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City of Ashland, Wisconsin

601 Main Street West — Ashland, WI 54806 — www.coawi.org

PLAN COMMISSION MEETING AGENDA

August 17, 2021 at 6:30PM via Go To Meetings

The meeting can be joined using a computer, smartphone or tablet at <https://global.gotomeeting.com/join/817810749>. The meeting can also be joined by phone at 1 877 309 2073 using Access Code: 817-810-749.

AGENDA

1. Call to Order and Roll Call
2. Approval of the Agenda
3. Consent Agenda
 - a. Approval of minutes from the August 3, 2021 Plan Commission meeting
4. Public Comment (non-agenda items)
5. Action Items:
 - a. Public Hearing and vote on a Request for a Conditional Use Permit (CUP) for a nonmetallic mine (sand pit) to be located on parcel #201-04924-0000. Applicant: Ashland Sand & Gravel Properties, LLC
6. Announcement/Reports/Comments/Questions
7. Adjournment

It is possible that a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice. The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities. NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Megan McBride at (715) 682-7041.



City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held
on **Tuesday, August 3rd, 2021 at 6:30 p.m.** via
GoToMeeting.

Committee Members Present: Ana Tochtermann, David Mettillie,
Mayor Lewis, Laurie Gregor, Eric Lindell, John Beirl

Committee Members Absent: Katie Gellatly

Staff Present: Megan McBride

Mayor Lewis opened the meeting at 6:30 p.m.

Agenda

1) Approval of Agenda

Motion to approve the agenda by Eric Lindell. Seconded by David Mettillie. Passed unanimously.

2) Consent Agenda

a) Approval of minutes from the July 20th, 2021 Plan Commission meeting

Motion to approve minutes from the July 20th, 2021 Plan Commission meeting by Eric Lindell.
Seconded by John Beirl. Passed unanimously.

3) Public Comment (non-agenda items)

None.

4) Action Items

**a) Public Hearing and Vote on a request to purchase a piece of City- owned
land, parcel #201-01412-0000. Applicant Robert Forster**

Motion to go into public hearing by David Mettillie. Seconded by Eric Lindell. Passed
unanimously.

Megan McBride summarized the public hearing notice that was issued, and the staff report
detailing the review criteria and staff recommendation for approval.



Mayor Lewis asked about the size of the parcel and appraised value. Megan explained that we don't know the appraised value, but estimated it to be around \$100 as this is what the City sold similarly sized irregular parcels for in the past. Since the cost of an appraisal was roughly \$400 and area appraisers are very busy, the applicant offered \$500 to the City for this parcel. There is nothing in our ordinance requiring that an appraisal take place, so the request is being brought forward as received.

John Beirl asked about the land auction process, and how it is determined which parcels will be sold. Megan answered that the Ashland County Register of Deeds office compiles a list of tax delinquent properties which can be taken on tax deed, and then holds auctions as they accumulate enough properties for a sale.

John Beirl also asked if the City keeps track of what land is being auctioned off by the County through these sales.

Megan responded that she is sent a list of upcoming land which will be for sale, and typically gets quite a few questions about developability and eligible uses for parcels that are for sale. There are typically quite a few properties which do not sell each time, so it is difficult to know what land will transfer each time.

John asked if sale of this property would impact the anticipated Bay City Creek trail which will be located in this area in the future.

Megan McBride said that she did have the Parks and Public Works Departments both review the request, and confirmed that this parcel would not impact future trail development. The trail would utilize Stuntz Avenue to cross Main Street East, and the trail would likely pick up south of Main Street East given the challenges of crossing the ravine/bridge. Therefore, sale of the requested parcel would not impact any future City development plans or projects.

Motion to go out of public hearing by Mayor Lewis. Seconded by Ana Tochtermann. Passed unanimously.

Motion to approve offer to purchase parcel #201-01412-0000 by Robert Forster by Eric Lindell. Seconded by David Mettillie. Passed unanimously.
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b) Site Plan review and vote for an expansion to the Lakeview Dental building located at 615 Lake Shore Drive West, parcel #201-00711-0000. Applicant: Brad Allen on behalf of Lakeview Dental.

Megan McBride summarized the proposed site plan for expansion of the existing dental clinic



located at 615 Lake Shore Drive West, and the recommendation for approval with conditions identified in the staff report.

Mayor Lewis asked how the view shed will be impacted by this project, and if anything could be done to enhance lake views from U.S. Highway 2. Megan responded that the property owner plans to have the excavator hired for the project trim and remove unhealthy trees during construction which will likely improve views. She said that trees also provide stormwater management and erosion control benefits on this steep slope adjacent to the Waterfront Trail, so there will be a balance between maintaining healthy trees and enhancing lake views.

Ana Tochtermann asks what the plan for public sidewalk is for this project. Megan answered that the sidewalk will be replaced where driveways are being taken out. She explained that the brickwork will also be restored to match the surrounding right-of-way, so areas where driveways are being removed will blend seamlessly with the surrounding infrastructure.

Motion to approve Site Plan with staff recommended conditions by Eric Lindell. Seconded by Mayor Lewis. Passed unanimously, with John Beirl abstained.

5) Announcements/Reports/Comments/Questions

Megan McBride informed the committee that The Commonwealth Companies will be coming forward with a Development Agreement for approval, with planning activities taking place over the winter for construction in 2022.

6) Adjournment

Motion to adjourn by David Mettillie. Seconded by Eric Lindell. Passed unanimously.

Meeting was adjourned at 7:16 pm. Minutes done by Jaclynn Findlay.



**DEPARTMENT OF
PLANNING &
DEVELOPMENT**
601 Main Street West
Ashland, WI 54806

STAFF REPORT

Plan Commission – August 17, 2021

Agenda Item # 5a: Conditional Use Permit Request to allow a nonmetallic mining use/sand pit

Zoning District: Future Development (FD)
Parcel #: #201-04924-0000
Applicant: Ashland Sand & Gravel LLC
Staff Contact: Megan McBride

Background

Ashland Sand and Gravel is requesting approval of a Conditional Use Permit (CUP) for a mining use/sand pit on their parcel #201-04924-0000, located on Summit Rd and directly south of the Maple Ridge subdivision, zoned Future Development (FD). The proposed operation would include a sand pit approximately 14 acres in size, located entirely on parcel #201-04924-0000 and using parcel #201-04932-0000 for site access off of Summit Rd. This development is anticipated to generate up to four (4) new jobs paying between \$40,000 and \$80,000 annually.

A 60 foot vegetative buffer of trees (primarily spruce and red pine) will be planted along the northern property line to screen from the adjacent residential properties, with a screening berm located directly south of the landscaping buffer constructed from on-site topsoil and overburden. The hours of operation would be from 7:00am-5:00pm Monday-Friday, and 7am-2pm Saturday. No activity would take place on Sundays or holidays.

The draft reclamation plan for the project site has been provided to the City, as is pending approval by the Ashland County Highway Department. The reclamation plan does not identify a concluding year for operation of the sand pit, but does identify the methods for restoration of the site and potential residential development as the future intended use.

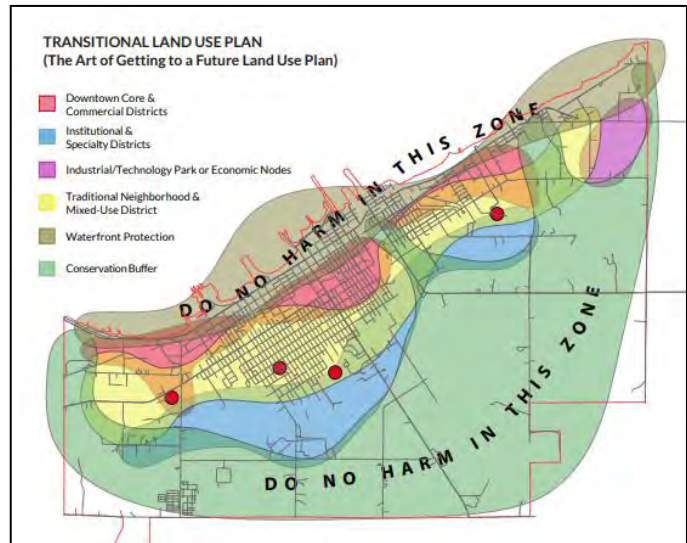
Standards for Conditional Use Review

The City of Ashland's Unified Development Ordinance Section 3.9 (C) Conditional Use Permit – Approval Criteria (and all subsections thereof), create the legal framework to regulate, administer, and enforce the conditional use standards for the City of Ashland. The following decision criteria were used to review the submitted conditional use:

1. **Consistency with Comprehensive Plan.** The proposed use is not consistent with Comprehensive Plan objectives or the identified future land use plan for this area of the City.

