

COM ITEM #3

Owner: BAR Land Company II LLC

Applicant/Agent: Reesman Excavating & Grading

Town: City of Burlington

Zoning district(s): City

**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.)

establish a nonmetallic mining reclamation plan as required by NR 135, Wis.

Admn. Code and Chap. 12.5 Nonmetallic Mining Reclamation, Rac. Co. Code & Ord.

AT (site address): 808 and 892 McHenry St, Burlington, WI 53105

Subdivision: NIA Lot(s): NIA Block: NIA

Parcel # 206021905065000/206021905065012 Section(s) 5 T 2 N R 19 E

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

**Attached are:**

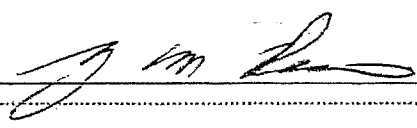
- zoning permit application
- hearing/review fee (Fees are non-refundable, & re-publication/amendment fees will be charged where applicable.)
- \_\_\_\_\_ 12 SETS: drawn-to-scale site plan that is based on a survey (10 of the 12 should be sized or folded to 8.5" x 11")
- \_\_\_\_\_ 3 SETS: landscaping/lighting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

print name: Gregory M Reesman

e-mail address: \_\_\_\_\_

address: 28815 Bushnell Rd  
Burlington WI 53105

telephone #: 262-539-2124

signed: 

**STAFF USE ONLY:**

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

_____ The property is	all / partially	located in the	<b>RECEIVED</b>	_____ shoreland area.
_____ The project is	all / partially	located in the		JAN 11 2023
_____ The property is	all / partially	located in the	<b>RACINE COUNTY</b>	_____ floodplain.
_____ The project is	all / partially	located in the		_____ floodplain.
_____ The property is	all / partially	located in the wetland.		
_____ The project is	all / partially	located in the wetland.		

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

Chapter 12.5 Nonmetallic Mining Reclamation

Shoreland contract: yes \_\_\_\_\_ no X

Public hearing date: NIA

Site plan review meeting date: February 20, 2023

Submittal received by: BDT

Date petition filed: January 11, 2023

cash or check #: visa 1-11-2023

amount received: \$ 200<sup>00</sup>

APPLICATION FOR ZONING PERMIT

RACINE COUNTY, WISCONSIN (v. 02/22)

PERMIT NO. \_\_\_\_\_

DATE PERMIT ISSUED \_\_\_\_\_

OWNER RAR Land 2 LLC

APPLICANT Reesman Excavating & Grading

Mailing Address 28815 Bushnell Rd

Mailing Address 28815 Bushnell Rd

Burlington WI 53105  
City State Zip

Burlington WI 53105  
City State Zip

Phone 262-539-2124

Phone 262-539-2124

Email jr@reesmans.com

Email jr@reesmans.com

Parcel Id. # 206021905065000/206021905065012 Site Address 808 and 892 McHenry St, Burlington, WI

Municipality City of Burlington Section(s) 5 Town 2 North, Range 19 East

Lot - Block - Subdivision Name N/A CSM # -

Proposed Construction/Use Q1 zoning and CUP has been granted by City of Burlington. We are requesting Racine Co reclamation permit based on Racine Co jurisdiction over NR135

New	<input checked="" type="checkbox"/>	Principal Bldg.	Size ( <u>   </u> x <u>   </u> ) ( <u>   </u> x <u>   </u> ) ( <u>   </u> x <u>   </u> )
Addition	<input type="checkbox"/>	Accessory	Area (sq ft) ( <u>per</u> ) ( <u>submitted</u> ) ( <u>plans</u> )
Alteration	<input type="checkbox"/>	Deck	Peak Ht. (ft.) <u>   </u> 100-Yr. Floodplain Elev. <u>   </u>
Conversion	<input type="checkbox"/>	Sign	Eave Ht. (ft.) <u>   </u> Flood Protection Elev. <u>   </u>
Temporary	<input type="checkbox"/>	Other <u>Reclamation</u>	Building Ht.-Avg. (ft.) <u>   </u>

Contractor <u>N/A</u>	Est. Value w/Labor \$ <u>N/A</u>	ZONING DISTRICT <u>CITY</u>
Existing Nonconforming? <u>N/A</u>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yard Setbacks <u>Proposed</u> <u>OK?</u>
Structure in Shoreland? (per map)	Yes <input type="checkbox"/> No <input type="checkbox"/>	Street-1 <sup>st</sup> <u>   </u> <u>   </u>
Mitigation or Buffer Needed?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Street-2 <sup>nd</sup> <u>   </u> <u>   </u>
Structure in Floodplain? (per map)	*Yes <input type="checkbox"/> No <input type="checkbox"/>	Side-1 <sup>st</sup> <u>per submitted</u>
*Structure's Fair Market Value \$ <u>   </u>	Cumulative % <u>   </u>	Side-2 <sup>nd</sup> <u>plans</u>
*>50% of Fair Market Value? <u>N/A</u>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Shore <u>   </u> <u>   </u>
Structure in Wetland? (per map)	Yes <input type="checkbox"/> No <input type="checkbox"/>	Rear <u>   </u> <u>   </u>
Substandard Lot?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Total Acc. Structures <u>   </u> <u>   </u>
BOA Variance Needed?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Date of Approval <u>   </u> <u>   </u>
<del>Conditional Use</del> <u>Site Plan</u> Needed?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Date of Approval <u>   </u> <u>   </u>
Shoreland Contract Needed?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Date of Approval <u>   </u> <u>   </u>

