



Public Hearing Item 4: Conditional Use Permit

Planning & Zoning Committee • March 3, 2026

- Proposed Use:** Contractor’s Shop
- Applicable Section(s):** 12.105.02; Table 12.105.02(1); 12.155.06(4)
- Zoning District(s):** A-1 Agriculture and A-2 General Agriculture (current)
A-3 Agriculture Business (proposed)
- Property Owner(s):** Doherty, Sean O; Doherty, Shane O
- Applicant(s):** Doherty, Sean
- Property Location:** Located in the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 26 and the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 25, all in Town 11 North, Range 9 East
- Town:** Dekorra
- Parcel(s) Affected:** 388.01, 388.02, 405.02
- Site Address:** W7704 County Highway CS - Q

Background:

Sean Doherty, owner and applicant, requests the Planning and Zoning Committee review and approve a Conditional Use Permit for a contractor’s shop on the above-described parcels. Parcel 388.01 is 10 acres in size. There is an existing single-family home on site, and it is zoned A-2 General Agriculture. Parcel 388.02 is 36.76 acres in size, zoned A-1 Agriculture, and a portion of the land is being used as a contractor’s shop. Parcel 405.02 is 38.89 acres, zoned A-1 Agriculture with A-4 Agricultural Overlay and is primarily wooded, with a small portion of lands being used for a contractor’s shop. There are no wetlands or floodplain present. Prime farmland runs through the center of the property, and these same lands are listed as potentially highly erodible per NRCS. Land use and zoning of adjacent properties follows:

Adjacent Land Uses and Zoning

Direction	General Land Use	Zoning
North	Agriculture and Single-Family Residence	A-1 Agriculture
East	Open Space	A-1 Agriculture
South	Open Space and Single-Family Residence	RR-1 Rural Residence and A-1 Agriculture with A-4 Agricultural Overlay
West	Single-Family Residence and <i>Golf Course (Village of Poynette)</i>	RR-1 Rural Residence and Village of Poynette

Analysis:

The property owner/applicant has been operating a Contractor’s Shop, Doherty Trucking and Excavating, on the property since 1986. The owner/applicant is proposing to split off lands around said shop totaling 13.74 acres in size. This proposed lot is slightly larger than the original 2018 request, which was proposed at 10.26 acres. The 13.74-acre lot will now include a portion of parcel 405.02 (3.48 acres) to be rezoned to the A-3 Agriculture Business district. The purpose for the larger lot is to encompass an open storage shed in the northwest corner of the proposed A-3 lot and to also include a proposed 40’x100’ cold storage building that will be located near the northwest side of the A-3 lot. All original operational details remain unchanged from 2018. A new shop and office

is planned along with a new stormwater basin. Equipment used by the business includes quad trucks, single-axle, pickup trucks, excavation equipment including loaders, hoes and skidsteers, tractors, a grader and compactor, shredder and conveyor, trailers and other miscellaneous equipment. The owner/applicant only anticipates replacing the existing equipment, with no plans to add any additional major equipment. All maintenance is completed on-site. The shredder is used to shred dirt and sand which can be brought in for processing and is then hauled out to customers. Other than sand and dirt, the business trucks aggregate material and gravel. Off-site work includes excavation, grading for various types of construction including landscaping, new homes, small commercial and small farm projects, such as clearing fence lines and waterways, and building demolition. Some materials may be brought back to the property for storage until it can be recycled and/or reused on other projects. Concrete is stored in limited stockpiles until it can be crushed and recycled. The business will also provide snow removal for local businesses in the winter months. Approximately 16 people are employed by Doherty Trucking and Excavating, and there are currently no plans to expand.

A site plan is attached to this preapplication, showing the location of parking and equipment storage, shop/office, and the general location of shredding equipment, and storage areas for sand, dirt, landscaping, and materials. These are located in the northeast section of the proposed A-3 lot. Existing berms are located to the east of this area, on proposed Lot 4, to help screen the shredding operation and material storage. Existing tree lines will be maintained to provide additional screening from public view.

Town and State Action:

The Dekorra Town Board met on January 22, 2026 and recommended approval of the Conditional Use Permit with conditions.

Standards for Review:

The proposed use complies with the General Criteria of Subsection 12.150.07(4) of the Columbia County Zoning Ordinance.

Recommendation:

Staff recommends approval of the Conditional Use Permit for a contractor's shop, subject to the adoption of the following recommended Findings, Conclusions, and Conditions.

Recommended Findings of Fact:

1. Upon review of the guidelines in Section 12.150.07(4) of the Columbia County Zoning Ordinance, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:
 - a. 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.
 - b. 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.
 - c. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
 - d. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
 - e. The site has adequate utilities including, if necessary, acceptable disposal systems.
 - f. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - g. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

Recommended Conclusions of Law:

1. The subject property is located in the Town of Dekorra.
2. A rezoning of the subject property is proposed to the A-3 Agriculture Business District.
3. Agricultural and Open Space District uses are listed in Table 12.105.02(1).
4. Sean Doherty is the petitioner for a Conditional Use Permit. The petition followed the procedures of Subsection 12.150.07(3) of the Columbia County Zoning Ordinance.

