



COLUMBIA COUNTY

Planning & Zoning Department

608-742-9660
FAX: 608-742-9817
E-MAIL: planning.zoning@co.columbia.wi.us
WEBSITE: www.co.columbia.wi.us

400 DeWitt Street
P.O. Box 177
Portage, WI 53901

Public Hearing Item 4: Conditional Use Permit – Ethanol Production Facility

Petitioner/Owner: Didion Ethanol, LLC
Description of Property: Part of the NE 1/4 of the SW 1/4, Section 5, T12N, R12, Town of Courtland, Tax Parcel 108.01
Zoning District: Industrial
Applicable Section Of Ordinance: 16-1-11 (2)(n) & 16-1-18 Columbia County Zoning Ordinance
Site Address: W 2015 Cabbage Road
Hearing Date: March 2, 2010

Background

Didion Ethanol, LLC, owners and petitioners, request the Planning and Zoning Committee review and approve a Conditional Use Permit (CUP) to enlarge a 40 million gallon ethanol production facility on about 11.34 acres of land located on the south side of Cabbage Road. The original CUP was approved by the Committee on October 3, 2006. A CUP for grading over 10,000 square feet in a shoreland was approved on November 7, 2006 and a revised site plan on April 3, 2007. Didion has been in operation since April 4, 2008. The subject parcel is shown on the next page as are adjacent land uses both in the Village of Cambria and the Town of Courtland.

Adjacent Land Uses and Zoning

Direction	General Land Use	Zoning
North	Industrial	Village of Cambria
East	Farmland and open space	Agriculture
South	Cultivated fields	Agriculture
West	Residential and utility	Agriculture

Didion is proposing a project that will decrease electricity and natural gas consumption of its drying and moisture removal process which will be accomplished through a series of structural additions that will lead to process improvements. The estimated project cost is \$11 million and Didion was awarded a \$5.5 million grant from the U.S. Department of Energy to assist with the project.

Town Board Action

The Town Board met on January 14, 2010 and recommended approval of the new site plan and CUP.

Didion Ethanol, LLC



Standards for Review

Sec. 16-1-18 (e), Review Criteria: Contains general criteria for the review of all Conditional Uses and staff comments concerning the application complying with these criteria (See Attachment A).

Analysis

Didion is proposing various additions to the facility that will allow it to be more energy efficient, potentially less emissions while being able to increase capacity by about 5%. It is anticipated this will be accomplished with the same amount of product that is currently being run through the facility. The facility is currently licensed by the State for 50 million gallons per year, but the original CUP is for a 40 million gallon per year plant. More detailed information on the facility can be found in Didion's attached Conditional Use Permit Application.

The improvements consist of structures to facilitate the process improvements, a new equipment building and building to cover the wet cake load out area. The proposed location of the wet cake structure will require a variance be granted as it partially in a highway setback. Didion has submitted an application for this variance and is aware that if it not approved the structure will have to be relocated. The proposed additions are listed below. The process additions and the load out structure are shown in green on the attached site plan and 3D illustration.

Proposed Additions	Current	Addition	Proposed Total
Fermentation Tanks	3	2	5
Cooling Cells	8	2	10
Stillage Tanks	2	2	4
Effect Evaporator	3	1	4
Evaporator System Tanks		3	3
Oil Holding Tank		1	1
Equipment Structure		1	1

As proposed this project will decrease energy consumption for the facility while increasing ethanol production, help address environmental concerns, and extract enough corn oil from the process that it can be sold as another commodity. It is anticipated the process and sale of this new commodity will result in the addition of 10 new permanent positions at the facility. This is the expansion of a facility that is part of the infrastructure that helps support agriculture in Columbia County. The production of ethanol is consistent with both the Town of Courtland and Columbia County Comprehensive Plan.

Recommendation/Conditions

Staff recommends the Committee approval of the Conditional Use Permit for a 50 million gallon ethanol production facility subject to the adoption of the following findings, conclusions, and conditions:

Recommended Findings:

1. The property is owned by Didion Ethanol, LLC.
2. Didion Ethanol, LLC is proposing to expand an ethanol production facility by constructing process additions and support structures and operate an ethanol production facility per Sec. 16-1-11(2)(n).
3. The Courtland Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions.
4. The project is proposed to receive grant funds from the U. S. Department of Energy.
5. Title 16, Chapter 1 of Columbia County Code of Ordinance is applicable to this site.

Recommended Conclusions:

1. The application qualifies for a Conditional Use Permit
2. The proposed expansion is an industrial use that is consistent with the purpose and intent of the ordinance.
3. The proposal is an expansion of local business that can achieve economies of scale by expanding in its current location.

4. The proposed expansion will provide new employment opportunities in the County and support agriculture in the County.
5. The proposed use is consistent with the Town of Courtland and Columbia County Comprehensive Plan.
6. The proposed use is similar to other ethanol operations in the State of Wisconsin and a facility within Columbia County for which there has been no documented evidence submitted that the other facilities have been detrimental to or endangered nearby residents or business.
7. The state regulatory process will adequately address the primary environmental issues associated with the ethanol plant.
8. The ethanol plant is compatible with the industrial character of the general vicinity and will not change the character of the area as to substantially impact current or future permitted uses in the vicinity.
9. As part of the ethanol production process other products are produced which commodities are also sold by Didion Ethanol, LLC.

Recommended Conditions for the Decision:

- 1) The conditions of approval to the Conditional Use Permits approved by the Columbia County Planning and Zoning on October 3, 2006, November 7, 2006 and April 3, 2007 are applicable unless modified by a condition listed below.
- 2) Any amendments to the site plan approved by this decision and any further additions or substantial changes in the design or size of the structures or capacity of the facility shall be referred to the Town for review and the Committee for action.
- 3) If Didion Ethanol, LLC does not obtain a variance for the wet cake load structure, the structure will have to be located in compliance with applicable ordinance standards but the zoning permit can be approved by the Department without Committee review unless the Department determines the location is a substantial change to be the design of the facility.
- 4) The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
- 5) If the Planning and Zoning Committee finds that the review criteria of Section 16-1-18(e) of the Columbia County Zoning Ordinance or the conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the conditional use permit.

Section 16-1-18 (e)
Criteria for review of all Conditional Uses

Section 16-1-18 (e) reads as follows (comments may be added by staff after each item):

Review Criteria. In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making a decision.

- (1) The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.

