

PLAN COMMISSION
Special Meeting Minutes
TOWN OF GRANT
July 23, 2014

Present: Jim Wendels (Chairman), Cynthia Welling (Secretary), Marty Rutz (Zoning Administrator), Ron Becker, Lori Ruess, Sharon Schwab, and Nathan Wolosek (Committee Members)

Citizens Present: There were approximately 30 citizens in attendance at this special meeting of the Plan Commission. Those who signed in were: Marvin Raasch, Carl Novak, Dorothy Raasch, Charles Gussel, Dave Luecht, Duane Maatz, Kathy Wirtz, Cecile Stelzer-Johnson, Larry Tomm, Doug Olsen, Dale Winkler, John Martens, Kitty Gross, Tom and Sharon Sugler, Charles Rickman, Gary Bent, Marty and Eric Anderson, Lesa Kardash, Richard Raschke, Bill Zakrzewski, JP Lazell, Diana Luecht, Susan Villareal, Douglas Hambach, Lee and Barb Meronek, Julie and Dan Sozu, and Penny Van Tassel.

Meeting called to order at 7:05 p.m. by Jim Wendels. Since this was a special meeting of the Plan Commission seeking citizen participation in a work group discussing high capacity wells and other circumstances related to that subject in the Town of Grant Zoning Ordinance, the regular operations of the monthly Plan Commission meeting were not addressed. They will be addressed at the next official meeting of the Commission.

STATE OF PUBLIC NOTICE

The letter inviting citizens to the Work Group Planning meeting was sent to all landowners in the Town of Grant three weeks prior to July 23rd, as well as was posted in the three meeting notice kiosks two weeks prior to the meeting.

INTRODUCTORY STATEMENT – Jim Wendels

Jim reminded all in attendance to please sign in so we have a contact list for the interested parties. By way of introduction, everyone in the room was asked to state their name and why they were interested in this meeting. Jim shared with the group that the Plan Commission meets monthly and those meetings are open to the public. In the process of doing a review of the existing zoning ordinances for the Town of Grant, it was noted that there currently is no language addressing high capacity wells. It is the Plan Commission's desire to be sure that all interested parties' opinions are represented as any changes or additions are considered.

Jim reviewed a list of talking points to help generate discussion including the homeowner's prospective, the agriculture prospective, the purpose of the work group, and finally, Wisconsin's Right to Farm Law. Comments from the last time this subject was addressed by the Commission and citizens at a meeting held in 2012 were also shared.

Open discussion began at 7:25 p.m.

Charlie Gussel inquired as to how many complaints in this regard had been received. Jim Wendels stated that he had heard directly from about six people via telephone and had no written complaints. There were three responses elicited by the recent mailing of this letter from people who were unable to attend. Charlie stated that six responses weren't very many and he would like it to be a part of public record who had made the complaints

in the future. The percentage of general agricultural in the township is approximately 40% and he didn't feel six phone calls was a good enough representation to consider big changes such as these over.

Cynthia Welling stated that due to the situation in Saratoga with Wysocki Farms and the fact that Saratoga had nothing in writing with regard to high capacity wells when that purchase was made, many if not all of the townships in the area are reviewing their ordinances to be sure they are covered appropriately.

Penny VanTassel opined that often large farms do affect private wells adversely and she thought it was good to start talking about such an important issue.

Kitty Gross observed that a farm with 500 or more head of cattle would require a CUP as the ordinances language is written now.

Charlie Gussel questioned when these changes were made that appeared in the DRAFT copy that was distributed at the meeting and he was reminded that nothing has been written in stone. These are only suggestions and actually the reason for the meeting was to discuss making changes, or perhaps, doing nothing at all with the existing ordinance.

Ron Becker stated that it is good practice to review a Zoning Plan about every 10 – 12 years, which was another reason that this review was being undertaken.

Charlie Gussel asked where it was written that a CUP was needed for a high capacity well and it was stated that the existing ordinance is silent on this issue. There is no language regarding high capacity wells at this time.

David Luecht stated that the recent reporting on some of the wells in the Town of Hull running dry due to high capacity wells is reason enough for concern that it could happen here as well.

Kitty Gross asked if the intent would be to designate that all center pivot wells would have to reside in exclusive ag areas.

Charlie Gussel stated that Portage County had language that indicated that all center pivot wells would have to be located in exclusive ag areas.

Nathan Wolosek who was on the Plan Commission when the last draft of the ordinance was created stated that when they drew up land designations, if there was a residence on the property, then it wasn't classified as exclusive ag. All center pivot language was left silent on purpose because at that time it was felt that irrigation had not changed the concept of farming. They chose to use language that encouraged farming.

Barb Meronek stated that the importance of wooded lots is being missed in this discussion. She also stated that it was her understanding that trees used far less water than potato fields or other farming ventures. Even if the township is primarily agriculture and we should encourage those enterprises, it still doesn't negate the importance of wooded lots and maintaining the status quo should be encouraged rather than allowing further clear cutting of parcels.

Nathan Wolosek pointed out that not all land in the Town of Grant is even farmable. Jim Wendels pointed out that the Plan Commission has no control over how a property owner changes their land if done within all ordinance and DNR regulations. The “eye of the beholder” or in this case the property owner, is not regulated.

