



Village of Hobart
Village Office 2990 S. Pine Tree Rd, Hobart, WI
www.hobart-wi.org - www.buildinhobart.com

Notice is hereby given according to State Statutes that the **PLANNING AND ZONING COMMISSION** of the Village of Hobart will meet on Wednesday November 9th 2022 at 5:30 PM in the Village Office. **NOTICE OF POSTING:** Posted this 4th day of November, 2022 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.

MEETING NOTICE – PLANNING AND ZONING COMMISSION

Date/Time: Wednesday November 9th 2022 (5:30 P.M.)

Location: Village Office, 2990 South Pine Tree Road

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call.
2. Certification of the open meeting law agenda requirements and approval of the agenda
3. Public Comment on Non-Agenda Items

ACTION ITEMS

4. DISCUSSION AND ACTION – Quarry operations renewal at existing quarry located at 361 Orlando Drive (Page

Prior the renewal of the Non-Metallic Mining Annual Operation Permit, the Village Planning & Zoning Commission is requesting that the operators of the existing quarry located at 361 Orlando Dr. be present to have general discussions and provide an update on past and current quarry operations. Mr. Scott Janssen was before the Commission at the April 13, 2022, Planning & Zoning Commission to answer any questions from the commission at that time. This will be a similar format before the annual operating permit can be issue by Village Staff.

5. ADJOURN

Aaron Kramer, Village Administrator

COMMISSION MEMBERS: Rich Heidel (Chairperson), Dave Dillenberg (Vice-Chairperson), Jeff Ambrosius, Tom Dennee, David Johnson, Bob Ross, John Rather

NOTE: Page numbers refer to the meeting packet. All agenda and minutes of Village meetings are online: www.hobart-wi.org. Any person wishing to attend, who, because of disability requires special accommodations, should contact the Village Clerk-Treasurer at 920-869-1011 with as much advanced notice as possible. Notice is hereby given that action by the Board may be considered and taken on any of the items described or listed in this agenda. There may be Board members attending this meeting by telephone if necessary.



TO: Planning & Zoning Commission

RE: Discussion and update on quarry operations at existing quarry located at 361 Orlando Dr.

FROM: Todd Gerbers, Director of Planning and Code Compliance

DATE: April 13, 2022

ISSUE: Discussion and possible action on pertaining update from quarry operators of existing quarry located at 361 Orlando Dr.

RECOMMENDATION: Discussion and possible action.

GENERAL INFORMATION

1. Operator: Daanen & Janssen, Inc.
2. Agent(s)/Petitioner(s):
3. Parcel(s): HB-412, HB-412-1, HB-411, HB-414, & HB-403
4. Present Zoning:

BACKGROUND

The Village Planning & Zoning Commission requested that the operators of the existing quarry located at 361 Orlando Dr. be present to have general discussions and provide an update on past and current quarry operations.

RECOMMENDATION/CONDITIONS

Direct Staff accordingly

Daanen & Janssen Inc.
2022 Non-Metallic Mining Annual Operation Permit Renewal

The non-metallic mining permit issued to Daanen & Janssen Inc. pursuant to Chapter 12 of the Village of Hobart Code of Ordinances for the operation of its quarry in the Village of Hobart for the period beginning January 1, 2022, and ending December 31, 2022, is subject to the following conditions:

1. Compliance at all times by the permittee and those acting at the direction of, with the permission of, or under contract with, the permittee, with all applicable federal, state and local laws, regulations and ordinances including, but not limited to, the following:
 - A. Payment of the \$1,000 permit fee is to be paid prior to January 1, 2022.
 - B. Payment of Village Personal Property Taxes by February 1, 2022.
 - C. Compliance with all provisions of Chapter 194, the Village's Nonmetallic Mining Ordinance.
 - D. Compliance with all provisions of Chapter 156, the Village's Explosives and Blasting Ordinance, including providing and maintaining proof of insurance as required by Section 156-3 B.(2).
2. Hours of operation shall be limited to the following:
 - A. Crushing and drilling equipment shall be operated only during the hours of:
5:00am – 9:00pm Monday – Friday, April 1 to September 30.
5:00am – 11:00pm Monday – Friday, October 1 to March 31.
5:00am – 2:00pm Saturday all year.
 - B. Hours of operation for trucking and loading of all materials are:
5:00am – 9:00pm Monday – Friday, all year
5:00am – 3:00pm Saturdays, all year
 - C. No operations on Sunday or Holidays.
 - D. Extension of these hours in emergency situations may be approved by the Village of Hobart.
3. The Operator agrees to post a sign that instructs drivers that they not use an engine brake when arriving at the site.
4. Blasting operations shall be limited as specified in the Blasting Ordinance.
5. Maintenance and repair work, which includes the operation of small engines, and cold weather startup (idling engines and power take offs (PTO's) only) may be done outside of the limits specified above.