The plant has been in operation since April 2009 and while there have been some emission issues the facility, Didion has worked the Department of Natural Resources to resolve those issue. Didion has addressed waste water concerns that come up when the plant started up by installing a closed loop system whereby the waste water is recycled and recirculated through the system (see attached letter). Didion continues to work with the appropriate agencies who monitor the permits necessary for the plant to operate in order to maintain the public health, safety and general welfare of the surrounding area.

- (2) The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.

The facility is located next to an existing industrial area that besides being location of the applicant's corn mill operation includes a canning factory. Both industries are agriculture related, as is the ethanol plant. Other uses in the area include farms. The existing industries have not appeared to substantially impair the use, or enjoyment of the adjacent existing uses.

Regarding the intended character of the area, the adopted Town of Courtland Comprehensive Plan includes a policy that is supportive of the development of an ethanol production facility in the Town (Chapter 3 Section VII (B)).

- (3) The erosion potential of site based on topography, drainage, slope, soil type, and vegetative cover.

If required the applicant will have to obtain a Storm Water Management Permits and may have to modify their Storm Water Pollution Prevention Plan.

- (4) The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands.

As previously noted in (3) the project will have to obtain or modify the appropriate storm water management and prevention permits during and after construction. There are no mapped floodplain districts in the vicinity of the subject property. Any development that may impact identified wetlands in the vicinity of the plant will have to be completed in accordance with applicable permits.

- (5) The site has adequate utilities including if necessary acceptable disposal systems.

Alliant Energy, provides of gas and electric to the site. The Wisconsin & Southern Railroad Co. has the capacity to handle the plants volume. There is an acceptable onsite waste disposal system.

- (6) Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.

There has been no indication traffic flow or congestion is an issue in this location and it is not anticipated the new structures will result in increased traffic.

- (7) The conditional use shall conform to the standards of the applicable district(s) in which it is located.

A review of the site plans indicates all setbacks as well as the use are in conformance with the applicable district standards, except for the load out building for Didion Ethanol, LLC has applied for a variance.



February 11, 2010

Ms. Lloyd Eagan, Regional Director
Wisconsin Dept. of Natural Resources
3911 Fish Hatchery Road
Fitchburg, WI 53711

RE: WPDES Permit No. WI-0063771-01-0

Dear Ms. Eagan:

On behalf of Didion Ethanol LLC ("Didion"), this is to request that the Wisconsin Department of Natural Resources ("WDNR") revoke WPDES Permit No. WI-0063771-01-1 (the "Permit") pursuant to the authority granted WDNR by Wis. Stat. § 283.53(2h) and Wis. Admin. Code § NR 203.015. WDNR issued the Permit effective April 1, 2008, which authorizes Didion to discharge industrial wastewater to an unnamed tributary of the North Branch of Duck Creek near Cambria, Wisconsin. Due to a major process improvement that we have undertaken at our facility, we have not discharged wastewater pursuant to the Permit since May 2009 and do not foresee discharging wastewater into Duck Creek pursuant to the Permit in the future.

As you may recall, after we began operating our ethanol facility near Cambria in 2008, our wastewater monitoring results revealed wastewater characteristics that differed from the pre-construction engineering estimates. In consultation with our consulting engineers and WDNR staff, we decided to test a closed-loop system at the Cambria facility, by which wastewater is recycled and recirculated through the system. In addition to eliminating our wastewater discharge, the closed-loop system was designed to reduce our fresh water usage by approximately 2.5 million gallons annually.

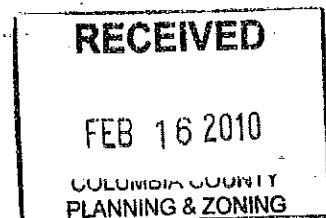
We invested in the system modifications and installed the closed-loop system last summer for testing purposes. After operating the closed-loop system for the past 8 months, we have determined that our facility can operate successfully under the closed-loop system on a consistent basis. We are pleased to inform you that we do not intend to discharge wastewater pursuant to the Permit at any time prior to the Permit expiration date of December 31, 2012. Consequently, we ask that WDNR act pursuant to its authority to formally revoke the Permit effective immediately.

Thank you for your prompt attention to this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dow Didion", written over a horizontal line.

Dow Didion
President





Energy Efficiency Project 2010

**Columbia County Planning and Zoning Committee
Conditional Use Permit Application**

Submitted: February 5, 2010

For further information contact:
Tonya Umbarger
Program and Public Relations Manager
Didion Milling, Inc.
920.699.3633 x30



Table of Contents

CCPZ General Application Form	3
CCPZ Application for Conditional Use Questions.....	4
CCPZ Application for Conditional Use Questions and Responses.....	5
Supplemental Summary of Zoning Ordinance Review Criteria	8
Attachment 1: Current Site Plan	10
Attachment 2: Proposed Site Plan with Additions and Setbacks.....	12
Attachment 3: Proposed Site Plan – Artist’s Rendition.....	14
Attachment 4: Save Energy Now Leaders.....	17



COLUMBIA COUNTY

Planning & Zoning Department GENERAL APPLICATION

400 DeWitt Street - Portage, WI 53901
Phone: 608-742-9660 Fax: 608-742-9817
www.co.columbia.wi.us

The applicant hereby authorizes access to the property described herein, by authorized representatives of the Planning & Zoning Department, for the purpose of gathering or verifying information relating to the application, and for verifying compliance with any approval or permit that may be granted.

The undersigned hereby applies for a permit to do work herein described. The undersigned agrees that all work will be done in accordance with the Columbia County Zoning, Floodplain and Shoreland-Wetland Protection Ordinances, and with all laws of the State of Wisconsin, applicable to said premises.

Owner Signature [Signature]

Date 2/5/2010

Please Print Below

Mail Permit to Contractor or Owner

1. Owner Didion Ethanol, LLC
c/o Dale Drachenberg

Contractor _____

2. Mailing Address P.O. Box 495

Mailing Address _____

3. City, State, Zip Cambria, WI 53923

City, State Zip _____

4. Address of affected Property _____

Phone No. _____

N7088 South State Highway 146
also referred to as W2015 Cabbage Road

I am applying for the following applications:
Please check the appropriate boxes:

5. Phone No. (920) 348-5868 ~~Work~~

NO REFUNDS! File#

6. Town of Courtland

Zoning (building) Permit----- _____

7. NW SW
NE 1/4 of SW 1/4 Acreage 11.4

\$500, \$150, \$50

8. Section 5 Town 12N, Range 12 E

Emergency Response Number----- _____

9. Subdivision Lot 1 of CSM #4700

Variance----- _____

10. Parcel# 108.01 Lot# _____ Block# _____

\$400

Conditional Use----- _____

\$400

Rezoning----- _____

\$400

Home Occupation----- _____

\$400

*****For Office Use Only*****

Existing Zoning _____

Wetland Status _____

Flood Plain Status _____

Septic Permit# _____ Eval. Yes or No

Driveway Permit# _____

Town Permit _____

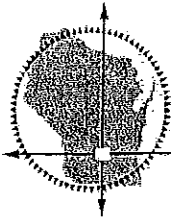
Make check payable to
"Columbia County Treasurer"