Environmental sustainability was identified as a central tenet of the community, and as such states that the City “will make policies and take actions to help protect and make vital the expanse of rich and fertile countryside that surround Ashland so that it will remain visually beautiful and ecologically sustainable” (p. 18).

Additionally, the proposed development is inconsistent with the Comp Plan’s recommended future and transitional land use plans. The area identified for development of the proposed sand pit lies within the “do not harm” zone or conservation buffer. The Comp Plan states that Ashland should strive to become “a community that protects its waterfront and conservation buffer areas” (p. 32). Allowing a new nonmetallic mining/sand pit use within the conservation buffer zone would not promote this Comp Plan recommendation, as the plan urges the City to move away from extractive and other types of heavy impact land uses within the City when possible. However, the proposed additional jobs and contribution to local construction material availability will provide community services, and the proposed berm and landscaping for screening will make visual impacts of the sand pit minimal.



Transitional Land Use Plan identified in Authentic Ashland 2035: A Comprehensive Plan for Ashland, WI

2. **Compatibility.** The proposed use is compatible with the intent and allowable uses of the Future Development (FD) district in which it is located, but would be incompatible with existing and future surrounding uses. The FD zoning district is primarily located on the fringes of City limits, and as such may be appropriate for a variety of agricultural, industrial, and residential uses depending on location. The subject parcel directly abuts the Residential Estate (RE) zoning district (to the north), and is adjacent to the Public Institutional (PI) district (to the west). The neighboring cemetery performs approximately 50 burials per year, and these services typically last approximately one (1) hour. The sand pit operations would be very disruptive to the tranquility of any funeral and/or burial service conducted at the cemetery. A proposed condition based on public input would be to allow cemetery management to contact the mine operator at least 48-hours in advance of a planned ceremony and the operations at the mine must cease any excessive noise-producing activities, i.e. trucks/machinery backing and crushing activities. Particularly given the anticipated expansion of the cemetery in future years to the south, which would directly abut the proposed sand pit, this condition would proactively anticipate this community need and ensure continued compatibility of these potential neighboring uses.

The developer has identified several protections to promote compatibility with existing and anticipated future uses. Since adjacent residential property owners obtain their drinking water from private wells, mining activity impacts on water quality was a major consideration for compatibility. The bottom of the pit would be 50 feet +/- 10 feet, for a maximum depth of 60 feet. The included well construction report indicates a ground water depth of 128 feet, maintaining a minimum 68 foot separation from mining activities and groundwater. The identified pit location will remain approximately 400 feet from any surface water sources, including the Bay City Creek and mapped wetlands on site.

The berm along the western and northern property lines combined with the additional proposed landscaping to screen views and noise will minimize impacts on surrounding properties. The City of Ashland's assessor contracted through Associated Appraisals Inc. was consulted about anticipated impacts of the proposed development on surrounding property values. In his opinion, "such a pit with an earthen berm surrounding the pit would have very little to no impact on the surrounding property values. Only time will tell what the true impact would be regarding resale value of these properties, I feel that it will not harm or negatively affect the sale values" (Walt Hughes email from 8/10/2021).

3. **Importance of Services to the Community.** Availability of affordable construction materials has consistently proven to be a barrier for contractors across the country in completing construction projects, which can slow housing and economic development if projects are delayed. The proposed use would help to serve the local construction community, providing locally-sourced and therefore more affordable fill material that will reduce transportation costs and demands. Reduction of trucking traffic in this way can also help lower the overall environmental footprint of local construction projects, and ensure that projects related to economic development, public infrastructure improvements, and other types of private development projects will have access to the materials they need.

There are currently a total of 34 issued sand pit permits within Ashland County according to Ashland County Highway Commissioner (email from August 12, 2021).

4. **Neighborhood Protections.** Proposed neighborhood protections to screen noise, dust and other impacts of the proposed development from the adjacent residential properties include a 60 foot landscaping buffer between an earthen berm and the northern and western property lines. A recommended condition of approval is for evidence to be provided to City staff upon construction of the earthen berm that City of Ashland Ordinance Chapter 202 standards regarding allowable noise levels at the property lines will be met. For preservation of water quality, the maximum pit depth will be 50 feet +/- 10 feet, which will remain well above the 128 foot ground water depth as verified in the included Well Constructor's Report.

Additional neighborhood protections may be added by the Plan Commission and City Council based on public input gained through the Public Hearing.

5. **Conformance with Other Requirements:** The applicant will need to conform to all UDO standards, including (but not limited to):
 - Approval of the associated reclamation plan by the Ashland County Highway Department
 - Approval of nonmetallic mining operation and stormwater permits from the Wisconsin Department of Natural Resources
 - Compliance with City of Ashland Ordinance Chapter 202 for Noise Pollution Prevention Section 202.06 for machines and equipment

Review Recommendation

Staff recommends APPROVAL of the Conditional Use Permit contingent on the following conditions:

- Approval of the associated Reclamation Plan by the Ashland County Highway Department

- Approval of nonmetallic mining operation and stormwater permits from the Wisconsin Department of Natural Resources
- Demonstration upon construction of the berm that City of Ashland Ordinance Chapter 202 for Noise Pollution Prevention decibel limits at the property line are met for machines and equipment per Section 202.06
- Allow the Cemetery management to contact the mine operator at least 48-hours in advance of a planned ceremony and the operations at the mine must cease any excessive noise-producing activities, i.e. trucks/machinery backing up and crushing activities

Additionally, as a Public Hearing is scheduled for the proposed Conditional Use Permit, the Plan Commission should hear all input from the public prior to making a decision. The required Class 2 public hearing notice was issued, and discretionary letters were sent to all surrounding property owners within 300 feet of the proposed development.

Approvals are based on background information provided by the applicant and known conditions. Deviations from this information may be considered a change in the application and reconsideration and possible revision to the approvals may be made by the Plan Commission and Common Council.

Ashland Sand & Gravel Properties LLC

E. Summit Road Nonmetallic Mine (T& M Pit)

Ashland Sand & Gravel Properties LLC is requesting a Conditional Use Permit for a Nonmetallic Mine (a.k.a. the T & M Pit), a sand pit, to be located on their 30 acre parcel, Parcel# 201-04924-0000 further described as the North $\frac{1}{4}$ of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) located in Section 8, Township 47 North, Range 4 West, Ashland County, Wisconsin. The property is within the boundaries of the City of Ashland. There had been a sand pit previously located on the property. The existing pit will be expanded to approximately 14 acres.

Ashland Sand & Gravel is a local company located in Ashland. The company is owned by Anthony A. Roffers. Mike Pagac will be the pit operations manager.

Currently there is only one sand pit in the City of Ashland. The soils in the surrounding area are predominately clay. Sand is a vital element of most construction projects. Having a local source will reduce project costs due to the reduced costs of transportation of the material. This will reduce impacts on local roads as the material is being sourced close to the anticipated market.

Pit operations will commence with the removal of the overburden. The overburden will be used to construct a berm on portions of the Northern and Western property lines to visually screen the pit and provide a sound barrier. Existing vegetation will be left between the berm and the property lines to further screen the operations and reduce noise. Additional vegetation will be planted to provide additional screening. State of Wisconsin Best Management Practices will be followed to reduce any impacts on the surrounding properties. The pit will be internally drained. No run-off will leave the site minimizing any impacts on surface waters or wetlands. A Port-a-Potty will be on-site to provide sanitation. Upon approval of the Conditional Use Permit, Weyandt Engineering will submit to the WDNR the application for the nonmetallic mining operation/stormwater permit.

E. Summit Road will be used to access Sanborn Avenue to haul all loads from the pit. Summit Road is a gravel road and will be watered to reduce any dust and graded by the pit operators as necessary.

Operation of this pit will create up to 4 new jobs paying \$40,000-80,000 (\$20-40/hour).

A post mining reclamation plan has been submitted to the Ashland County Highway Department that meets all requirements of the WDNR. Final corrections to the reclamation plan are being made. After mining operations are complete the property will consist of residential lots surrounding a man-made pond. An access road may be built to Maple Lane to provide two potential ingress and egresses. The land the access road to Maple Lane may be constructed upon is currently owned by A, S & G Properties LLC.

