

3 MILESTONE APPEAL HEARING

Affirmative Finding Support

**Prepared by Dan Joling – Village President with input from Trustee Myszka and
Trustee Stowell**

Dated February 4th, 2026

I. BACKGROUND:

On January 27th, 2026 the Kronenwetter Village Board met to hear the appeal of Milestone Materials as to their Conditional Use Permit (CUP) denial. The Denial was given by the Planning Commission on October 20th, 2025. As a result, the Village Board reversed the denial and granted the CUP with conditions on a 3 to 2 vote with 2 abstentions.

As of February 3rd, 2026 it is being alleged by two Board members citing that the hearing was in error and that there was no justification given for the reversal decision. Hence this document will attempt to clarify the vote and give factors used to decide the reversal of the Planning Commission decision with regards to the proposed CUP.

II. THE 5 CRITERIA AS SET FORTH IN ORD. 520-121 (G) AND FINDINGS:

- (1) Is the proposed conditional use in harmony with the comprehensive plan, this chapter, and any other plan, program, or ordinance adopted by the village?

YES - The proposed nonmetallic mining operation is located on property zoned AR – Agricultural Residential. The only zoning districts that allow Nonmetallic Mineral Extraction, with an approved Conditional Use Permit, are AR – Agricultural Residential and M2 – General Industrial. The parcel where they propose a nonmetallic mining operation is zoned Industrial/Commercial on the Future Land Use Map. The 2019 Comprehensive Plan encourages industrial use in the area. A large portion of this parcel is located in Zone AE Floodplain and Floodway.

In addition, the 2019 Comprehensive Plan Page 114 Economic Development the Goal stated is that; “The Village will embrace a diverse economy that is a place of opportunities where people and businesses can grow and be successful.” Keeping in mind that Milestone/American Asphalt is a long-standing business in the Village and therefore one would assume we would want to support their operations. It should also be noted that in Land Use, Page 127 Item g. it states, “Encourage industrial use in areas with convenient access to arterial roadways.” This too would be consistent with the issuance of the CUP. It should be noted the creation or maintenance of local jobs is also in keeping with the

Comp Plan page 96 and is noted that in this discipline of Mining and Quarrying workers for the Village was up 207% in seven years.

Then when we apply the 2015 Maple Ridge Development Plan Page 25 where it layouts the development of Site 4. The proposed CUP is envisioned to be an enhancement to future development as proposed in the plan. Further given the approved uses as specified in Ordinance 520-23 which enumerates such uses as; Bed & Breakfast, Boarding, Campgrounds, Commercial Indoor Lodging, Tourist Rooming House and Micro-Beverage Production would and could be further enhanced such a future body of water as will be developed. In particular the later value can be evidenced with the Knowlton House (a Micro-Brewery) to our south by Knowlton. Then there is the Crystal Pines just north of Dancy which is an outstanding rental venue (weddings and reunions) overlooking a pond which enhances its appeal. The realization of value to the Maple Ridge area is not immediate but given time it is envisioned will become a development enhancement and positively add to the marketability of the surrounding area.

- (2) The proposed conditional use does not, in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the comprehensive plan, or any other plan, program, map, or ordinance adopted by the village?
- YES- Nonmetallic Mineral Extraction is a Conditional Use within the AR – Agricultural Residential Zoning District. There are single family residential homes adjacent to the proposed mining area. In addition, there are single family homes across Maple Ridge to the south and across Beranek Road to the north. Berms will be constructed around the perimeter as mining progresses. In addition, a security fence will be installed around the outside of the berms. Traffic in this area will be increased for a few months each year. The trucks will primarily be hauling the sand and gravel directly to one customer, American Asphalt.**

Wisconsin DNR General WPDES Storm Water Permit and Wisconsin DNR Air Emissions Permit are required. In addition, erosion, surface water runoff, dust and noise control measures will be put in place. Finally, the applicant must submit a reclamation plan prepared in accordance with the Wisconsin Administrative Code and the county nonmetallic mining reclamation ordinance. By meeting the requirements of the Zoning

Ordinance and complying with conditions of approval will eliminate any adverse effects on the public health, safety, or general welfare.