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 <u>Site Plan</u>	Pd: \$ <u>200.00</u>	<u>[Signature]</u>	<u>1-5-2023</u>
CC Date/Check#/Cash <u>VISA 1-11-2023</u>		Signature of Owner /Applicant/Agent	Date
Shoreland Contract Fee Pd: \$ <u>   </u>		<u>Gregory M Reesman</u>	
CC Date/Check#/Cash <u>   </u>		Print Name(s)	
Zoning Permit Fee Pd: \$ <u>   </u>		Notes (revisions, extensions, etc.)	
CC Date/Check#/Cash <u>   </u>			
Other: Pd: \$ <u>   </u>			

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

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

PIN 200.02.19.05.005.012 \* 2010.02.19.05.005.000

# Reclamation Plan Narrative



## Hughes Aggregate Site

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The property is located northeast of the intersection between the Burlington bypass and McHenry street in Burlington. The initial stage of the project proposal is to remove aggregate materials. Completion of the extraction creates a regional stormwater pond and prepares the site for future industrial development to occur. This preparation allows for extension of Brookview Avenue connecting the existing business park located south of Market Street and providing direct access to the Burlington bypass. A regional stormwater retention facility will be created. The area will be prepared providing 59 acres for industrial use.

The land is presently being used for agricultural production. The current land use plan being promulgated provides for industrial use. We are requesting an interim extractive use, under a conditional use permit, to prepare the land for industrial use. The area where extraction will take place is upland in nature. The wooded area is highly degraded from past grazing, fire suppression, Oak wilt and by invasive plant species. The entire understory is dominated by invasive buckthorn. A woodland ecological assessment indicates this is a low-quality plant community, with 75% non-native invasive species. There are no wetlands in the area to be used for extraction. See included Wetland Delineation prepared by Eric Parker of Heartland Ecological.

The portion of the property north of the proposed ROW contains deposits of sand and gravel which will be removed per grading plans depicting the future industrial development of the overall site. In general, current elevations in the extraction area range from 800-840. Proposed elevations range from 782' in the west, 773' on the east, and 772-776 proposed elevation for the regional pond area. Reclamation

post aggregate extraction will provide northern tier industrial lot areas at subgrade per the industrial park development plans.

#### **Distribution-Depth of Topsoil:**

The existing topsoil on site varies in depth from 4"-12". Topsoil will average 8" overall. All topsoil will be removed and stockpiled for replacement as part of site restoration. A minimum of 6" of topsoil will be replaced on all disturbed areas. Supplements to topsoil may be imported to the site to help facilitate restoration efforts.

#### **Groundwater:**

On October 16, 2019 a monitoring well was installed on the west side of the property and one on the east side. The readings on the east well are at elevation 771 and the west side is at 780.

#### **Means and Methods to reclaim the site:**

Over 50 acres of the site will be restored per the submitted Compensation Plan prepared by Heartland Ecological. This will be a combination of rehabilitation and enhancement of current environmental areas that are being preserved. This also includes creation of environmental area, in the area subject to extraction, per the Compensation plan.

Through the course of the project restoration will take place on an intermittent basis with reclamation occurring contemporaneously with stripping of additional extraction area. Subsoil and topsoil removal from areas being prepared for extraction will be placed on areas that are completed at grade. Areas where extraction is complete and at proposed elevation will receive a layer of subsoil and a layer of topsoil. Once areas are topsoiled they will receive preparation for seeding. Seeding will be turf on the lot areas, and the pond areas will receive native seeding per the compensation plan. The compensation plan provides detailed descriptions for means and methods to establish the final plant communities. The

operator has much experience establishing the proposed native seed mixes outlined in the compensation plan. The operator recently completed the development of the RFD2 Wetland Mitigation Bank in the City of Burlington. This is a 35 acre wetland restoration project.

**Duration:**

The project is anticipated to be 15 years in duration. Economic and construction market conditions will impact the rate of aggregate material removal. Extraction will begin on the western portion of the site and proceed to the east establishing industrial lots and the regional stormwater pond. See sequencing and schedule exhibit included.

**Maintenance, Monitoring, Reporting:**

The site will be monitored and maintained by the operator on an ongoing basis. Inspections and reporting will also occur as stipulated by the permit requirements of the DNR with coverage under the DNR general Permit for Non-Metallic Mining. Operation and maintenance will be per the terms and conditions of the City of Burlington Conditional Use Permit. The site operation and reclamation will be per the requirements of the State of WI NR 135 Reclamation Standard.

**Final Restoration:**

Upon completion of earthwork activities, the industrial lot areas will be restored and prepared for turf seeding. The areas of restoration other than the industrial lot areas, subject to the extraction, will have restoration per the submitted Burlington Business Park Compensation Plan. This plan provides for creation of environmental features on the site. These features include created wetlands, Mesic Prairie, and upland Oak Savannah/Woodlands. The Compensation plan provides for ongoing maintenance, monitoring, and reporting to achieve performance standards depicted.