**RECLAMATION PLAN
PREPARED FOR:**

The property is owned by:

AS&G Properties LLC
Anthony A Roffers
P.O. Box 235
Solon Springs, WI 54873
715-816-4025

The mine will be operated by:

AS&G Properties LLC
Mike Pagac
67320 Hwy 2
Ashland, WI 54806
715-292-3786

The reclamation plan was designed by:

Weyandt Engineering Services
Scott Weyandt
65635 Shady Lane
Iron River, WI 54847
218-393-1915

Ashland Sand & Gravel is proposing to construct a non-metallic mine in the City of Ashland. The property is located in the SE ¼ of the SW ¼, Section 8, T47N, R4W in the City of Ashland, Ashland County, Wisconsin. The proposed mine and buffer areas are approximately 25 acres.

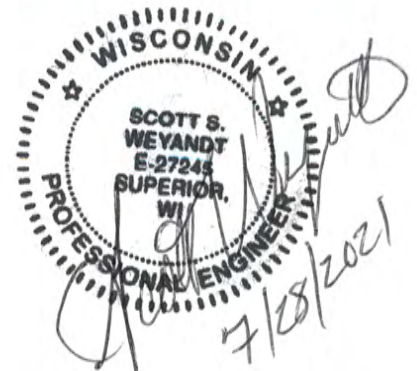
The mine is named "T&M Pit".



July 28,
2021

T&M Pit – Reclamation Plan

Ashland County, Wisconsin



T&M PIT - RECLAMATION PLAN
PREPARED FOR:
ASHLAND SAND & GRAVEL T&M PIT

PREPARED BY:
WEYANDT ENGINEERING SERVICES
65635 SHADY LANE
IRON RIVER, WI 54847

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Ashland Sand and Gravel T&M Pit – Reclamation Plan

City of Ashland

Prepared for Ashland Sand & Gravel

1.0 Introduction

Ashland Sand & Gravel is proposing to construct a non-metallic mine in the City of Ashland. The property is located in the SE ¼ of the SW ¼, Section 8, T47N, R4W in the City of Ashland, Ashland County, Wisconsin. The proposed mine and buffer areas are approximately 25 acres. The mine is named "T&M Pit".

The property is owned by:
AS&G Properties LLC
Gary Roffers
30635 State Hwy 2
Ashland, WI 54806
715-682-3608

The mine will be operated by:
AS&G Properties LLC
Mike Pagac
67320 Hwy 2
Ashland, WI 54806
715-292-3786

The reclamation plan was designed by:
Weyandt Engineering Services
Scott Weyandt
65635 Shady Lane
Iron River, WI 54847
218-393-1915

2.0 Property Ownership

The property is owned by AS&G Properties LLC. The parcel number is 201049240000.

See quit claim deed in **Appendix A**. Adjacent landowner information is also included in **Appendix A**.

3.0 Zoning and Land Use

Current zoning of the parcel is Future Development (FD). Currently the land is not used. There is an existing gravel access road that travels east-west through the parcel.

4.0 Biological Resources

This property has been previously disturbed and is vegetated in a variety of non-mature colonizing species of grasses and brush. In the northwest portion of the property, approximately 7 acres of pine plantation exist. No wetlands have been observed except for non-jurisdictional wetlands within the footprint of the existing mine pit which will be expanded as part of the proposed mine reclamation geometry. Wildlife which frequents the site includes deer, bear, turkey and birds local to northern Wisconsin.

5.0 Reserves and Mining Extent

The T&M Pit is a sand mine pit. The surface extent of the proposed mining area is approximately 14 acres. The total area impacted by mining, including overburden and topsoil stockpiling, planting buffers, and access roads is approximately 25 acres.

See drawings in **Appendix B** for existing and proposed conditions and planned extents of mining.

6.0 Topsoil and Overburden

Average topsoil depth is 4" across the site resulting in 7,500CYD of topsoil to be stockpiled onsite for use in future reclamation. The thickness of clay overburden is an average of 12.5' thick across the area and results in 282,000CYD of overburden that will be moved and stockpiled on site. This is based on owner test pits and construction reports of adjacent wells.

7.0 Groundwater

Well construction reports place ground water at 128' below the surface near the mine site. The proposed bottom of pit is 50' below the existing surface. The pit could extend down another 10' vertically to extract more reserves, resulting in a minimum of 68' +/- of separation from groundwater.

See **Appendix B Well Constructor's Report** for more information.

8.0 Surface Waters

An unnamed tributary stream to Bay City Creek is located 400' to the East of the proposed mine pit. Mapped wetlands are located 400' to the East of the proposed pit. The old mine pit to be expanded as part of this mine reclamation plan occasionally retains surface water. Regulatory guidance indicates this is classified as an isolated non-jurisdictional remnant of recent construction.

See **Appendix C for WDNR Surface Water Data Viewer Map.**

9.0 Post Mining Land Use

Following stable reclamation, the proposed post mining land use is a combination of recreational, natural wildlife habitat and potential residential development. In the event that residential development is pursued, the reclaimed mine pit location is intended to serve as a common use area and stormwater treatment. The existing tree plantings which are being expanded during reclamation on the north property limits (approximately 60 feet wide) will serve as a buffer to the existing residential area to the north.

10.0 Reclamation Measures

Concurrently with the start of mine stripping a 60' wide vegetative buffer of trees will be planted on the north line of the property. The trees will consist primarily of spruce and red pine. South of the vegetative buffer will be the topsoil and overburden stockpiles. These stockpiles will be constructed in a linear fashion to provide a screening berm to the residents to the north.

When mining is finishing the overburden stockpile material will be used to stabilize slopes and construct the final desired contouring of the pit. Topsoil will be placed to an average thickness of 4". A portion of the overburden and topsoil stockpiles may remain on the northern boundary to continue providing screen to neighbors to north. The exact extent that will remain is dependent upon how much material is needed for final reclamation.

See drawings in **Appendix D** for existing and proposed conditions and extents of mining.

10.1 Revegetation Measures

After subsoil and topsoil reapplication, the seedbed will be prepared by discs, harrows or other equipment to obtain an even and loose seedbed. Seeding will occur during the growing season when soil conditions are suitable. WisDOT type 70 seed mix will be used for the final reclamation areas. Seed type 70 seed mix at 1lb/1,000sf with a nurse crop. An estimated 1,089lbs of type 90 seed mix will be needed for reclamation.

When a nurse crop is required for spring seeding before June 15, or if the engineer allows seeding between June 15 and October 15, use annual oats. For fall seeding after October 15, use winter wheat, or annual ryegrass. Seed nurse crop at 1lb/1,000sf in addition to seed mix type 70. An estimated 1,089lbs of nurse crop seed mix will be needed for reclamation.

10.2 Temporary Seed

Stockpiles of overburden and topsoil will be temporary seeded. Seeding with the temporary stabilization seed mix will occur during the growing season. A nurse crop may be necessary where seeding must be performed outside of the normal growing season. Annual Ryegrass or Winter Wheat will be used where fall or winter planting is necessary. The proposed temporary stabilization seed mix is Wisconsin Department of Transportation Seed Mix No. 20. An estimated 220 lbs of temporary seed mix will be needed.

10.3 Fertilizer & Mulch

Fertilizer mixture used is 12-22-10 with an application rate of 150 pounds per acre. Straw mulch will be applied at a rate of 2ton/acre and will be crimped in utilizing a straight line disc or equivalent. Approximately 3,750lbs of fertilizer will be needed and 50 tons of straw mulch.

10.4 Topsoil Balance

With an average thickness of four inches over the 11 acre pit, 5,600CYD of topsoil are expected to be salvaged on the site. During final reclamation of the pit a portion of the pit will be designated for stormwater treatment and may not be revegetated and thus not require topsoil. The estimated area for future stormwater treatment is 3 acres leaving 8 acres to be re-topsoiled. The 8 acres of reclamation will consume 4,300CYD of topsoil. The remaining 1,300CYD of topsoil will be used on what remains of the overburden screening berm on the north.

10.5 Cost Estimate for Reclamation

The owner estimates the time for reclamation once mining is finished is 4 weeks or 160 hours of work time for three operators each. The average cost for an operator is \$35/hr, backhoe rental is

\$45/hr, dozer rental is \$35/hr, and truck rental is about \$30/hr. Total cost per hour is \$145/hr. Labor and equipment is estimated to total 160hrs X \$145/hr = \$23,200. The cost for seed, mulch, and fertilizer is approximately \$1,000/acre. Therefore estimated cost for seed, mulch, and fertilizer for the 25 acre site is \$25,000. This includes labor and materials.

Total estimated cost for final reclamation is \$48,200.

