

## OWN OF RUTLAND NOTICE OF PUBLIC HEARING

April 28, 2022 – 6:00 P.M.

### RUTLAND TOWN HALL – 785 CENTER ROAD

Notice is hereby given that public hearing will be held before the Town Board and Planning Commission located at the Rutland Town Hall, 785 Center Rd. on April 28, 2022 at 6:00 p.m. regarding the following proposals. All persons will be afforded the right to speak to the Planning Commission and Board members upon the proposal. Debate/discussion among the public attendees will not be allowed.

1. CUP 2022-02561 by Brad Draheim for limited family business – welding business. The property is located at 4658 State Hwy 92 (Section 31).

More information regarding the proposal is on file at the Clerk's office or by going to <https://dane.legistar.com/Legislation.aspx>. Enter the CUP application number in the legislative text box. Note: the petition number is 2561. The full application will be posted to the Town Website: [www.town.rutland.wi.us](http://www.town.rutland.wi.us).

2. CUP 2022-02563 by Kevin Hahn for non-metallic extraction operation. The property is located 1000 feet south of 439 Center Rd (Section 28).

More information regarding the proposal is on file at the Clerk's office or by going to <https://dane.legistar.com/Legislation.aspx>. Enter the CUP application number in the legislative text box. Note: the petition number is 2563. The full application will be posted to the Town Website: [www.town.rutland.wi.us](http://www.town.rutland.wi.us).

All persons wishing to speak on these proposals must register submitting a registration slip to the Town Clerk prior to the "Call to Order" of meeting. The registration slip is included in this packet or is available by emailing the clerk at [clerk@town.rutland.wi.us](mailto:clerk@town.rutland.wi.us). The Appearance slip should include:

- 1) Name, Address and Contact information
- 2) Indicate "for", "against" or "for information only"
- 3) Once meeting has been called to order, appearance slips will not be accepted.

Slips are retained by the Town as a record of those presenting Testimony. Doors will open no later than 15 minutes prior to start of hearing.

Any written testimony must be submitted within one week prior to the public hearing (April 21, 2022). Please submit all written testimony to [clerk@town.rutland.wi.us](mailto:clerk@town.rutland.wi.us), or at Town Clerk, 4177 Old Stage Rd., Brooklyn WI 53521

The information will be forwarded to the Town Board and Planning Commission members.

**There will be no action taken by the Planning Commission or Board at these hearings.**

Notice is hereby given that a majority of the Town Board and the Planning Commission of the Town of Rutland may be present at this meeting to gather information about subjects over which they have decision making responsibility. This constitutes a meeting of the Rutland Town Board pursuant to State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553, 494 N.W. 2d 408 (1993) and must be noticed as such although the Town Board will not take any formal action at this meeting.



**PUBLIC HEARING APPEARANCE SLIP**

DATE.....

HEARING NAME/NUMBER.....

NAME .....

ADDRESS.....

REPRESENTNG.....

EMAIL OR TELEPHONE NUMBER.....  
(for identification at zoom meeting if applicable)

- I wish to speak in favor of the application.
- I wish to speak in opposition of this application.
- I wish to speak for informational purposes only.

Comments: .....

.....

.....



Complete a hearing appearance slip and deliver it to the Town Clerk ([clerk@town.rutland.wi.us](mailto:clerk@town.rutland.wi.us) or by us mail at 4177 Old Stage Rd, Brooklyn, WI 53521.

You will be recognized by the Chair when it is your turn to speak.  
Direct all comments, questions and replies to the Town Board and Planning Commission.

When asked to speak:

1. State your name and place of residence.
2. Indicate whether you represent a group or association.
3. Indicate whether or not you favor or oppose the application or are speaking for informational purposes only.
4. Keep comments relevant to the item being considered.
5. Limit your comments to the time period specified by the chair.
6. Avoid repetitive testimony.



# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
03/11/2022	DCPCUP-2022-02561
<b>Public Hearing Date</b>	
05/24/2022	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME BRADD R DRAHEIM	Phone with Area Code (920) 285-3933	AGENT NAME _	Phone with Area Code
BILLING ADDRESS (Number, Street) 4658 STATE HIGHWAY 92		ADDRESS (Number, Street)	
(City, State, Zip) BROOKLYN, WI 53521		(City, State, Zip)	
E-MAIL ADDRESS bradd7154@gmail.com		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
4658 State Hwy 92					
TOWNSHIP RUTLAND	SECTION 31	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-312-9561-0		---		---	



CUP DESCRIPTION
Limited Family Business - Welding business

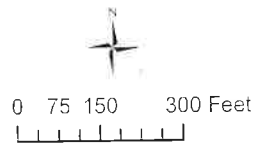
DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.233(3)	9.3