**Erosion Control:**

During earthwork and extraction, erosion control will be installed in compliance with DNR General Permit and City requirements. Grading of the site will ensure that no stormwater leaves the site. Measures such as silt fences, sediment traps, tracking areas, and erosion matting will be employed as warranted.

The proposed stormwater pond will be constructed and used to remove sediment, attain water quality, and control release rate to Spring Brook Creek. This will eliminate the current condition where farming operations surface drain directly to Springbrook creek.

**Performance Standards for Successful Reclamation:**

Reclamation will be as-built to assure conformance with the lines and elevations depicted in the Site Plan for ultimate development. The restoration will be monitored for re-establishment of vegetative cover after seeding has taken place on the industrial lot areas. The Regional Pond area will be completed incrementally once elevations are attained. Refer to the Burlington Business Park Compensation Plan for specific restoration types, methods and performance standards. The Compensation plan covers areas disturbed by the extraction operation as well as areas being preserved and rehabilitated on the site.

**Financial assurance:**

A reclamation Bond will be provided for the duration of the extraction operation. This provides for a financial guarantee that all areas are fully reclaimed upon completion of extraction. This bond will be posted upon approval and granting of a conditional use permit from the City. This bond will be in the full amount of the agreed upon restoration cost. This bond will be provided by our surety Liberty Mutual Insurance Company, 175 Berkeley Street, Boston MA.

**Cost Estimate of Reclamation Liability:**

The anticipated maximum disturbed area (aggregate operational area) at any one time prior to reclamation is 15 acres. Based on historical restoration cost of \$4,500.00 per acre, we promote a bond value of \$67,500.00



1-5-2023

Racine County  
Economic Development & Land Use Planning Committee  
14200 Washington Ave  
Sturtevant, WI 53177

RAR Land 2 LLC  
28815 Bushnell Road  
Burlington, WI 53105

RE: Cover Letter, Application for Reclamation Permit

Committee Members,

RAR Land 2 LLC as owner, and Reesman's Excavating & Grading, Inc. as operator, are requesting a Reclamation Permit from Racine County in accord with Chapter 12.5 of Racine County Code of Ordinances to operate a proposed Extraction site at 808, 892 McHenry Street in the City of Burlington. The City of Burlington has not adopted it's own Reclamation ordinance therefore Racine County has jurisdiction under NR 135. The City of Burlington approved the rezone to Q-1 Extractive and approved a Conditional Use Permit for the site on December 15, 2022. Please see attached Racine County application which includes a submittal of all relevant documents which have been submitted for the approval by City of Burlington.

The Extractive use on the property will remove excessive topography preparing the site for future business park industrial development. The applicant is submitting all relevant documents including **grading plan, civil plan, and Environmental Compensation Plan** which collectively provide for the **intended features, and vegetation by community types** to be established to attain post mining land uses of **Industrial, Stormwater Management, and Environmental Conservancy.**

Thank you for your consideration,

Gregory M Reesman





# PROPOSAL



## Reesman's Excavating & Grading, Inc.

28815 Bushnell Road  
Burlington, WI 53105  
Phone: 262.539.2124  
Fax: 262.539.2665

Quote To: Racine County  
Development Services  
14200 Washington Ave  
Sturtevant, WI 53177

Job Name: Hughes Aggregate Site  
Date of Plans:  
Date of Proposal: 2-2-2023  
Proposal Number: 23-029

Reclamation estimate for Bond coverage

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Mobilization	1.00	LS	3,500.00	3,500.00
2	Slope Grading	27,777.00	S.Y.	1.05	29,165.85
3	Placement of Salvaged Topsoil	73,000.00	S.Y.	0.54	39,420.00
4	Seeding with Turf Grass	15.00	ACRE	3,212.00	48,180.00
<b>GRAND TOTAL</b>					<b>\$120,265.85</b>

### NOTES:

1. Mobilization covers moving three articulated six wheel trucks, one excavator, and 2 D-6T dozers.
2. Slope grading scope includes grading to subgrade of perimeter slopes.
3. Placement of salvaged topsoil scope covers placement of 12,100 c.y. of stockpiled topsoil on the disturbed 15 acres of the site.
4. Seeding covers planting turf grass on the entire area.

