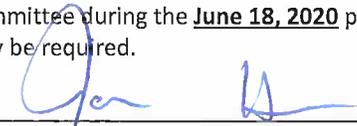


APPEAL NUMBER: 2013-0009  
APPEAL DATE: 06-18-2020

**CONDITIONAL USE REQUEST**  
Chippewa County Planning & Zoning Committee

The undersigned applicants state the following points of consideration/acknowledgement:

- (1) Jason Haas of Haas Inc. is requesting a **Conditional Use Permit be granted which will allow a non-metallic mine (LaGessee Pit) in accordance with Section 70-71(b)(2), 70-108 and 70-180 through 70-187 of the Chippewa County Zoning Ordinance**, on the following parcel of land:
  - a. LaGessee Gravel Pit LLC, 13756 CTH SS, Bloomer, Wisconsin 54724 (Parcel: 23008-0744-00020004)
- (2) That these parcels are located within the **Agricultural** District.
- (3) That Conditional Use Permit 2013-0009 was renewed on 08-18-2016 with an expiration date of 02-28-2020.
- (4) They are requesting the Chippewa County Planning & Zoning Committee grant a Conditional Use Permit for the project as shown on submitted documents with the same conditions and restrictions as approved within the 2016 renewal.
- (5) That all attached information or any additional requested information is true, accurate and completed to the best of their knowledge. And that the Planning & Zoning Committee considers it all as part of the application.
- (6) We or our designated representative will have an opportunity to present to the committee in favor of this request.
- (7) We have the authority to allow the Planning & Zoning Department staff and/or committee access to the property to conduct necessary inspections related to the request.
- (8) We understand that we cannot direct any written communication about this application to a member of the Planning & Zoning Committee unless we also file a copy with the Department of Planning & Zoning and direct additional copies to each person who has registered an interest in this application.
- (9) We also understand that if we or our designated representative fails to appear in front of the Planning & Zoning Committee during the **June 18, 2020** public hearing our request may be **DENIED** and/or additional republication fees may be required.

Signed:   
Jason Haas, Agent

Date: 5-28-2020

Please sign and return by **May 27, 2020** utilizing one of the following:

<b>Mailing Address:</b> Chippewa County Department of Planning and Zoning 711 N. Bridge Street Chippewa Falls, Wisconsin 54729	<b>Email Address:</b> <a href="mailto:dclary@co.chippewa.wi.us">dclary@co.chippewa.wi.us</a>
	<b>Fax Number:</b> (715) 726-4596

## Conditional Use Request

Haas Inc is requesting a Conditional use permit for their existing Lagesse pit in Chippewa county. Haas would like to continue to operate the pit as they have been for the last 7 years when they started mining the pit in 2013.

