



City of Fitchburg
 Planning/Zoning Department
 5520 Lacy Road
 Fitchburg, WI 53711
 (608) 270-4200

CONDITIONAL USE PERMIT APPLICATION

The undersigned owner, or owner's authorized agent, of property herein described hereby applies for a conditional use permit for the following described property:

1. Location of Property:

Street Address: 6145 Cottonwood Drive

Legal Description - (Metes & Bounds, or Lot No. And Plat): _____

Part of the NE 1/4, SE 1/4 and part of the NW1/4, SE 1/4 of Section 7, T06N R09E, City of Fitchburg, Dane County, Wisconsin (See attached for full description)

***Also submit in electronic format (MS WORD or plain text) by email to: PLANNING@FITCHBURGWI.GOV

2. Current Use of Property: Mineral Extraction - Limestone Quarry

3. Proposed Use of Property: Mineral Extraction - Limestone Quarry

4. Proposed Development Schedule: Amend CU-0508-93 to extent permit termination to 12/31/2028

5. Zoning District: CU-0508-93

6. Future Land Use Plan Classification: I-G - Industrial General

***Pursuant to Section 22-3(b) of the Fitchburg Zoning Ordinance, all Conditional Use Permits shall be consistent with the currently adopted City of Fitchburg Comprehensive Plan.

***Attach three (3) copies of a site plan which shows any proposed land divisions, plus vehicular access points and the location and size of all existing and proposed structures and parking areas. Two (2) of the three (3) copies shall be no larger than 11" x 17". Submit one (1) pdf document of the entire submittal to planning@fitchburgwi.gov.

Additional information may be requested.

Type of Residential Development (If Applicable): N/A

No. of Dwelling Units by Bedroom: 1 BR 2 BR 3 BR 4 or More

No. Of Parking Stalls: _____

Type of Non-residential Development (If Applicable): N/A

Proposed Hours of Operation: _____ **No. Of Employees:** _____

Floor Area: _____ **No. Of Parking Stalls:** _____

Sewer: Municipal Private **Water:** Municipal Private

Current Owner of Property: Sub - Zero Group, Inc. Attention: Clinton Collins

Address: 4717 Hammersley Road, Madison, WI 53711 **Phone No:** (608) 270-3344

Contact Person: Bill Buglass, Agent of Payne & Dolan, Inc.

Email: wbuglass@payenanddolan.com

Address: PO Box 781, Waukesha, WI 53187 **Phone No:** (608) 445-0925

Respectfully Submitted By: *William A. Buglass* *Kerry Mahan (Sub-Zero Group)*

Owner's or Authorized Agent's Signature

**** It is highly recommended that an applicant hold at least one neighborhood meeting prior to submitting an CUP application to identify any concerns or issues of surrounding residents.**

PLEASE NOTE - Applicants shall be responsible for legal or outside consultant costs incurred by the City. Submissions shall be made at least four (4) weeks prior to desired plan commission meeting.

For City Use Only: **Date Received:** _____ **Publish:** _____

Ordinance Section No. _____ **Fee Paid:** _____

Permit Request No. _____



PAYNE & DOLAN
INCORPORATED
A WALBEC GROUP COMPANY

March 15th, 2018

City of Fitchburg – Planning Department
5520 Lacy Road
Fitchburg, WI 53711

Harvest Haven – OBrien Quarry CUP Extension

Dear: Fitchburg Planning Department,

Attached is an aerial photo history showing quarry production and remaining material as part of the conditional use permit (CUP) applications for the extension of the Harvest Haven (CU-0508-93) and OBrien (CU-1083-01) Quarry conditional use permits. The only change to our existing conditions is to extent the permit terms to 12/31/2028.

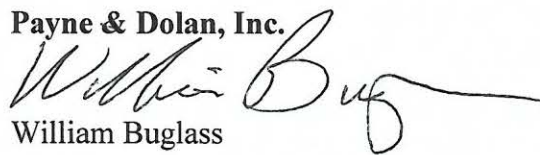
The aerial photos show the current CUP limits, permitted extraction limit and area in which material is to be extracted. As the quarry progresses, the active high wall is advancing to the south. The area between the highwall and extraction limit is the material yet to be extracted from the site.

Based upon the remaining material and historic market conditions there is approximately 10 years' worth of material remaining. The 10 year extension for both Harvest Haven and OBrien conditional permits is necessary to complete the extraction of the remaining reserve.

If you have any questions at all regarding this information, please let me know.

Sincerely,

Payne & Dolan, Inc.



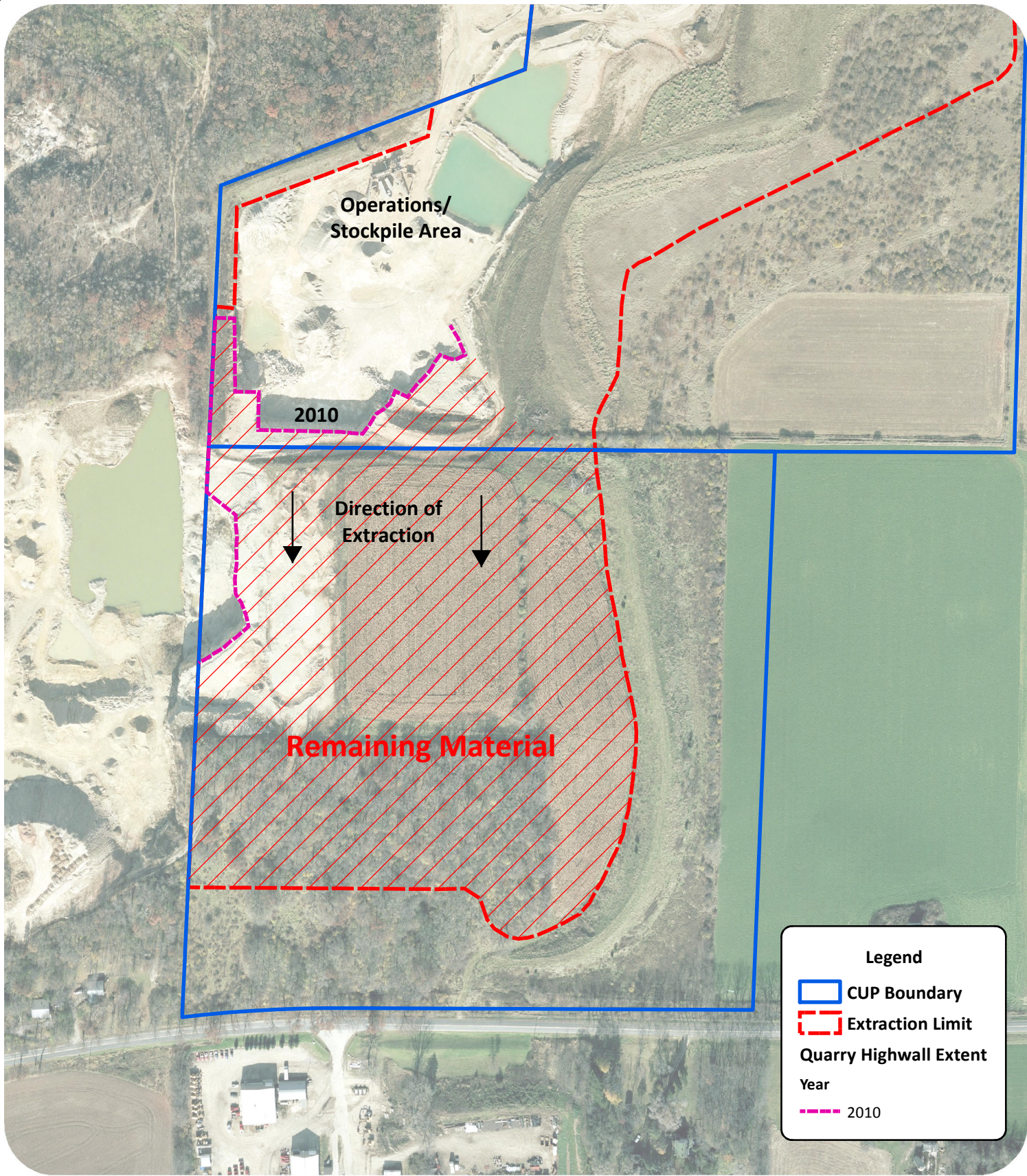
William Buglass

Enc.