Dept. Signature: _____

Application Fees: _____ Total\$ _____

Date: _____

Notes: _____



COLUMBIA COUNTY

COLUMBIA COUNTY PLANNING & ZONING COMMITTEE APPLICATION FOR CONDITIONAL USE

Owner/Applicant Didion Ethanol, LLC Date _____

1. Present improvements on land See Attachments

2. Explain your proposed plans and why you are requesting a Conditional Use permit. Submit attachments where necessary See Attachments

3. Describe how the Conditional Use would not have adverse affects on surrounding properties. See Attachments

APPLICANT (OR SOMEONE REPRESENTING APPLICANT) MUST BE PRESENT AT THE PUBLIC HEARING.

CAUTION: The Planning & Zoning Committee review of this application is a quasi-judicial proceeding. You will have an opportunity to present to the Committee information in favor of your application. Do not speak to any member of the Committee about your application except at the public hearing. Do not direct any written communication about your application to a member of the Committee unless you also file a copy with the Planning and Zoning Office and direct additional copies to each person who has registered an interest in your application. Your failure to observe this rule will invalidate your application.

For Office Use Only

An Appeal to Section _____ of the

Columbia County _____ Ordinance.

Zoning Official _____



CCPZ Application for Conditional Use Questions and Responses

1. Present Improvements on Land

Didion Ethanol plant began construction in Fall 2006 and completed in Spring 2008. Didion Ethanol has been in operation since April 4, 2008. The current, approved site plan is listed as Attachment 1 on page 10.

2. Explain your proposed plans and why you are requesting a Conditional Use Permit. Submit attachments where necessary

A conditional use permit has been previously granted for Didion's ethanol facility. As part of that permit, amendments to the site plan and additions or changes in the design or size of structures or the capacity of the facility are to be referred to the Town and the Columbia County Planning and Zoning Committee. That is the purpose of this application.

U.S. Department of Energy Grant

Didion has been awarded a U.S. Department of Energy grant. That grant involves certain changes and improvements which will be discussed in this application.

Didion Milling, Inc. partnered with Wisconsin's Focus on Energy (FOE) organization and received a 50% matching grant from the U.S. Department of Energy (DOE) through the Stimulus package. The total project is estimated in excess of \$11M and the DOE grant is matching over \$5.5M.

The DOE received over \$3.8B in applications to award the \$155M available. FOE was awarded \$15M (10%) of the \$155M total available. Additional Wisconsin companies also listed as sub awardees on the FOE grant are Briggs and Stratton, Domtar Paper Company, Kohler Company, NewPage Wisconsin System, Quad/Graphics, Thilmany Paper, Wausau Paper Specialty Products (2). Didion received over one-third of the funds FOE received within their proposal. This is a great indicator of the merits of this project.

The primary objective of Didion's FOE/DOE proposal is to decrease electricity and natural gas consumption of its drying and moisture removal processes. The plant will accomplish this objective through a series of structural additions that will lead to process improvements. Within the proposal, Didion has committed to reducing their energy consumption by 25% on a per unit basis. All grant awardees made this commitment to their global and local environments.

A secondary benefit of this project is to provide additional employment opportunities through business growth and market development. Throughout this process improvement, Didion will be retaining 162 jobs between the Milling and Ethanol divisions. It is anticipated that the corn oil process improvement, discussed later in this application, will result in the addition of ten permanent positions. Further, the construction process will temporarily employ up to 75 individuals with contractors from the area.

The DOE grant requires Didion to utilize stimulus dollars as soon as possible. In order to meet the DOE deadlines, we would need approval no later than April 6, 2010.

Performance and Production Improvements

Didion is a member of the Save Energy Now Leaders group through the DOE. The Save Energy Now Leader program is a voluntary program for companies pledging to reduce their energy consumption by 25% over the next decade. This was originally outlined in the Energy Policy Act of 2005, Section 16. Please see Attachment 4 on page 17 for further information regarding the Save Energy Now Leader pledge. This significant DOE grant from stimulus funds will help Didion substantially reduce its energy consumption.



With the addition of fermentation tanks, Didion will be reducing energy use by increasing the current fermentation time, which will yield more ethanol. Longer fermentation times allow for additional conversion of the starch. Since more ethanol is being produced with the same amount of corn and energy input, the overall energy per gallon decreases. To handle this additional ethanol, additional cooling cells would be needed.

A large part of the energy reduction will be greater efficiencies in the dryer process. Didion's existing dryer operates at 60% capacity, 100% of the time. With the new dryer process, it would operate at 100% capacity, 60% of the time. This is a direct tie to less energy consumption and will also reduce emissions from the drying process. As part of the dryer improvements, there will be a need for two additional stillage tanks, an additional effect evaporator, and three evaporator system tanks.

Part of the energy efficiency project will affect the handling of the corn oil within syrup. Didion proposes to add a tank to hold extracted oil. The oil would be removed from the syrup before being sent to the dryer. With the oil not being exposed to the high temperatures of the dryer, less drying time would be needed for the syrup and less emissions (i.e., VOCs) would occur since oil is very difficult to dry. This will also have a positive impact to Didion's energy consumption since it will result in less drying time. The corn oil will be loaded out in the general commodities load out area. The corn oil would be sold to another facility to produce biodiesel and/or oil feedstock products, thus a productive use would be made of the corn oil. An additional small structure to house equipment would also be needed as part of this corn oil project.

Technologies in the ethanol industry are rapidly changing and these changes, outlined above, will permit Didion to remain in a competitive position in the ethanol industry. These proposed additions will lead to process improvement capabilities that will allow Didion to cut its energy use by 25%, make productive use of the corn oil, and reduce emissions.

Capacity Limitations

It is anticipated that Didion's demand for product should remain stable. The proposed process improvements will allow the facility to produce ~5% more ethanol with the same amount of product. The WDNR has in place a permit process under which it examines applications and sets limits on the annual production at ethanol facilities. Currently this facility has a WDNR permit to produce up to 50M gallons per year. We request that Didion's conditional use permit be amended to require that it comply with production limits set by the WDNR for this facility.

Proposed Additions

The above process improvements involve the following additions to Didion Ethanol.

