

Town of Trenton
Official minutes of the regular meeting of the
The Town of Trenton Plan Commission held on
Monday, January 12, 2026, at the Trenton Town Hall
1070 HWY 33, West Bend, WI

Present: Chairman Mike Lipscomb, Doug Hein, Lee Kidney, Ray Werhand, Alternate Randy Wiskirchen, Town Administrator/Zoning Administrator/Clerk Cindy Komro, Attorney Jake Curtis.
Other Town officials in attendance: Supervisor Barb Davies and Supervisor Tony Thoma.

Excused: Scott Schweizer, Dennis Kay, Bob Roden.

Members of the public: 56

Call to order: Lipscomb called the meeting to order at 7:00 p.m.

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

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

Determination of Quorum: Per Lipscomb, quorum is satisfied.

Review and Accept Agenda: **Kidney moved to approve the agenda, seconded by Hein. The motion carried 4-0.**

Approve December 8, 2025, Plan Commission Meeting Minutes: **Hein moved to approve the December 8, 2025, Plan Commission Meeting Minutes, seconded by Kidney. Motion carried 4-0.**

Resolution Z2026.01.01, Recommendation to Town Board: Zoning Map Amendment for Wentz Revocable Trust: **Hein moved to approve Resolution Z2026.01.01, recommending approval of the zoning map amendment for Wentz, seconded by Werhand. Motion carried 4-0.**

Resolution Z2026.01.02, Recommendation to Town Board regarding Zoning Map Amendment from EA Exclusive Agricultural to A-1 Agricultural, Ciriacks Farm Trust: 6872 Cty Rd M (parcel T11_025200A, 37 acres): Per Komro, the buyers must be "prospective" because the parcel they want to purchase doesn't exist until the Certified Survey Map is approved. The barns on the parcel will remain, with the expectation that they will be allowed a "Legacy Barn Permit." Hein commented that the intention for the prospective buyers plan to have a few animals housed on the property for 4-H. Discussion followed regarding the driveway access. **Kidney moved to approve Resolution Z2026.01.01, recommending approval of the zoning map amendment for Ciriacks pending proof of County driveway approval, seconded by Wiskirchen. Motion carried 4-0.**

Recommendation to Town Board regarding Certified Survey Map, Ciriacks Farm Trust: 6872 Cty Rd M (Parcel T11_025200A): **Kidney moved to recommend approval of the Certified Survey Map for Ciriacks pending final review by the town engineer, seconded by Werhand. Motion carried 4-0.**

Resolution Z2026.01.03 (amended from 2026.01.04), Recommendation to Town Board regarding Zoning Map Amendment from EA Exclusive Agricultural to AE Agricultural Enterprise: Rob n Cin Farms LLC, 5545 County Hwy Y (parcels T11_065200C, T11_064200E totaling 141.37 acres. Discussion:

(Commissioner) Kidney: Were there any issues with the DNR permitting process?

(Applicant) Roden: The DNR required the farm to amend the WPDES (Wisconsin Pollutant Discharge Elimination System) permit application to include satellite farm operation sites in the Town of Saukville, outside of the Town of Trenton. Through this process, the permit application showed an increase in the proposed number of animal units, reflecting the addition of the animals housed at those sites. There are no plans to exceed 2,500 animal units at the Roden Echo Valley site in the Town of Trenton, despite rumors to the contrary. The WPDES permit was approved in October 2025. Roden encouraged anyone to come and tour the farm at any time.

Kidney: Is additional manure storage required? Roden: Manure storage is installed and functioning. In addition, the existing 40-rotary milking parlor cannot be expanded and will accommodate a maximum of 1,500 milking cows. The farm can accommodate this number based on the land available for feed to be brought in and manure to be taken out. Rumors of exceeding the 1,500 milk cows are not true.

Kidney: Do you have sufficient land available for manure disposal? Roden: We have more than enough. The nutrients in manure are absorbed by the crops on which it is applied; a consultant regularly analyzes the nutrient levels to ensure that manure is not overapplied. Manure is a natural fertilizer for the land, better than commercial fertilizer, as long as it is applied properly. Manure is a desired resource and Roden continues to receive requests from farmers to apply manure to their crops.

