into berms. As the phases are excavated, soil removed ahead of the excavation will be used to reclaim areas in a previous phase that is shaped for reclamation.

As the perimeter of the pit is excavated we will accept clean fill from outside sources to increase the depth of soil on the slopes to help stabilize the slope. There will be no pavement, concrete or trash accepted.

Operations Equipment

The equipment on site will include but not be limited to scrapers, haul trucks, excavators, dozers, primary and secondary crushing plants, screening plants, wash plants, conveyors, loaders, generators, water trucks, dump trucks and truck scale. Crushing and washing equipment will be portable and may leave the site from time to time depending on the sales of aggregate. As the pit expands beyond phase one, the equipment and stockpiles will also move into the new phases.

Employees

When there is a crushing and washing operation on site, there may be five or more employees. When there is only loading and scaling of dump trucks, there will be two employees. There will be a variable number of dump trucks.

Operating Hours

Normal operating hours for equipment, not including maintenance or repairs, will be between 6AM and 6PM, Monday through Friday. Saturdays will be from 7AM to 3PM. No Sundays or Holidays. Equipment maintenance and repairs may occur after normal hours of operation.

Source and Use of Water

There is an existing pond on the property. There are wetlands on the west side of the property next to the county line. When the pit is open, we will pump water from the pond to another clay lined pond built near the washing equipment. No water will be returned to the existing pond.



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When the gravel is removed in the northwest corner of the pit, another freshwater pond will be dug that will be used instead of the existing pond for wash water. A safety ledge will be built underwater for any new ponds.

Haul Road

The existing paved driveway will be the access to the pit. The driveway will be widened with asphalt as needed to carry truck traffic. The new truck road to the truck scale will be paved with asphalt. Trucks will use Highway P which is already being used by dump trucks from other gravel pits.

Environmental Regulations

Asphalt Contractors, Inc. will comply with all relevant regulations to operate this site. The Wisconsin DNR along with the Federal Mine Safety and Health Administration, will have rules that must be followed. The rules will regulate the use of water and the control of storm water on the site.

There will be a trash dumpster onsite with toilet facilities.

Permit Duration

This site has a very large quantity of gravel that could last 20 years or more. Permits will be applied for when there may be renewals needed.

Methods Proposed to Minimize Pollution

EPA standards along with properly maintained equipment, will assure that noise levels will be below allowable levels for the operation of each machine. Soil berms built along the southside of the new truck road east of the scale will help deflect truck noise from the neighbors to the south. Existing trees along the existing driveway will be left in place. Trees and soil berms in the setbacks will minimize noise at the property line. The pit operation will begin at the northwest end of the pit and dig down to roughly elevation 815. When the equipment digs out enough gravel, it will be roughly 60 to 70 feet below the ground level to the east and south. The noise levels on the high ground will be much lower with the gravel operation being in a deep hole. Trucks will be driving on an asphalt surface when they leave the truck scale and there are trees on the southside of the entrance road.



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When trucks are driving on gravel to get loaded, there will be a water truck onsite to apply water if there are dusty conditions.

When gravel is being washed, water will be removed from ponds to washing ponds for the plant. Water will not be returned to any freshwater pond. The DNR will require a stormwater permit to control runoff in the pit. The pit will be internally drained with no water leaving the pit to flow to the wetlands to the west. The restoration plan shows that we will not disturb the slopes that are 15 feet above the wetlands to the west. The trees and vegetation will remain intact.

The Method of Recycling Water Use for Washing Gravel

Water used for processing operations will use a series of ponds. The ponds constructed onsite will include a freshwater pond and two deposit ponds. Water used for the washing operation is pumped from a freshwater pond that is the ground water. When the operation begins, that will be the existing pond at the south end of the property. After gravel has been excavated at the northwest corner of the pit, a new freshwater pond will be dug. That pond will be the new source of freshwater and will be permanent in the reclaimed land.

Water from the first of the two ponds used for washing will be kept full and replenished as needed from the freshwater pond. That first pond has water pumped to the wash plant where it washes the silt out of the crushed gravel. That muddy water then flows to another pond built for the purpose of having the silt settle to the bottom, and the clean water at the opposite end of the pond flows back into the first pond. This process recycles the water except for the water in the gravel when it is stockpiled.

Reclamation:

As the gravel excavation moves on the property and depletes a portion that is in the phasing plan, the areas will be graded and topsoil replaced. The land will be seeded with native grass and the bottom of the pit will have either grass or hay field. The disturbed portion of the land will be suitable with the ponds for use as a rural piece of property.

A more detailed reclamation plan is submitted as part of this application. The plan will follow the rules set by the DNR and have a bond posted for financial assurance to the County.



