

MINUTES
FRIDAY, FEBRUARY 27, 2015 – 9:00 A.M.
BOARD OF ADJUSTMENT COMMITTEE
ROOM #1004 - 1ST FLR COURTHOUSE BUILDING "A"
301 WASHINGTON STREET, OCONTO, WI 54153-1699
www.co.oconto.wi.us

COMMITTEE PRESENT: Gryboski, Ragen, Sleeter, Stranz, and Wellens

OTHERS PRESENT: Gabe Moody

1. Moved by Ragen, seconded by Sleeter to amend the agenda. Motion voted on and carried.
2. Approval of Minutes
 - a. Business Meeting
Moved by Wellens, seconded by Sleeter, to approve the meeting minutes of January 28, 2015. Motion voted on and carried.
 - b. Public Hearings
Moved by Stranz, seconded by Ragen to approve the minutes from the following hearings. Motion voted on and carried.
 - i. February 25, 2015
 1. Anthony Garbo
 2. Mark Chandler
 3. Mountain Stone Corporation
 4. Nick & Danny Nickels
Moved by Sleeter, seconded by Stranz to address a possible re-hearing for Nick & Danny Nickels.
3. Public Comments/Miscellaneous
None
4. Hearing Dates
 - a. The Board selected March 25, 2015 as public hearing date.
 - b. The Board selected March 31, 2015 as the business meeting date.
5. Adjournment

Melissa Wellens – Secretary

Thomas Gryboski - Chair

MW/mls Date posted: 3/2/15

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
February 25, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 2/27/15 BY MS

1. Hearing called to order at 8:50 AM

2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
Mr. Alan Sleeter, Vice-Chairman
Mrs. Melissa Wellens, Secretary
Mr. Elmer Ragen
Mr. Allan Stranz

Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
Mr. Pete Renteria – Deputy Zoning Administrator
Ms. Brenda Garbo
Mr. Anthony Garbo

3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to Anthony Garbo's application for a variance to build closer to the water, road and to exceed the 35' height standard. Location of the property is in Section 26, T33N, R16E, Town of Lakewood.

4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.

5. Mr. Bartz, Jr. stated that the petition was filed on January 29, 2015. He provided the required notices, application, plot plan, maps and staff report.

6. Appearances:

A. Mr. Anthony Garbo appeared and was sworn in. He stated that he is requesting a variance to build closer to the water, road and to exceed the 35' height standard. He would like to build a new home 45' from the ordinary high water mark. The existing cottage is 15' from the water. The existing garage will be removed. Would like to reconnect to the existing holding tank. Will build the 3000 sq. ft. 3-story home into the hill. The roof will be 46' in height from the lowest level on the hill and will be one story high on the road side of the lot.

B. Ms. Brenda Garbo appeared and was sworn in. She stated that they plan to retire to the property. Need to cut down the hill to have access to the land. Plan on revegetating and rain gardens. None of the neighbors object. The home will be handicapped accessible. Mother can't get to the existing cabin.

C. Mr. Bill Bartz, Jr. appeared and was sworn in. He stated that the road variance would be 29' from the road requirement of 63' and the ordinary high water mark variance would be 20' from the 75' requirement.

7. Correspondence

A. Letter from James R. Hickey

8. Testimony closed at 9:11 AM

9. Deliberation/Discussion: The BOA discussed the Findings of Fact. Step #3 for unnecessary hardship was questionable because of the steep slope and being very close to each lot line. Without a variance, a vegetation plan would not be required which would be detrimental to the property. There is a unique physical property limitation due to the steep slope. There would be no harm to public interest because the cottage, which is 15' from the water, will be removed. After further discussion, the BOA gave some relief for applicant by moving closer to the road and reducing the requesting 30' variance to 10'.

10. Decision: Moved by Sleeter, seconded by Stranz to reduce the following setbacks:

1. Reduce the required 75' setback ordinary high water mark to 65';
2. Reduce the required 63' setback from the centerline of a town road to 34';
3. Increase the 35' height limitation of a structure to 46'

With the condition that A restoration plan to restore the Shoreland buffer to standards noted in NRCS Code 643A Shoreland Habitat Bulletin and Wisconsin Biology Technical Note 1: Shoreland Habitat must be submitted and approved by the Zoning Department prior to issuance of a land use permit for the structure approved from this variance. The obligations of the property owner under the restoration plan shall be evidenced by an instrument recorded in the office of the County Register of Deeds. The Board has authority to require the restoration be in place prior to issuance of the land use permit for the structure approved by the variance. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.