Kidney: Are you restricted with respect to manure spreading? Roden: Yes. Liquid manure cannot be applied from December 1 through March 1, unless it is “injected” or applied in minimal amounts. Other exceptions can be approved by the DNR. The farm owns several hundred acres and leases several hundred acres. We are heavily regulated on what we can and cannot do.

(Commissioner) Hein: Historically, have you had any violation related to inappropriate manure application? Roden: No. We have had a crop consultant working with us since 1992. We must take soil samples on five-acre grids to monitor the nitrogen and the phosphorous. Once a certain level of phosphorous in the soil is reached, additional manure may not be applied. We can only apply the amount that the crop raising or planting will take off.

(Commissioner) Werhand: Has the DNR visited your property during the various seasons on a regular basis? In a previous meeting, the DNR representative indicated that they don't visit CAFOs often. Roden: Yes, they have visited our operation often during the approval process.

Werhand: The DNR is trusting that what you are reporting is accurate. Roden: The consultant submitting the reports is a third party.

Werhand: Did the DNR talk to anyone from the Town of Trenton during the permit process? We are seeing more subdivisions and development in the town. Roden: I don't know. Also, more than 50% of the farm's manure is applied in the Town of Saukville.

Werhand: Do you have signed agreements with the people willing to take manure? Roden: The DNR required us to submit the list of land that we have available to spread the manure. Generally, signed agreements are not always in place and we have much more land available than manure to apply on that land.

Hein: If you were back to 750-cow milking operation, would you be applying less manure in the Town of Trenton? Roden: That is difficult to determine. Many of the fields in the area have not seen manure and would benefit from it.

Hein: Does commercial fertilizer have nitrate runoff? Roden: Yes.

Roden: An interesting fact in Ozaukee County, but I believe the statistics are similar throughout the state: in 1978 there were 320 dairy permits issued in Ozaukee County; today there are 23 dairy permits issued, and the {animal} counts haven't changed. What has happened is the same number of animals have been consolidated on fewer farms. The manure is still being generated and is probably being spread over the same number of acres.

Lipscomb: Around St. Augustine Road and Wausaukee Road, how many years have you been spreading manure on those fields? Roden: We have been putting manure on the fields since 1995, for at least 30 years. Lipscomb: Several neighbors tested their wells recently and had clean results. Roden: The former owner had slurry store since 1980 so many of those fields have seen liquid manure since 1980.

Komro reviewed the conditions to be met for approval of this zoning map amendment, with also addressing the conditional use permit, as follows:

Consistent with future land use recommendations contained in the comprehensive plan.

From Town Ordinance §380-14 EA Agricultural Enterprise District: *Purpose. The Agricultural Enterprise District is intended to preserve and promote a full range of agricultural uses, secure land for livestock production and other agricultural uses that may be more intensive than crop production, strengthen agriculture's contribution to an area's economic base (including new employment opportunities), support processing, value added, and other activities closely allied to the agricultural industry, and prevent conversion of land identified as a valuable agricultural resource to uses that are not consistent with agriculture. The district's uses and regulations are designed to implement Comprehensive Plan goals by encouraging livestock and other agricultural uses in areas where conditions are best suited to these agricultural pursuits and discouraging residential development to avoid potential land use conflict. The AE District is generally compatible with the "prime agriculture" and "open space" land use designations of the Comprehensive Plan. Due to the more intensive nature of uses allowed, the AE District is not intended to be applied near moderately to densely populated areas, and it is not intended to accommodate residential uses as principle uses.*

Lipscomb: The parcels in question and most of the surrounding area are in the 2050 Comprehensive Plan Map as Prime Agricultural Land Use.

Consistent with the vision, goals, objectives and policies contained in the comprehensive plan.

From Comprehensive Plan Update:2050: *Prime Agricultural Lands: Prime agricultural lands consist of parcels 35 acres or larger that are covered by soils well suited for the production of food and fiber and which occur in aggregate blocks of farmland or conservancy lands 100 or mor in extent. Prime agricultural lands encompass 4,970 acres, or about 24 percent of the Town, a decrease of 444 acres from the 2008 level.*

Lipscomb: Reviewing the Land Use Plan for the Town of Trenton:2050, this section is appropriate for agricultural use. The Comprehensive Plan expects that the acreage in Prime Agricultural will remain at roughly 5,000 acres.