**ASPHALT
CONTRACTORS INC**

Grading-Paving-Sealing-Striping

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**Conditional Use
Phasing Plan**

Phase 1	13.5 Acres
Phase 2	5 Acres
Phase 3	11 Acres
Phase 4	14 Acres
Phase 5	6 Acres
Phase 6	7 Acres
Phase 7	7 Acres
Phase 8	7 Acres
Phase 9	7 Acres
Phase 10	<u>7 Acres</u>
	84.5 Acres Excavated & Reclaimed

Existing Pond



House by Pond



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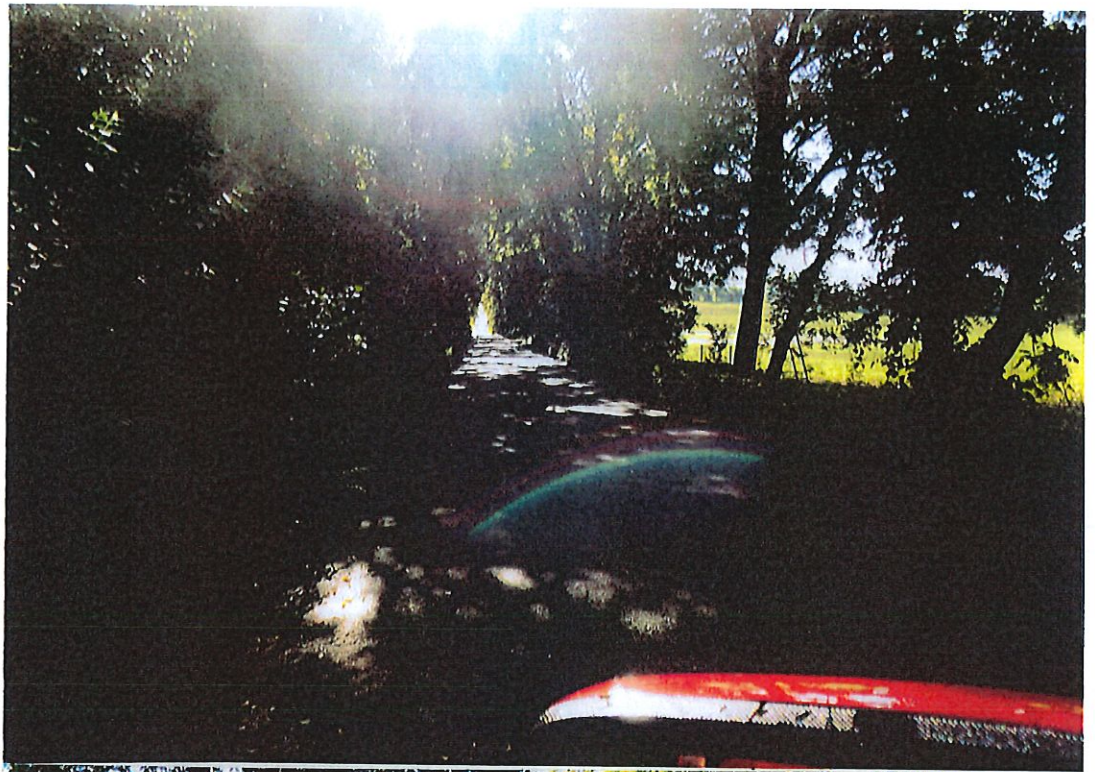
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Farm house