6. Except as noted above, additional hours of operation may be permitted only by written approval of the Village Board.
7. No dust, debris or particulate shall be tracked out of the quarry by vehicles and equipment leaving the quarry using drives or passageways used for transporting quarry products out of the quarry bounds.
8. No expansion of the quarry or extension of any berm beyond permitted property shall be allowed, without advance approval of the Village's Site Review Committee.
9. At least one week prior to any blasting, the Village shall be provided with the name, address and business phone number of the blaster, and a copy of the blaster's certificate of insurance for such blasting operations.

By the end of each day after each blast fired, the Village shall be provided with the log information as identified in municipal ordinance section 5.303 subsection 6.

Additionally, the Village shall be provided with an aerial map, using the most current and readily accessible aerial view, identifying the location of each blast fired.

10. All materials on roadways as a result of quarry operations shall be removed from the roadway within one hour after the termination of quarry operations on that day. Materials shall be removed more frequently if reasonably necessary for public safety and nuisance abatement.
11. The quarry property site shall be open to inspection by Village of Hobart representatives upon request.
12. The Village may have water samples collected and tested at the permittee's expense as follows:
 - A. The Village may take two rounds of samples. If considered necessary, the first sample round will be taken in the month of June and the second in the months of October. A copy of the sampling/test results and a bill for the direct costs of testing will be forwarded to the permittee as soon as possible by the Village of Hobart.
 - B. Each round shall not exceed ten samples, one of which may be from the quarry and the others from drinking water wells.
 - C. Each sample shall be tested for arsenic, grease/oil and nitrates.
 - D. This provision shall not prohibit the Village from taking and testing further samples at its own expense.
13. The permittee shall provide the Village with copies of all permits, licenses and other documents required by the state of Wisconsin or Brown County, as they are acquired or updated, for the permittee or others to carry on operations at the quarry.

14. Fugitive dust from operations shall not exceed 20% opacity at any point outside the project site. Testing to follow U.S. EPA Method 9 or Method 22.
15. Blasting shall be subject to the following restrictions unless prior authorization has been obtained:
 - A. Monitoring of blasts shall be conducted at the nearest residence, business or other inhabited structure located on the same side of the quarry as the blast being conducted. There shall be no open quarry between the blast and the monitoring equipment.
 - B. The provisions of this permit shall not excuse compliance with additional or more restrictive conditions of the Blasting Ordinance.
16. This permit is subject to review by the Village Planning and Zoning Commission at regularly scheduled meetings as determined by the Commission. If the Planning and Zoning Commission finds in any review cause to amend this permit with other conditions or requirements to better ensure proper operation, such conditions and requirements may be enacted and made applicable upon approval by the Village Board as provided in municipal ordinance 194-8 L.

If the Planning and Zoning Commission finds cause for suspension or revocation of this annual operation permit, this permit may be suspended or revoked in accordance with municipal ordinance 194-14 B.

Failure to comply with any of the above conditions constitutes a violation of Village ordinances and may result in enforcement action including, but not limited to, suspension or revocation of the permit.

The permittee has fully discussed the above conditions with the Village and understands and accepts them for the 2018 permit.

Dated: December 21, 2022

Village of Hobart

By: Todd Gerber

Title: Director of Planning and Code Compliance

EXCAVATION FEE \$ 1000.00 CHECK NUMBER: 075446 ~~To be determined~~ DATE: 10/20/2021

EXCAVATION PERMIT EXPIRES: December 31, 2022

VILLAGE OF HOBART - EXCAVATION PERMIT RENEWAL APPLICATION

Name of Landowner: Northeast Asphalt, Inc. Phone: 920-494-0543

Address: N3 W23650 Badinger Road Waukesha WI 53187

Agent (if different from Landowner): Daanen & Janssen, Inc. Phone: 920-336-4149

Address: 2000 Enterprise Drive De Pere WI 54115

Name of Excavator: Daanen & Janssen, Inc. Phone: 920-336-4149

Address: Same as above

Location of site: (landmarks, neighbors) Orlando Rd., between Geneva Rd. and Overland Rd.