An Equal Opportunity Employer

PO Box 781
N3 W23650 Badinger Rd
Waukesha, WI 53187
262-524-1700

www.payneanddolan.com



**2010 Harvest Haven - OBrien Quarry
Extraction Extent**

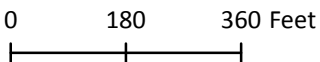
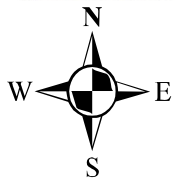
Aerial Date: Fall 2010

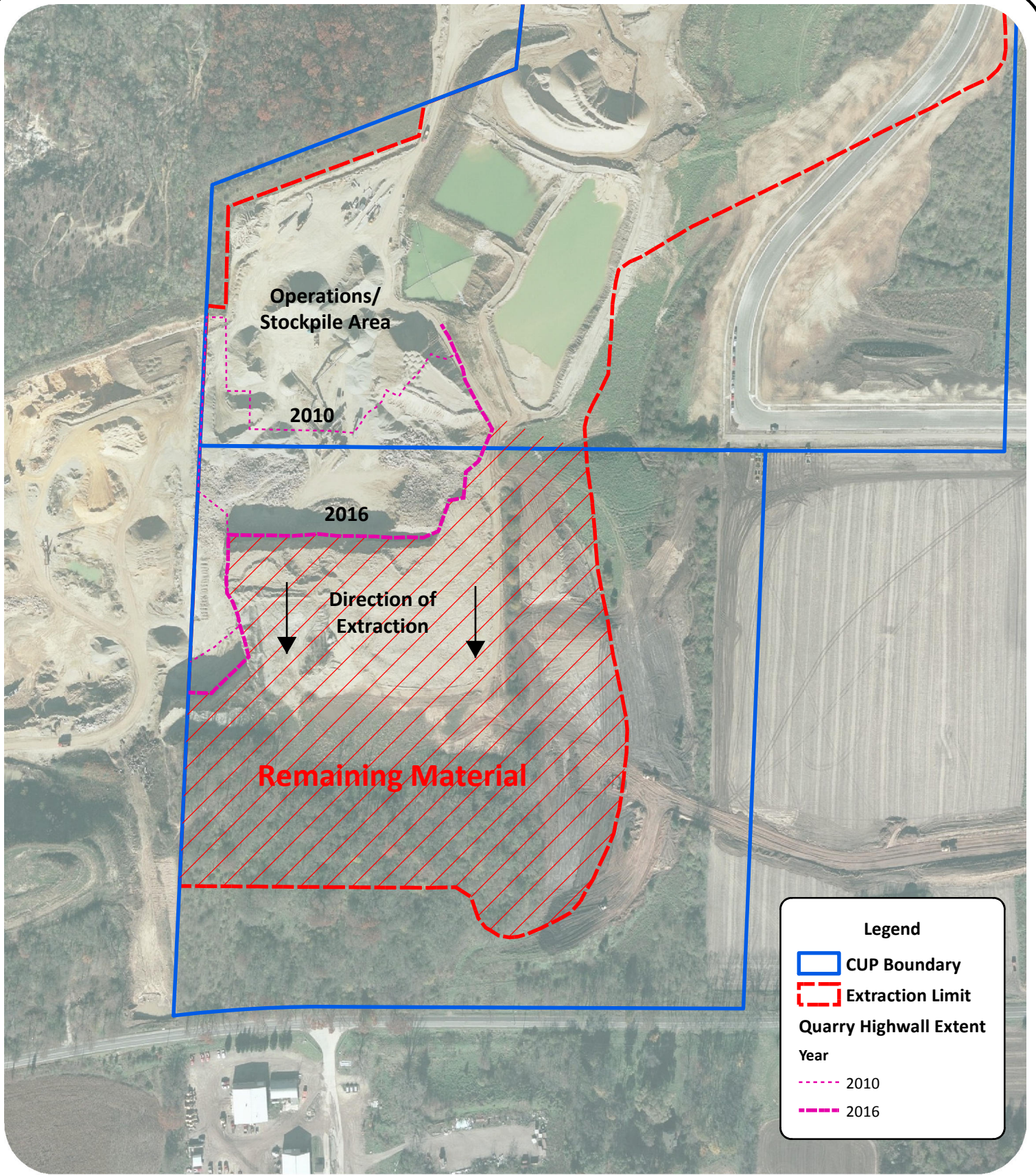
Legend

- CUP Boundary
- Extraction Limit
- Quarry Highwall Extent

Year

- 2010





Operations/
Stockpile Area

2010

2016

Direction of
Extraction

Remaining Material

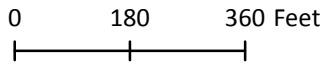
Legend

- CUP Boundary
- Extraction Limit

Quarry Highwall Extent

Year

- 2010
- 2016



**2016 Harvest Haven - OBrien Quarry
Extraction Extent**

Aerial Date: Fall 2016

Payne & Dolan Harvest Haven Quarry: CU-0508-93 Renewal

Legal Description:

Part of the Northeast 1/4 of the Southeast 1/4, and part of the Northwest 1/4 of the Southeast 1/4 of Section 7, T6N R9E, City of Fitchburg, Dane County Wisconsin more fully described as follows:

Commencing at the East 1/4 corner of said Section 7;

Thence N89°09'56"W, 660 feet, along the East-West 1/4 line to the Point Of Beginning of this description;

Thence S01°27'18"W, 1,313.9 feet, more or less, to the South line of the Northeast 1/4 of the Southeast 1/4 of said Section 7;

Thence N89°40'24"W, 640.6 more or less, along the South line of said Northeast 1/4 of the Southeast 1/4, to the Southwest corner of said Northeast 1/4 of the Southeast 1/4;

Thence N89°40'24"W, 1300.6 feet, more or less, along the South line of the Northwest 1/4 of the Southeast 1/4, to the Southwest corner of said Northwest 1/4 of the Southeast 1/4;

Thence N01°31'16"E, 579.13 feet, along the North-South 1/4 line of said Section 7;

Thence N68°55'41"E, 736.00 feet;

Thence N04°55'37"E, 478.5 feet, more or less, to the East-West 1/4 line of said Section 7;

Thence S89°09'56"E, 591.7 feet, more or less, along the East-West 1/4 line. To the Northeast corner of the Northwest 1/4 of the Southeast 1/4;

Thence S89°09'56"E, 639.7 feet, more or less, to a point that is 660 feet West of the East 1/4 corner of said Section 7, and the Point Of Beginning of this description.

Said Parcel Contains 49.16 acres.



Harvest Haven Quarry Aerial Photo CU-0508-93 Renewal

Aerial Date: 9/30/2017
1 inch = 400 feet

Legend

 Harvest Haven CUP Boundary



PAYNE & DOLAN
INCORPORATED
A WALBEC GROUP COMPANY

SECOND AMENDMENT TO MINERAL LEASE

THIS SECOND AMENDMENT TO MINERAL LEASE ("Second Amendment") is entered into effective as of July 12, 2016, by and between Sub-Zero Group, Inc., as successor landlord to Harvest Haven, Inc. ("Landlord"), and Payne & Dolan, Inc. ("Tenant").

RECITALS

A. Effective December 2, 1992, Harvest Haven, Inc. and Payne & Dolan, Inc. entered into that certain Mineral Lease, as amended by that certain First Amendment to Lease dated March 23, 2004 (as amended, the "Lease").

B. On June 28, 2006, Payne & Dolan, Inc. executed a Tenant Estoppel Certificate in favor of Sub-Zero Freezer Company, Inc. pursuant to which the term of the Lease was extended for a period of fifteen (15) years through December 31, 2008, with an option to renew for a two (2) year term through December 31, 2010.

C. Effective July 1, 2006, Harvest Haven, Inc. assigned the Landlord's interest in the Lease to Sub-Zero Freezer Company, Inc., n/k/a Sub-Zero Group, Inc. (Sub-Zero Group, Inc. is now the Landlord under the Lease).

D. In August 2010 the parties agreed to extend the term of the Lease through December 31, 2015, and then on May 15, 2014, the parties further agreed to extend the term of the Lease through December 31, 2018.

E. Landlord and Tenant now wish to extend the Lease for an additional five (5) year term through December 31, 2023, and Landlord and Tenant also further wish to terminate the advance royalty provisions of the Lease effective January 1, 2019, as hereinafter set forth in this Second Amendment.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant hereby agree as follows:

1.1 **CAPITALIZED TERMS.** Unless specifically provided herein, the capitalized terms used in this Second Amendment shall have the meanings ascribed to them in the Lease.

1.2 **TERM.** Landlord and Tenant hereby agree that the term of the Lease shall be and hereby is extended through December 31, 2023 (the "Extended Term"), which Extended Term shall automatically renew for successive one (1) year terms unless either Landlord or Tenant provides at least two (2) years written notice of non-renewal ("Notice of Non-Renewal"), it being further understood and agreed that any Notice of Non-Renewal shall not be issued by either party effective before December 31, 2021 (although, for convenience, a party may send a Notice of Non-Renewal prior to such date).

1.3 **ROYALTY.**

1.3 **RATIFICATION.** Except as modified in this Second Amendment, all of the terms and conditions of the Lease are hereby ratified and affirmed.

IN WITNESS WHEREOF, Landlord and Tenant have duly executed this Second Amendment on the day and year first above written.

AGREED AND ACCEPTED:

Tenant: Payne & Dolan, Inc.