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



**Legend**

-  Wetland
-  Floodplain
- Significant Soils**
- Class 1
- Class 2



CUP 02561  
BRADD R DRAHEIM



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: BRADD DRAHEIM Agent Name:  
 Address (Number & Street): 4658 HWY 92 Address (Number & Street):  
 Address (City, State, Zip): BROOKLYN WI 53521 Address (City, State, Zip):  
 Email Address: BRADD7154@GMAIL.COM Email Address:  
 Phone#: 920-285-3433 Phone#:

### SITE INFORMATION

Township: RUTLAND Parcel Number(s): 0510-312-9561-0  
 Section: 31 Property Address or Location: 4658 HWY 92 BROOKLYN WI 53521  
 Existing Zoning: Rm-8 Proposed Zoning: CUP Code Section(s): 10.233(3)

### DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use):  LIMITED FAMILY BUSINESS	Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Provide a short but detailed description of the proposed conditional use: WOULD LIKE TO PROVIDE SERVICE TO COMMUNITY AND SURROUNDING AREAS WITH REPAIR WELDING OR CUSTOM WELDING APPLICATIONS	

### 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.

- Complete attached information sheet for standards
- Site Plan drawn to scale
- Detailed operational plan
- Written legal description of boundaries
- Detailed written statement of intent
- Application fee (**non-refundable**), payable to Dane County Treasurer

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: \_\_\_\_\_

Date: \_\_\_\_\_

**Standard 1:**

The workshop is more than 500 ft from residential area and city park to the west, well drilling business to the east. All work will be performed inside workshop, noise will be confined as well. Any outside storage will be contained to rear of workshop, not easily seen from residential area.

**Standard 2:**

Hours of operation are from 3pm-7pm weekdays and 10am – 6pm weekends. Customer parking will be in front of workshop on gravel parking area.

**Standard 3:**

Work will be contained to workshop and storage contained to rear of workshop and lower portion of large barn on property. The surrounding residential properties separated by wooded area and corn field.

**Standard 4:**

Electricity comes directly from utility pole. There is no washroom to the work area. There will be gravel added to driveway and parking area.

**Standard 5:**

Access to driveway is gravel off highway 92. The parking area is large enough to park several vehicles and farm equipment. Larger equipment would go to the back of the workshop.

**Standard 6:**

Repair farm equipment.

**Standard 7:**

Workshop is being insulated and fireproofed

No employees

No hazardous materials

No excess outdoor lighting

Business sign will be displayed by front entrance

Waste will be minimal



# Dane County Conditional Use Permit Application

<b>Application Date</b>	<b>C.U.P Number</b>
03/16/2022	DCPCUP-2022-02563
<b>Public Hearing Date</b>	
05/24/2022	

OWNER INFORMATION	AGENT INFORMATION
-------------------	-------------------

OWNER NAME KEVIN HAHN	Phone with Area Code (608) 333-5607	AGENT NAME COURTER RESOURCE GROUP LLC	Phone with Area Code (715) 450-3669
BILLING ADDRESS (Number, Street) 3898 OLD STONE RD		ADDRESS (Number, Street) 17054 HWY 178	
(City, State, Zip) OREGON, WI 53575		(City, State, Zip) Jim Falls, WI 54748	
E-MAIL ADDRESS nelsonexcavatingandson@gmail.com		E-MAIL ADDRESS susan@courterresource.com	

ADDRESS/LOCATION 1	ADDRESS/LOCATION 2	ADDRESS/LOCATION 3
--------------------	--------------------	--------------------

ADDRESS OR LOCATION OF CUP	ADDRESS OR LOCATION OF CUP	ADDRESS OR LOCATION OF CUP
1000 feet south of 439 Center Road		
TOWNSHIP RUTLAND	SECTION 28	TOWNSHIP
	SECTION	TOWNSHIP
	SECTION	SECTION
PARCEL NUMBERS INVOLVED	PARCEL NUMBERS INVOLVED	PARCEL NUMBERS INVOLVED
0510-284-8001-0	---	---