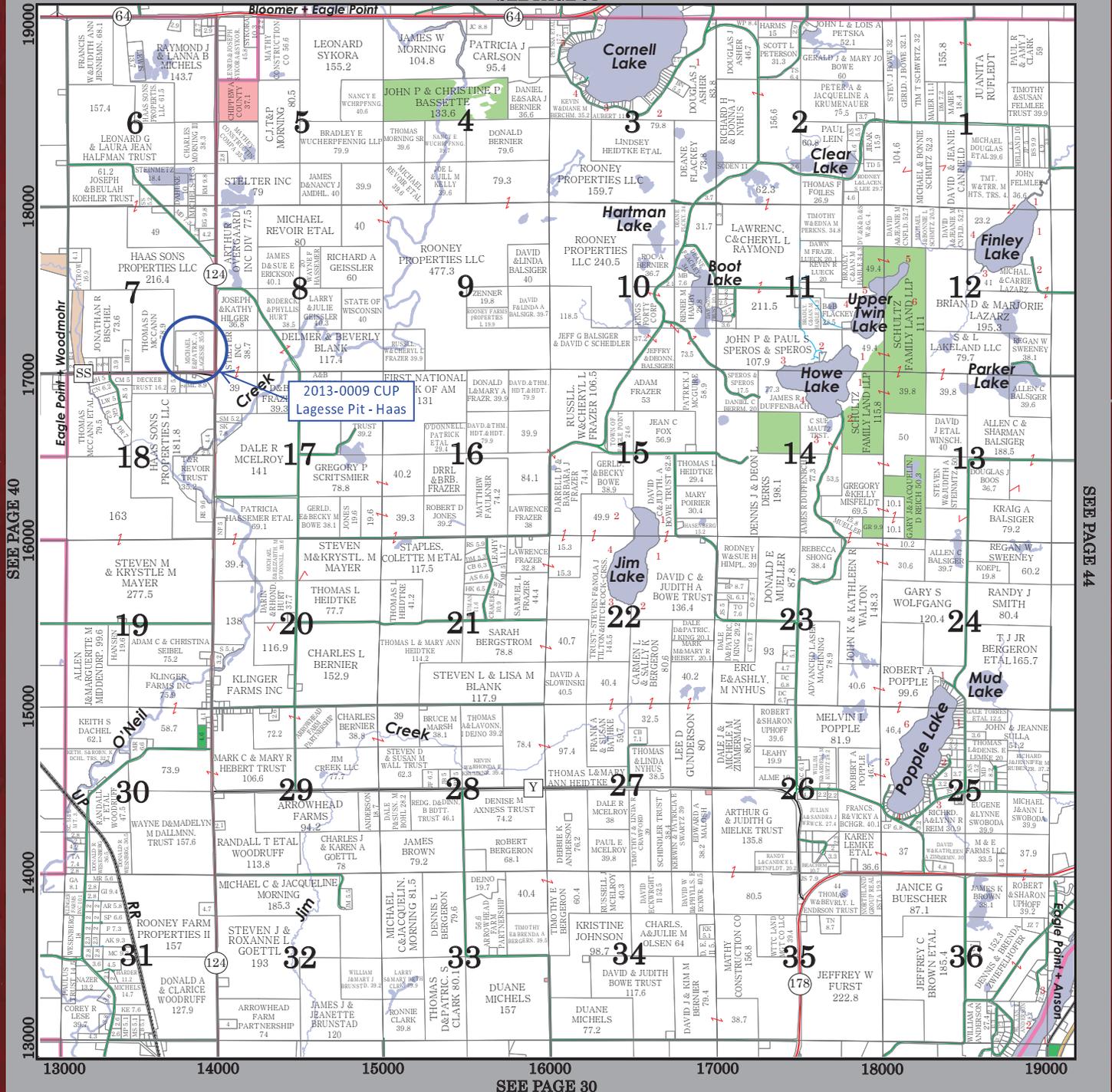
# EAGLE POINT (C), WOODMOHR (E), BLOOMER (SE)



# T30N R08W



SEE PAGE 54



© 2017 Chippewa County, WI

All acreages are computed & rounded to the closest tenth acre, roadways are excluded from totals. All mapping is for reference only and is not intended, or to be used for any legal purpose.



Cornell Flowage

Photo by Adam Johnson

CHIPPEWA COUNTY  
**DEPARTMENT OF PLANNING & ZONING**

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

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Land Management

Land Planning

Land Records & G.I.S.

POWTS & Wells

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Date: May 28, 2020

To: Property Owner(s)

From: Douglas Clary, Director *Douglas Clary*

Re: Public Meetings & Hearing

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a conditional use petition on parcels of land that are located either adjacent to or in the vicinity of property owned by you. You are receiving this notice because your property has been determined to be within the legal public hearing notification distance per county and state requirements. I have enclosed a map identifying the location of the parcels associated with this conditional use petition. If you have any questions regarding this rezone petition, please contact me at (715) 726-7941.

**CONDITIONAL USE PETITION #2013-0009**

**Petitioner:** Haas Inc. – Jason Haas

**Property Owner:** Lagesse Gravel Pit LLC

To allow a non-metallic mine (LaGessee Pit) in the Agricultural District in accordance with sections 70-71(b)(2), 70-108 and 70-180 through 70-187 of the Chippewa County Zoning Ordinance on a parcel which is located in the SE ¼ of the SE ¼, Section 07, Township 30 North, Range 08 West. Town of Woodmohr.