Proposed Additions	Current	Addition	Proposed Total
Fermentation Tanks	3	2	5
Cooling Cells	8	2	10
Stillage Tanks	2	2	3
Effect Evaporator	3	1	4
Evaporator System Tanks	N/A	3	3
Oil Holding Tank	N/A	1	1
Equipment Structure	N/A	1	1

In addition, Didion is requesting that it be permitted to build an additional warehouse building for storage. The original storage building is now used for Didion's water treatment system that allows Didion to become a zero-discharge facility.

Didion is also requesting approval to build a covering over the wet cake load out area. Currently some DDG solids in this area can be washed away into the ditch during inclement weather (i.e., wind, rain).



With this covering, that could be avoided. This request is contingent on the allowance of the setback variance request being submitted to the Columbia County Board of Adjustment.

Didion's operations at this site will continue to be consistent with Town of Courtland's Comprehensive Plan. The Proposed Site Plan displaying the Additions and Setbacks is found in Attachment 2, page 12. The Artist's Rendition of the Proposed Site Plan is found in Attachment 3, page 14.

3. Describe how the Conditional Use would not have adverse affects on surrounding properties.

The efficiencies gained from these site changes will permit the dryer to be operated fewer hours and will reduce emissions from this facility. Accordingly, we believe that the effects of these site changes on surrounding properties will be positive.



Supplemental Summary of Zoning Ordinance Review Criteria

According to Section 16-1-18 of the Columbia County Zoning Ordinance, seven criteria are used by the Planning and Zoning Committee "as guides for making a decision" on a CUP application. Please see below for a summary of response to these review criteria.

(1) The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.

- Didion currently operates an ethanol facility on the site and with the proposed additions, no additional disruptions are expected. These additions will not adversely affect the occupants of the surrounding lands.
- Didion is currently permitted by the WDNR for water usage of 950 gallons per minute. (This is for two high cap wells that cannot run at flows exceeding 475 gallons per minute each.) Didion is currently using 260 gallons per minute total and does not anticipate that increasing.
- Since May 21, 2009, Didion has been a zero-discharge facility and this has reduced their water usage by 34%. It is Didion's intention to continue not to discharge water if operationally feasible. Water discharge is regulated and if any, are limited to water that has not come into contact with any portion of the corn used in the ethanol production. All water discharges are permitted by WDNR.
- A containment wall surrounding the entire facility was completed in November 2009 to greatly reduce the potential for spills.
- For safety at the facility, there is required monthly safety training involving employees, contractors and Didion's engineered safety systems.
- Security of plant and surrounding lands and occupants is being addressed through employee screening, training of personnel, fencing, electronic (data) security and strict security policies.
- All environmental aspects of the facility are permitted and monitored by the WDNR.

(2) The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.

- The proposed additional buildings will remain consistent with the current design, character, use and value of the existing ethanol plant. Please see the Artist's Rendition of the Proposed Site Plan found in Attachment 3, page 14

(3) The erosion potential of site based on topography, drainage, slope, soil type, and vegetative cover.

- Didion's current storm water prevention plan will be modified to take into consideration the proposed additions and must be approved by WDNR.

(4) The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands.

- Since May 21, 2009, Didion has been a zero-discharge facility and this has reduced their water usage by 34%. It is Didion's intention to continue not to discharge water if operationally feasible. Water discharge is regulated and if any, are limited to water that has not come into contact with



any portion of the corn used in the ethanol production. All water discharges are permitted by WDNR.

- Didion's current storm water prevention plan will be modified to take into consideration the proposed additions and must be approved by WDNR.

(5) *The site has adequate utilities including, if necessary, acceptable disposal systems.*

- A natural gas substation is adjacent to the plant. Power and gas are supplied by Alliant Energy.

(6) *Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.*

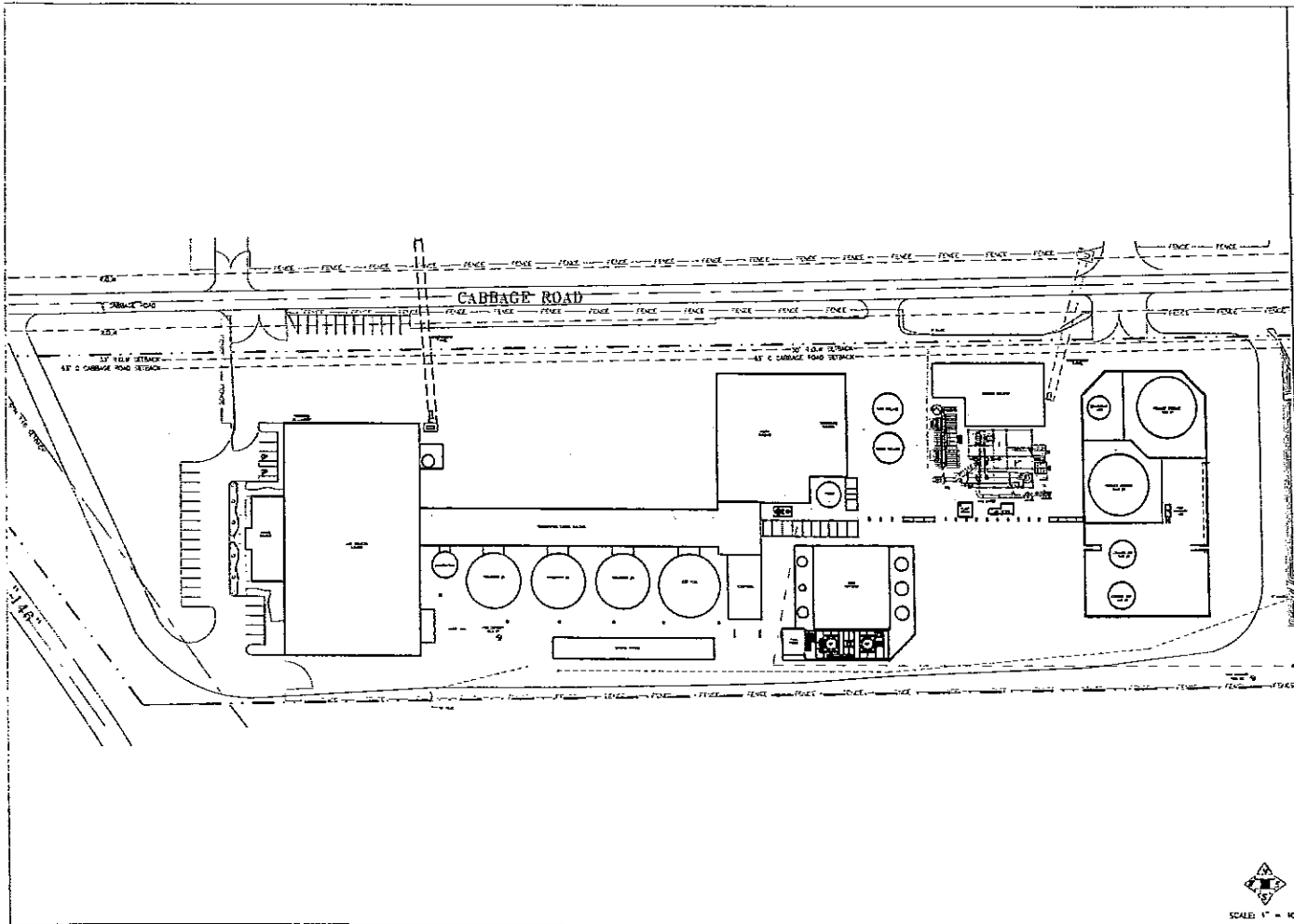
- The structure additions will not bring any significant increase in traffic to the area.