11. Hearing adjourned at 9:40 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 2/27/14 BY MS

CASE NO: VA-20150002

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is Anthony Garbo, 4780 N. Bartlett Dr, Whitefish Bay, WI 53211
2. The petitioner is the owner of record of parcel number 019-8722142 located in Section 26, T33N, R16E, Town of Lakewood.
3. The petition for variance was filed with the Board Secretary on January 29, 2015, noticed, as provided for by law, on February 11, 2015 and February 18, 2015, and a public hearing was held by the Oconto County Board of Adjustment on 2/25/2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The proposed relief sought by the petitioner is a variance from the requirement that a structure be setback 75' from the ordinary high water mark, 63' from the centerline of a town road and to exceed the height standard. Specifically, the petitioner is requesting to build a home 45' from the ordinary high watermark, 38' from the centerline of E. Wheeler Lake Lane and 45' in height.
6. The hardship claimed in this matter is the steep slope.
7. The applicant is requesting a variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.
3. A literal enforcement of the terms of the Oconto County Zoning Ordinance will result in practical difficulty or unnecessary hardship to the applicant because due to the unique lot a house cannot be built without some kind of variance.
4. The unique physical limitation of the property is the steep slope.
5. The variance will not be contrary to the public interest and spirit of the Oconto County Zoning Ordinance.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Committee determines & orders as follows:

GRANT OF VARIANCE

The requested variance to reduce the following setbacks is hereby granted.

1. Reduce the required 75' setback ordinary high water mark to 65';
2. Reduce the required 63' setback from the centerline of a town road to 34';
3. Increase the 35' height limitation of a structure to 46';

With the condition that A restoration plan to restore the Shoreland buffer to standards noted in NRCS Code 643A Shoreland Habitat Bulletin and Wisconsin Biology Technical Note 1: Shoreland Habitat must be submitted and approved by the Zoning Department prior to issuance of a land use permit for the structure approved from this variance. The obligations of the property owner under the restoration plan shall be evidenced by an instrument recorded in the office of the County Register of Deeds. The Board has authority to require the restoration be in place prior to issuance of the land use permit for the structure approved by the variance.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits.


Melissa Wellens, Secretary
Oconto County Board of Adjustment

2-27-15
Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
February 25, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 2/27/15 BY ms

1. Hearing called to order at 10:08 AM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary

- Mr. Elmer Ragen
 Mr. Allan Stranz

- Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
 Mr. Pete Renteria – Deputy Zoning Administrator
 Mr. Brian Bartman

3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to Mark Chandler's application for a variance to create a lot with less than 100' for road frontage. Location of the property is in Section 09, T32N, R16E, Town of Riverview.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on January 20, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. Bryan Bartman appeared and was sworn in. He stated that he is the agent for Mark Chandler. They are requesting a variance to create a lot with less than 100' of road frontage both lots. Mr. Chandler owned the former Lot #16, now Lot #1, and when the former Lot #15, now Lot #2, came up for sale, Mr. Chandler purchased the property in order to build a home. Will be adding 50' from Lot #1 to Lot #2. This will enable them to build a home and meet the required setbacks. The association agrees. Inspiration Lane is a private road and therefore each lot needs a 100' road frontage variance.
 - B. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
8. Testimony closed at 10:17 AM
9. Deliberation/Discussion: The BOA discussed the Findings of Fact and agrees it meets all three steps to grant a variance.
 1. Physical Limitation – there is no public road frontage;
 2. No harm to public interest – existing conditions;
 3. Hardship – the lots are on a private road;
10. Decision: Moved by Wellens, seconded by Ragen to reduce the required 100' of road frontage on certified survey lots to 0' for proposed Lot #1 and Lot #2. Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.
11. Hearing adjourned at 10:20 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

**NOTICE OF DECISION AND ORDER
OCONTO COUNTY BOARD OF ADJUSTMENT**

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 2/27/15 BY MS

CASE NO: VA-20150001

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Committee finds the following facts:

1. The petitioner is Mark Chandler, 2782 Richardson St, Fitchburg, WI 53711
2. The petitioner is the owner of record of parcel number 036-090904002315 and 036-090904102316 located in the W 1/2, NW 1/4, Section 09, T32N, R16E, Town of Riverview.
3. The petition for variance was filed with the Board Secretary on January 20, 2015, noticed, as provided for by law, on February 11, 2015 and February 18, 2015, and a public hearing was held by the Oconto County Board of Adjustment on February 25, 2015.
4. The property is zoned Residential Single Family District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The proposed relief sought by the petitioner is a variance from the requirement that a certified survey lot must have must have 100' of road frontage. Specifically, the petitioner is requesting to create a lot by certified survey with zero feet of road frontage.
6. The hardship claimed in this matter is there is no road frontage.
7. The applicant is requesting a variance under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of Section 14.3100 of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.
3. A literal enforcement of the terms of the Oconto County Zoning Ordinance will result in practical difficulty or unnecessary hardship to the applicant because they cannot divide the lots without a variance.
4. The unique physical limitation of the property is the lots are on a private road.
5. The variance will not be contrary to the public interest and spirit of the Oconto County Zoning Ordinance.