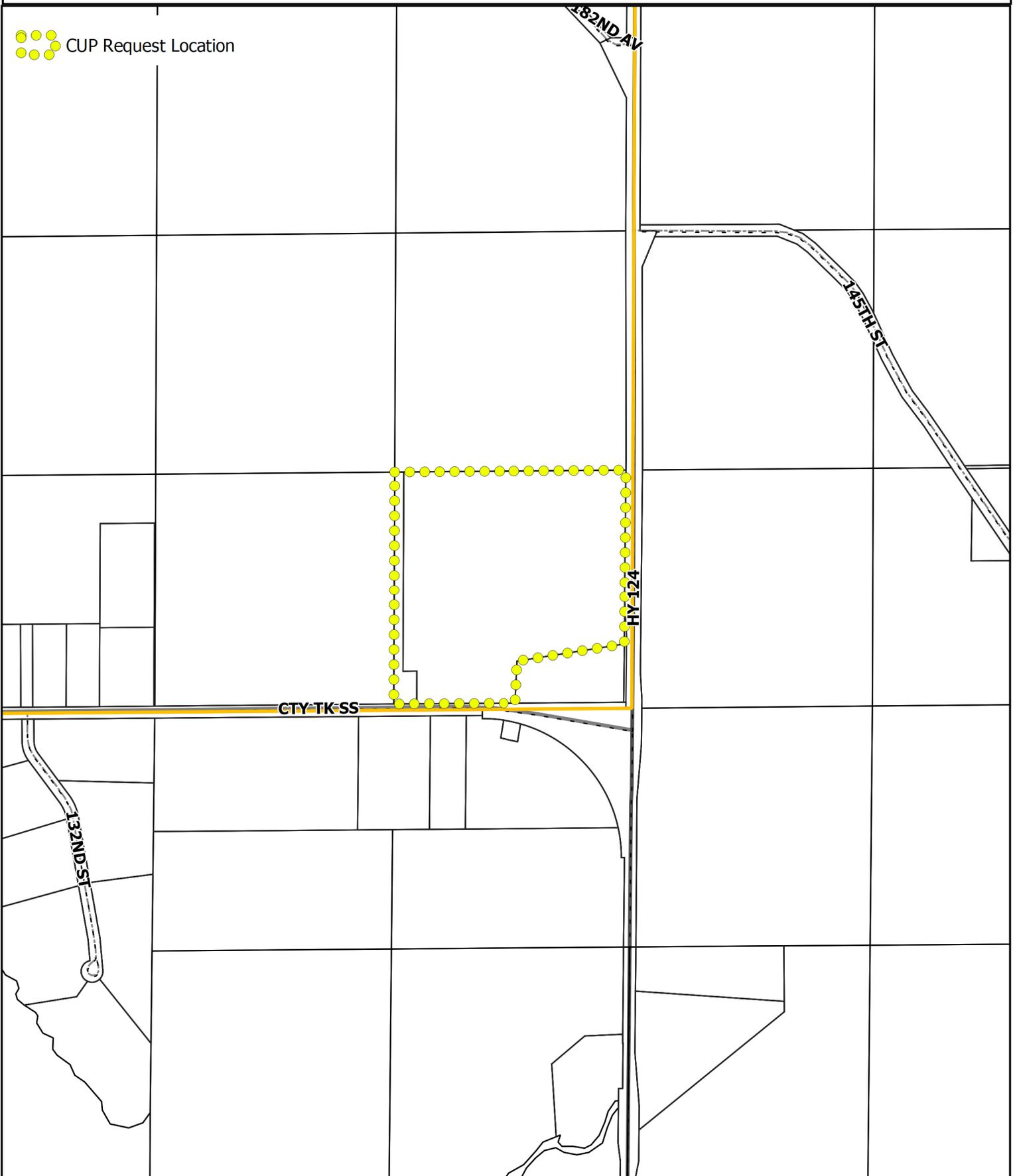
The Woodmohr Plan Commission will **REVIEW** this request on **June 10, 2020 at 6:00 PM**, at the Woodmohr Town Hall, 16738 125<sup>th</sup> Street, Bloomer, Wisconsin 54724. The Plan Commission will forward an **ADVISORY** recommendation to the Woodmohr Town Board to approve, disapprove or approve with modification(s) and/or condition(s).

The Woodmohr Town Board will **REVIEW** this request on **June 10, 2020 at 7:00 PM**, at the Woodmohr Town Hall, 16738 125<sup>th</sup> Street, Bloomer, Wisconsin 54724. The Town Board will forward an **ADVISORY** recommendation to the Chippewa County Planning & Zoning Committee to approve, disapprove or approve with modification(s) and/or condition(s).

The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** on **June 18, 2020 at 4:30 PM**, in room 003, of the Chippewa County Courthouse located at 711 N. Bridge Street, Chippewa Falls, Wisconsin. The Committee will make a final determination to approve or disapprove of the conditional use petition.