PINNACLE ENGINEERING GROUP  
ENGINEERING | NATURAL RESOURCES | PLANNING  
1001 WESTERN AVENUE SUITE 100  
MILWAUKEE, WI 53233  
TEL: 414.488.8800 FAX: 414.488.8801  
WWW.PINNACLE-ENG.COM

PLAN | DESIGN | DELIVER

BURLINGTON, WI

# BURLINGTON BUSINESS PARK

## CONCEPTUAL GRADING EXHIBIT

REVISIONS

NO.	DATE	BY	DESCRIPTION

HEC 208 1/8" x 11" (305 x 279.4mm)  
FORM: 10-10  
SHEET: 10-10  
SCALE: AS SHOWN

SHEET



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PROJECT: 2015.01.15.11.12.00-WI-CADWASTEN11.12.00-WI-MASTER.DWG  
 PINNACLE ENGINEERING GROUP  
 ENGINEERING | NATURAL RESOURCES | SURVEYING  
 1000 WEST WISCONSIN AVENUE, SUITE 100  
 MILWAUKEE, WI 53233  
 PHONE: 414.224.8888  
 FAX: 414.224.8888  
 WWW.PINNACLE-ENG.COM

**BURLINGTON BUSINESS PARK**  
 BURLINGTON, WI  
 CONCEPTUAL PROPOSED  
 GRADING EXHIBIT

NO.	DATE	DESCRIPTION

REVISIONS

DATE: 11/12/15  
 DRAWN BY: JLD  
 CHECKED BY: JLD  
 SCALE: AS SHOWN

SHEET



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**PINNACLE ENGINEERING GROUP**  
ENGINEERING / ARCHITECTURE / PLANNING  
1000 W. WISCONSIN AVENUE, SUITE 100  
MILWAUKEE, WI 53233  
TEL: 414.333.1111 FAX: 414.333.1112  
WWW.PINNACLE-ENG.COM