By: *Mark E. [Signature]*

Its: *President*

Date: *7/12/16*

AGREED AND ACCEPTED:

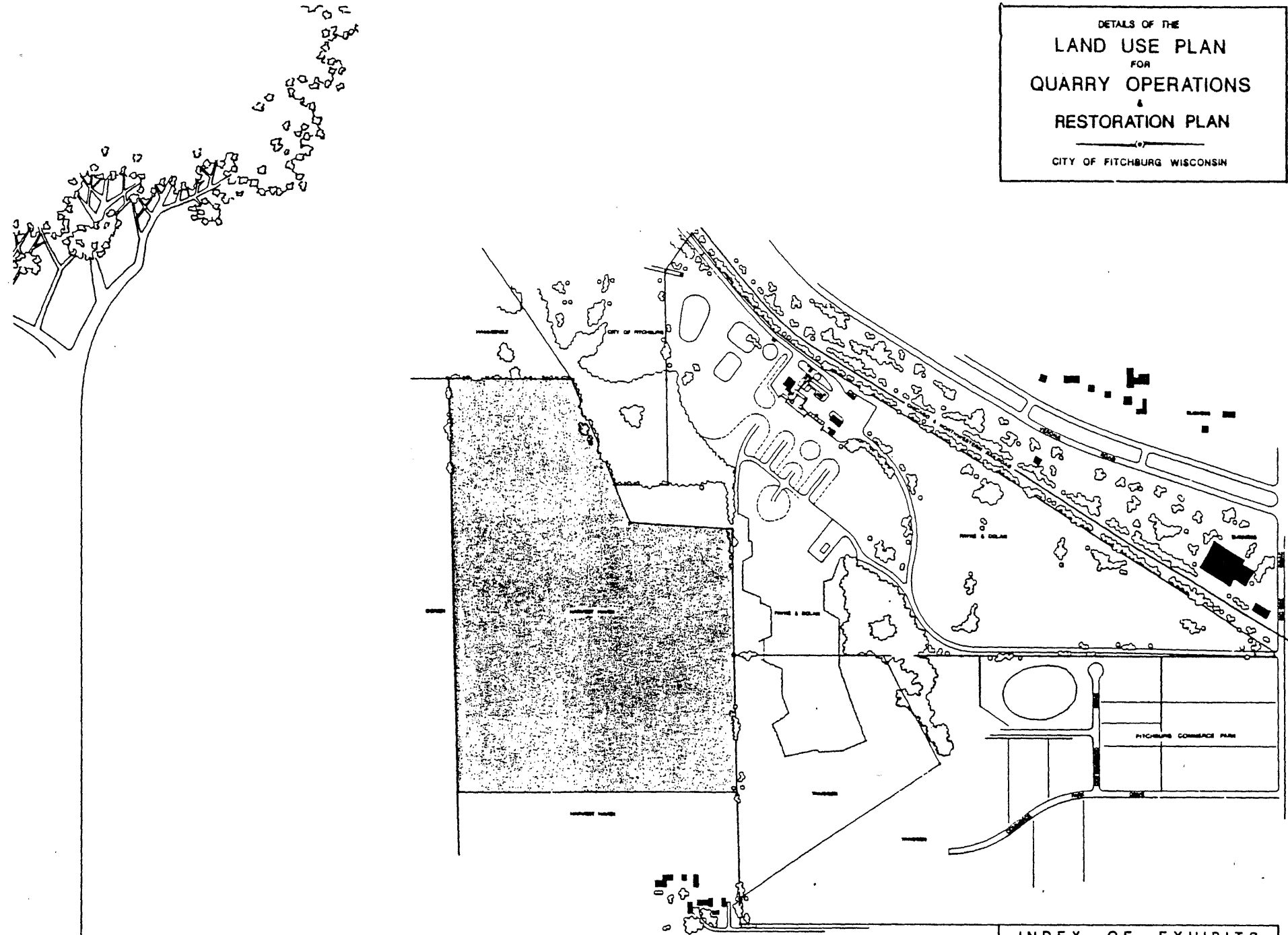
Landlord: Sub-Zero Group, Inc.

By: *[Signature]*

Its: *C.O.O.*

Date: *7/12/2016*

DETAILS OF THE
LAND USE PLAN
 FOR
QUARRY OPERATIONS
 &
RESTORATION PLAN
 CITY OF FITCHBURG WISCONSIN



VICINITY MAP

INDEX OF EXHIBITS

- A TITLE SHEET & VICINITY MAP
- B PLAT OF SURVEY
- C REGIONAL ZONING SITE MAP
- D SITE INITIATION PLAN
- E PHASE 1 QUARRY OPERATIONS
- F PHASE 2 QUARRY OPERATIONS
- G RESTORATION PLAN
- H SECTIONS & DETAILS

1-4 DESCRIPTION OF OPERATIONS



GRAEF ANHALT SCHLOEMER
 LANDSCAPE ARCHITECTS • SCENICISTS
 2517 INTERNATIONAL LANE
 MADISON WISCONSIN 53704
 608-742-1888



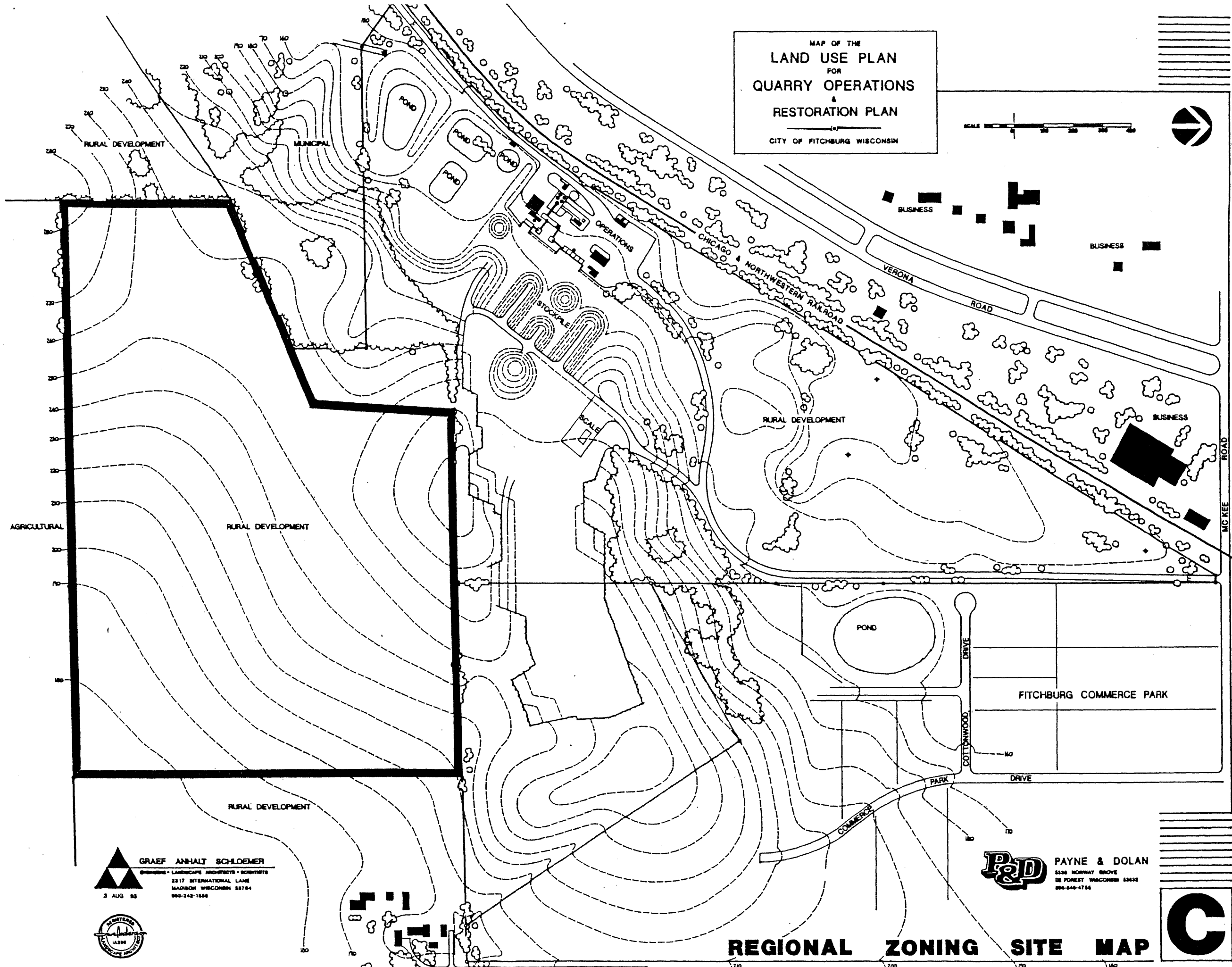
QUARRY EXPANSION

P&D PAYNE & DOLAN
 5336 NORWAY GROVE
 DE FOREST WISCONSIN 53532
 608-546-4754

TITLE SHEET

A

MAP OF THE
LAND USE PLAN
 FOR
QUARRY OPERATIONS
 &
RESTORATION PLAN
 CITY OF FITCHBURG WISCONSIN



GRAEF ANHALT SCHLOEMER
 ENGINEERS • LANDSCAPE ARCHITECTS • SOILTISTS
 2317 INTERNATIONAL LANE
 MADISON WISCONSIN 53704
 608-242-1660