Change in community actions or characteristics that justify the change.

Lipscomb: The Wisconsin Department of Natural Resources approved the WPDES permit.

Hein: Small farms are going extinct. Same number of animals in town, just in concentration now. There are niche options that allow smaller farm operations but that is not for everyone.

(Commissioner) Wiskirchen: You indicated that you have been testing and for the past 30 years, tests have been acceptable. Has anything changed over the years with respect to acceptable levels of nitrates? Roden: Our consultant has indicated that our levels of nitrates and phosphorous have remained acceptable. Based on the test results, we have never overapplied; the crops are using all the manure that has been applied. We are conscious of spreading manure to minimize any negative impact. We rarely spread to the amount we are allowed.

Property in the immediate vicinity or community as a whole will not be adversely affected.

Werhand: The town is more urban, with more subdivisions and more new homes. As the town grows with new construction, we expect to see more densely populated areas. We will see manure spread adjacent to these properties. Currently, the town of Trenton does not have any ordinances regarding manure spreading. I am concerned that manure will be applied on property too close to subdivisions, which could result in well water contamination. Who will pay for remediation?

Komro: Received some written comments which were balanced in opinion. There are compelling arguments on both sides of this issue.

Lipscomb: The “immediate vicinity” is subjective (one mile, three miles, a quarter mile). No well water tests from adjacent neighbors have been submitted that are positive for nitrates. I investigated manure being spread in the Orchard Knoll subdivision and it was not from the Roden farm, it was from the Wollner farm located in Saukville. The concern is valid and it is important to remember that a farm with a WPDES permit has more regulations on where they spread than one without such a permit. I also visited Scott Schmidt with Washington County Public Works. We talked about eight years of Hwy Y traffic and accidents. None of the incidents were attributed to the road itself, rather they were the result of deer, alcohol and other issues. In 2031 the road will be widened and be improved with shoulders and bike lanes. It will then experience more traffic in all respects, including gravel trucks from the nearby quarry. I asked whether a turn lane into the subdivision would help the residents and Schmidt was doubtful that it would improve their situation. The Board approved a fence variance to assist a resident with traffic noise from Hwy Y. A resident from that subdivision wrote a letter agreeing that under CAFO status provides more protection for the residents than a farm without CAFO status since the unregulated farms have no oversight on where or how manure is spread.

Natural environment (water, noise, stormwater management, soils, wildlife, vegetation) will not be adversely affected, or any impact can be mitigated by improvements.

Kidney: With a WPDES permit, the farm is required to have engineers design their operation and the DNR approve it. It seems that they are doing all they can.

Lipscomb: In 2024, the town had Milwaukee Riverkeepers, the DNR and the engineer involved in the farm’s operation. All these groups presented information to assist the town in the decision-making process.

Ability to provide adequate public facilities or services (highways, streets, water, sewage, drainage, schools, emergency service) will not be adversely affected.

Hein: I personally see no adverse effect. The one that comes to mind is the highways but as we have already discussed, the County has plans to improve Hwy Y based on other sources of traffic. Water is also a valid concern, and we have not seen any evidence of a negative impact on water. Rather, water quality has improved in the Milwaukee River due

to the restrictions of small farms spreading in the winter. Emergency services and schools should not be affected either.

Kidney: On a personal note, I have an 80-acre field just north of my property that slopes toward my residence. Manure has been spread on it regularly for four years. I have a 52-foot deep well that I have tested for the past five years with no negative results.

There is a community need for this change.

Hein: I feel that yes, if we want to see dairy farms survive in the future in the Town of Trenton. We could also ask if there is a need for another house in the Town of Trenton. We can ask this of almost anything. We also have heard that the town needs an ordinance on spreading manure. The comments I have seen imply that people don't want to see manure spread at all. If that's the case, that applies to every dairy farm in this town,

Werhand: I don't believe that manure shouldn't be spread at all, just that it should be controlled.

Hein: Clarified that the comments he was referring to were those submitted by the public. Though those comments were directed toward Roden's farm, it is implied that all farms would be affected in this area.