PLAN | DESIGN | DELIVER

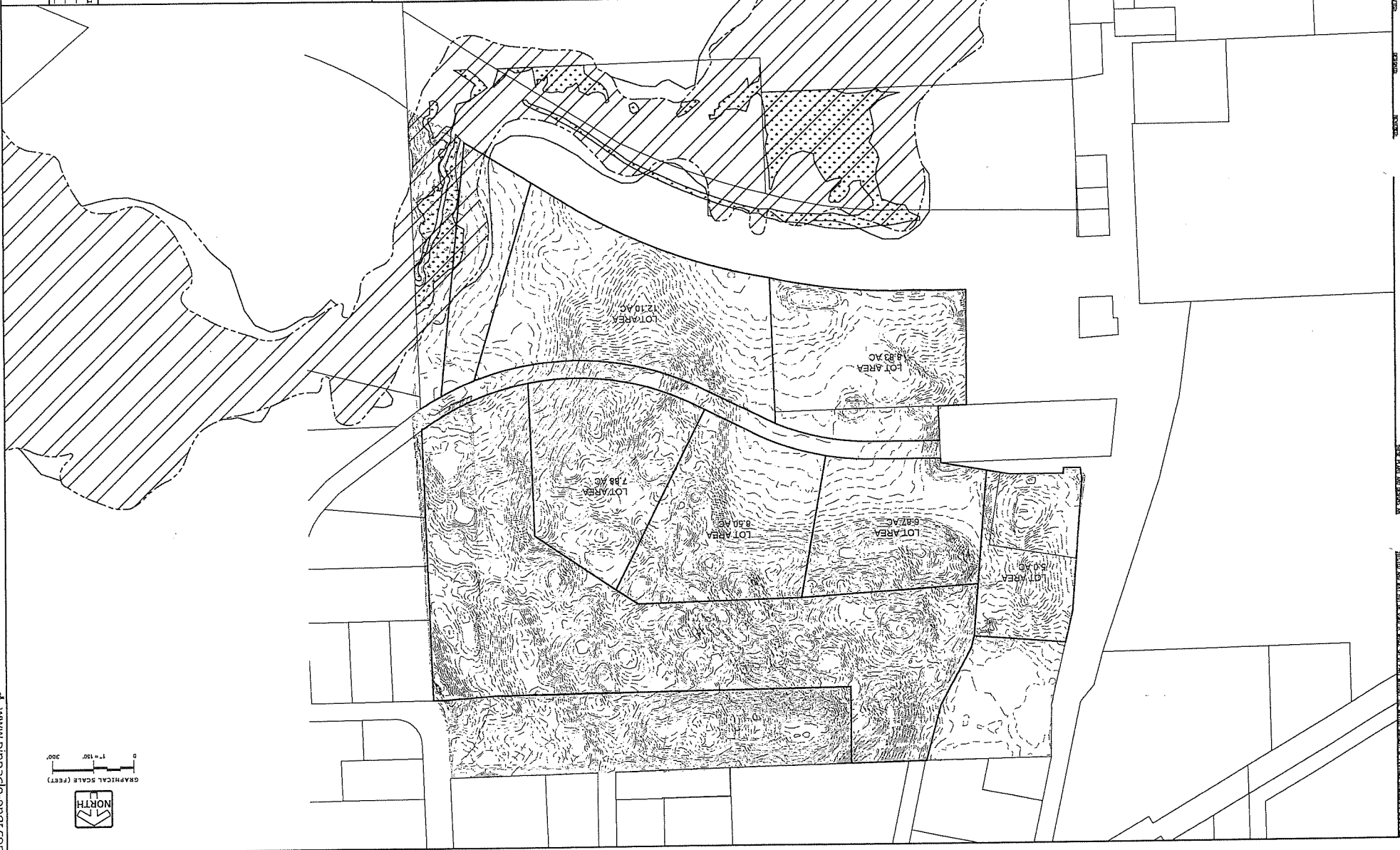
# BURLINGTON BUSINESS PARK

BURLINGTON, WI

## EXISTING GRADING EXHIBIT

NO.	DATE	DESCRIPTION

DATE PLOTTED: 10/20/2011 10:58 AM  
DRAWN BY: J. HARRIS  
CHECKED BY: J. HARRIS  
SCALE: AS SHOWN  
SHEET: 01 OF 01



# HUGHES PROPERTY | CONCEPT V8

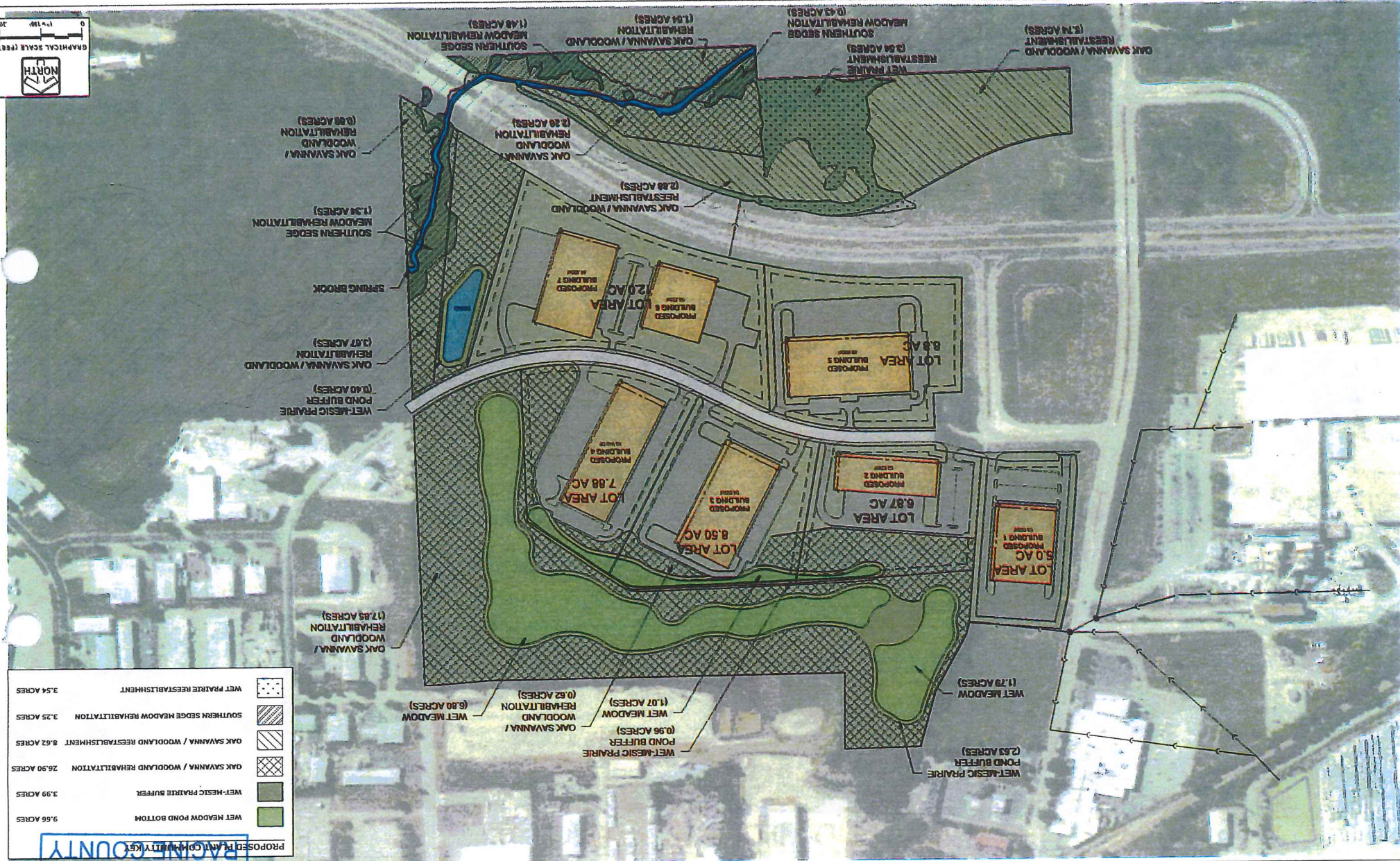
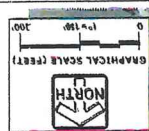
PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186 | WWW.PINNACLE-ENGR.COM |