DETERMINATION & ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Committee determines & orders as follows:

GRANT OF VARIANCE

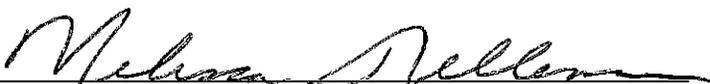
The requested variance to reduce the required 100' of road frontage on certified survey lots to 0' for proposed Lot #1 and Lot #2 is hereby granted.

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Committee, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of this variance does not relieve the applicant of the obligation to obtain sanitary and zoning permits.


Melissa Wellens, Secretary
Oconto County Board of Adjustment

2-27-15
Date

MINUTES OF HEARING
OCONTO COUNTY BOARD OF ADJUSTMENT
February 25, 2015

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 2/27/15 BY ml

1. Hearing called to order at 10:57 AM
2. Roll Call: Present: Mr. Thomas Gryboski, Chairman
 Mr. Alan Sleeter, Vice-Chairman
 Mrs. Melissa Wellens, Secretary
 Mr. Elmer Ragen
 Mr. Allan Stranz

Others Present: Mr. William Bartz Jr, Assistant Zoning Administrator
 Mr. Pete Renteria – Deputy Zoning Administrator
 Mr. Ryan Campbell – Mountain Stone Corp.
 Mr. Jim Tilkens
 Mr. Patrick Kryzanek
3. Mr. Bartz, Jr. read the Notice of Public Hearing pertaining to Mountain Stone Corporation's application for a conditional use permit to continue to operate a quarry. Location of the property is in Section 34, T32N, R15E, Town of Doty.
4. Mr. Bartz, Jr. stated that the notice was mailed to the petitioner, DZA for posting, adjacent landowners within approximately 300 feet of the affected parcel, and others on the distribution list. He also made a statement in regard to the Open Meeting Law.
5. Mr. Bartz, Jr. stated that the petition was filed on January 20, 2015. He provided the required notices, application, plot plan, maps and staff report.
6. Appearances:
 - A. Mr. Ryan Campbell appeared and was sworn in. He stated that he is requesting to renew a conditional use permit for a rock quarry. Plans on mining for 2 to 3 more years. Have plenty of rocks available. Mountain Stone Works sells them. Reclamation is done as the hill is mined.
 - B. Mr. Jim Tilkens appeared and was sworn in. He stated that he is the chairman for the Town of Doty's Plan Commission. The Plan Commission toured the site. Mr. Tilkens read the minutes of the meeting. A neighbor is against continuing the conditional use permit for more than 2 years. The Town would like the pit closed by September 2017.
 - C. Mr. Ryan Campbell re-appeared and stated that they would have no problem to stop mining in 2017 but would need time to move all the rocks.
 - D. Mr. Patrick Kryzanek appeared and was sworn in. He stated that he is a property owner adjacent to the pit. The conditional use permit conditions have always been adhered to. He is not opposed to moving the rocks as needed instead of all at once.
 - E. Mr. Bill Bartz, Jr. appeared and was sworn in.
7. Correspondence
 - A. Town Recommendation Form from the Town of Doty – Recommends
8. Testimony closed at 11:17 AM
9. Deliberation/Discussion: Discussed conditions and Town's request. There have been no violations. The Town can bring up concerns of the closure of the pit at the next renewal time.

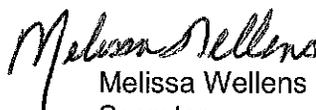
Mountain Stone Corp Public Hearing
February 25, 2015
Pg. #2

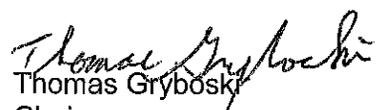
10. Decision: Moved by Sleeter, seconded by Stranz to grant a conditional use permit to continue to operate a quarry with the following conditions:

1. No washing of stone on-site;
2. There must be a pipe gate installed at the entrance to the quarry on Cty T;
3. Dust control must be used according to EPA regulations;
4. There must be a 30' setback from adjacent property lines;
5. Quarry reclamation plans and a financial guarantee shall conform to the requirements as set forth in the Oconto County Non-Metallic Reclamation Ordinance or WDNR Chapter 30 permit requirements. Whichever is greater;
6. The project will encompass about 71 total acres;
7. Hours of Operation:
 - a. Normal Business Hours - 7:00 AM to 5:00 PM
Monday through Friday from April 1 to November 1.
 - b. Maintenance on Equipment – Allowed 24 hours a day, 7 days a week;
 - c. Allowed to load trucks and haul out stone until November 15th. Cannot operate any other part of the quarry.
8. The operation is regulated by the county and state regarding tracking dirt on the road. A pad is required before entering Cty T and an approximately 100 yard paved asphalt section will be added at the end just before entering Cty T;
9. Approximately 15 – 20 trucks a day would be loaded;
10. The excavation will start at about 10' below grade and proceed on the same plane into the hill. The excavation depth from the top of the hill will be approximately 30' deep;
11. Stumps removed during the excavation will be set to the side and buried during the reclamation process;
12. There will be 2 to 5 acres being put into production at a time. As new areas are put into production the proceeding areas will be reclaimed;
13. Any slopes after reclamation will have a maximum 3-1 slope;
14. The topsoil will be removed and put into an 8' – 10' berm between the nonmetallic mine and Cty T. This will be seeded with grass and used for ground cover during reclamation. No topsoil will be sold.
15. During operation there will be 2 front-end loaders, 2 mechanical screeners and possibly 1 backhoe on site;
16. The property is zoned Agricultural with a quarry overlay.
17. When the project is completed the property will revert back to Agriculture.
18. There will be no scale on site;
19. There will be no blasting or crushing on site.
20. This permit will expire on March 29, 2018

Roll Call Vote: Gryboski, Ragen, Sleeter, Stranz and Wellens all voting aye, no nays, motion carried.

11. Hearing adjourned at 11:23 AM


Melissa Wellens
Secretary


Thomas Gryboski
Chairman

William Bartz Jr.
Assistant Zoning Administrator

Draft

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 2/27/15 BY ms

EXHIBIT

A

TOWN OF DOTY

LAND USE PLANNING COMMISSION

MEETING MINUTES

DATE: February 23rd, 2015

TIME: 6:05 P.M.

LOCATION: Doty Town Hall

ROLL CALL: Jim Tilkens, Duane Zehren, Mick Scanlan, Dick Kendall, Jim Jawort. Also present were Sharon Scanlan Andrew Stemp, John Vanden Langenberg, and Harry Smith North East Surveying.

The Opening Meeting Law had been complied with.

Agenda Approval Motion by Jim Jawort and seconded by Dick Kendall to approve the agenda. All in favor.

Minutes of last meeting The Mick Scanlan made a motion to approve the minutes from the June 23rd, 2014 meeting, a second was made by Jim Jawort; all in favor the minutes were approved.

Item #1 Citizens Input - There wasn't any input.

Item #2 Request by Mountain Stone Corporation to renew their CUP. There was a discussion about the stone quarry concerning its history and the visit to the site last summer by Dick Kendall, Bob Bennett and Bob Gaie. These people all thought the operation looked good. The concern by John VandenLangenberg was that this is the 3rd request for a continuation while the original request was for a 10 year period of operation. After the discussion the following motion was made.

Dick Kendall made a motion and it was seconded by Jim Jawort that the LUPC issue a Cup continuation for 2 years ending September 1, 2016 with land restoration or landscaping to be completed by the end of October, 2016. This time frame was established by the LUPC after conversations with Ryan Campbell. The Town requires this restoration is to be based on verbiage in the original CUP. The motion was unanimously approved.

Item #3 Property description clarification at Traxels Pt. Road. Harry Smith explained the complex situation. Doug Traxel is to receive the property from his mother and when it was to be registered Oconto County said this is an illegal separation and to

Draft

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 2/27/15 BY JWS

satisfy the requirements the Town and Doug Traxel would have to make property concessions.

A motion was made by Jim Jawort and seconded by Jim Tilkens to acknowledge the need for a CSM of the Traxel property to include the following items.

- Lot 1 would be rezoned from RR to R1.
- Property on OL1 and OL2 which is where the road is now be dedicated to the Town of Doty.
- The Town of Doty waives the requirement for a cul-de-sac and additional right of way on OL3.

All were in favor.

Item # 4 Other matters to be legally addressed. There were none.

Item # 5 Next meeting As required

Item #6 Adjournment Jim Tilkens made a motion to adjourn, seconded by Jim Jawort, all in favor. Meeting adjourned at 7:35 P.M.