In keeping in this vane once the proposed mine site is vacated that soil used to create the berm can be relocated on the remaining property site to help bring more of that parcel out of the flood plain and usable for development. The fact that Milestone is willing to create the berm and maintain vegetation as much as possible to mitigate noise is also a factor in this decision.

- (3) Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?
YES- The parcel is zoned AR – Agricultural Residential and mostly surrounded by AR – Agricultural Residential with mixture of BP – Business Park, RR2 – Rural Residential 2 and SF – Single Family zoning districts to the West. By meeting the requirements of the Zoning Ordinance, the conditional use will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in these zoning districts as they exist today and those shown on the Future Land Use Map.
- (4) Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property?
YES- No additional utilities or improvements would be needed to support the mineral extraction operation. Startup operations would consist of construction of the two proposed access points; one on Beranek Road and one on Maple Ridge Road. A hard-surfaced driveway will be constructed on Maple Ridge Road and extend a minimum of 50 feet into the property. A typical crushed rock driveway will be built to access Beranek Road. Both of these access points will be equipped with a locking gate.
- (5) Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts?
YES- The proposed nonmetallic mine will provide a local and reliable source of aggregate necessary for future infrastructure and public and private community development. The products produced at this site would be used to make hot mix asphalt, concrete, landscaping materials, and other aggregate products important to the community and surrounding area.

This further supports the Comprehensive Plan SWOT Analysis Page 5 in that it addresses the “O” Opportunity of Business Growth along Highway 51 and Maple Ridge as well as the “W” Weaknesses regarding Water and Floodplain Issues.

III. **APPLICATION OF WISCONSIN ACT 67:**

- Requires that standards governing conditional uses be “reasonable and, to the extent practicable, measurable...

To this end it is believed that the Village has met this requirement and does NOT appear to be in question.

- Prohibits a community from basing a conditional use permit decision on “personal preferences or speculation.”

To this extent the only objections that have been heard have been those of personal preferences and speculation. Additional substantial evidence has NOT been offered or produced to date. It is noted in the Planning Commission Meeting audio record of 10/20/25 that there was impending development of residential property which at this time appears to be speculative and there is no proof as to the validity. There was a comment that truck traffic on Beranek Road would create a safety issue. This too would be questionable as to what this is based on and appears to be speculative and NOT supported by any evidence. This in light of the fact that truck traffic in and around this area and in particular the Village is an everyday occurrence and such movement by trucks is vital to the economy in Central Wisconsin. Also, a comment was made that denying any benefit to anyone other than the Company (assumed to be Milestone/American Asphalt) and yet no evidence, just speculation. Then there is the comment about no land being left upon which any building can occur. That too is speculative and in fact false as there will be land left in particular to the north east of the mine site and in fact with the reclamation of the berm may prove to be more than substantial to support further building site(s).

- Instructs that, where an applicant “meets or agrees to meet all of the requirements and conditions specified” in the ordinance or imposed by the decision-maker, the conditional use permit must be granted.

This area is key that to this point no requirements or conditions were even discussed with the CUP applicant in an attempt to ascertain what if any conditions might be rejected or denied by the applicant. To date any conditions mentioned or discussed with Milestone representatives have yet to be rejected or denied. In fact, the applicant has agreed to or offered a number of self-imposed conditions that will become part of the final document granting approval of the CUP. The bottom line here

is; that if the requirements or conditions imposed is agreed to, the permit “MUST” be granted.

IV. SOME OF THE CONDITIONS DISCUSSED AND/OR AGREED TO BY THE APPLICANT:

- a. NO Blasting on site.**
- b. NO Crushing or screening operations onsite.**
- c. NO external night time illumination on site. (with the exception of gateways)**
- d. Willing to consider to redesignate the routes in and out. Primarily going by way of Kronewetter Dr. and then on Beranek into the site and coming out on Maple Ridge Road. This would thereby reduce weight on the newest road (Kronewetter Dr.) and eliminate one less left turn across oncoming traffic. This will be further determined after the Traffic Study is completed.**
- e. Additional conditions enumerated in the final Conditional Use Permit Approval and Resolution.**