(7) *The conditional use shall conform with the standards of the applicable district(s) in which it is located.*

- The Didion Ethanol plant is in the industrial district and will continue to conform with the standards of that district.



Attachment 1: Current Site Plan



601 S. WILLIAMS ST.
FOLSOM, CA 95630
CARRERA ARCHITECTS
ARCHITECTS

Didion

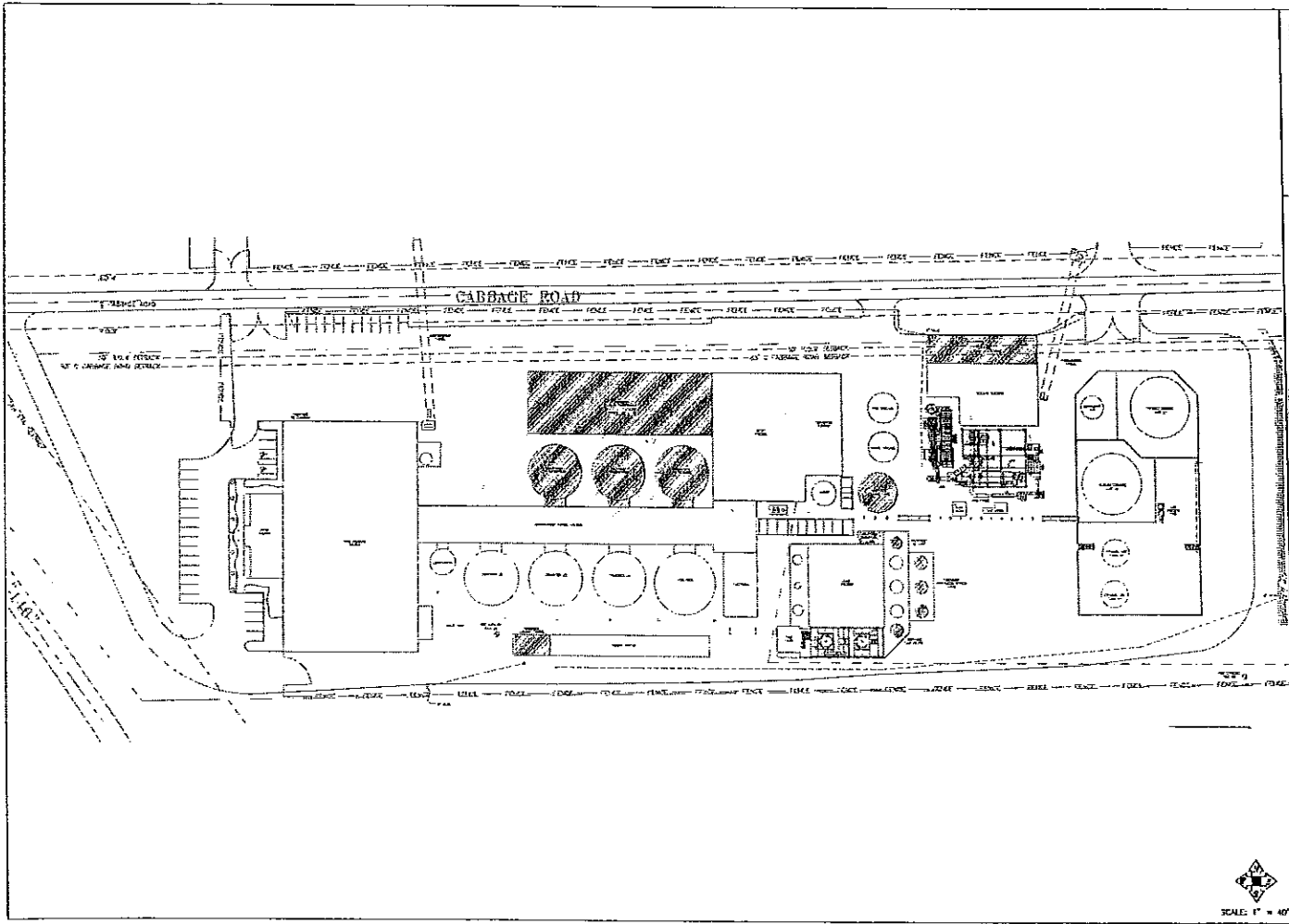
NO.	DATE	BY	REVISION
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			
50			
51			
52			
53			
54			
55			
56			
57			
58			
59			
60			
61			
62			
63			
64			
65			
66			
67			
68			
69			
70			
71			
72			
73			
74			
75			
76			
77			
78			
79			
80			
81			
82			
83			
84			
85			
86			
87			
88			
89			
90			
91			
92			
93			
94			
95			
96			
97			
98			
99			
100			

SITE PLAN
DIBBOLD HANDEL, LLC - COMPTON AND COLMANA QUARTY

SCALE: 1" = 40'