11.0 Criteria for Successful Reclamation

In order to determine successful revegetation for final vegetation cover, reclaimed areas will be assessed for density of the perennial vegetative cover. Reclamation will be considered complete when "final stabilization" has been achieved, as defined in Wisconsin Code NR 216. This standard states that final stabilization is achieved when a "uniform perennial vegetative cover has been established with a density of at least 70 percent of the cover for unpaved areas and areas not covered by permanent structures." Once reclaimed areas have achieved the aforementioned vegetative cover results, the areas will be considered successfully reclaimed and no further reclamation activities shall be required for that location.

12.0 Certification of Reclamation Plan

I hereby certify, as duly authorized representative or agent that Ashland Sand & Gravel will comply with the provisions of this reclamation plan, the Ashland County nonmetallic mining reclamation ordinance, as well as the statewide nonmetallic mining reclamation standards established in ss.NR 135.05 through NR 135.15 Wis. Admin. Code.



Signature of Applicant or Duly Authorized Agent

7-29-2021
Date Signed

APPENDIX A

Ownership

V 0656 P 667

QUIT CLAIM DEED

THIS DEED, made between GARY ROFFERS AND KAY A. ROFFERS, husband and wife and RONALD ROFFERS AND ANN ROFFERS, husband and wife ("Grantor," whether one or more), and RRGR ENTERPRISES, LLC, a Wisconsin limited liability company ("Grantee," whether one or more).

Grantor quit claims to Grantee the following-described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Ashland County, State of Wisconsin:

DOCUMENT NO 311411

Received for Record
at 10:40 AM duly recorded in
Vol. 656 on Page 667-669
of Records
April 28 2008

KAREN M. MILLER
REGISTER OF DEEDS
ASHLAND COUNTY, WI

RETURN TO:

Fryberger, Buchanan, Smith & Frederick, P.A.
302 West Superior Street, Suite 700
Duluth, MN 55802

201-04924-0000; 201-04935-0000 & 201-04926-0000

Parcel Identification Number (PIN)

See Exhibit A attached hereto

This is not homestead property.

Dated April 16, 2008

FEE EXEMPT
#77.25 (15s)

Gary Roffers
GARY ROFFERS

Kay A. Roffers
KAY A. ROFFERS

STATE OF Wisconsin)
COUNTY OF Ashland) ss.

Personally came before me on April 16th, 2008, the above-named GARY ROFFERS AND KAY A. ROFFERS, husband and wife, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)



Angela M. Truchon

Angela M. Truchon

Notary Public, State of Wisconsin

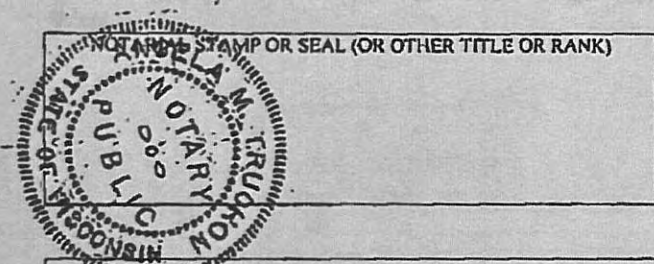
My Commission (is permanent) (expires: 8-1-2010)

U 0656 P 668
Ronald A. Roffers
RONALD ROFFERS

Ann Maria Roffers
ANN ROFFERS

STATE OF Wisconsin)
COUNTY OF Ashland) ss.

Personally came before me on April 16th, 2008, the above-named RONALD ROFFERS AND ANN ROFFERS, husband and wife, to me known to be the persons who executed the foregoing instrument and acknowledged the same.



Angela M. Truchon
Angela M. Truchon
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

THIS INSTRUMENT DRAFTED BY:
Fryberger, Buchanan, Smith & Frederick, P.A.
302 West Superior Street, Suite 700
Duluth, Minnesota 55802-1863
MBM1/ajl

*Type name below signatures.

M:\DOCS\169-01000000-1\EXEC\13534.LXX

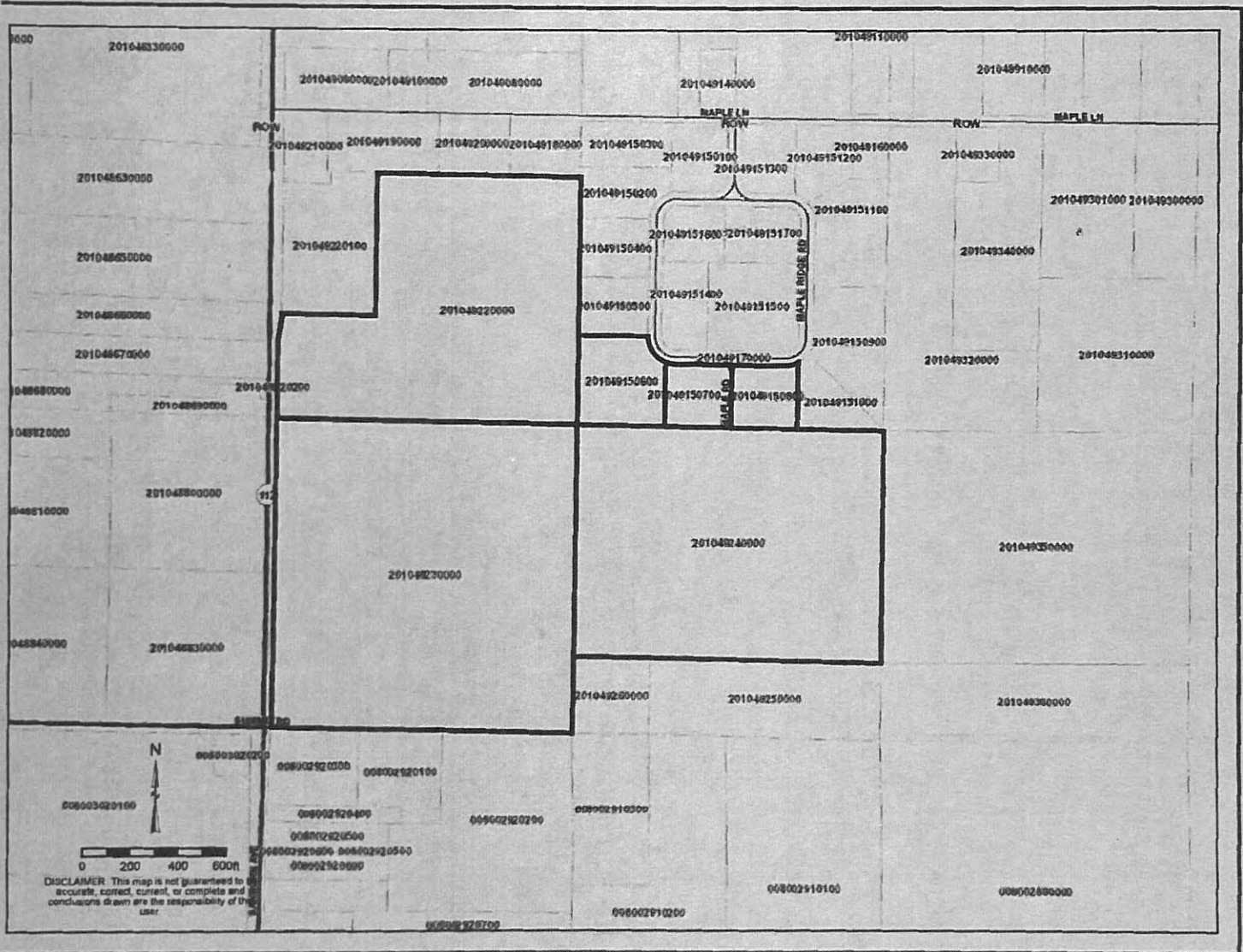


EXHIBIT A

The North three-fourths ($N\frac{3}{4}$) of the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4} - SW\frac{1}{4}$), Section Eight (8), Township Forty-seven (47) North, Range Four (4) West.

AND

The North three-fourths ($N\frac{3}{4}$) of Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4} - SE\frac{1}{4}$), Section Eight (8), Township Forty-seven (47) North, Range Four (4) West.

AND

The Southwest Quarter of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter ($SW\frac{1}{4} - SW\frac{1}{4} - SE\frac{1}{4} - SW\frac{1}{4}$), Section Eight (8), Township Forty-seven (47) North, Range Four (4) West.