Kathy Wirtz stated that she does have a concern with water quality and above all, we need to protect and preserve our water sources.

Duane Maatz of the Potato Growers Task Force stated that studies show that wood lots intercept all water so it doesn't get to the aquifer. Tree lots use 3.5 to 4 times more water than potato fields.

A citizen asked, “what about air quality?”

Maatz stated that all decisions are based on economics. He offered an Executive Summary of the information he was referring to and it was distributed. All potato growers are asked to report accurate information. It may not always be positive information, but it is all used in the comprehensive plan. He also referred to the Little Plover River study and the Potato Sustainability document.

Jim Wendels stated that sometimes language can be too broad. There are often unique circumstances.

Sharon Schwab acknowledged Mrs. Meronek's opinion and stated that her comment falls under the language “to preserve rural character of our community.” All of these observances are important and these discussions are taking place in all communities. The mosaic of the town is very important.

Mrs. Meronek emphasized that residential versus ag is simply not the only consideration.

Charlie Gussel stated that DNR restrictions far outweigh the Town's ordinances.

Cecille Johnson, who is a bee keeper, observed that she loves farmers and especially small farmers and respects their role in the world; however it is a fact that the DNR has never rejected any high capacity well applications. There is no evidence that the DNR is enforcing any control whatsoever. It needs to be considered when the complexion of the township is changed drastically.

Maatz stated that in the DNR's defense, when a high capacity well applicant gets the feeling that their application may be denied, the application is voluntarily pulled, so those numbers are skewed.

Ms. Johnson stated that nonetheless, the DNR had never denied a single high capacity well application.

Jim Mortenson noted also that wells rarely fail, the screen fails. When that happens, they don't have to drill new wells. They merely have to repair the screen.

Rich Rashke emphasized again that there are big differences between new and replacement wells.

Nathan Wolosek observed that wells simply don't go dry in this area and stainless steel is now used for those high capacity screens so fewer and fewer screens fail.

Rashke stated that it is probable the farmers spend more money and time trying to regulate their own use of water. The water supply in the Town of Hull is an exception. Farmers regulate their use of water stringently because it is their livelihood.

Ms. Johnson stated that the small farmers are concerned. Aquifers are different and take different amounts of time to regenerate.

Doug Olson lives across the street from Wysocki's and he stated he is more worried about the potatoes not growing – farmers after all feed the world – we should be proud Grant is helping in such a large way in that noble cause.

Dorothy Raasch commented that she understands that ground water changes from year to year, but she had a question about new owners of the recently purchased Rickman property. That previously had been listed as general ag, had that designation been changed? Is the new parcel now exclusive ag? It is her understanding that the designation should have changed when the property was sold.

Jim Wendels acknowledged her question and stated that her point was a good one and needed more research. Nathan Wolosek similarly stated that as the language is now, exclusive ag should have no residences.

Doug Hambach and Sue Villareal asked if before some parcels had been converted to cranberries, had there been center pivot irrigation on those parcels?

Larry Tohm asked, isn't the issue a concern that if there are too many high capacity wells and someone builds, there may be an effect on their water quality?

Cynthia Welling stated that she had only 14 years history of living in Kellner but wanted to acknowledge that even though the potato growers have data, and the people concerned with the character of the land and the quality of the water have no "official" data to share, all opinions carry equal weight; it is a fact that there has to be some empirical evidence that high capacity wells do affect residential wells or there wouldn't be all of these people trying to prove otherwise. She stated that she respected farmers and all they do for the world, she isn't normally a left or right leaning person when it comes to these kinds of discussions, but there wouldn't be a need for these meetings here in the Town of Grant and elsewhere if there wasn't some evidence of a negative effect one way or the other.

Charlie Gussel brought up the discussion around people watering and fertilizing their lawns without regulation. He also stated that he felt there was an ulterior motive for the Plan Committee seeking some kind of personal gain or recognition in Portage County. Jim Wendels vehemently stated that this was not the case. And, Eric Anderson requested that the discussion continue on the facts and not speculation.

The Plan Commission invited this group of people in an attempt to get a feel for the citizens' opinions – all of their opinions. Sharon Schwab stated that some ordinance changes could be written in such a way as to protect the growers as well. Nathan Wolosek stated that he felt the farmers of the world were outnumbered. He shared the story of how a young farmer could not start a small farm today because the cost was prohibitive. The question of whether it was the fault of ordinances around high capacity wells that have made that kind of venture impossible today and he agreed that there were many more factors that work against the young starting farmer.

Bill Zakrzewski wisely stated that the discussion had come around to the point where we were “chasing tales.” Jim Wendels accepted that as a motion to adjourn, but first took an informal vote as follows:

A show of hands indicated that 15 people as of right now would vote to leave the ordinances alone and have them stand as written, and 3 would be in favor of looking at changes being made. Nothing was official, but it gave an idea of the feelings of the group.

Jim Wendels stated that the next meeting of the Plan Commission was August 20th and people were welcome to continue the discussion. They would be notified of the agenda by email or in written fashion. Having thanked the citizens and other representatives for giving of their time to attend this work group discussion, the special meeting of the Plan Commission stood adjourned at 9:18 p.m.

Respectfully submitted,
Cynthia Welling
Plan Commission Secretary