Kidney: How would the Town of Trenton regulate manure spreading in the town? The DNR controls that for a CAFO.

Werhand: I am interested in the town controlling the spreading of manure from non-CAFOs.

This change allows a more viable transition to panned land uses on adjacent properties than the current zoning designation.

Komro: Not applicable, since it is not moving out of an agricultural district.

Lipscomb: The surrounding parcels are mostly agricultural.

Removing areas from Agricultural districts, this land is suitable for development which will result in undue water and air pollution, cause unreasonable soil erosion, or have an unreasonable adverse effect on rare or irreplaceable natural resources.

Komro: Not applicable, since it is not moving out of an agricultural district.

This change will result in illegal "spot zoning" (use is inconsistent with surrounding properties and serves only a private, rather than public interest).

Lipscomb: Based on discussions with our attorney, we are confident that this is not spot zoning. The agricultural nature of the parcels is consistent with continuing in an agricultural district.

Any other considerations.

Hein: I have received conflicting information regarding whether the contested WPDES permit has affected its validity. Also, if we approve a Conditional Use Permit based on the permit, I would think it would include any future changes that would occur with respect to the permit.

Roden asked Tim Baumgartner, Edge Dairy Coop to comment: Assisted Roden with his permit application. Yes, the WPDES permit is in effect. Contested hearings can take time but during that time the conditions of the permit must be followed. If the permit is modified, the conditions will be modified.

Komro: If the zoning map amendment gets approved, the Conditional Use Permit can be considered. The CUP clearly states that a WPDES must be in effect and the CUP conditions come directly from the WPDES permit.

Lipscomb: Roden agreed to combine his parcels from four to two. He also suggested that our ordinances should require a larger number of acres for an expanded livestock facility than originally adopted, which reduces the risk that other areas in the town would have the potential for this type of operation.

Kidney moved to approve Resolution Z2026.01.03 recommending to the Town Board approval of a Zoning Map Amendment from EA Exclusive Agricultural to AE Agricultural Enterprise: Rob n Cin Farms LLC, 5545 County Hwy Y (parcels T11_065200C, T11_064200E totaling 141.37 acres, seconded by Hein. Motion carried 3-1.

Resolution Z2026.01.04 (amended from Z2026.01.05), Recommendation to Town Board regarding Conditional Use Permit Application for Livestock Facility of not more than 2,500 Animal Units: Rob n Cin Farms LLC, 5545 County Hwy Y (parcels T11_065200C, T11_064200E totaling 141.37 acres): Per Komro, two edits are recommended: a typo corrected from “hur” to “hour” and specifying that the Roden Echo Valley site in the Town of Trenton specifically is limited to 2,500 animal units. Hein: Asked for clarification on whether notices from the DNR regarding the entire operation would include the sites outside of the Town of Trenton. Werhand: Are there any restrictions on the permit other than what is in the WPDES permit to protect the Town of Trenton? Komro: Town ordinances based on the state livestock siting rules do not allow any additional requirements. Lipscomb: The . **Hein moved to approve Resolution Z2026.01.04 recommending approval of a Conditional Use Permit for Livestock Facility of not more than 2,500 Animal Units for Rob n Cin Farms LLC, seconded by Kidney. Motion carried 3-2, with Lipscomb voting to break the tie.**

Farmland Preservation: Comprehensive Plan Amendment and Zoning District Creation: Per Komro, Scott Schweizer is interested in taking part in the Farmland Preservation credit. To do that, the Town must first amend the Comprehensive Plan to include a Farmland Preservation land use, update our Plan Map to reflect the parcels put into that land use and finally to create a Farmland Preservation Zoning District. The County has a representative to assist towns in this process.

Reports:

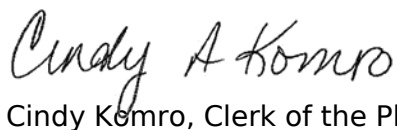
Commissioners: None.

Administrator Komro: None.

Chairman Lipscomb: None.

Lipscomb adjourned the November Plan Commission meeting at 8:13 p.m.

Respectfully submitted,



Cindy Komro, Clerk of the Plan Commission

These minutes were approved at the February 9, 2026, Plan Commission meeting and posted on the Town website on February 10, 2026.