Identify parcel(s) (legal description) included in this request: The NE1/4 of Section 27, approximately 160 acres

[Signature] 11/1/21
(Landowner) Date

Daanen & Janssen, Inc.
[Signature] 10/19/21
(Agent-if different from Landowner) Date

Daanen & Janssen, Inc.
[Signature] 10/19/21
(Excavator) Scott Janssen Date
CEO

[Signature] 12/21/21
Hobart Administrator Date

PERMIT APPLICATION SHALL BE SUBMITTED WITH ALL REQUIRED DOCUMENTATION SPECIFIED IN THE ZONING ORDINANCE

Lease - **On File**

Legal Description - **On File**

General map - **On File**

Certificate of Insurance - **On File**

Operation Plan - **On File**

Reclamation Plan - **On File**

Application reviewed and approved: Todd Genter Date: 12/21/21



2990 S. Pine Tree Rd.
Hobart, WI 54155
tele: 920-869-3809
fax: 920-869-2048

Todd Gerbers
Director of Planning and Code Compliance
e-mail: todd@hobart-wi.org

EXPLOSIVES USE PERMIT EXPIRES: December 31, 2022

Village of Hobart - APPLICATION FOR EXPLOSIVES USE PERMIT

Pursuant to the Village of Hobart Blasting Ordinance this application must be filed with the Village of Hobart and accompanied by a fee of FIVE HUNDRED DOLLARS (\$500.00) payable to the Village of Hobart, before it will be considered.

Name of Applicant Orica USA Inc. Phone 920-788-9017
Address N4693 Cty Rd E Kaukauna WI 54130

Signature Jay Effa Date 11-12-21

The following requirements shall be a part and incorporated into this application for an explosives use permit and the required certificate of insurance and explosives use plan shall be filed with this application:

- (1) **CERTIFICATE OF INSURANCE.** Each application for an explosives use permit as herein stated, or a renewal thereof, shall be accompanied by a Certificate of Insurance for a Commercial General Liability Policy and said Policy of Insurance shall have limits of coverage of not less than Ten Million (\$10,000,000.00) Dollars in the aggregate and Two Million (\$2,000,000.00) per occurrence.

The Village of Hobart shall be named as an additional insured on the applicant's Policy of Liability Insurance

- (2) **EXPLOSIVES USE PLAN.** Each application for an explosives use permit or a renewal thereof shall include:
 - (a) Written description of the total area within which explosives are proposed to be used;
 - (b) Blasting procedures to be employed, including types of explosives, initiating systems, etc.;
- (3) **VALID STATE LICENSE.** Applicant and/or Agent hereby certifies that Blasters operating under this permit possess a valid State of Wisconsin Blaster's License with the proper classification and possess all necessary State permits for the handling or use of explosive materials.
- (4) Compliance with Section 5.3 – Explosives and Blasting Ordinance set forth by the Village of Hobart.

Licensed blaster(s) operating under this permit.

Name Jay Effa Blasters License 666580

Name _____ Blasters License _____

Name _____ Blasters License _____

Dated: 11-12-21

Village of Hobart

By: Todd Gerbers 12/21/21

Title: Director of Planning & Code Compliance

Pd. Check # 542104



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
09/17/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Insurance Services West, Inc. Denver CO Office 1900 16th Street, suite 1000 Denver CO 80202 USA	CONTACT NAME: PHONE (A/C. No. Ext): (303) 758-7688 FAX (A/C. No.): (303) 758-9458	
	E-MAIL ADDRESS:	
INSURED Orica USA Inc 33101 E Quincy Avenue Watkins CO 80137 USA	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Zurich American Ins Co NAIC # 16535	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** 570083952631 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. **Limits shown are as requested**

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			GLC379285313	09/30/2020	09/30/2021	EACH OCCURRENCE	\$10,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
							MED EXP (Any one person)	\$5,000
							PERSONAL & ADV INJURY	\$10,000,000
							GENERAL AGGREGATE	\$10,000,000
							PRODUCTS - COMP/OP AGG	\$10,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION						EACH OCCURRENCE	
							AGGREGATE	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE	OTHER
							E.L. EACH ACCIDENT	
							E.L. DISEASE-EA EMPLOYEE	
							E.L. DISEASE-POLICY LIMIT	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: Explosives Use Permit. Certificate Holder is included as Additional Insured in accordance with the policy provisions of the General Liability policy.

CERTIFICATE HOLDER**CANCELLATION**

Village of Hobart
 Attn: Todd Gerbers
 2900 South Pine Tree Road
 Hobart WI 54155 USA

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE











Aon Risk Insurance Services West, Inc.

Holder Identifier :

Certificate No : 570083952631

Part of Brown County WI

LEGEND / KEY

-  Parcel Boundary
-  Condominium
-  Gap or Overlap
-  "hooks" indicate parcel ownership crosses a line
-  Parcel line
-  Right of Way line
-  Meander line
-  Lines between deeds or lots
-  Historic Parcel Line
-  Vacated Right of Way

A complete map legend (map key) is available at:
tinyurl.com/BrownDogLegend

Map printed
 4/7/2022



1:4,800

1 inch = 400 feet*

1 inch = 0.0758 miles*

*original page size is 8.5" x 11"
 *Appropriate format depends on zoom level

This is a custom web map created by an online user of the GIS map services provided by the

**Brown County Wisconsin
 Planning & Land Services
 Department**



(920) 448-6480

www.browncountywi.gov