# 2013-0009 Lagesse Pit (Haas) - CUP Request - Location Map

 CUP Request Location



# 2013-0009 Lagesse Pit (Haas) - CUP Request - Aerial (2017)



Produced on May 22, 2020 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

Scale: 1" = 300'

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**CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE**  
**NOTICE OF ACTION**

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**Conditional Use Permit Renewal of a Non-Metallic Mine  
Lagesse Pit (Town of Woodmohr)**

**APPEAL NUMBER: # 2013-0009**

**APPROVAL DATE: 08-18-2016**

**EXPIRATION DATE: 02-28-2020**

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**LAND OWNER(S):**

Lagesse Gravel Pit LLC, 13992 County Highway SS, Bloomer, Wisconsin 54724 (Parcel #: 23008-0744-00020004)

**OPERATOR:**

Haas Sons Inc., 203 E. Birch Street, Thorp, Wisconsin 54771

Dear Lagesse Gravel Pit LLC. and Haas Sons, Inc.,

On August 18, 2016, the Planning & Zoning Committee considered your request for a Conditional Use Permit Renewal, which would allow for extraction of natural minerals and resources in the Agricultural District pursuant to 70-71(b)(2), 70-108 and sections 70-180 through 70-187 of the Chippewa County Zoning Ordinance. The land associated with this particular conditional use permit is the SE ¼ of the SE ¼, Section 07, Township 30 North, Range 08 West. Town of Woodmohr.

**DECISION:**

The Planning & Zoning Committee has **GRANTED** the renewal of this conditional use permit with the following conditions:

- (1) Permit will allow activities and reclamation in areas labeled cells 1-4.
- (2) Activities to be in compliance with WDNR WPDES Permit.
- (3) Separation distance of 50' from all property lines must be maintained unless an agreement in writing is obtained from the property owners and submitted to the County DPZ.
- (4) No discharge of water is allowed from the site.
- (5) Mining activities cannot be any closer than 250' to a residence and/or well.
- (6) Plans show that several ponds will be included in the site reclamation. NMM is requested below the water table, which is estimated to be 980' above mean sea level (MSL).
- (7) Hours of operation shall be from 6:00 a.m. to 9:00 p.m. Monday through Friday, 6:00 a.m. to 3:00 p.m. Saturdays. No Sundays or holidays. All other hours to be brought before the Planning & Zoning Committee for special approval.
- (8) A sign must be placed by the entrance stating the property owners name and the operator as well as hours of operation. A driveway permit and 911 number will be required.
- (9) Operator to follow: 1) All provisions of Chippewa County Non-Metallic Mining Reclamation Ordinance and; 2) Wisconsin Administrative Rule NR 135.
- (10) Activities to be conducted in compliance with the approved Non-Metallic Mining Reclamation "Plan Narrative" and the "Initial Site Map", "Site Operations Map", and "Final Site Map" all date stamped received June 13, 2013. These documents can be found on the Chippewa County Department of Land Conservation and Forest Management's home webpage.
- (11) Off-site hauling of material following permit expiration and in case of revocation will be prohibited. It is the responsibility of the landowner and/or operator to keep all applicable permits current.
- (12) Onsite hauling of material for the purpose of washing, crushing or storage will be prohibited, except as allowed under this permit.
- (13) Onsite temporary storage of recycled asphalt and/or concrete is allowed.

- (14) No burying of any materials will be allowed onsite.
- (15) Grade soil piles to a 3(horizontal) to 1(vertical) slope & mulch with seeding.
- (16) The washing & crushing of sand and gravel will occur onsite, but is limited to the site specific material. The operator will not have a well for washing as the operation will be mining below the water table.
- (17) Operator has agreed that no chemicals or flocculants will be utilized and as part of this permit would be prohibited.
- (18) Ingress/Egress Access: Appropriately recorded documentation showing ingress/egress to the site shall be submitted to the County DPZ and the Town of Woodmohr prior to NMM activities onsite. This would include access across other private property and the access point onto a state or local road.
- (19) The following conditions were requested by the Town of Woodmohr and become part of the permit:
- (20) The driveway shall be located at least 75' from the west property line.
- (21) Cell 1 is opened first, then Cell 2, within restoration of Cell 1. Then Cell 3 to be opened, with restoration of Cell 2, then open Cell 4, with restoration of Cell 3.
- (22) Black top millings or calcium chloride will be used to control dust on the roads and driveways. Spraybars will be used to control dust on aggregate equipment.
- (23) Temporary Asphalt Plant to be allowed under the following conditions:
  - a. All required DNR water and air quality permits are obtained.
  - b. All trucks utilizing the asphalt plant shall have ingress/egress from approved access points as shown on approved plans.
  - c. There shall be no hauling of material into the pit for making/mixing of asphalt, except for oil and as allowed by condition 8 of this permit.
  - d. Temporary is defined as when an active contract has been entered into between Haas Sons Inc. and a second party for asphalt production and a copy of such contract shall be retained on file by Haas Sons Inc. for the life of the mining operation.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