Attachment 2: Proposed Site Plan with Additions and Setbacks



151 S. WILLIAMS ST.
 CALHOUN, MISSISSIPPI
 PHONE: (601) 436-8888
 FAX: (601) 436-8888

DiGion

NO.	DATE	BY	DESCRIPTION

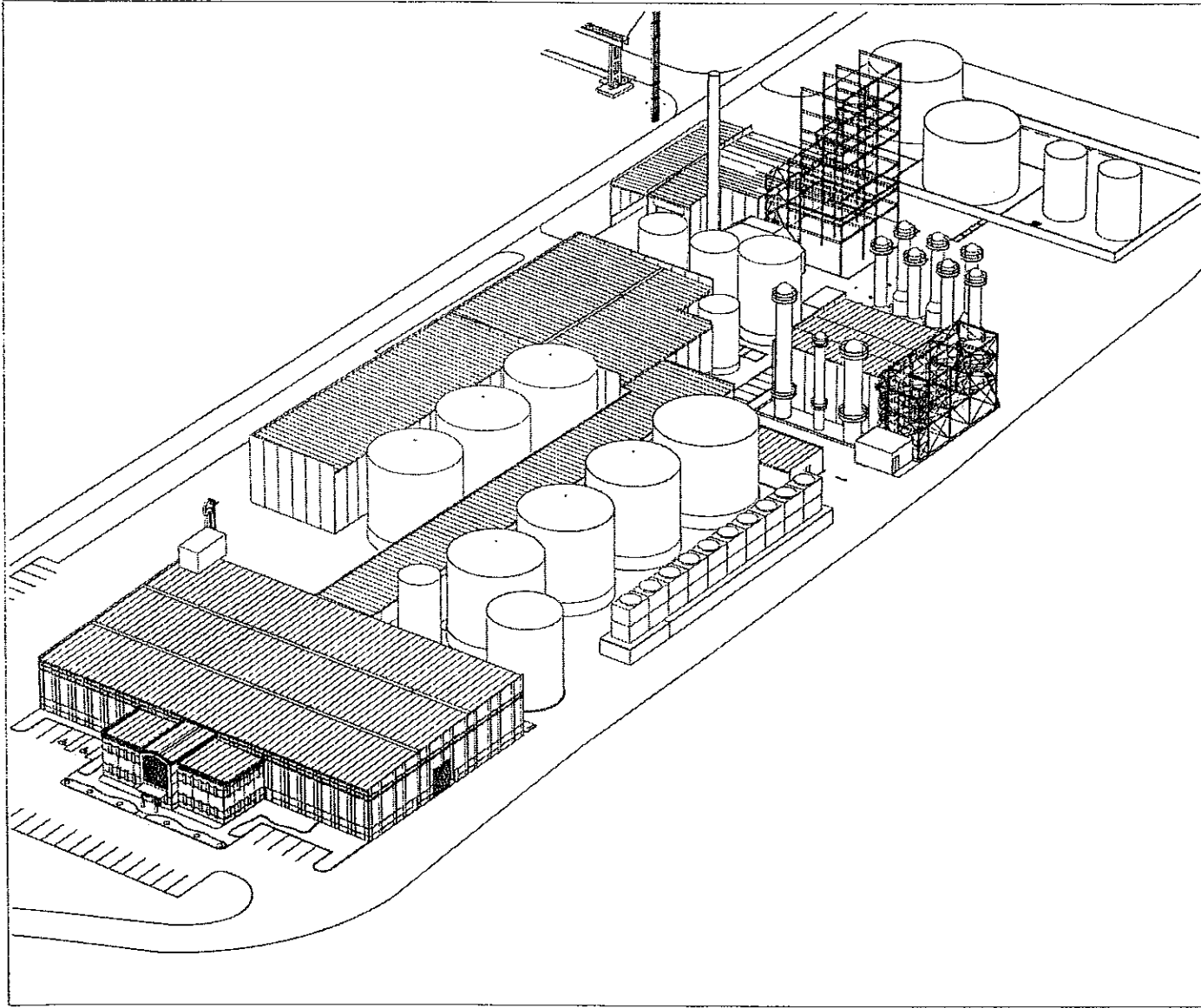
SITE PLAN
 CONCEPTUAL LAYOUT SHEET
 JAMES L. HARRIS, LLC - CALHOUN, MISSISSIPPI

DATE: 12/11/09
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

SCALE: 1" = 40'
 151 S. WILLIAMS ST.
 CALHOUN, MISSISSIPPI
 PHONE: (601) 436-8888
 FAX: (601) 436-8888



Attachment 3: Proposed Site Plan – Artist’s Rendition

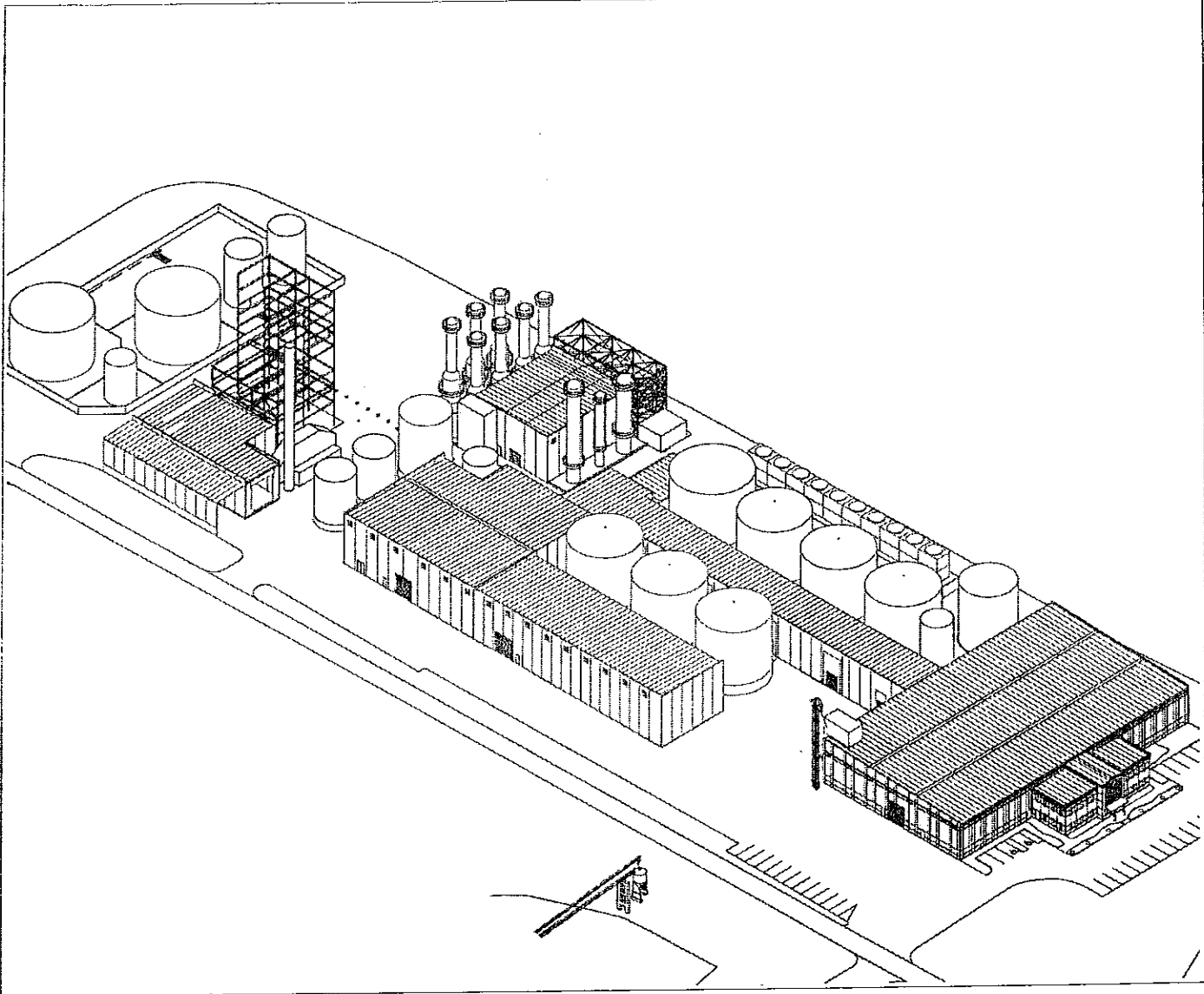


501 S. WILLIAMS ST.
P.O. BOX 605
CAMBRIDGE, TN 35742
PHONE: (615) 335-3566
FAX: (615) 335-3567



PROJECT		DATE		REVISION		REVISED	
NO.	DESCRIPTION	BY	DATE	NO.	DESCRIPTION	BY	DATE

SITE PLAN	PROJ. NO.	
	DATE	
CONDITIONAL USE PERMIT	DRAWN	
	CHECKED	
DIDONETHANOL, LLC - COURTLAND, DEKALB COUNTY		
DATE		
BY		
DSC:10069		



581 S. WILLIAMS ST.
P.O. BOX 458
CAMBRIDGE, WI 53603
PHONE: (608) 488-9888
FAC: (608) 488-8888

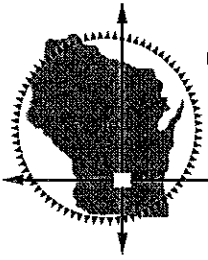
Didion

NO.	DATE	BY	REVISION	DESCRIPTION	CHG

PROJECT: SITE PLAN
DRAWN BY: [Signature]
CHECKED BY: [Signature]

SITING: CONDITIONAL USE PERMIT
DIDION MINOR, L.L.C. - COURTLAND, COLUMBIA COUNTY

DATE: 12/1/10
DWG. #: 050077-30



COLUMBIA COUNTY

Planning & Zoning Department

608-742-9660
FAX: 608-742-9817
E-MAIL: planning.zoning@co.columbia.wi.us
WEBSITE: www.co.columbia.wi.us

400 DeWitt Street
Portage, WI 53901

COLUMBIA COUNTY PLANNING & ZONING COMMITTEE DECISION ON APPLICATION FOR CONDITIONAL USE PERMIT

Petitioner & Owner: Didion Ethanol, LLC
Description of Property: A part of the NE ¼ of the SW 1/4, Section 5, T12N, R12 Town of Courtland, Tax Parcel 108 and 110.A
Site Address: Cabbage Road
Proposed Use: Revision of Site Plan for Ethanol Production Facility
Applicable Section Of Ordinance: Sections 16-1-11(2)(n) and 16-1-18 Columbia County Zoning Ordinance
Hearing Date: March 6, 2007
Decision: April 3, 2007

In consideration of evidence submitted and testimony given at a public hearing on March 6, 2007, the Columbia County Planning and Zoning Committee approves the Conditional Use Permit for the modification of a site plan approved on December 5, 2006 and that incorporates an additional 1.34 acres into the overall site plan for the 40 million gallon ethanol production facility approved on October 3, 2006, and in accordance with the attached site plans reconfigures structures and equipment of the 40 million gallon ethanol production facility, with the adoption of the following findings, conclusions, and conditions:

Findings of Fact

1. The property is owned by Didion Ethanol LLC.
2. Didion Ethanol LLC is proposing to modify the site plan of ethanol production facility was approved by Conditional Use Permit per Sec. 16-1-11(2) (n) and is under construction.
3. The site plan will expand the area subject to Conditional Use Permit approved October 3, 2006.
4. The Courtland Town Board has reviewed and recommended approval of the Conditional Use Permit and the site plan.
5. Title 16, Chapter 1 of Columbia County Code of Ordinance is applicable to this site.

Conclusions

1. The application qualifies for a Conditional Use Permit
2. This is an expansion of an industrial use that is consistent with the purpose and intent of the ordinance.
3. The use is local business that can achieve economies of scale by expanding in its current location.