5. Sean Doherty, property owner, is requesting a Conditional Use Permit to operate a contractor shop on the property for Doherty Trucking and Excavating Inc, which is an excavation, trucking, landscaping, and snow removal business.
6. A contractor's shop is a conditional use within the A-3 Agriculture Business zoning district under Table 12.105.02(1).
7. The Dekorra Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Ordinance.
8. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)(b) and 12.150.07 of the Columbia County Zoning Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.

Recommended Conditions for the Decision:

1. This Conditional Use Permit shall become effective upon recording of the Certified Survey Map and the rezoning of the property to the A-3 Agriculture Business district.
2. The location of parking, storage of materials, machinery, and equipment; and the location of business operations such as screening, shredding and processing of dirt and loading of sand and gravel, shall be located within the areas delineated on the approved Site Plan. Processing and screening of black dirt, sand and gravel shall only be permitted within the designated area on the Site Plan.
3. The location of screening shall include existing tree lines and additional screening options, including the berms as shown on the approved site plan, to limit visibility from public rights-of-way. All screening shall be maintained. Any dead, diseased, or dying vegetations shall be replaced with a similar species.
4. Hours of operation shall be as follows:
 - a. General hours of operation shall be 6:30 am to 6:00 pm Monday through Friday and 6:30 am to 12:00 pm Saturdays, with hours varying when responding to emergency situations, including but not limited to storm damage, erosion, and flooding. Incidental equipment repair, pick-up and return of work vehicles and equipment may occur outside of these hours. Winter hours may vary depending on demand and necessity for snow removal and salting operations.
 - b. Processing/shredding of dirt, sand and gravel, and the loading and unloading of materials shall be limited to the hours of 7:00 am to 5:00 pm Monday through Friday and 7:00 am to 12:00 pm on Saturdays.
5. On-site crushing of concrete shall be limited to once every two years, for a duration of one week. There shall be no limitation on hours during this period. The owner shall notify the Planning and Zoning Department and the Town Clerk in writing at least one week in advance of any such crushing operations.
6. Lighting for the facility shall be oriented so that the lighting element (or transparent shield) is not visible from the adjacent properties or roads. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
7. The site shall be developed in accordance with the approved site plan. Any amendments to the site plan shall be reviewed and approved by the Planning and Zoning Department, with significant changes being referred to the Town and Planning and Zoning Committee for action.
8. Signage shall comply with Section 12.145 of the Columbia County Zoning Ordinance.
9. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
10. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.
11. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) of the Columbia County Zoning Code, 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.
12. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Dekorra and Sean and Shane Doherty are hereby incorporated as part of this Conditional Use Permit; however, the

County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, 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.

- a. Prior to the addition of Town signature to the CSM and its recording, the applicant shall:
 - i. Provide and have approved by the Town a deed restriction limiting future residential development on Future Lot 4 of the CSM and 6.6 acres of tax parcel 11010-391.
 - ii. Provide recorded copies of joint access driveway easement agreement for future Lots 2 and 3 across future Lot 4.
- b. Prior to the issuance of any building permit and/or conditional use permit for the Contractor's Shop within the CSM area, the owner shall provide to the Town recorded copies of the CSM and the deed restriction described in Condition 1.
- c. Prior to issuance of any building permit on future Lot 1, the owner shall obtain an access and driveway permit from the Town's building inspector or the Columbia County Highway Department.
- d. No greater than 180 days shall have passed from the date of Town Board CSM approval and the recording of the CSM, or such approval shall be null and void.

Section 12.150.07(4): Criteria for review of all Conditional Uses

Re: Public Hearing Item 4: Doherty CUP

**Staff comments are italicized after each review 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 business has been operating on the property for many years. Approval of the CUP will not create any additional impacts on surrounding lands The business will continue to operate as it has.*
- (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 use is already part of the essential character of the area; therefore, approval of the CUP will not revise this.*
- (3) The erosion potential of site based on topography, drainage, slope, soil type, and vegetative cover. *The development is existing; therefore, the potential for erosion is limited. New development should consider proper erosion control mitigation.*
- (4) The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands. *There are no wetlands or floodplain located on the site.*
- (5) The site has adequate utilities, including if necessary acceptable disposal systems. *Waste disposal facilities are existing.*
- (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. *Ingress and egress to the site is from an existing shared driveway located on a county road. The level of activity from the proposed use will not create congestion or affect traffic flow above and beyond the existing use on the property.*
- (7) The Conditional Use shall conform with the standards of the applicable district(s) in which it is located. *The proposed contractor's shop is consistent with agricultural business Section 12.105.01(3) and 12.105.02 of the Columbia County Zoning Code.*