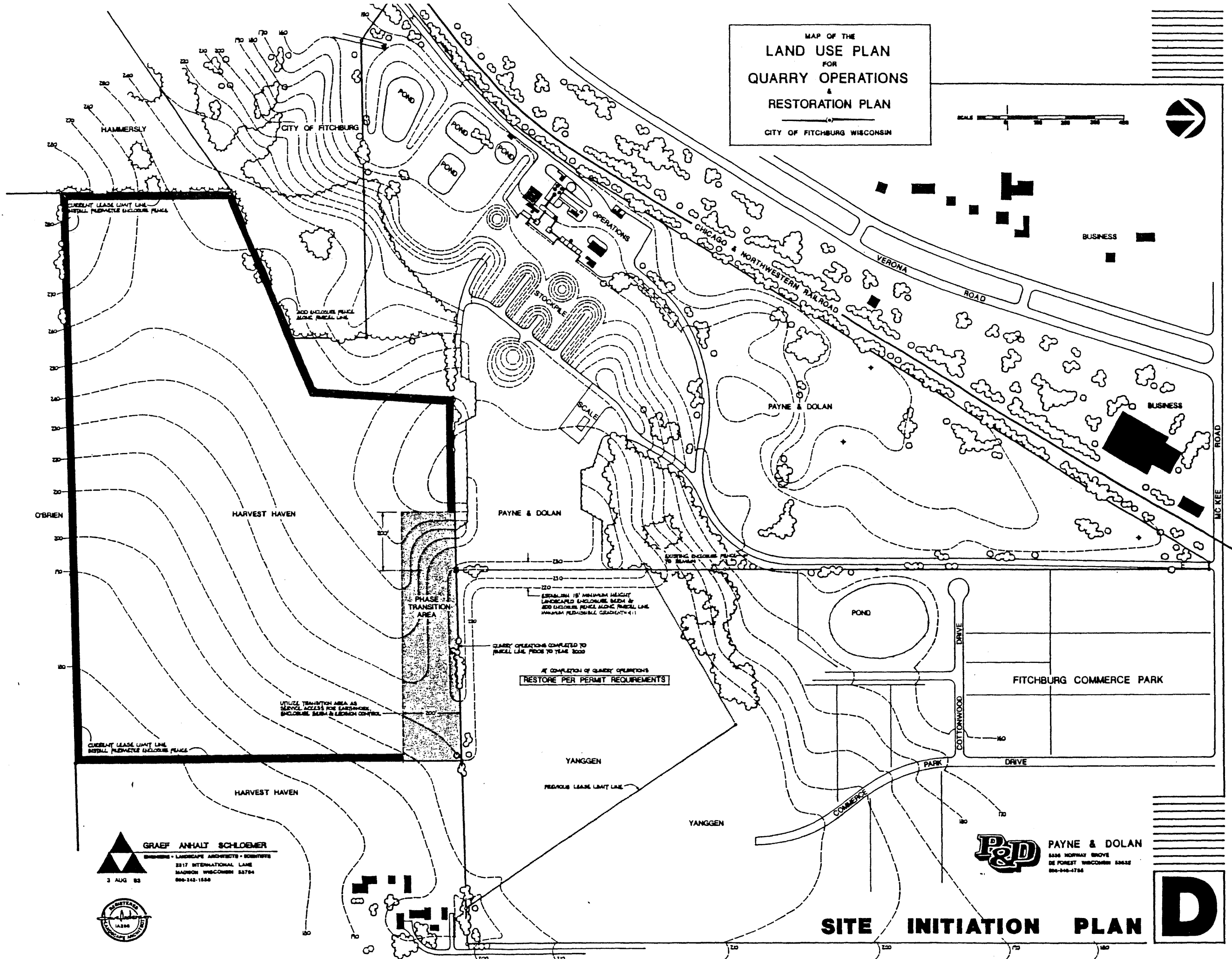


P&D **PAYNE & DOLAN**
 5338 NORWAY GROVE
 DE FOREST WISCONSIN 53432
 800-546-4755

REGIONAL ZONING SITE MAP



MAP OF THE
LAND USE PLAN
 FOR
QUARRY OPERATIONS
 &
RESTORATION PLAN
 CITY OF FITCHBURG WISCONSIN



CURRENT LEASE LIMIT LINE
 INSTALL PERMANENT ENCLOSURE FENCE

ADD ENCLOSURE FENCE
 ALONG PARCEL LINE

PHASE
 TRANSITION
 AREA

ESTABLISH 15' MINIMUM HEIGHT
 LANDSCAPED ENCLOSURE BEDIA BY
 500 ENCLOSURE FENCE ALONG PARCEL LINE
 MINIMUM PITCH/SLOPE GRADIENT 4:1

QUARRY OPERATIONS COMPLETED TO
 PARCEL LINE PRIOR TO YEAR 2000

AT COMPLETION OF QUARRY OPERATIONS
 RESTORE PER PERMIT REQUIREMENTS

UTILIZE TRANSITION AREA AS
 SERVICE ACCESS FOR EAST-WEST
 ENCLOSURE BEDIA & EROSION CONTROL

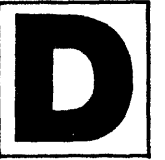
CURRENT LEASE LIMIT LINE
 INSTALL PERMANENT ENCLOSURE FENCE

GRAEF ANHALT SCHLOEMER
 ARCHITECTS • LANDSCAPE ARCHITECTS • ENGINEERS
 2317 INTERNATIONAL LANE
 MADISON WISCONSIN 53704
 608-242-1558