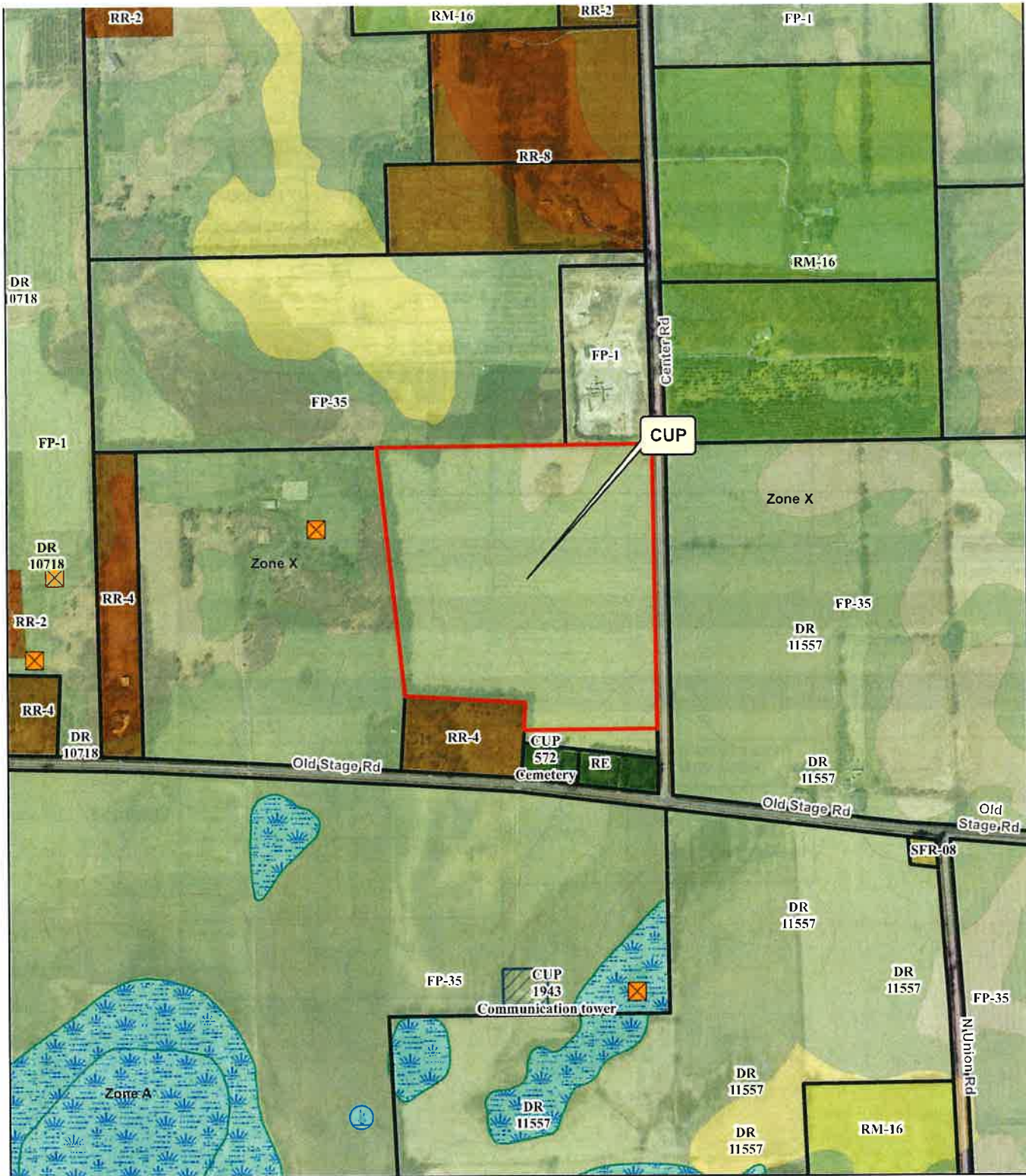
CUP DESCRIPTION
-----------------

Non-metallic mineral extraction operation





DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
---------------------------------------	-------

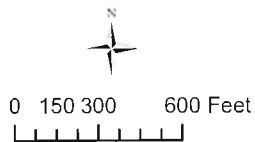
10.222(3) and 10.103(15)	22.96
--------------------------	-------

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



**Legend**

- |  |            |   |
|--|------------|---|
|  | Wetland    | <b>Significant Soils</b>  |
|  | Floodplain |  Class 1 |
|  |            |  Class 2 |



**CUP 02563**  
**KEVIN HAHN**





March 1, 2022

Dane County Planning and Development  
Room 116, City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53703-3342

Town of Rutland  
Town Board and Planning Commission  
4177 Old Stage Road  
Brooklyn, WI 53521

**Re: Kevin Hahn Property – Nonmetallic Mining Conditional Use Permit Application**

Dear Town of Rutland and Dane County Representatives,

Nelson Excavating and Son, LLC (Nelson Excavating) is a local, family-owned, and operated construction company and aggregate supplier serving communities in south-central Wisconsin for more than ten years. To meet the needs of their customers, Nelson Excavating must continually secure mineral reserves. In 2019, Kevin Hahn, owner of Nelson Excavating, secured reserves on an approximate 36.7-acre parcel south of their existing quarry located on Center Road in the Town of Rutland, Dane County. The property contains glacial sand and gravel, and dolomite, an altered variety of limestone essential for the construction and maintenance of local homes, businesses and infrastructure, as well as water treatment and erosion control.

Attached is an operation and environmental control plan to supplement a Dane County Conditional Use Permit application and request to excavate the mineral reserves on the property; all information applies to the 36.7-acre parcel, not existing operations at the Nelson Quarry.

Thank you for your review time and consideration. If you have any questions, don't hesitate to contact myself or Kevin Hahn at (608) 333-5607.

Warm regards,

A handwritten signature in black ink that reads 'Susan Courter'.

Susan Courter, P.G.

Enclosure: Center Road Quarry, Operation and Environmental Control Plan  
cc: Nelson Excavating and Son, LLC