Driveway
looking east
towards P



South side of
driveway looking
at property line



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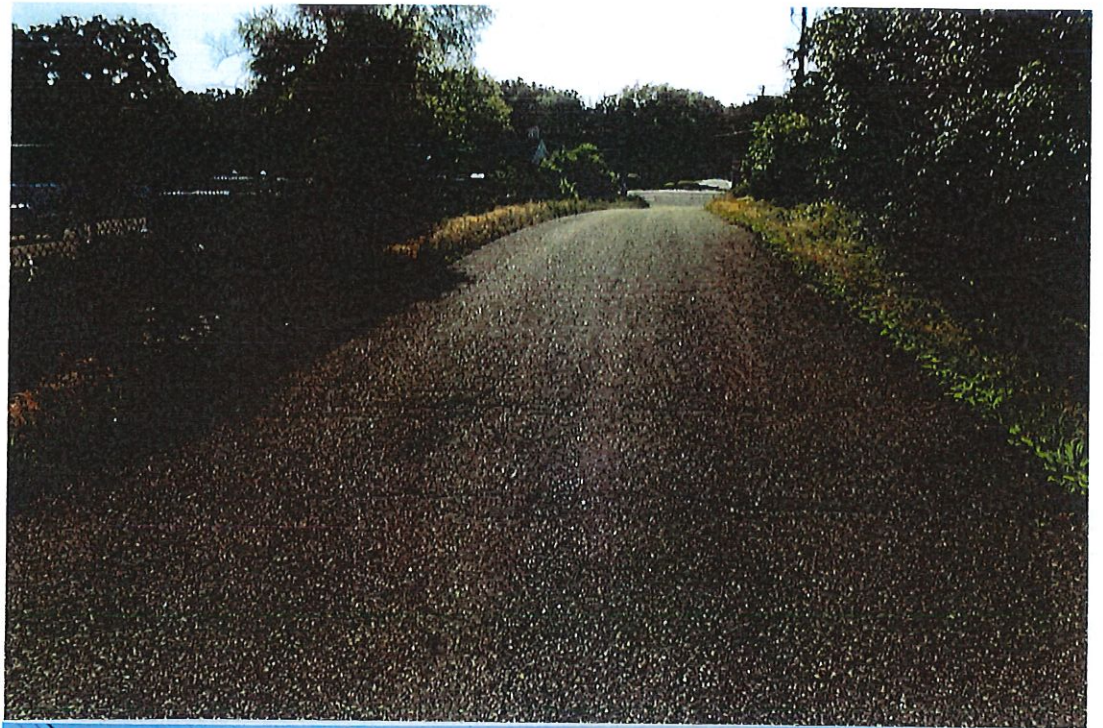
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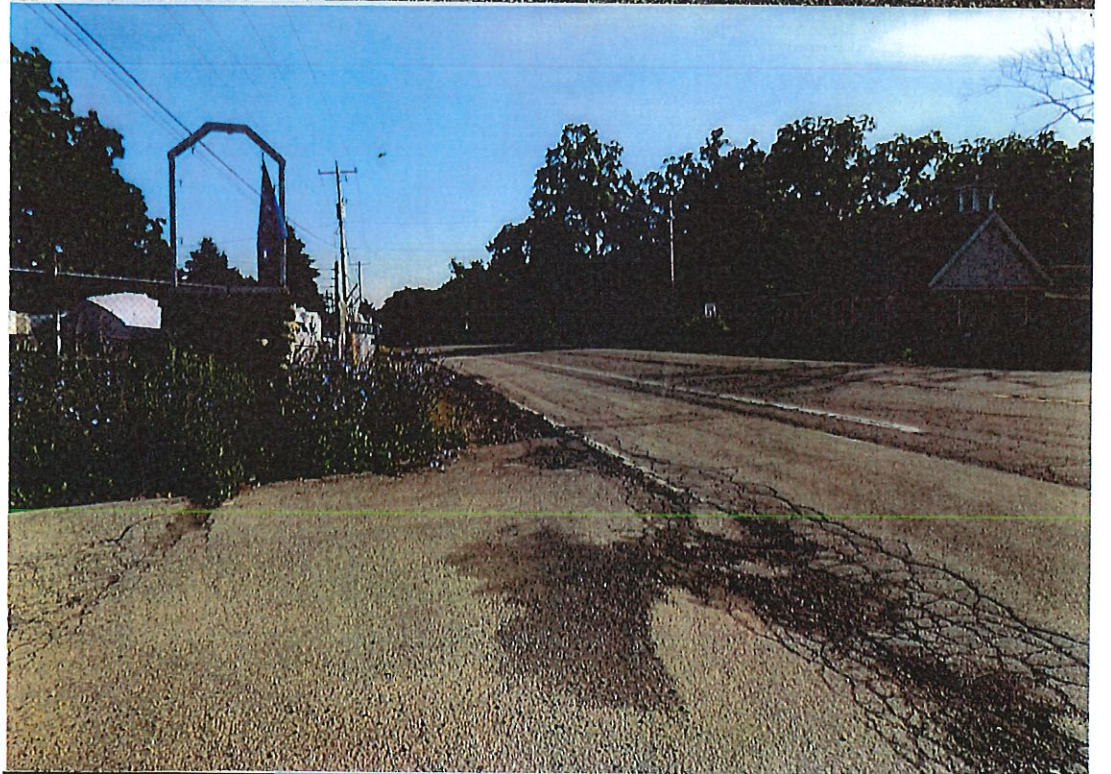
The Warren Field
South of driveway
looking at wooded
property line



Driveway exit
looking at
Highway P



Highway P
looking north



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RACINE COUNTY

Highway P
looking south



T. 2 N.

WALWORTH COUNTY

UNTY



7

8

18

17

20

Bohrer Lake

water

water

water

water

water

water

water

water

water

water

water

water

water

water

water