4. The use will provide new employment opportunities in the County and support agriculture in the County.
5. The use is consistent with the Town of Courtland Comprehensive Plan.

6. The use is similar to other ethanol operations in the State of Wisconsin and a facility within Columbia County for which there has been no documented evidence submitted that the other facilities have been detrimental to or endangered nearby residents or business.
7. The state regulatory process will adequately address the primary environmental issues associated with the ethanol plant.
8. The incorporation of additional land and the expanded site plan are compatible with the industrial character of the general vicinity and will not change the character of the area as to substantially impact current or future permitted uses in the vicinity.

Conditions

1. The conditions of approval applicable to the Conditional Use Permit approved by the Columbia County Planning and Zoning Committee on October 3, 2006 as stated below are applicable to the entire area covered by this modified site plan.
2. The conditions requested by the Town of Courtland per the August 29, 2006 agreement between the Town and Didion Milling, Inc. meeting are hereby incorporated by reference as part of this Conditional Use Permit, however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event the Town submits a finding of noncompliance with any item of the above meeting for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.
3. The Conditional Use Permit shall not become effective until the Grand River Distribution, LLC obtains from the Wisconsin Department of Natural Resources: 1) The high capacity well permits necessary to operate the plant on the subject property; and 2) the air emission permit necessary to operate an ethanol plant on the subject property.
4. A landscaping plan be submitted to and approved by the Planning and Zoning Department within six (6) months of the effective date of the Conditional Use Permit, and installed no later than eighteen (18) months after the effective date of the Conditional Use Permit. All new evergreens to be planted must be at least 4' high, deciduous trees at least 1 ½" in caliper, and shrubs at least 1' high. The landscaped area, including any mulch and edging, trees, shrubs, lawn and prairie shall be maintained, and all planting shall be maintained and replaced if diseased or dead.
5. The level of noise or sound generated by the facility shall at the property line not exceed 65 decibels.
6. There shall be no outside storage of any stock that is used to produce ethanol, or materials or equipment not actively associated with the production of ethanol.
7. All lighting for the facility shall be in accordance with an approved lighting plan and oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
8. Any construction or location of materials in compliance with the approved plan shall not require any review of the Conditional Use Permit, however, all zoning and building permits will have to be obtained in accordance with applicable regulations.
9. No ground signs or signs on the building, except of directional or informational, shall be allowed unless they are reviewed by the Town and approved by the Planning and Zoning Department, unless they are installed with an applicable local sign ordinance.