APPENDIX B

Well Constructor's Report

APPENDIX B

State of Wisconsin
Department of Natural Resources
Box 7921
Madison, Wisconsin 53707

NOTE:

White Copy - Division's Copy
Green Copy - Driller's Copy
Yellow Copy - Owner's Copy

WELL CONSTRUCTOR'S REPORT
Form 3300-15 Rev. 12-76

MAY 24 1979 APR 10 1979

1. COUNTY **ASHLAND** CHECK (✓) ONE: ☐ Town ☐ Village ☒ City **ASHLAND** Name **ASHLAND**

2. LOCATION **SE 1/4 SW 1/4** Section **8** Township **T 47 N.** Range **R. 4 W** 3. NAME **KEITH OLSON** ☒ OWNER ☐ AGENT AT TIME OF DRILLING CHECK (✓) ONE
OR - Grid or Street No. Street Name ADDRESS **MAPLE LANE RD**
AND - If available subdivision name, lot & block No. POST OFFICE **ASHLAND - WIS**

4. Distance in feet from well to nearest: (Record answer in appropriate block)

Building	Sanitary Bldg. Drain	Sanitary Bldg. Sewer	Floor Drain Connected To:	Storm Bldg. Drain	Storm Bldg. Sewer
25	C.I. 35	C.I. 35	C.I. Sewer 35	Other Sewer NONE	Other NONE

Street Sewer **NONE** Other Sewers **NONE** Foundation Drain Connected to **NONE** Sewage Sump **NONE** Clearwater Sump **50** Septic Tank **80** Holding Tank **NONE** Sewage Absorption Unit **100**

San. Storm C.I. Other Sewer Clearwater Dr. Clearwater Sump **✓** NONE **50** **80** **NONE** **100**

Privy **NONE** Pit: Nonconforming Existing **NONE** Subsurface Pumproom **NONE** Barn Gutter **NONE** Animal Barn Pen **NONE** Animal Yard **NONE** Silo With Pit **NONE** Glass Lined Storage Facility **NONE** Silo w/o Pit **NONE** Earthen Silage Storage Trench Or Pit **NONE**

Temporary Manure Stack **NONE** Watertight Liquid Manure Tank **NONE** Solid Manure Storage Structure **NONE** Subsurface Gasoline or Oil Tank **NONE** Waste Pond or Land Disposal Unit (Specify Type) **NONE** Other (Give Description) **NONE**

5. Well is intended to supply water for: **NEW HOME**

6. DRILLHOLE

Dia. (in.)	From (ft.)	To (ft.)	Dia. (in.)	From (ft.)	To (ft.)	Kind	From (ft.)	To (ft.)
8	Surface	20	4	20	181	TOP SOIL	Surface	2
						CLAY	2	5
						SAND (DRY)	5	12
						CLAY	12	80
						SAND (DRY)	80	170
						HARD PAN	170	175
						WATER SAND	175	185

7. CASING, LINER, CURBING AND SCREEN

Material, Weight, Specification & Method of Assembly	From (ft.)	To (ft.)	Material, Weight, Specification & Method of Assembly	From (ft.)	To (ft.)
4 NEW-BLACK-STEEL T+C 11 LBS PER FT. ASTM-A53	Surface	181	3 Sch 40 SS SCREEN 10 SLOT	181	185

8. GROUT OR OTHER SEALING MATERIAL

Kind	From (ft.)	To (ft.)
CLAY SLURRY	Surface	20

10. TYPE OF DRILLING MACHINE USED

☒ Cable Tool	☐ Rotary-hammer w/drilling mud & air	☐ Jetting with
☐ Rotary-air w/drilling mud	☐ Rotary-hammer & air	☐ Air
☐ Rotary-w/drilling mud	☐ Reverse Rotary	☐ Water

Well construction completed on **11-14** 1978

11. MISCELLANEOUS DATA

Yield Test: **4** Hrs at **8** GPM Well is terminated **10** inches ☒ above final grade ☐ below

Depth from surface to normal water level **128** Ft. Well disinfected upon completion ☒ Yes ☐ No

Depth of water level when pumping **135** Ft. Stabilized ☒ Yes ☐ No Well sealed watertight upon completion ☒ Yes ☐ No

Water sample sent to **MADISON - BY WRUBLEWSKI PLUMBING - WASHBURN - WIS** laboratory on **19**

Signature

Robert T. Mullen

Registered Well Driller

Complete Mail Address

1318 MacArthur Ave

Ashland - Wis

WELL CONSTRUCTOR'S REPORT TO WISCONSIN STATE BOARD OF HEALTH
See Instructions on Reverse Side

1. County Ashland Town ☐ Ashland
 Village ☐
 City ☒ Check one and give name
 2. Location Maple Lane Road - NW 1/4 - SE 1/4 - S8 - T47 N - R4W
 Name of street and number of premise or Section, Town and Range numbers
 3. Owner ☒ or Agent ☐ Richard WARTMAN - NW-SE 1/4 - S8 - T47 N - R4W
 Name of individual, partnership or firm
 4. Mail Address R.T. 2 - Ashland Wis **RECEIVED**
 Complete address required

5. From well to nearest: Building 8 ft; sewer 10 ft; drain 12 ft; septic tank 30 ft;
 dry well or filter bed 60 ft; abandoned well none ft. **MAR 16 1961**

6. Well is intended to supply water for: Household

7. DRILLHOLE:

Dia. (in.)	From (ft.)	To (ft.)	Dia. (in.)	From (ft.)	To (ft.)
8	0	20	4	20	202

8. CASING AND LINER PIPE OR CURBING:

Dia. (in.)	Kind and Weight	From (ft.)	To (ft.)
4	Well Drillers pipe	0	192

9. GROUT:

Kind	From (ft.)	To (ft.)
Clay Grout	0	20

11. MISCELLANEOUS DATA:

Yield test: 72 Hrs. at 4 GPM.

Depth from surface to water-level: 130 ft.

Water-level when pumping: 165 ft.

Water sample was sent to the state laboratory at:

Madison City on March 7-1961

10. FORMATIONS:

Kind	From (ft.)	To (ft.)
Top soil + Clay	0	4
Hard Pan	4	25
Dry sand	25	120
Hard Pan	120	126
Fine water sand	126	135
Hard Pan	135	178
Brown Stone	178	202

RECEIVED

Construction of the well was completed JAN 23 1962

March 6 1961
 The well is terminated 8 inches **SANITARY ENGINEERING**
☒ above, below ☐ the permanent ground surface.

Was the well disinfected upon completion?

Yes ☒ No ☐

Was the well sealed watertight upon completion?

Yes ☒ No ☐

Signature Theodore Melvin 1104 - Front St. W. Ashland Wis
 Registered Well Driller Complete Mail Address

Please do not write in space below

Rec'd **MAR 10 1961** No. **7147** 10 ml 10 ml 10 ml 10 ml 10 ml

Ans'd UNSAFE - DETERGENT PRESENT
 Interpretation WATER IS RECEIVING WASTE
SEEPAGE

Gas - 24 hrs. + +
 48 hrs. + +
 Confirm + +

B. Coll 2/5
 Examiner _____

Historic Well Construction Reports (1930-1989)

Wisconsin Geological and Natural History Survey

Search

About

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Find a locality using:

County

Ashland

Find

Return to Locality

Clear

2. Search for Reports

3. Results

Return to Results Extent

Clear Results

WGNS ID

Image Number

WDNR Unique Well Number (if available)

