



DANE COUNTY PLANNING & DEVELOPMENT

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August 5, 2011

Justin Funk
Senior Scientist/Project Manager
Stantec Consulting Services Inc.

VIA ELECTRONIC MAIL: Justin.Funk@stantec.com

REVIEW OF PLANS RE: DANE COUNTY PERMITS REQUIRED FOR ATC POLE REPLACEMENT AND TEMPORARY CLEAR SPAN BRIDGE PROJECT ON ATC LAND SECTION 8, TOWN OF MIDDLETON

Justin:

Thank you for providing plans and supporting documentation for the above project, located south of US Highway 14 and the railway in Tax Parcel Number 0708-084-8691-0. I reviewed your applications for WDNR permits and letter notifying the USACOE. I consulted official Dane County aerial maps and the WDNR Wisconsin Wetlands Inventory Maps for this area. I have determined that:

- 1) This project in the Shoreland of an unnamed tributary of Black Earth Creek may require a Shoreland Erosion Control Permit from the Dane County Land Conservation Division. Please contact Ryan Shore at 608.224.3738 or shore@countyofdane.com.
- 2) No Floodplain is present, so no Dane County Floodplain Development Permit is required.
- 3) Wetlands on either side of the creek are *apparently* less than 2 acres in area, individually, so they are not within the jurisdiction of Dane County for permitting purposes, as per Section 11.06(2)(a) of the Dane County Shoreland-Wetlands Ordinance. However, I did not receive a copy of the Stantec Wetlands Delineation Report indicated in the WDNR permit application. Therefore,
 - Please confirm whether Wetland areas affected by this project are less than 2 acres.
 - If less than 2 acres, no Dane County Wetlands Permits are required.
 - If 2 acres or more in area, a Dane County Wetlands Land Use Permit is required, in compliance with Section 11.08(4) of the Dane County Shoreland-Wetlands Ordinance (see below). Contact me for permit requirements.

Thank you for your cooperation. Please contact me if you have any questions.

Sincerely,

Kris Schutte
Assistant Zoning Administrator
608.266.9084
schutte@countyofdane.com

CC via electronic mail:
Zoning Administrator Roger Lane
Ryan Shore, Dane County Land Conservation
Town of Middleton Clerk

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Chapter 11, Section 11.08(4), Dane County Code of Ordinances:

11.08 Uses which are allowed in the Shoreland-Wetland and inland-Wetland Districts subject to the issuance of a Zoning (Land Use) Permit. (4) The construction and maintenance of electric, gas, telephone, water and sewer transmission and distribution lines, and related facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power or water to their members, provided that:

- (a)** The transmission and distribution lines and related facilities cannot as a practical matter be located outside the wetland; and
- (b)** Any filling, excavating, ditching or draining that is to be done must be necessary for such construction or maintenance and must be done in a manner designed to minimize flooding and other adverse impacts upon the natural functions of the wetlands.