PLAN | DESIGN | DELIVER

PEGJOB# 1822.0

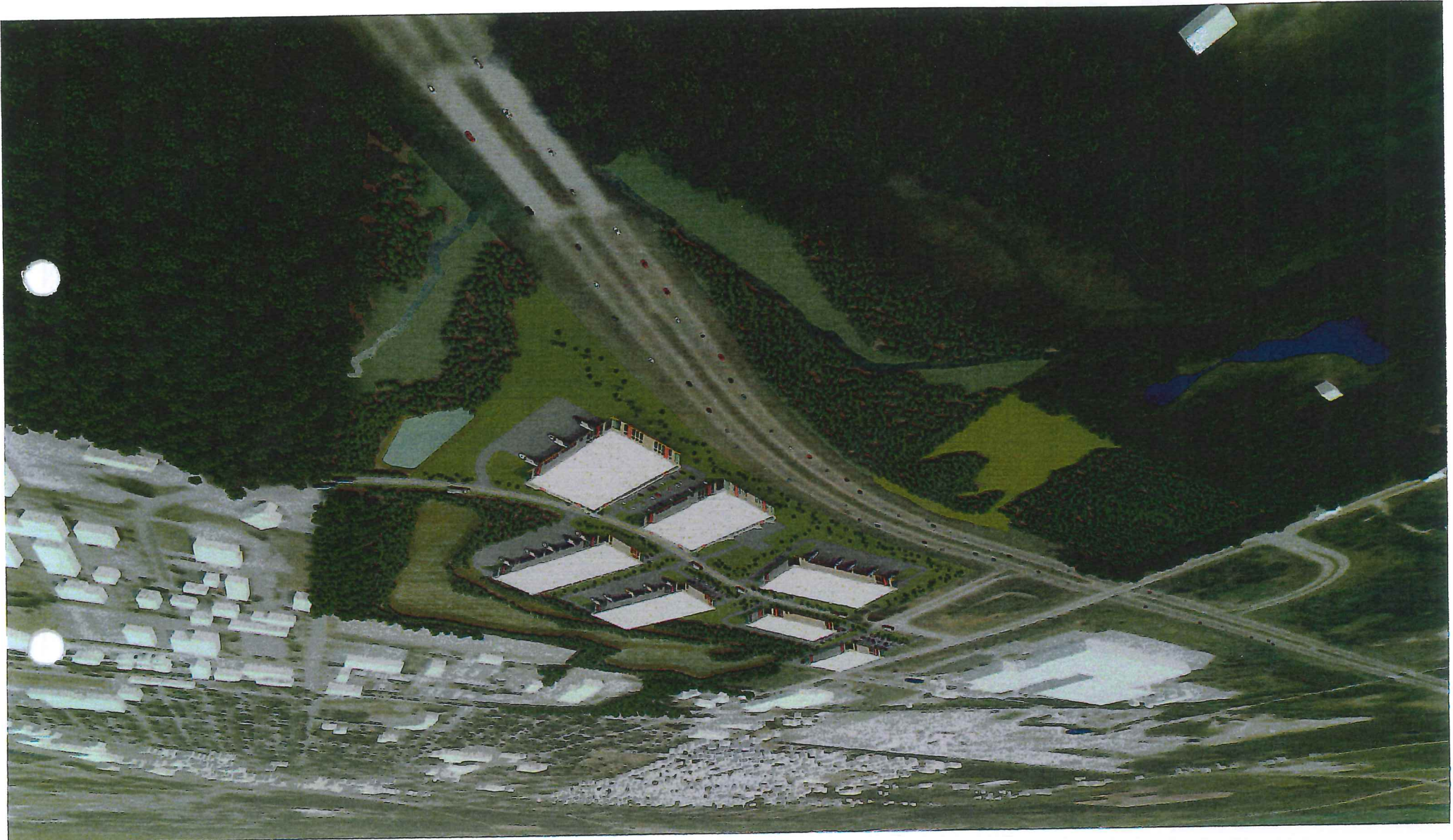
11.17.22



Area Type	Acreage
WET MEADOW POND BOTTOM	9.66 ACRES
WET-MESIC PRAIRIE BUFFER	3.99 ACRES
OAK SAVANNA / WOODLAND REHABILITATION	26.90 ACRES
OAK SAVANNA / WOODLAND RESTABILISHMENT	8.62 ACRES
SOUTHERN SEDGE MEADOW REHABILITATION	3.25 ACRES
WET PRAIRIE RESTABILISHMENT	3.54 ACRES

