DODGE COUNTY PLANNING, DEVELOPMENT AND PARKS COMMITTEE MINUTES May 6, 2013

The Dodge County Planning, Development and Parks Committee met on May 6, 2013 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Vice Chairman Grebel called the meeting to order. Roll Call was taken. Members present were Allen Behl, Randy Grebel, Joseph Marsik and William Muche. Members excused: Tom Schaefer. The staff present at the request of the Chairman were Joyce Fiacco, Nathan Olson and Joseph Giebel.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed and approved as posted.

<u>ADMINISTRATIVE BUSINESS</u>

1. Nate Olson - Farmland Preservation Program Update

Nathan Olson provided the Committee with a update on the Dodge County Farmland Preservation Program. Mr. Olson provided the Committee with a summary of the Department of Revenue's annual report for tax credits received under the Farmland Preservation Program. Dodge County was ranked 8th in the State for in total claims with 661 claims, 9th in total acreage enrolled in the program with 107,895 acres, and 9th for total tax credits received at \$751,315.00 in program tax credits. The average tax credit received by Dodge County landowners was \$1,136.00. Mr. Olson also provided an update on the Towns that participate through Farmland Preservation Zoning and through the Farmland Preservation Agreements.

The hearing procedures were read into the record.

PUBLIC HEARING

Ryan Serwe, agent for Ryan and Melinda Serwe and Edward and Donetta Mutz Trust – Petition to rezone approximately 3.48-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District under the Land Use Code, Dodge County, Wisconsin to allow for the expansion of the non-farm residential lot at this location. The property is located in part of the SW ¼, SW ¼, Section 28, Town of Lomira, along the northeast intersection of County Road AY and AH.

Motion by Muche to submit a favorable recommendation to the County Board on the petition to rezone approximately 3.48-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District.

Second by Marsik

Vote 4-0 Motion carried.

PUBLIC HEARING

Roger and Bonnie Hauge- Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of a 4.5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the SE ¼, SW ¼ and part of the SW ¼, SE ¼, Section 19, Town of Calamus; the site address being W11883 County Road D.

Motion by Marsik to approve the conditional use permit request to allow for the creation of a 4.5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions:

- 1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots:
- 2. The proposed non-farm residential lot shall not exceed 4.51-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
- 3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units:
- 4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
- 5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract: 008-1113-1934-001; 008-1113-1943-000; 008-1113-3021-000;
- 6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
- 7. The decision of the Committee is valid for one year.

Second by Behl Vote 4-0 Motion carried.

OTHER BUSINESS

1. Update on Winter Manure Spreading Complaint:

Mr. Giebel provided the Committee with an update on a manure spreading complaint received by the Department. On March 28, 2013, an e-mail message was sent by Greg Farnham, Commissioner with the Lake Sinissippi Improvement District, notifying our Department and the Land Conservation Department that manure had been spread on lands within the Lakeshore Heights Subdivision property along Mark Lane, in Section 33, Town of Hubbard. Mr. Farnham expressed his concerns that the manure was spread within the water quality management area of Lake Sinissippi and had the potential to discharge pollutants directly into the lake, via the stormwater dimension pond that was constructed for the subdivision and he asked what our departments plan on doing about this situation.

Both Departments responded promptly to Mr. Farnham's e-mail.

Mr. Giebel informed Mr. Farnham that the County's Land Use and Shoreland Codes do not contain regulations for controlling the spreading of manure and therefor the Land, Resources and Parks Department could not pursue any violations against the property owner.

Marc Bethke's office (Land Conservation Department) offered to speak to the farmer and the land owner about the hazards involved with spreading manure at a site like this, offered to prepare a set of manure spreading restriction maps for all of the land that he owns/operates and to also offer their assistance in preparing a nutrient management plan for his cropland. The Department was unable to

determine the name of the farmer who spread the manure on the property but they were able to contact the owner and explain the situation.

On April 8, 2013, Jim Mielke, Joyce Fiacco, Marc Bethke and Joseph Giebel met to review the complaint and to also discuss the options to address this violation and to discuss possible long term solutions to address this type of complaint. It was agreed that this violation matter should be shared with the county "policy makers" for their input.

On April 22, 2013, the Land Conservation Committee discussed the violation matter. The general consensus of the Committee was that the violation matter was addressed properly by the Departments and the staff should continue with the current approach to soil and water conservation through education and voluntary compliance. The Committee did not feel that it was necessary to pursue some form of county-wide manure spreading regulations.

On May 1, 2013, a meeting was held with Jim Mielke, Russell Kottke, staff from the Land Resources and Parks Department, staff from the Land Conservation Department, members from the Land Conservation Committee, members of the Lake Sinissippi Improvement District and members of the Fox Lake Inland Lake Protection District.

2.	The minutes from the April 15, 2013 meeting were reviewed by the Committee.	
	Motion by Marsik to approve the minutes as written.	
	Second by Muche Vote: 4-0	Motion carried.
3.	No Committee Member Reports	
4.	No additional Per Diems	
5.	Per Diems	

Motion by the chairman to adjourn the meeting.

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Allen Behl, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.