



TOWN OF SAUKVILLE
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TOWN OF SAUKVILLE
PLAN COMMISSION MINUTES
TUESDAY, JUNE 10, 2003

Present were: Town Board Chairman Terry Hoffman; Kate Smallish; Curt Rutkowski; Ginny Pierson, Bill Niehaus and Jim Kadow. **Also present were:** Roger Kison, Zoning Administrator/Bldg Inspector; Marty Marchek, Community Planner; Mark Dickmann, Constable; Town Clerk Walter Clarke and Debra Walls, Administrative Assistant.

- 1. Call Plan Commission Meeting to Order:** Chairman Hoffman called the meeting to order at 7:30 p.m.
- 2. Pledge of Allegiance:** Everyone rose and recited the pledge of allegiance.
- 3. Approval of the May 13, 2003 Plan Commission Minutes:** Mr. Kadow said that it was not his recollection that Mr. Hoffman had said he was in favor of the plan and that it had merit as stated in paragraph 10 of the minutes. Mr. Hoffman agreed that he had not stated his opinion of the submission in that language and he asked that the sentence, "Chairman Hoffman was in favor of the plan and felt it has merit." be struck from paragraph 10, line 10 of the May 13th minutes. Mr. Hoffman made a motion to approve the minutes as corrected. Second by Mr. Niehaus. Motion carried unanimously.
- 4. Discussion/action with respect to the Land Use Plan on petition by Michael Wilger and Holly Paape to rezone (from A-2 to A-1 and A-5) and divide a parcel at the northeast intersection of Hwy 57 and Hawthorne Rd. Tax Key #08-001-11-000.00.** Mr. Wilger and Ms Paape were present. Chairman Hoffman said that any exclusive agricultural land in A-2 zoning has to be reviewed by the Plan Commission for how the rezoning, if granted, impacts the land use plan. Ms Smallish said she was concerned that granting the request to re-zone would set a precedent. Ms. Smallish said that the town needed to exercise a certain amount of caution. Mr. Niehaus asked if all the surrounding land was A-2. Mr. Hoffman replied that there was some cemetery land and a little bit of residential land in the area near the parcel, the rest of the surrounding land was A-2. Ms Paape said that the property across the road from the parcel was A-5. Mr. Kadow said that he wanted to avoid spot zoning. Ms. Paape said that she it was her intent to sell a 5-acre lot from the parcel to her brother and that the balance of the parcel would remain A-1 Ms Pierson said that she was uncomfortable pulling off a spot for re-zoning especially after the hard fight for an town zoning plan. Ms Pierson said that if the commission was to grant this rezoning in this case then there is a precedent set and the commission may lose the thought and the control of the overall plan. Ms Paape asked, "What about the 5 acre lots across the road?" Mr. Hoffman discussed this matter briefly with some of the other board members and answered Ms Paape that the land division for the lots across the road had taken place quite a while ago. Mr. Niehaus said that the petitioners were nice people and that made it more difficult to deny their petition, however there was a need to be consistent or it would be more difficult next time. It is a hard thing to stick to but if we do not stick to it that is how long range plans lose there influence. It is very difficult to make a decision in each case, we are not operating in a vacuum, Mr. Niehaus said. Mr. Marchek, the community planner advising the board, said that the northeast corner is the

least subdivided section of the town. Motion by Mr. Kadow to deny the land division from A-2 to A-1 and A-5. Second by Ms Smallish. Motion carried unanimously.

5. **Discussion/action on updating the zoning code for “Concentrated Animal Feeding Operations” to be consistent with the state code.** Mr. Hoffman said that proposed updates to the zoning code were not consistent with the state code. Mr. Marchek advised the commission members that they could do nothing and that the CAFO would still have to follow the state statutory provisions. The activity is not unregulated now, he said. Mr. Marchek advised that the town zoning code be written referencing the appropriate state code. Ms Smallish said it appeared that the commission had waded into it already. Mr. Niehaus said we could have a stricter standard. Are we comfortable with this criteria, he asked the members. Mr. Marchek said that the state already regulates manure storage and similar activities and the property owner would need to make application to the town for a conditional use permit before the CAFO could take place on the land. At that time the town could act to grant the conditional use with or without conditions said Mr. Marchek. Mr. Kadow said that it sounds like Marty did a through review. Ms Smallish said *she had heard from local farmers that they would prefer consistency between the town, the county and the state D.N.R. regarding regulations that what she heard from farmers was that this was something they did not want to have to check.* Mr. Niehaus asked if it was possible to regulate the number of animals under the conditions of the conditional use permit. Mr. Marchek said that if the conditional use limited the number of animals to less than 1000 head then the CAFO definition would no longer apply. Mr. Marchek said that the number might be regulated by what a property owner was entitled to in A-1 and A-2 districts. Mr. Niehaus asked if it would be possible to negotiate between the limit for number of animals allowed by A-1 (general agriculture) and A-2 (exclusive agriculture) and the number allowed by the state code. Ms Smallish asked if the commission could limit it to A-2 density of animals per acre. Mr. Marchek said that the CAFO was only applies to the area of the feedlot itself. Motion by Chairman Hoffman to table. Second by Mr. Niehaus. Motion carried unanimously.
6. **Any other business as may properly come before the Plan Commission.**
7. **Adjourn:** Motion by Chairman Hoffman to adjourn. Second by Mr. Niehaus. Motion carried unanimously. Meeting adjourned at 8:01 p.m.

Terry Hoffman
Chairman

Minutes respectfully submitted by:
Debra Walls

From tape