PROPOSED PLAN | COMMUNITY KEY

RECEIVED  
JAN 11 2023  
PACIFIC COUNTY



RECEIVED  
JAN 11 2023  
RACINE COUNTY

RACINE COUNTY  
JAN 11 2023  
RECEIVED

BURLINGTON, WI

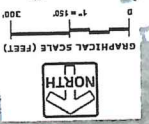
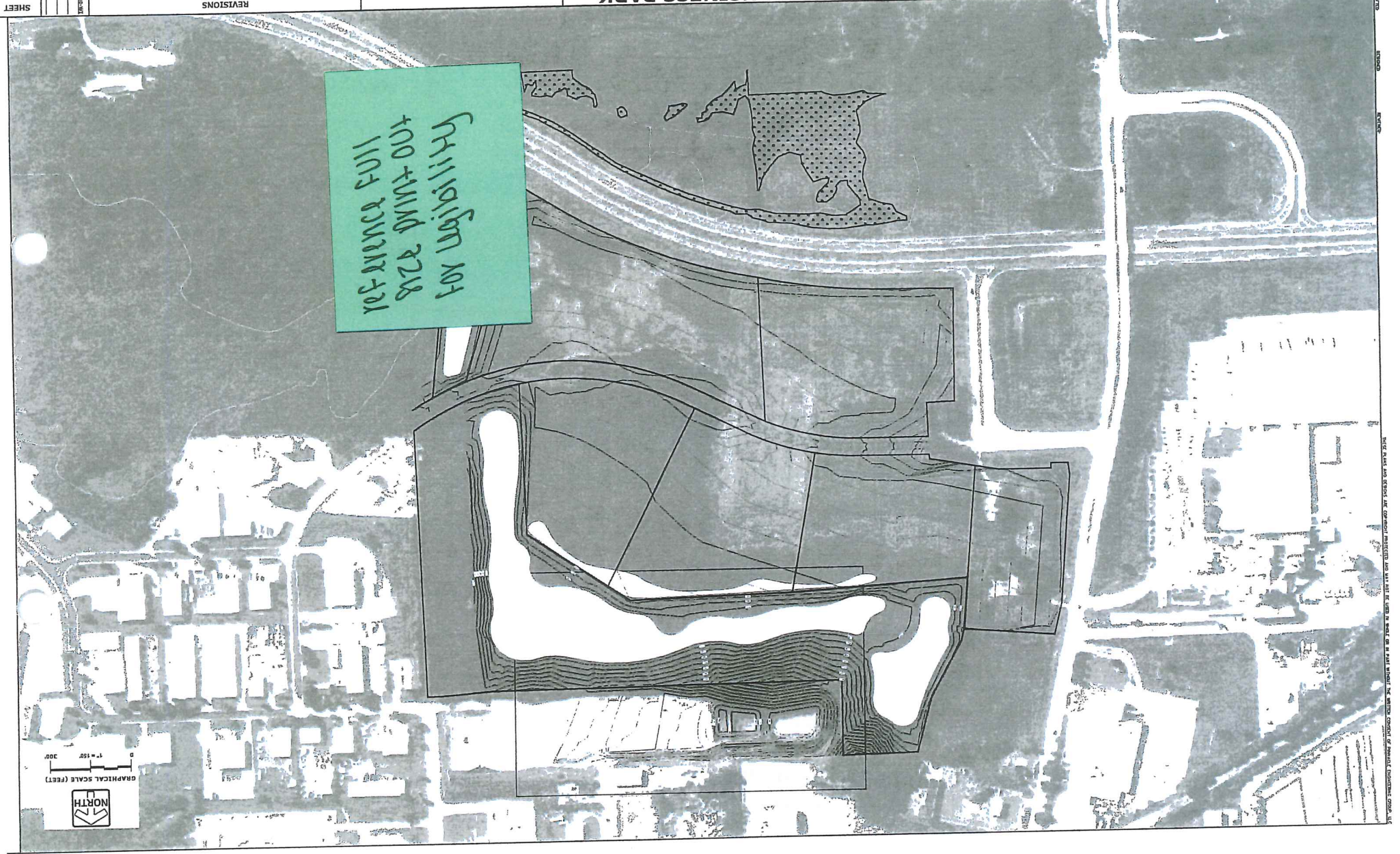
CONCEPTUAL GRADING  
EXHIBIT

# BURLINGTON BUSINESS PARK

PLAN | DESIGN | DELIVER

Pinnacle Engineering Group  
ENGINEERING | NATURAL RESOURCES | SURVEYING  
1000 W. WISCONSIN ST. SUITE 200  
BURLINGTON, WI 53105  
TEL: 262.338.8888  
WWW.PINNACLE-ENG.COM

2701032319122-00-WI-CADMAST1122-01-MASTER-DWG



SHEET

REVISIONS

DATE

SCALE

PROJECT

THIS PLAN AND SPECIFICATIONS ARE COMMON PROPERTY AND WILL BE KEPT IN FORCE IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF Pinnacle Engineering Group, LLC.