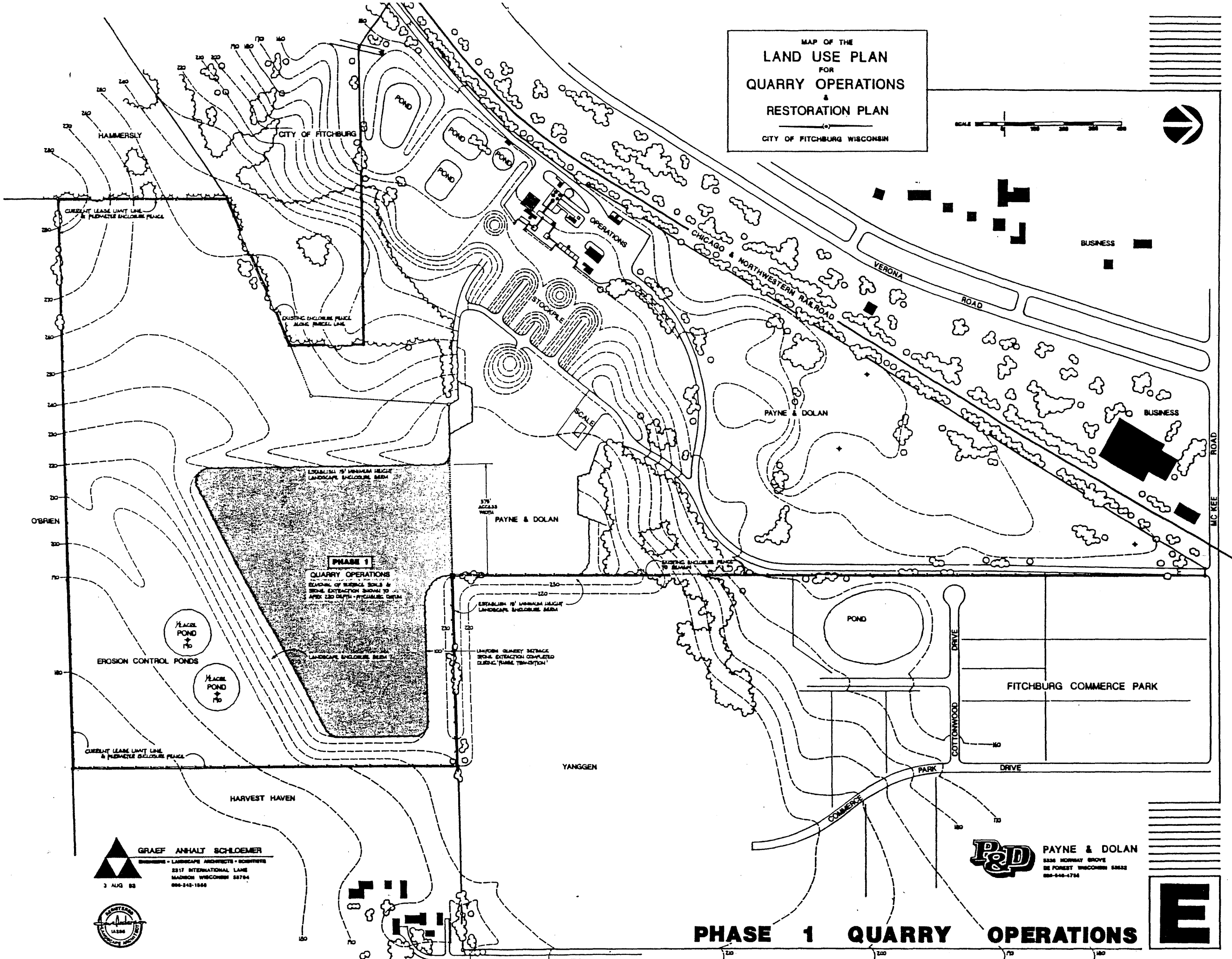


P&D PAYNE & DOLAN
 5336 NORWAY GROVE
 DE FOREST WISCONSIN 53632
 906-346-4764

SITE INITIATION PLAN



MAP OF THE
LAND USE PLAN
 FOR
QUARRY OPERATIONS
 &
RESTORATION PLAN
 CITY OF FITCHBURG WISCONSIN



GRAEF ANHALT SCHLOEMER
 LANDSCAPE ARCHITECTS - SCULPTORS
 2317 INTERNATIONAL LANE
 MADISON WISCONSIN 53704
 608-243-1858

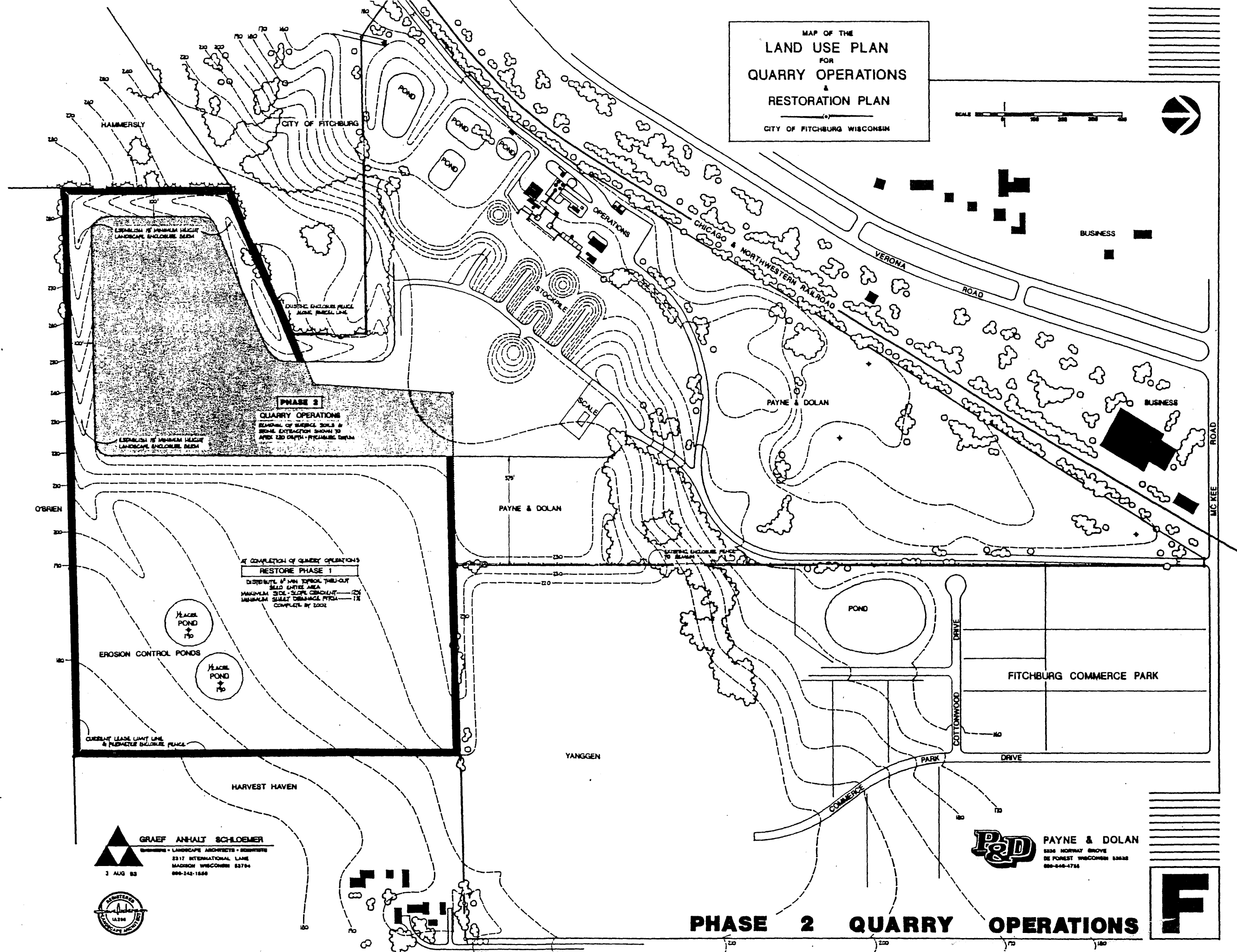


P&D PAYNE & DOLAN
 8336 NORWAY GROVE
 DE FOREST WISCONSIN 53532
 800-546-4754

PHASE 1 QUARRY OPERATIONS



MAP OF THE
LAND USE PLAN
 FOR
QUARRY OPERATIONS
 &
RESTORATION PLAN
 CITY OF FITCHBURG WISCONSIN



GRAEF ANHALT SCHLOEMER
 ENGINEERS • LANDSCAPE ARCHITECTS • SURVEYORS
 2317 INTERNATIONAL LANE
 MADISON WISCONSIN 53714
 608-242-1858

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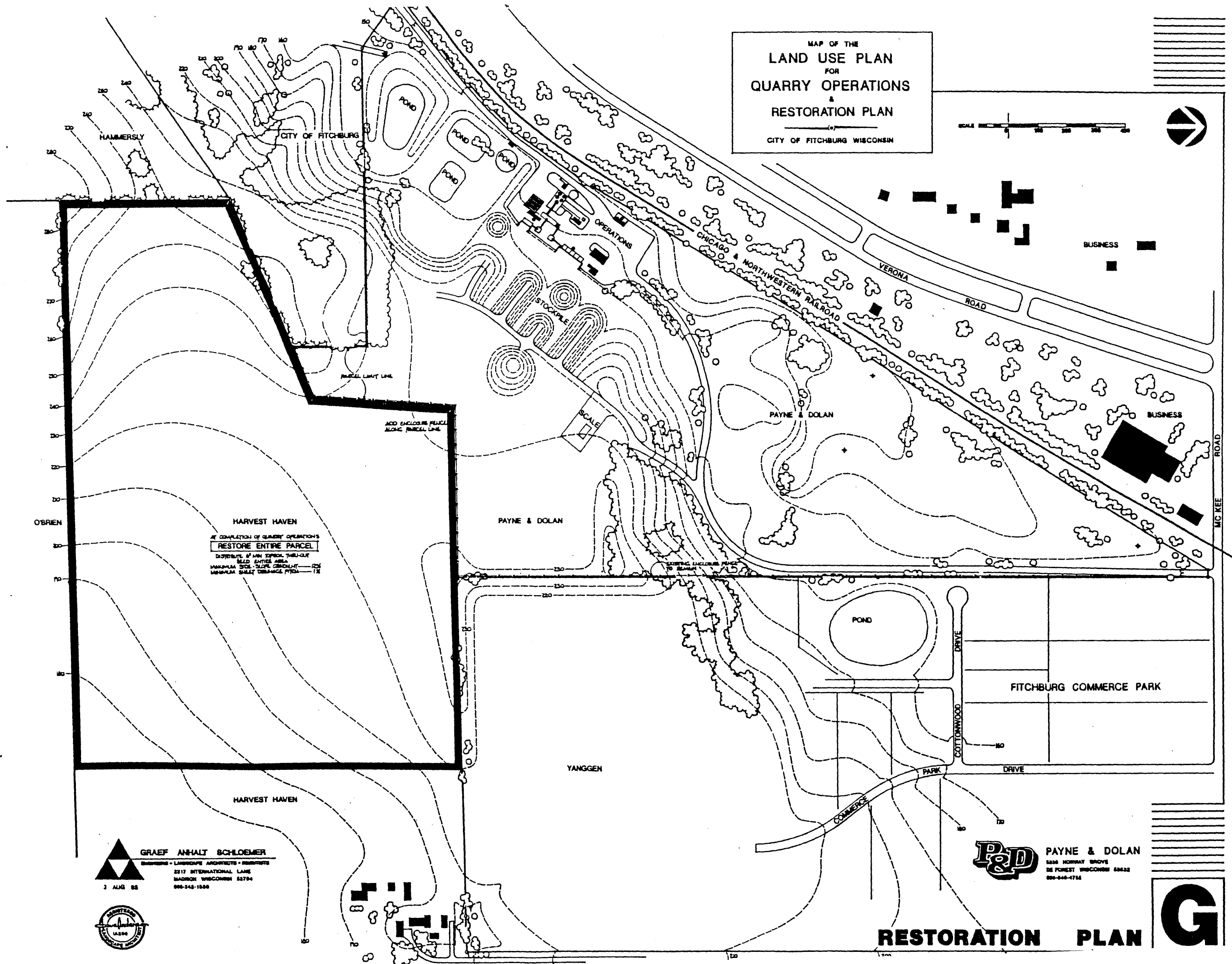


P&D PAYNE & DOLAN
 5226 NORWAY GROVE
 DE FOREST WISCONSIN 53528
 608-846-4746

PHASE 2 QUARRY OPERATIONS



MAP OF THE
LAND USE PLAN
 FOR
QUARRY OPERATIONS
 &
RESTORATION PLAN
 CITY OF FITCHBURG WISCONSIN



GRAEF ANHALT SCHLOEMER
 ENGINEERS - LANDSCAPE ARCHITECTS - RESTORERS
 2317 INTERNATIONAL LANE
 MADISON WISCONSIN 53704
 608-245-1500