**RENEWAL OF THE CONDITIONAL USE PERMIT:**

The Planning & Zoning Committee may renew conditional use permits authorizing nonmetallic mining activities subject to the following:

- (1) Applications for the renewal of a conditional use permit must be submitted at least 45 calendar days prior to the expiration date of the existing conditional use permit. Applications are not required to include any items shown on previously submitted applications, unless the information has changed. Renewal applications may merely indicate no change in such items. Any proposed changes from prior applications shall be required to submit the applicable required information under this division.
- (2) Unless a public informational hearing is requested by a person who owns property within 660 feet of the proposed nonmetallic mining site, no public hearing shall be required to be held with the respect to the conditional use permit renewal application. However, if the application provides for an enlargement of a permitted nonmetallic mining site, or otherwise provides for an alteration or change in the method of operations or reclamation previously approved, a new conditional use permit shall be required and approved by the Committee only after finding such change will not adversely properties within 660'..
- (3) Conditional Use Permit renewals may be conditioned upon correction of any unanticipated environmental impacts, which occurred during the term of initial or renewal permits.
- (4) The conditional use permit may be renewed by the Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and this division. To ensure compliance, the Department shall bi-annually inspect the nonmetallic mining operation.

**TERMINATION:**

This conditional use permit shall not be terminated or denied without first providing the operator with a notice of a public hearing and a public hearing at which the operator shall be given the right to respond to any alleged noncompliance of the conditions of the permit and this division. Termination or non-renewal shall occur only in the event of an operator's failure to comply with any material term of the initial or renewed conditional use permit, the Reclamation Plan, the performance standards incorporated herein, or upon a significant change, as determined by the Committee, in material circumstances rendering continued operation under the conditional use permit to be contrary to the health, safety, or welfare of the County.

**TRANSFER OF PERMIT:**

In the event an operator succeeds the interest of another at an uncompleted nonmetallic mine site, the former operator shall be released of the responsibilities imposed by the current permit issued to the former operator upon satisfaction of the following conditions.

- (1) The nonmetallic mine site is in compliance with the requirements of this division and the permit for the operation of the nonmetallic mine site.
- (2) The new operator assumes the responsibility of the former operator to complete the reclamation of the entire permitted nonmetallic mining site by a written, signed and notarized document and provides adequate financial assurance for approved reclamation of the nonmetallic mine site.

**NONMETALLIC MINE SITE ENLARGEMENT:**

Any proposed nonmetallic mining site enlargement shall be processed as a new application pursuant to this division. All provisions of this division shall apply to the proposed enlargement.

**FAILURE TO OPEN AND OPERATE:**

Failure of an operator to take substantial steps to open and operate a nonmetallic mining site within 1 year of the initial permit issuance shall invalidate the permit. A new permit application shall be required for any future nonmetallic mining activity.

**ABANDONMENT OF NONMETALLIC MINE OPERATIONS:**

Any nonmetallic mine site on which no nonmetallic mining activity has taken place for 24 consecutive months shall be determined to be abandoned. If the abandonment of a nonmetallic mine site occurs, the conditional use permit shall be terminated and all applicable reclamation standards and bonds shall be enforced or executed. Nonmetallic mining operations shall not be conducted within the boundaries of the previously permitted nonmetallic mine site, unless a new nonmetallic mine permit has been issued under this division.

**WRIT OF CERTIORARI**

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this 18<sup>th</sup> day of August, 2016.

By the Order of the Planning & Zoning Committee.



Douglas Clary, Director  
Department of Planning & Zoning

CC: Jerry Johnson Town Chair  
File