RECEIVED

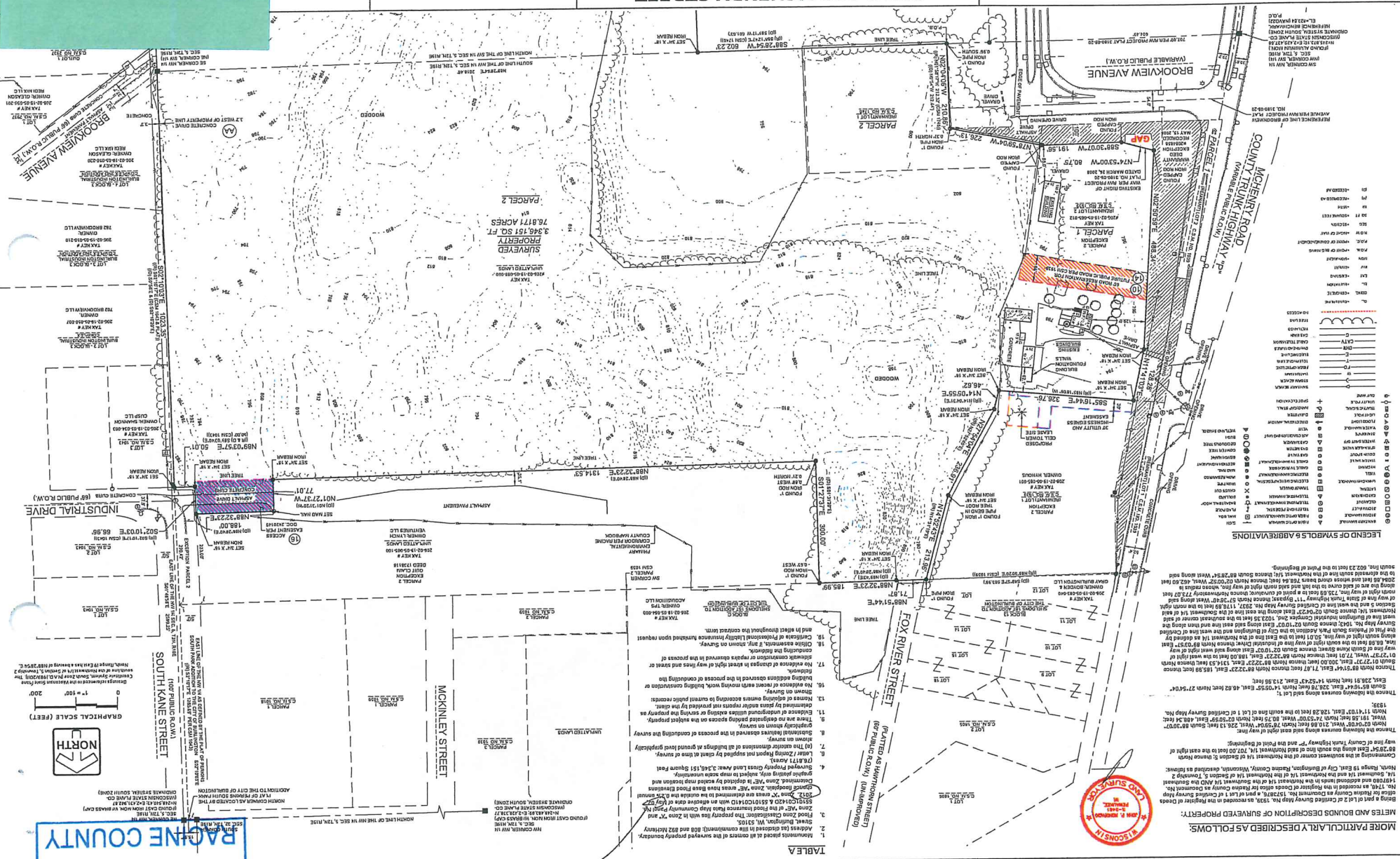
JAN 11 2023

RAVINE COUNTY

existing Topography

**808 & 892 MCHENRY STREET**  
**TITLE SURVEY**  
 ALTA/NSPS LAND

THAT PART OF LOT 2 OF C.S.M. NO. 1939, PART OF LOT 1 OF C.S.M. NO. 1746 AND  
 ADDITIONAL LANDS IN THE S 1/4 OF SEC. 5, T2N, R19E, CITY OF BURLINGTON, RAVINE COUNTY, WISCONSIN



**METS AND BYARDS DESCRIPTION OF SURVEYED PROPERTY.**

**TABLE A**  
 1. Adjoined parcel at corner of the surveyed property boundary  
 Street, Burlington, WI 53105.  
 2. Zone coordinates: The property lies within Zone 2 and  
 3. Zone of Flood Insurance Risk Community Flood  
 4. Zone of Flood Insurance Risk Community Flood  
 5. Zone of Flood Insurance Risk Community Flood  
 6. Zone of Flood Insurance Risk Community Flood  
 7. Zone of Flood Insurance Risk Community Flood  
 8. Zone of Flood Insurance Risk Community Flood  
 9. Zone of Flood Insurance Risk Community Flood  
 10. Zone of Flood Insurance Risk Community Flood

1. The following corner along said east right of way line:  
 North 181.98 feet from 74.5107° East, 60.234 feet North, 60.234 feet East, 60.234 feet  
 2. The following corner along said east right of way line:  
 North 191.85 feet from 74.5107° East, 60.234 feet North, 60.234 feet East, 60.234 feet  
 3. The following corner along said east right of way line:  
 North 191.85 feet from 74.5107° East, 60.234 feet North, 60.234 feet East, 60.234 feet  
 4. The following corner along said east right of way line:  
 North 191.85 feet from 74.5107° East, 60.234 feet North, 60.234 feet East, 60.234 feet

**LEGEND OF SYMBOLS & ABBREVIATIONS**

- 1. Easement
- 2. Encroachment
- 3. Utility Line
- 4. Boundary Line
- 5. Right of Way
- 6. Easement
- 7. Encroachment
- 8. Utility Line
- 9. Boundary Line
- 10. Right of Way
- 11. Easement
- 12. Encroachment
- 13. Utility Line
- 14. Boundary Line
- 15. Right of Way
- 16. Easement
- 17. Encroachment
- 18. Utility Line
- 19. Boundary Line
- 20. Right of Way

PLAT NO. 198-223-001-001, RAVINE COUNTY, WISCONSIN







Scale  
10x70

Berms

Berms

Berms

Infiltration Basin

RECEIVED  
JAN 11 2023  
RACINE COUNTY