

Town of Trenton

Official Minutes of the regular meeting of the Town of Trenton Plan Commission held on Monday, November 13, 2023, at 7:00 PM at the Town Hall, 1071 State Highway 33 East.

Present: Bob Roden, Joan Baumgartner, Ray Werhand, Dennis Kay, Scott Schweizer, Tony Thoma. Other Town officials present Chairman Mike Lipscomb, Town Administrator Cindy Komro, Clerk Heather Krueger. Other officials present Supervisor Barb Davies and Supervisor Ed Doerr.

Members of the public: 35

Call to order: Chairman Lipscomb called the meeting to order at 7:00 PM

Pledge of Allegiance: Lipscomb invited those in attendance to stand and join in reciting the Pledge of Allegiance.

Affidavit of Posting: Lipscomb confirmed that the meeting notice was properly posted.

Determination of Quorum: Per Lipscomb, quorum is satisfied.

Review and Accept Agenda: **Werhand moved, and Kay seconded to approve the agenda as presented. Motion carried. 6-0.**

Approve October 9, 2023, Public Hearing Minutes: Rob-n-Cin Farms Rezoning Petition. Roden made a correction to Pattie Wollner's address in the minutes. **Schweizer moved, and Thoma seconded to approve the minutes with the address correction of the October 9, 2023 Public Hearing Minutes: Rob-n-Cin Farms Rezoning Petition. Motion carried 6-0**

Approve October 9, 2023, Public Hearing Minutes: Zoning Text Amendment to Clarify Setback Rules: **Thoma moved, and Werhand seconded to approve the minutes of the October 9, 2023, Public Hearing Minutes: Zoning Text Amendment to Clarify Setback Rules. Motion carried 6-0**

Approve Minutes of the October 9, 2023, Plan Commission meeting: Thoma commented that there should be a correction made to the cities he reported on. **Schweizer moved, and Kay seconded to approve the minutes of the October 9, 2023, Plan Commission meeting with corrections. Motion carried 6-0.**

Zoning ordinance text amendment regarding permitted uses in R-1, R-2, and R-3 Zoning Districts: homes constructed without attached garages. Per Komro, this is a draft of a proposed ordinance regarding the location of where solar panels can be placed on properties. In November 1989 the new zoning became effective. This text amendment would allow all homes constructed prior to November 1989 to be considered legal non-conforming and be rezoned. Plan Commission members felt this was well written. Public hearing to be scheduled on December 11, 2023, at 6:40 PM.

Update: Rob-n-Cin Farms Rezoning Request. Per Komro the town has prepared a statement which is available on the town website, bulletin board, and at the town hall.

Town of Trenton CAFO Fact Sheet November 2023: Background: The DNR regulates larger farm operations like this (termed CAFOs, or concentrated Animal Feeding Operations).

- State law requires the town to have a zoning district for this purpose.

- The town cannot deny a CAFO if the State Department of Natural Resources (DNR) approves it.
- In August, the town adopted an ordinance creating a new zoning district, AE Agricultural Enterprise, to allow livestock facility expansions as a Conditional Use.
 - Without the new zoning district, CAFOs would potentially be able to exist in other agricultural zoning districts in town. (EA, A-1, AT)
 - The Plan Commission and Town Board can approve or deny a request for rezoning based on factors such as the use of surrounding properties (for example, an agricultural parcel in the middle of small residential parcels or a subdivision may be inappropriate for large-scale farming).
 - With a new zoning district, a farm wishing to expand its facility to more than 1,000 animal units would be required to change zoning to AE and if approved, also apply for a Conditional Use Permit (CUP).
 - The town's CUP cannot be more restrictive than the State DNR permit.

What's next?

The Town Board is currently seeking additional legal counsel for advice on how to proceed with a rezoning application, to protect all parties within the limits of the law. Werhand: Ground solar panels are considered an accessory structure currently in the town code. The Plan Commission needs to consider how they are different and where they should be placed. Schweizer: It would be interesting to see what other towns do. Werhand: Yes, if someone applied for one now, they would need to go before the Board of Appeals. Kay: The State may have requirements, and the town cannot be more restrictive. Komro will do research.

Updates are available on the zoning page of the town's website at townoftrenton.wi.gov and within the minutes of Plan Commission and Town Board meetings.

Reports: None

Comments:

John Jansen, 5939 Wausaukee Rd: summarized the steps the Plan Commission and Town Board have taken so far, thus slowing down taking any action on the rezone. Jansen still feels there needs to be more transparency and public involvement in the process. He would like to see a work group formed comprised of people who farm the community, residents, and legal experts. We need to have meetings and consensus and come up with recommendations, so everyone understands the inclination and deliberations being made and priorities being weighed on each side. He is asking that a public group be set up to speak with the town board, speak with the attorneys, and speak with the involved parties. This is the only way everyone will accept the decision that will be made.

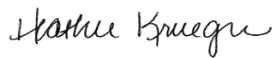
Paul Kolosso, 4320 Cedar Creek Rd. The question is with the 2,500 milking cows, where will all the waste be disposed of? Can't spread in winter, the runoff in the spring will pollute the creeks, streams, and aquifers. Have they considered containment vessels, reinforced concrete between grades to capture the methane, and bringing gas turbines to produce electrical energy? Contact the UW System for assistance with this. Trucking will increase on the roads; the tonnage is overwhelming.

Larry Bales, 2220 Rusco Dr.: Wants to address solar farms, the city is trying to purchase land from owners in the Town of Trenton. There is not much information out yet, but, he did some background information. There are three property owners who were approached, and they are not interested in selling their property. There are six homes in that area, and they are not interested in selling either. The city wants to take soil samples and the owners are not interested. What parties are involved in this? This is under the table, and it is concerning. The board members should be proactive, so we have the ability to move and have some effect on this if it does happen. He does support solar farms, but this is not the best place for this operation in the town.

Review of Correspondence: None

Adjourn: Thoma moved, Kay seconded to adjourn the November Plan Commission meeting at 7:24 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Heather Krueger".

Heather Krueger, Town Clerk

Subject to Approval: These Minutes will be considered for approval by the Plan Commission at its December 11, 2023 meeting.