Submitted by Jim Tilkens Chairman LUPC

NOTICE OF DECISION AND ORDER
OCONTO COUNTY ZONING BOARD OF ADJUSTMENT

OCONTO COUNTY, WISCONSIN
FILING DATE FOR SECTION
59.694(10) STATUTORY PURPOSES
DATE 2/27/15 710
CASE NO. CU-20150002

FINDINGS OF FACT: Having heard all the testimony and considered the entire record herein, the Board finds the following facts:

1. The applicant is Mountain Stone Corporation, 14382 State Hwy 32, Mountain, WI, 54149.
2. The applicant is the owner of record of parcel number 014-523401844 located in Section 34, T32N, R15E, Town of Doty.
3. The conditional use permit application was filed with the Board Secretary on January 20, 2015, noticed, as provided for by law, on February 11, 2015 and February 18, 2015, and a public hearing was held by the Oconto County Board of Adjustment on February 25, 2015.
4. The property is zoned Forest, Agriculture, General Commercial with a Quarry Overlay District under the Oconto County Zoning Ordinance which was enacted November 9, 1989.
5. The applicant is requesting a conditional use permit to continue to operate a quarry.
6. The applicant is requesting a conditional use permit under the provisions of the Oconto County Zoning Ordinance.

CONCLUSIONS OF LAW: Based upon the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction of this matter under the provisions of the Oconto County Zoning Ordinance.
2. Violations of the Oconto County Zoning Ordinance will not exist as a result of this action.

DETERMINATION AND ORDER: On the basis of the above Findings of Fact, Conclusions of Law and the record herein, the Board determines and orders as follows:

GRANT OF CONDITIONAL USE PERMIT

The requested conditional use permit to continue to operate a quarry is hereby granted subject to the following conditions:

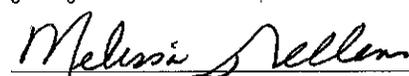
1. No washing of stone on-site;
2. There must be a pipe gate installed at the entrance to the quarry on Cty T;
3. Dust control must be used according to EPA regulations;
4. There must be a 30' setback from adjacent property lines;
5. Quarry reclamation plans and a financial guarantee shall conform to the requirements as set forth in the Oconto County Non-Metallic Reclamation Ordinance or WDNR Chapter 30 permit requirements. Whichever is greater;
6. The project will encompass about 71 total acres;
7. Hours of Operation:
 - a. Normal Business Hours - 7:00 AM to 5:00 PM
Monday through Friday from April 1 to November 1.
 - b. Maintenance on Equipment -- Allowed 24 hours a day, 7 days a week;
 - c. Allowed to load trucks and haul out stone until November 15th. Cannot operate any other part of the quarry.
8. The operation is regulated by the county and state regarding tracking dirt on the road. A pad is required before entering Cty T and an approximately 100 yard paved asphalt section will be added at the end just before entering Cty T;
9. Approximately 15 - 20 trucks a day would be loaded;
10. The excavation will start at about 10' below grade and proceed on the same plane into the hill. The excavation depth from the top of the hill will be approximately 30' deep;
11. Stumps removed during the excavation will be set to the side and buried during the reclamation process;
12. There will be 2 to 5 acres being put into production at a time. As new areas are put into production the proceeding areas will be reclaimed;
13. Any slopes after reclamation will have a maximum 3-1 slope;
14. The topsoil will be removed and put into an 8' - 10' berm between the nonmetallic mine and Cty T. This will be seeded with grass and used for ground cover during reclamation. No topsoil will be sold.
15. During operation there will be 2 front-end loaders, 2 mechanical screeners and possibly 1 backhoe on site;
16. The property is zoned Agricultural with a quarry overlay.
17. When the project is completed the property will revert back to Agriculture.
18. There will be no scale on site;
19. There will be no blasting or crushing on site.
20. This permit will expire on March 29, 2018

GENERAL CONDITIONS

Any privileges granted by this decision and order are subject to the conditions herein stated. Any period of time during which this decision and order is stayed by order of and court or operation of law shall not be counted in determining the time for exercise of the privileges granted.

This order may be revoked by the Board, after notice and opportunity to be heard, for violation of any of the conditions or limitations imposed.

A review of this decision and order may be obtained by filing an action of certiorari with the Circuit Court for Oconto County within 30 days of the filing date of this decision and order. The County assumes no liability and makes no warranty as to the legality of any construction commenced prior to the expiration of this 30 day period. The granting of the conditional use permit does not relieve the applicant of the obligation to obtain sanitary and zoning permits.


Melissa Wellens, Secretary
Oconto County Board of Adjustment

2-27-15
Date