

TOWN OF TRENTON

Official Minutes

A Public Hearing of the Town of Trenton Plan Commission was held on Tuesday, August 15, 2023, at 6:00 PM at the Town of Trenton Town Hall, 1071 State Highway 33 East, West Bend, WI 53095.

Chairman Lipscomb called the Public Hearing to order at 6:00 P.M.

Lipscomb read the Notice of Public Hearing called to consider Amendments to the Zoning Code, Town of Trenton Ordinance #Z2023.08.01

Plan Commission members present: Bob Roden, Joan Baumgartner, Ray Werhand, Dennis Kay, Scott Schweizer, Alternate Jay Koenitzer. Town Board Supervisors present: Chairman Mike Lipscomb, Supervisor Barb Davies, Supervisor Ed Doerr. Town Attorney Ian Prust, Town Administrator Cindy Komro, Clerk Heather Krueger. Excused: Tony Thoma. Members of the public: 20.

Prior to the Public Hearing, notice was properly published on Aug 1, 2023 and August 8, 2023 in the Washington County Daily News and posted at the town hall bulletin board and on the town website.

[Roden recuses himself from the Public Hearing]

Town Attorney Prust explained that this Public Hearing is to receive testimony regarding the ordinance to create a new zoning district in the town. The hearing is not to address whether a Concentrated Animal Feeding Operation (CAFO) is to be approved. No applications have been submitted for a CAFO, but if they would, it would currently be allowed in the EA Exclusive Agricultural zoning district. The town would have little control over it, as large-scale livestock operations are allowed under State Statutes §93.90. Passing Ordinance Z2023.08.01 would allow the town to:

1. Create a new AE Agricultural Enterprise zoning district. From a zoning standpoint this allows the town to control where a large-scale livestock operation would be appropriately located within the township.
2. Require applicants to have a Conditional Use Permit (CUP) if, when rezoning to AE, they would like to increase their farming operations. The applicant would be subject to DNR regulations. The town CUP would allow the town to also monitor the applicant's operations.

Lipscomb asked Komro for any written correspondence. Komro presented the summary of written correspondence which the Plan Commission members and public have available to them, and it is also posted on the website. All written correspondence will be attached to these minutes and presented as a public record.

Lipscomb asked for any questions or comments from the audience, stating that each person wishing to speak would have five minutes.

Comments from those in attendance:

Rick Roden, 5579 County Road Y: Roden is part owner of Echo Valley Farms and is in favor of CAFOs.

Roden stated facts about the number of CAFOs in WA Co., the State of WI vs the State of MN. Roden stated the DNR has strict guidelines CAFOs need to follow.

Paul Stangl, 326 Cedar Sauk Rd: Is in favor of the ordinance. Stangl feels farming is one of the only industries in the township and residents should support farmers.

Tim Mueller, 2163 Paradise Dr: Is opposed to the ordinance. He feels this ordinance was originally written for the Right to Farm and is now being interpreted differently by the Legislature to meet the needs of large farmers. Mueller has concerns about ground water contamination and would like the Town to investigate communities that have been affected by this issue for feedback and advice.

Sarah Follett, 5745 School Rd: Is opposed to the ordinance. She felt the letter that John Jansen submitted was very helpful. She would like to make sure the town doesn't rush to decide on this issue. There are issues with odor, traffic and monitoring water wells. Has the town talked to other communities about how they are dealing with CAFOs?

Joseph Lee, 988 Knollwood: Oppose Conditional Use, but is okay with the special zoning district. Concerned about ground water and who will do the testing.

In response to these comments, Attorney Prust reiterated that, by State Statues the town is required to allow this use. Waiting for more information and prolonging could result in litigation because the town is not in compliance. Unfortunately, the town did not pass this ordinance years ago, but there wasn't a need and like every other town they are reacting to what is before them now. For example, the neighboring town of Farmington changed their zoning to make a Large-Scale Farming Operation a permitted use by removing the limit of livestock- so they have little control over what or where a potential farm could be, the DNR will be enforcing and not the town. Again, the State mandates the town to have this in the town code as a permitted use.

Lipscomb will contact other municipalities to gather data on this subject and will follow up with John Jansen to see if he has anything else to add.

Lipscomb closed the Public Hearing at 6:40 PM.

Respectfully submitted,



Heather Krueger
Clerk of the Plan Commission

Affidavit of Posting: These Minutes were posted at the Town of Trenton Town Hall Bulletin Board and the official Town of Trenton website *townoftrenton.wi.gov* on August 23,2023. Heather Krueger, Clerk of the Plan Commission.

Subject to Approval: These Minutes will be considered for approval at the Plan Commission Meeting of September 11. 2023.