10. Any amendments to the approved site plans, Plan "A" or Plan "B", and additions or changes in the design or size of the structures or capacity of the facility shall be referred to the Town for review and the Committee for action.
11. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
12. If the Planning and Zoning Committee finds that the review criteria of Section 16-1-18(e) of the Columbia County Zoning Ordinance or the conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the conditional use permit.

For the Columbia County Planning & Zoning Committee

John Bluemke, Director of Planning & Zoning

April 3, 2007

Distribution

Didion Ethanol, LLC

Town of Courtland - Town Chair

Town of Courtland - Town Clerk





COLUMBIA COUNTY

Planning & Zoning Department

608-742-9660
FAX: 608-742-9817
E-MAIL: planning.zoning@co.columbia.wi.us
WEBSITE: www.co.columbia.wi.us

400 DeWitt Street
P.O. Box 177
Portage, WI 53901

COLUMBIA COUNTY PLANNING & ZONING COMMITTEE DECISION ON APPLICATION FOR CONDITIONAL USE PERMIT

Petitioner/Owner: Grand River Distribution, LLC
Description of Property: Part of the NE 1/4 of the SW 1/4, Section 5, T12N, R12, Town of Courtland, Tax Parcel 108
Site Address: Cabbage Road
Zoning District: Industrial
Applicable Section Of Ordinance: 16-1-11 (2)(n) & 16-1-18 Columbia County Zoning Ordinance
Hearing Date: October 3, 2006

In consideration of evidence submitted and testimony given at a public hearing on September 5, 2006 the Columbia County Planning and Zoning Committee at their October 3, 2006 meeting approved a Conditional Use Permit for a 40 million gallon corn based ethanol production facility with the following findings, conclusions, and conditions:

Findings:

1. The property is owned by Grand River Distribution, LLC a subsidiary of Didion Milling Inc.
2. Grand River Distribution, LLC is proposing to construct and operate an ethanol production facility per Sec. 16-1-11(2)(n).
3. The Courtland Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions.
4. The Town of Courtland has signed an agreement with Grand River Distribution, LLC which helps protect the Town and its residents.
5. Title 16, Chapter 1 of Columbia County Code of Ordinance is applicable to this site.

Conclusions:

1. The application qualifies for a Conditional Use Permit
2. The proposed use is an industrial use that is consistent with the purpose and intent of the ordinance.
3. The proposed use is local business that can achieve economies of scale by expanding in its current location.
4. The proposed use will provide new employment opportunities in the County and support agriculture in the County.
5. The proposed use is consistent with the Town of Courtland Comprehensive Plan.
6. The proposed use is similar to other ethanol operations in the State of Wisconsin and a facility within Columbia County for which there has been no documented evidence submitted that the other facilities have been detrimental to or endangered nearby residents or business.

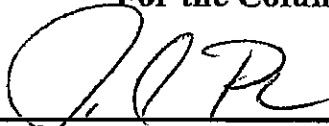
7. The state regulatory process will adequately address the primary environmental issues associated with the ethanol plant.
8. The ethanol plant is compatible with the industrial character of the general vicinity and will not change the character of the area as to substantially impact current or future permitted uses in the vicinity.

Conditions for the Decision:

- 1) The conditions requested by the Town of Courtland per the August 29, 2006 agreement between the Town and Didion Milling, Inc. meeting are hereby incorporated by reference as part of this Conditional Use Permit, however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event the Town submits a finding of noncompliance with any item of the above meeting for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.
- 2) The Conditional Use Permit shall not become effective until the Grand River Distribution, LLC obtains from the Wisconsin Department of Natural Resources: 1) The high capacity well permits necessary to operate the plant on the subject property; and 2) the air emission permit necessary to operate an ethanol plant on the subject property.
- 3) A landscaping plan be submitted to and approved by the Planning and Zoning Department within six (6) months of the effective date of the Conditional Use Permit, and installed no later than eighteen (18) months after the effective date of the Conditional Use Permit. All new evergreens to be planted must be at least 4' high, deciduous trees at least 1 ½" in caliper, and shrubs at least 1' high. The landscaped area, including any mulch and edging, trees, shrubs, lawn and prairie shall be maintained, and all planting shall be maintained and replaced if diseased or dead.
- 4) The level of noise or sound generated by the facility shall at the property line not exceed 65 decibels.
- 5) There shall be no outside storage of any stock that is used to produce ethanol, or materials or equipment not actively associated with the production of ethanol.
- 6) All lighting for the facility shall be in accordance with an approved lighting plan and oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
- 7) Any construction or location of materials in compliance with the approved plan shall not require any review of the Conditional Use Permit, however, all zoning and building permits will have to be obtained in accordance with applicable regulations.
- 8) No ground signs or signs on the building, except of directional or informational, shall be allowed unless they are reviewed by the Town and approved by the Planning and Zoning Department, unless they are installed with an applicable local sign ordinance.
- 9) Any amendments to the approved site plans "A" or "B" and additions or changes in the design or size of the structures or capacity of the facility shall be referred to the Town for review and the Committee for action.
- 10) The owner shall provide the County, Town, and Village with a copy of the odor abatement plan that is approved as part of the Air Emissions Permit, and for the first two (2) years provide at six (6) month intervals to the County, Town, and Village copies of the documentation for order complaints, responses, and notifications to the Wisconsin Department of Natural Resources. After the first two (2) years this information will be provided to the County, Town, and Village by request with such requests being no more than every six (6) months.
- 11) The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

12) If the Planning and Zoning Committee finds that the review criteria of Section 16-1-18(e) of the Columbia County Zoning Ordinance or the conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the conditional use permit.

For the Columbia County Planning & Zoning Committee



John C. Bluemke, Director of Planning & Zoning

October 4, 2006
Date

Cc: Grand River Distribution, LLC
Town of Courtland, Chair
Town of Courtland, Clerk
Village of Cambria, Clerk