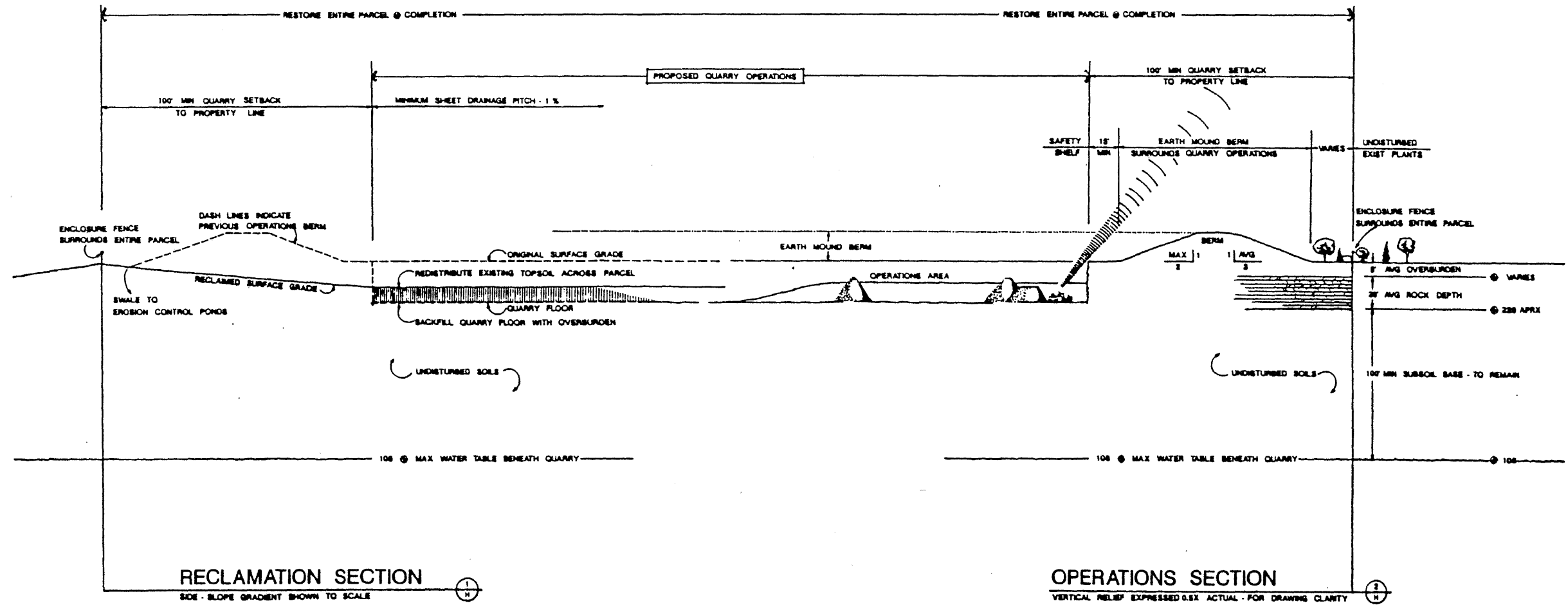


P&D PAYNE & DOLAN
 5336 NORWAY BROVE
 DE FOREST WISCONSIN 53632
 608-846-4754

RESTORATION PLAN



DETAILS OF THE
LAND USE PLAN
 FOR
QUARRY OPERATIONS
 &
RESTORATION PLAN
 CITY OF FITCHBURG WISCONSIN

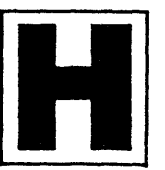


GRAEF ANHALT SCHLOEMER
 ENGINEERS • LANDSCAPE ARCHITECTS • SOILWORKERS
 2317 INTERNATIONAL LANE
 MADISON WISCONSIN 53704
 608-242-1688



P&D PAYNE & DOLAN
 5530 NORWAY GROVE
 DE FOREST WISCONSIN 53622
 920-246-4755

SECTIONS & DETAILS



PROPOSED PLAN OF OPERATIONS

- A. Description of operational methods
1. Removal of surface soils to expose limestone
 2. Limestone extraction including drilling, blasting and transporting
 3. Processing and sizing of extracted material
 4. Conveying and stockpiling of processed material
- B. A list of equipment, machinery and structures to be used
1. Equipment used in operation A1: Earthmovers including Dozers Loaders, Scrapers and Trucks
 2. Equipment used in operation A2: Rock drill, Loaders, Trucks Conveyors and Pumps
 3. Equipment used in operation A3: Primary, Secondary and Tertiary Crushers, Sizing and Washing Equipment
 4. Equipment used in operation A4: Conveyors, Loaders, Dozers and Trucks

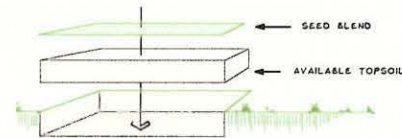
- C. Source and disposition of water to be used
 - 1. Source
 - a. Well water
 - b. Surface run-off
 - 2. Disposition
 - a. Water flows to a retention pond
 - Final Disposition
 - 1. Re-Use
 - 2. Evaporation
 - b. Dust control of interior roads - Evaporation
 - c. Dust control of processing, sizing and stockpiling of material material - Evaporation

- D. Approved method of controlling water runoff, traffic, noise and air-borne materials
1. Water Runoff
 - a. Grading and contouring
 - b. Planting and landscaping
 - c. Maintenance of all governmental permits
 2. Traffic
 - a. There will be no significant change in current traffic conditions on Public Streets
 - b. Access via Harvest /P & D joint property lines only
 3. Noise and Air-borne material
 - a. As in our current operations, we will continue to explore and utilize the latest feasible technologies
Such as:
 1. Maintaining the sound suppressing equipment on all trucks and machines owned or hired
 2. Utilization of dust suppression equipment
 3. Development of landscaped buffer
 - b. Compliance with all local, state and federal rules and regulations

- E. Methods of assuring safety of the public
1. Fencing, Berms, and Landscaping
 2. Compliance with all local, state and federal rules and regulations

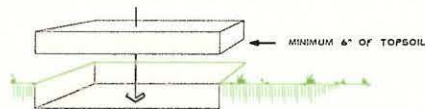
- F. Proposed seasonal phasing of operation
1. Percentage of total yearly activity (Typical)
 - a. First Quarter 10%
 - b. Second Quarter 25%
 - c. Third Quarter 35%
 - d. Fourth Quarter 30%

- G. Hours of operation
1. Crushing would be limited to 6AM - 7PM
 2. Blasting may occur a maximum of 2-3 times per day while crushing
 - a. Blasting would be between the hours of 8AM - 4PM
 - a. Blasting would not take place on Saturdays, Sundays or legal holidays



EXISTING TOPSOIL WILL BE STOCKPILED ON SITE FOR RECLAMATION PROJECT MANAGER SHALL APPROVE FINISHED GRADE & UNIFORM SLOPES PRIOR TO THE SOWING OF SEED ALL SEEDING WILL BE DONE IN ACCORDANCE WITH THE STATE OF WISCONSIN DOT STANDARD SPECIFICATIONS FOR SEEDING AND MULCHING, SECTIONS 650 AND 627 SEEDING TO BE COMPLETED WITHIN 90 DAYS OF FINAL TOPSOIL GRADING

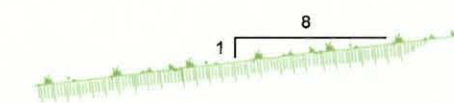
SEED OPERATIONS



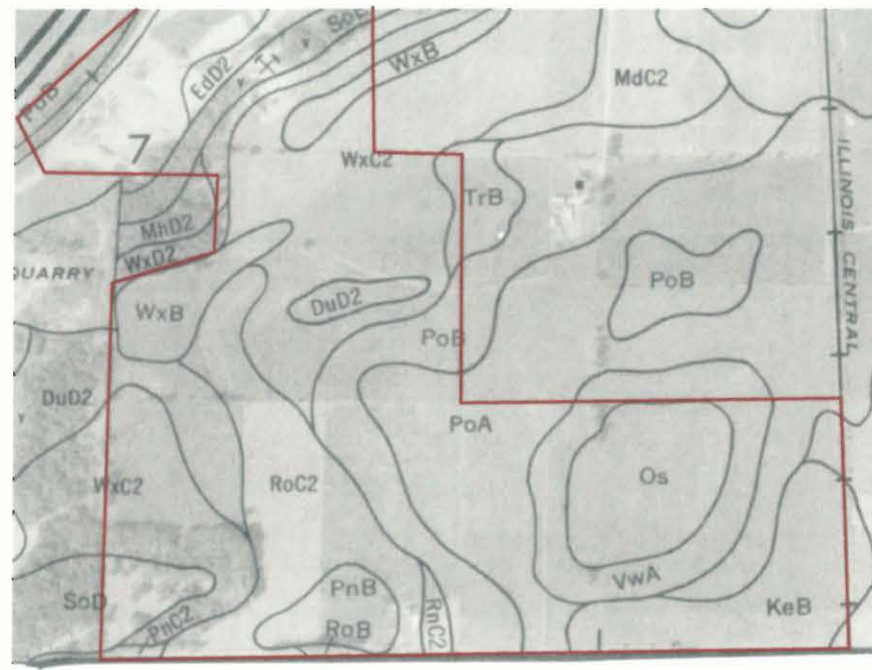
RETAIN EXISTING TOPSOIL FOR DISTRIBUTION DURING RECLAMATION STORE TOPSOIL IN TEMPORARY BINS DURING MINERAL EXTRACTION EXISTING TOPSOIL SHALL BE SPREAD BY GRADING CONTRACTOR PROJECT MANAGER SHALL APPROVE FINISHED GRADE & UNIFORM SLOPES PRIOR TO THE SOWING OF SEEDS

TOPSOIL PRESERVATION

DETAILS FOR HARVEST HAVEN PROPERTY ONLY. SEE OPERATION AND RECLAMATION PLAN FOR O'BRIEN PROPERTY FOR SITE SPECIFIC DETAILS



RESTORED SLOPES - SOUTH



SOILS MAP

DETAILS

I. PURPOSE AND SCOPE

The purpose of this reclamation plan is to describe the activities to reclaim the site to a condition whereby future land use is feasible after the completion of mineral extraction activities. Implementation of this reclamation plan shall be completed within one (1) year after the cessation of site operations.

The final end use for the reclaimed site being proposed at this time is returning the parcel to agricultural use/farmland operations.

II. PROPOSED EARTHWORK AND RECLAMATION

The topsoil and other overburden materials covering the nonmetallic mineral deposit are removed and stockpiled separately for future reclamation. After the nonmetallic minerals are removed, the topsoil and other overburden materials will be placed over the area where the minerals were excavated, graded to conform with the surrounding land and seeded. The existing topsoil and overburden are re-distributed across the parcel and fine graded to present a uniform appearance. Reclaimed slopes will be seeded upon completion of the fine grading.