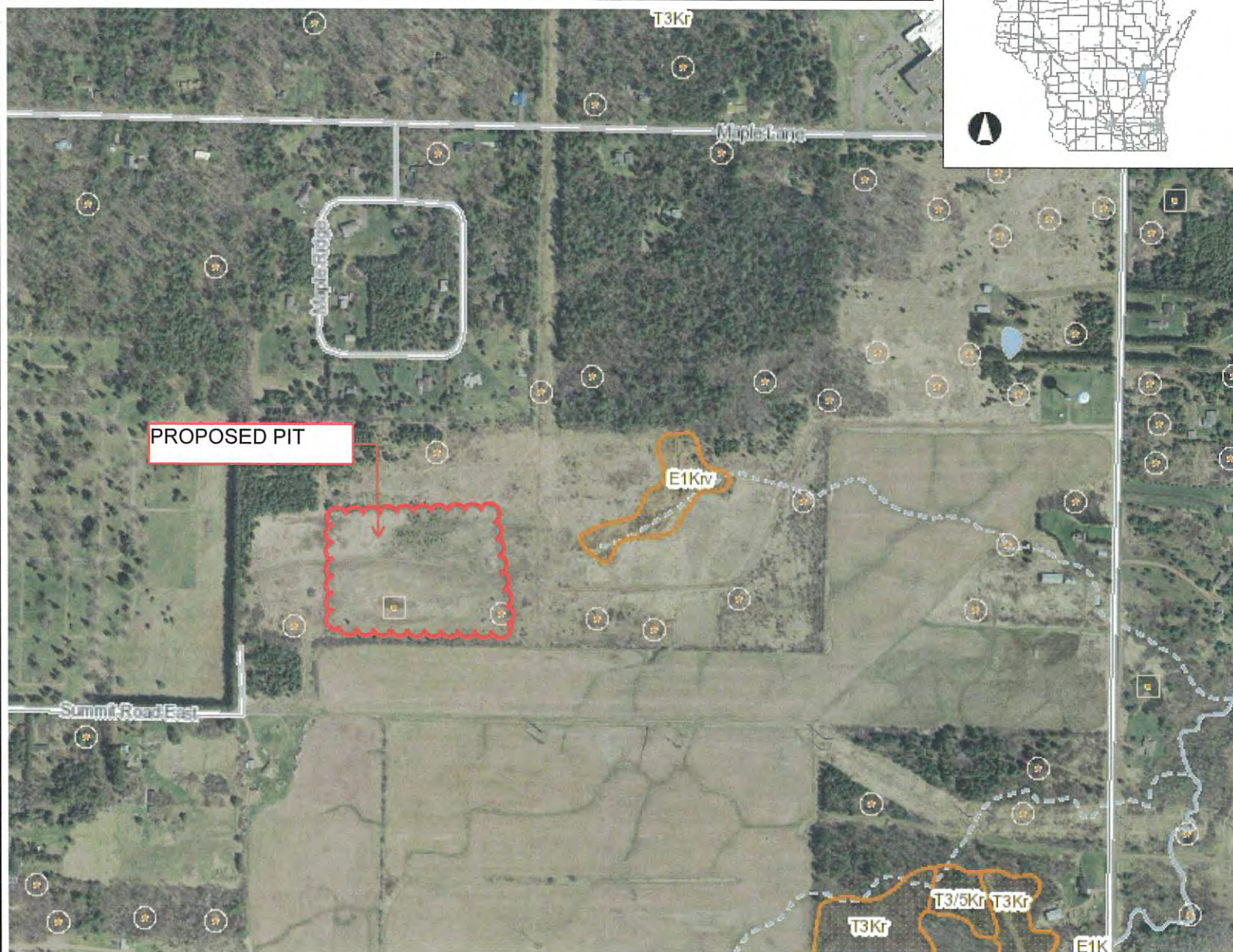


APPENDIX C

WDNR Surface Water Data Viewer



Appendix C Surface Water Data Viewer Map



Legend

- Wetland Identifications and Confirmations
 - Wetland Class Points
 - Dammed pond
 - Excavated pond
 - Filled excavated pond
 - Filled/draind wetland
 - Wetland too small to delineate
 - Filled Points
 - Wetland Class Areas
 - Wetland
 - Upland
 - Filled Areas
 - Wetland Class Points
 - Dammed pond
 - Excavated pond
 - Filled excavated pond
 - Filled/draind wetland
 - Wetland too small to delineate
 - Filled Points
 - Wetland Class Areas
 - Wetland
 - Upland
 - Filled Areas
 - Municipality
 - State Boundaries
 - County Boundaries
 - Major Roads
 - Interstate Highway
 - State Highway
 - US Highway
 - County and Local Roads
 - County HWY
 - Local Road
 - Railroads

0.3 0 0.13 0.3 Miles

NAD_1983_HARN_Wisconsin_TM

1: 7,920

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Notes

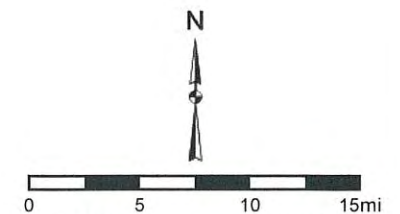
APPENDIX D

Reclamation Drawings

Ashland County Map

Legend

- Rivers and Streams
- Villages
- Lake Superior
- County Boundary
- Surrounding Counties
 - MI
 - MN
 - WI
- Roads
 - Principal Arterial
 - Minor Arterial
 - Major Collector
 - Minor Collector
 - Local
 - Private
- WROC 6-Inch 2020 Color Ortho
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



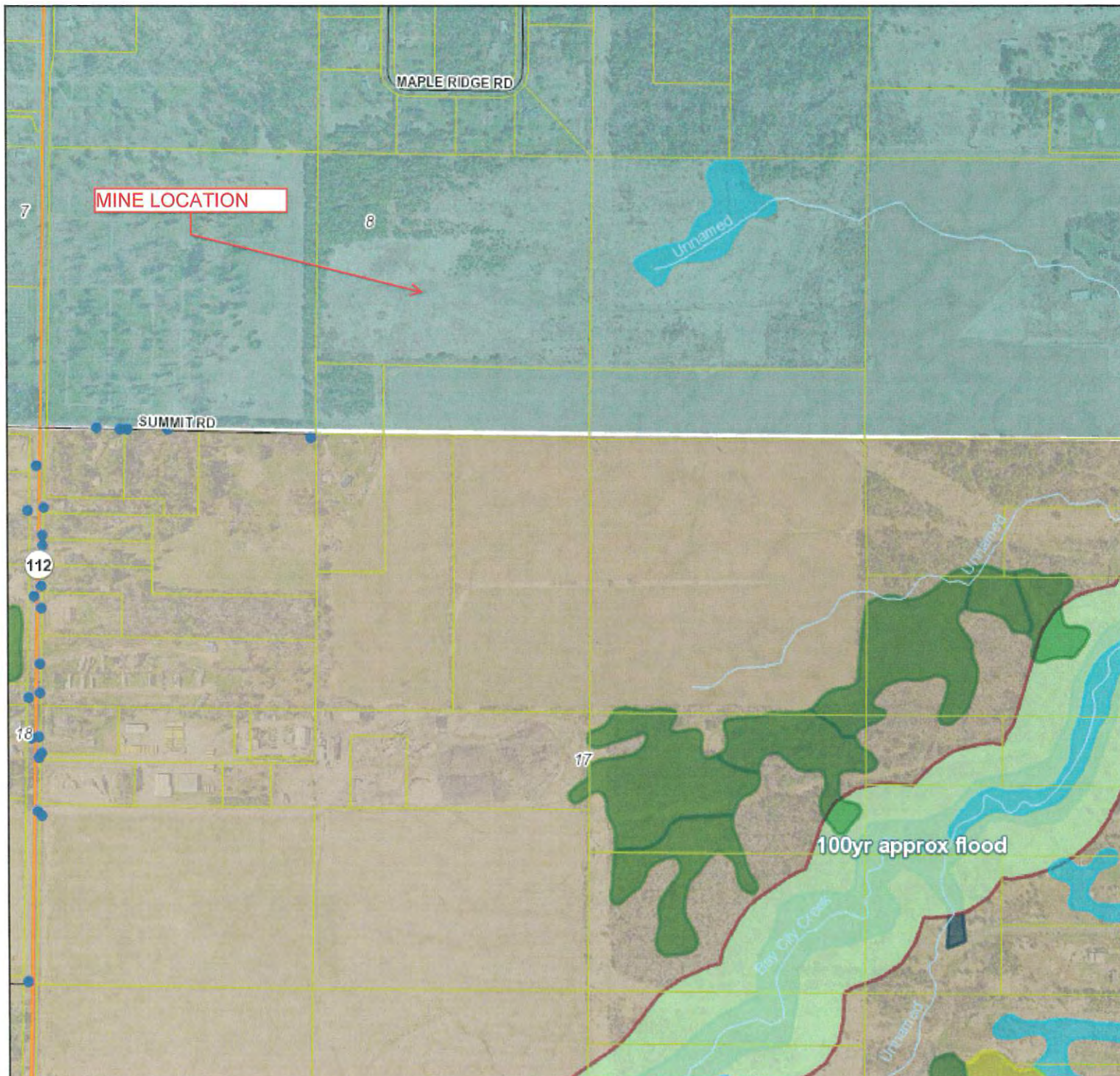
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Author:	
Date Printed:	
Sources:	

Ashland County Zoning Map

Legend

-  Flood Map Index
-  Flood Image Data
-  Flood Poly Data
-  Wetlands
-  Lake Classification
-  Official Zoning Map
-  Parcels
-  Driveway Access Address Points
-  Rivers and Streams
-  Lakes and Rivers
-  Sections
-  Lake Superior
-  County Boundary
-  Surrounding Counties
-  Roads
-  Railroads
-  WROC 6-Inch 2020 Color Ortho
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3



0 200 400 600ft

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

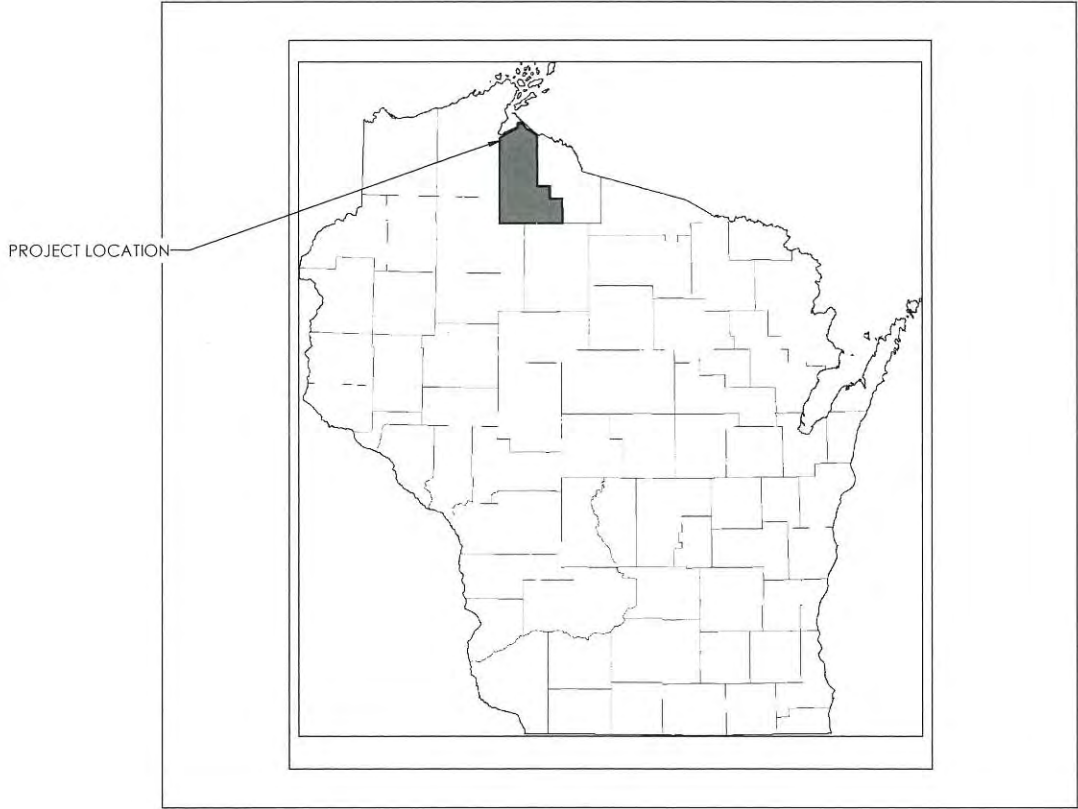
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Sources:	

ASHLAND SAND & GRAVEL

T&M PIT

SE¹/₄ OF SW¹/₄ SECTION 08, T47N, R04W

CITY OF ASHLAND



CITY OF ASHLAND
ASHLAND COUNTY WISCONSIN

TABLE OF CONTENTS	
PAGE NUMBER	TITLE
1	TITLE PAGE
2	LOCATION
3	EXISTING
4	START MINING
5	RECLAMATION
6	PROFILES



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218-393-1915
scott@weyandengineering.com

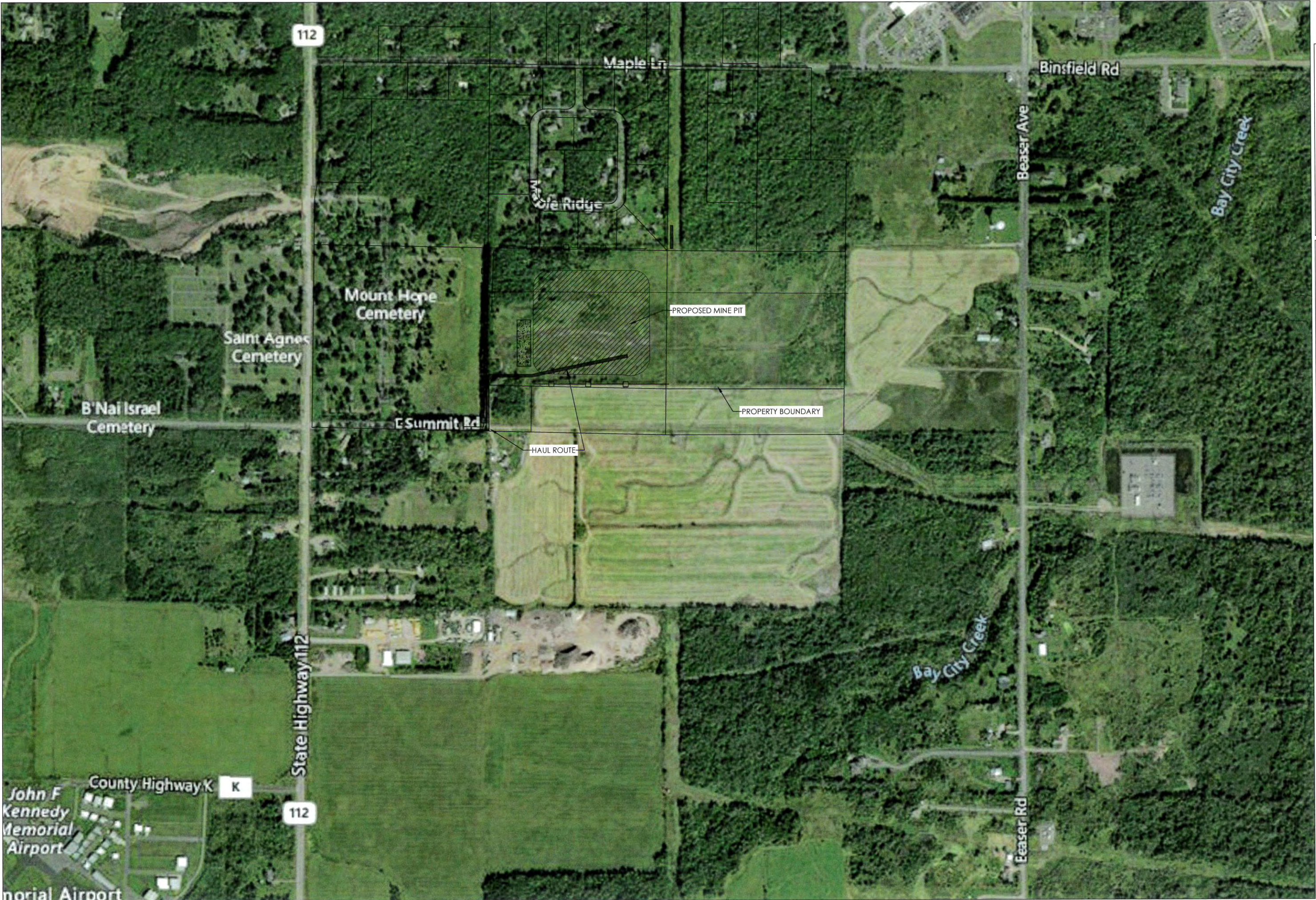
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Ashland Sand & Gravel
City of Ashland
Ashland County, WI

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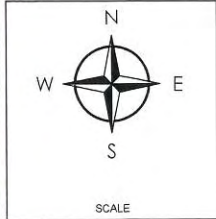
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LOCATION MAP
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Ashland Sand & Gravel
City of Ashland
Ashland County, WI

REVISIONS	NO.	BY	DATE



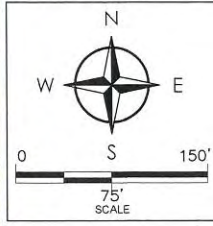
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Ashland County, WI

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- GENERAL MINING SEQUENCE:
1. PLANT TREE BUFFER ON NORTHERN PROPERTY BOUNDARY.
 2. INSTALL PERIMETER SILT FENCE ON TOPSOIL AND OVERBURDEN STOCKPILE LOCATIONS.
 3. ESTABLISH HAUL ROUTE
 4. STRIP TOPSOIL AND OVERBURDEN FROM PROPOSED MINE PIT. MAINTAIN SEGREGATION OF TOPSOIL AND OVERBURDEN.
 5. CONSTRUCT TOPSOIL AND OVERBURDEN STOCKPILES. SEED AND MULCH STOCKPILES.
 6. CONDUCT MINING OPERATIONS MAINTAIN INTERNAL DRAINAGE OF MINE PIT.