The reclamation plan has been designed to maintain pre-mine drainage patterns to the greatest extent possible and to improve upon existing conditions where possible. Payne & Dolan will perform the necessary grading to achieve the final topography and drainage patterns as outlined in the attached reclamation plan view.

III. GEOLOGIC COMPOSITION OF THE SITE AND DEPTH OF THE NONMETALLIC MINERAL DEPOSIT

The mineral deposit currently being extracted consists of glacial Galena/Platteville Dolomite approximately 30-60 ft. thick. There is an average of 6-8 ft. of overburden (mainly glacial till) overlying the dolomite.

IV. BIOLOGICAL INFORMATION

The Soil Survey of Dane County published by the USDA lists the various soil types that are suitable for different wildlife habitats. This site may include some or all of the wildlife species listed in the soil survey.

Dairy farming and the growing of general or specialty crops is the predominant land use. Many of the soils plowed in this area are plowed in the fall. This practice significantly affects wildlife because plowing covers the crop residue and waste grain, which provide important winter food and cover.

V. REVEGETATION PLAN

After the overburden materials have been placed over reclaimed slopes, the stockpiled topsoil will be spread over the reclaimed slopes, fine graded, seeded and mulched. Seeding activities will be carried out in accordance with accepted seeding specifications provided in the reclamation plan.

Prepared soil will be seeded at any time during the growing season when soil conditions are suitable but no longer than 30 days after the final grading of reclaimed slopes. Seeding activities should not be carried out immediately following rain, when the ground is too dry, or during windy periods.

All seeding and mulching will be done in accordance with the State of Wisconsin Department of Transportation Standard Specifications for Seeding and Mulching, Sections 630 and 627.

VI. EROSION CONTROL AND POST OPERATIONAL MAINTENANCE

Erosion control measures will be implemented as necessary to minimize off-site erosion until such time as permanent placement and shaping of overburden and topsoil and seeding is possible. Best Management Practices (BMPs) such as check dams, straw bales, silt fence, surface water diversions, energy dissipators, mulch or artificial surface cover, cover crop of vegetation, buffer areas, or other appropriate measures will be taken as necessary. All erosion and sediment control practices will be periodically checked for stability and operation on a regular basis.

Follow-up inspections of all reclaimed or otherwise stabilized surfaces along with all erosion and sediment control practices will be conducted on a monthly basis to ensure their stability until such time as the vegetation required to support the post-mining land use has been successfully established and the financial assurance has been released.

Seeded areas will be reseeded and fertilized as necessary to establish and maintain a dense self-sustaining vegetative cover over reclaimed slopes. Erosion and sediment control measures will be repaired or replaced as necessary. Other preventative measures not mentioned in this reclamation plan will be taken as necessary to minimize off-site erosion.

VII. COSTS OF RECLAMATION

Reclamation is an on-going process during nonmetallic mineral extraction and will be completed in phases as depicted on the reclamation and operation plans. Currently there are 20 acres unreclaimed.

The estimated reclamation costs shall approximate the actual costs of reclamation including but not limited to grading and shaping overburden over previously mined areas as shown on the reclamation plan, distribution and placement of topsoil, necessary erosion control measures, seeding, mulching, inspections and maintenance.

The estimated reclamation cost for this site is \$30,000.

VIII. ASSESSING SUCCESSFUL RECLAMATION

Payne & Dolan will assess successful reclamation with the approved reclamation plan using the following methods:

1. The available overburden and topsoil have been graded to the contours as shown on the reclamation plan, and have been fine graded, seeded and mulched.
2. Adequate vegetation has been established to stabilize reclaimed surfaces or the reclaimed land is in active agricultural production. Adequate revegetation will be determined by utilizing the guidelines outlined in the Wisconsin Technical Note-AGRONOMY-WM-1, Guidelines for Herbaceous Stand Evaluation, dated May 15, 1991 or by percent cover will be determined as total cover (expressed as a percentage) as measured by the canopy (vertical projection of plant parts) and will be recorded by species. Revegetation will be measured over the entire revegetated site at no less than 10 randomly placed square foot quadrants for each 10 acre area.

The reclamation will include placing all the overburden materials on the floor of the pit and then covering with topsoil to a depth approximating the pre-mining conditions. Upon replacement of the overburden and topsoil, a majority of these areas will be farmed and thus do not need to be seeded, mulched and fertilized.

IX. DISTRIBUTION, THICKNESS AND TYPE OF TOPSOIL

Predominant Soil Types:	DuD2	Dunbarton silt loam
	SoD	Sogn silt loam
	RcC2	Rockton silt loam
	WxB, WxC2	Whalan silt loam

The Dunbarton series consists of shallow, well-drained, gently sloping to steep soils on uplands. Slopes range from 12 to 20 percent. The surface layer is dark grayish-brown silt loam about 7 inches thick.

The Whalan series consist of moderately deep, gently sloping to steep, well-drained soils on dolomite contolled uplands. Slopes range from 2 to 12 percent. The surface layer is dark grayish-brown silt loam about 5 inches thick.

The Rockton series consists of moderately deep, well-drained, gently sloping to moderately steep soils on dolomite controlled uplands. Slopes range from 8 to 12 percent. The surface layer is very dark grayish-brown and dark brown silt loam about 14 inches thick.

The Sogn series consists of consists of very shallow, excessively drained, gently sloping to very steep soils on dolomite contolled uplands. Slopes range from 2 to 35 percent. The surface layer is loam about 7 inches thick.

X. CERTIFICATION OF RECLAMATION PLAN

I hereby certify, as a duly authorized representative or agent, that the reclamation at this nonmetallic mining site will be carried out in accordance with the approved reclamation plan submitted by Payne & Dolan, Inc. I also certify that the information contained herein is true and accurate and complies with the local and statewide nonmetallic mining reclamation standards established in NR 135, Wisconsin Administrative Code.

Signature of representative of agent:

 Clint Weninger, PG
 Payne & Dolan, Inc.

Date signed:
 Nov. 1, 2002



*DRAWN AND PREPARED FOR PAYNE & DOLAN, INC. BY:
 CLINT WENINGER, P.E.
 CONSTRUCTION RESOURCES MANAGEMENT, INC.
 P.O. BOX 1832
 WAUKESHA, WI 53187

PAYNE AND DOLAN, INC.
 6295 Lacy Road
 Verona, WI 53593
 Phone: 608.845.8900
 Fax: 608.845.8884

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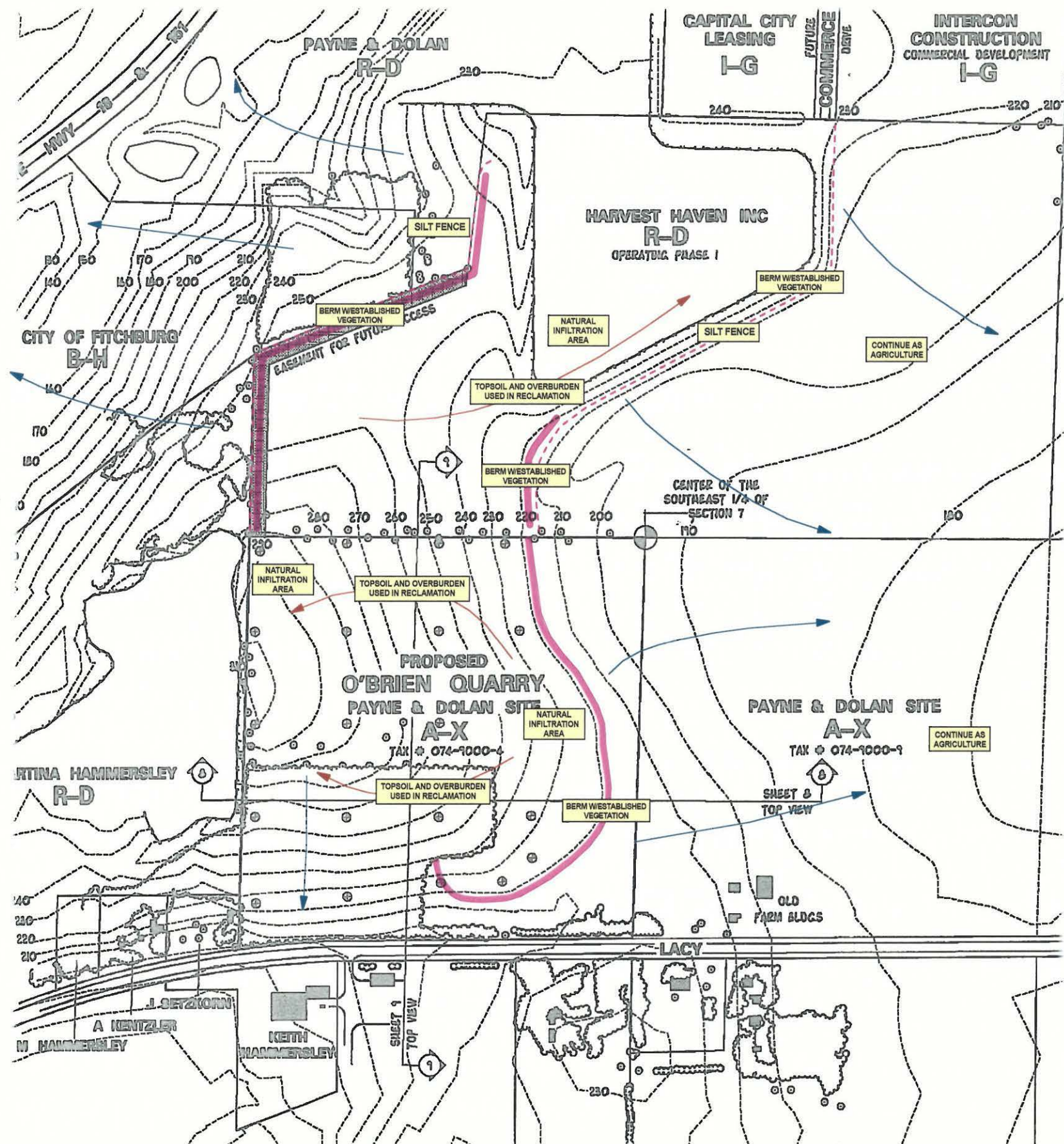
Nonmetallic Mining Reclamation
Fitchburg (Fitchburg, O'Brien & Harvest Haven) Aggregate Site
City of Fitchburg, Dane County, Wisconsin

DATE	REV
Nov-01-2002	001
DATE	REV

DATE	REV
Nov-01-2002	001
DATE	REV



RECLAMATION MEASURES




 DRAWN AND PREPARED FOR PAYNE & DOLAN, INC. BY:
 CLINT WENIGER, P.E.
 CONSTRUCTION RESOURCES MANAGEMENT, INC.
 P.O. BOX 1612
 WAUKESHA, WI 53187

NOTES:

- BERMS WITH ESTABLISHED VEGETATION CURRENTLY SURROUND THE PROJECT. THE BERMS WILL REMAIN UNTIL FINAL SITE RECLAMATION IS COMPLETED.
- RUN-OFF FROM UNDISTURBED AREAS AROUND THE QUARRY ARE DIVERTED AROUND THE ACTIVE SITE AREA BY THE EXISTING BERM.
- ALL DRAINAGE WITHIN THE ACTIVE SITE AREA WILL BE KEPT WITHIN THE SITE AND DIRECTED TO NATURAL INFILTRATION AREAS.
- TOPSOIL AND OVERBURDEN REMOVED FROM FUTURE EXTRACTION AREAS WILL BE USED TO RECLAIM DEPLETED AREAS OF OPERATING PHASE. THE TOPSOIL AND OVERBURDEN WILL BE REVEGETATED AFTER THEY HAVE BEEN MOVED AND REGRADED.
- SEEDING WILL BE COMPLETED WITHIN 7 DAYS OF FINAL GRADING.
- THE BERM SURROUNDING THE HARVEST HAVEN ACTIVE SITE AREA WILL BE REMOVED AND USED IN THE FINAL SITE RECLAMATION. THE LANDSCAPED BERM ON THE EAST EDGE OF THE O'BRIEN PROPERTY WILL REMAIN AS PART OF THE FINAL SITE RECLAMATION. PRIOR TO COMMENCING FINAL RECLAMATION, SILT FENCE WILL BE INSTALLED AS SHOWN TO CONTROL DOWNSLOPE EROSION. SILT FENCE SHALL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE SITE IS FULLY RECLAIMED AND RESUMES AN AGRICULTURAL OR OTHER APPROVED USE.
- RECLAIMED SLOPES WILL HAVE A MAXIMUM SIDE SLOPE NO GREATER THAN 12% AND A MINIMUM SHEET DRAINAGE FLOW IS 1%.
- THE PREDOMINANT SOIL TYPES ON THE ACTIVE SITE ARE THE DUNBARTON (DuD2), SOGN (SoD), ROCKTON (RoC2) AND WHALAN (WxB, WxC2) SILT LOAMS.
- REFER TO SHEET 5 FOR ADDITIONAL INFORMATION.
- CONTRIBUTING WATERSHED SIZE INSIDE EXISTING BERM IS 35 ACRES.

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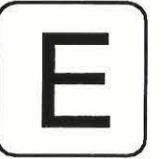


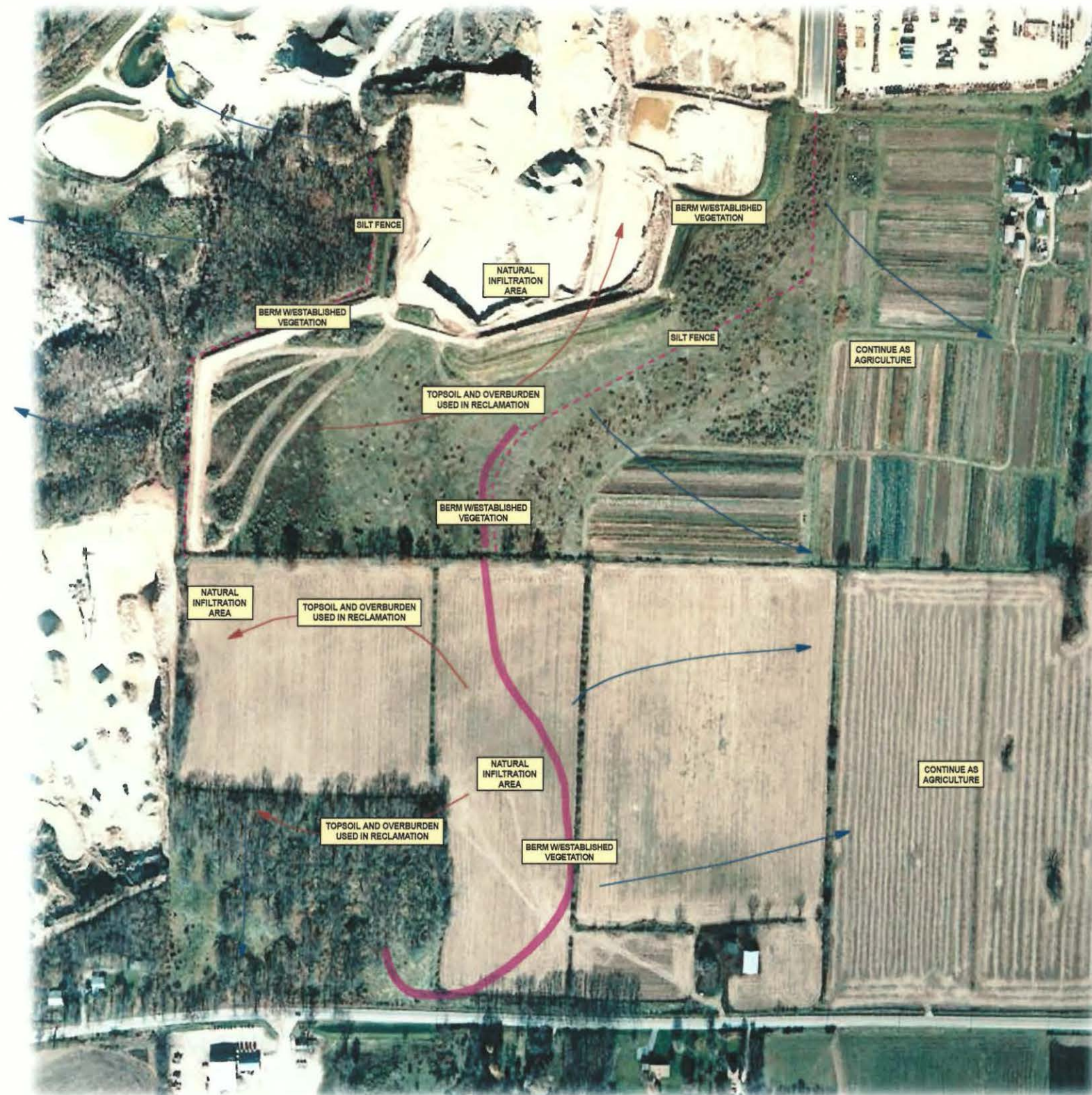
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PROJECT:
**Nonmetallic Mining Reclamation
 Fitchburg (Fitchburg, O'Brien & Harvest Haven) Aggregate Site
 City of Fitchburg, Dane County, Wisconsin**

DATE	REVISION

DATE: Nov-01-2002
 DRAWN BY: CGW
 DESIGNED BY: 85004-002-02
 SCALE: As shown






 DRAWN AND PREPARED FOR PAYNE & DOLAN, INC. BY:
 CLINT WERNIGER, P.E.
 CONSTRUCTION RESOURCES MANAGEMENT, INC.
 P.O. BOX 1832
 WAUKESHA, WI 53197

NOTES:

BERMS WITH ESTABLISHED VEGETATION CURRENTLY SURROUND THE PROJECT. THE BERMS WILL REMAIN UNTIL FINAL SITE RECLAMATION IS COMPLETED.

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REFER TO SHEET 5 FOR ADDITIONAL INFORMATION.

CONTRIBUTING WATERSHED SIZE INSIDE EXISTING ENCLOSURE BERM IS 35 ACRES.

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PROJECT:
Nonmetallic Mining Reclamation
Fitchburg (Fitchburg, O'Brien & Harvest Haven) Aggregate Site
 City of Fitchburg, Dane County, Wisconsin

DATE	BY	REVISION

DATE	NOV-01-2002
DRAWN BY	CGW
CHECKED BY	
SCALE	As shown

E₁

EROSION CONTROL PLAN (AERIAL PHOTO)