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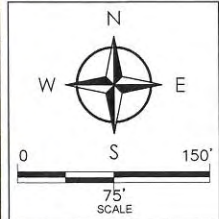
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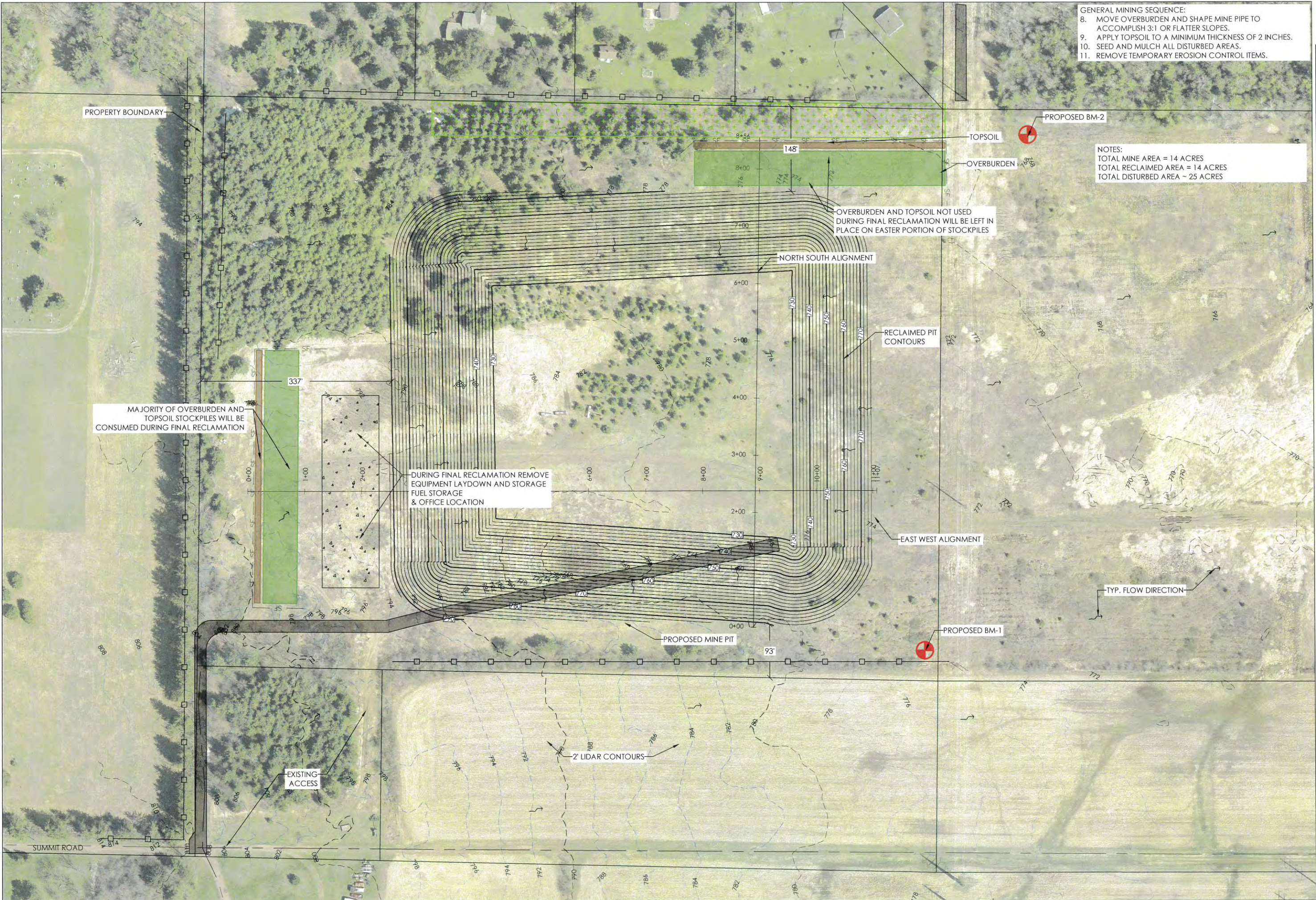
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RECLAMATION

T&M Pit

Ashland Sand & Gravel

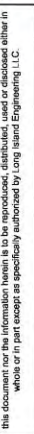
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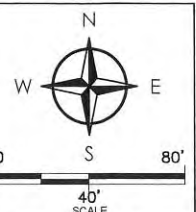
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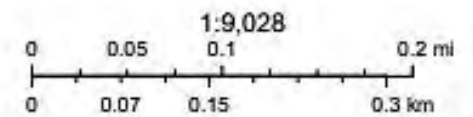
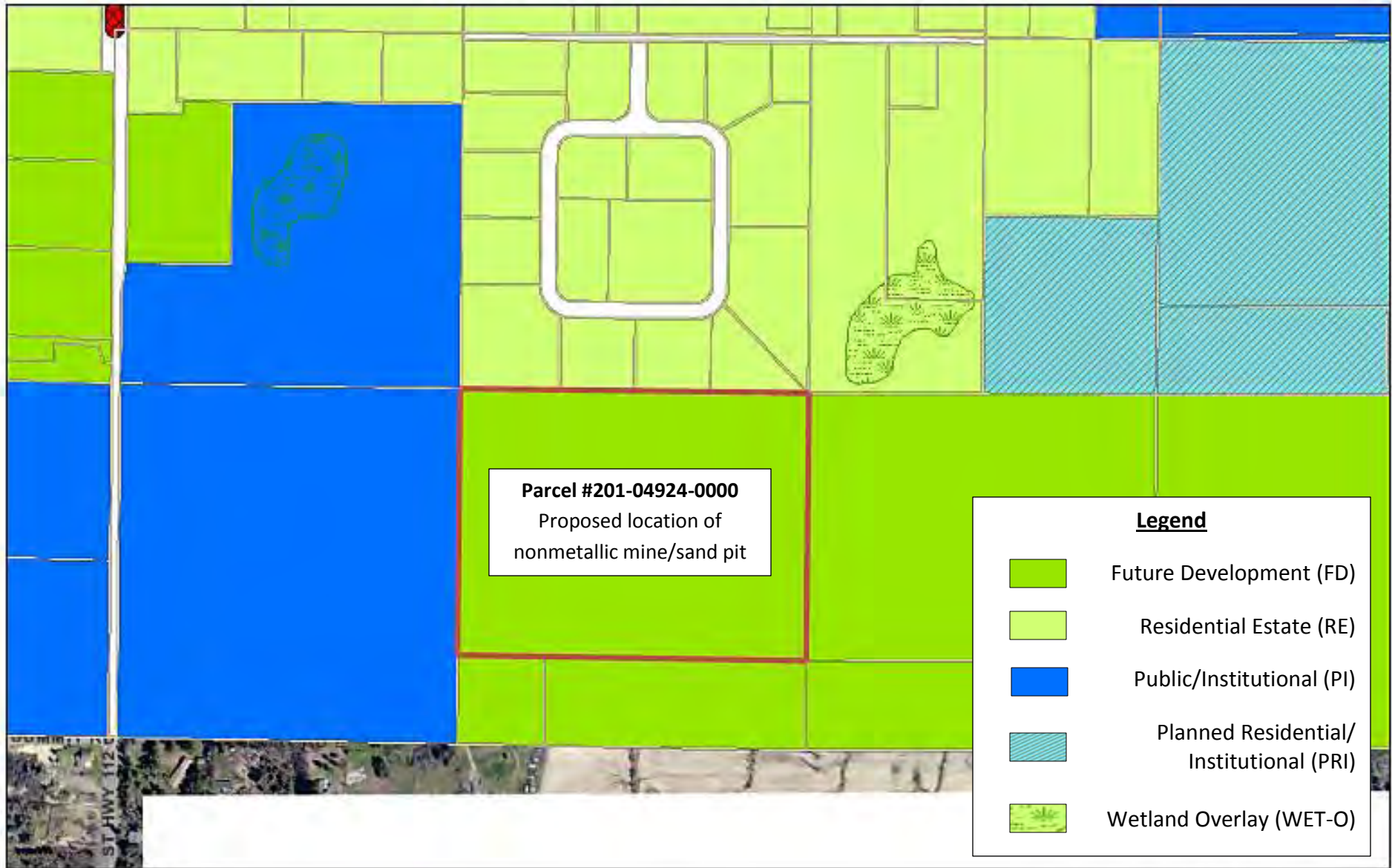
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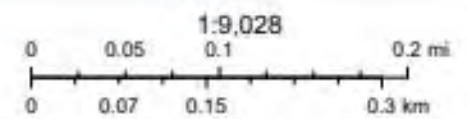
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Zoning Map Parcel #201-04924-0000



Aerial Map Parcel #201-04924-0000



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