



Waukesha County Farmland Preservation Planning Advisory Committee Meeting Notes (Draft)- July 29, 2010

1. Introductions

Meeting was called to order by Dale Shaver in the absence of Committee Chairman Gary Goodchild at 10:06 a.m. Committee members in attendance included Bartholomew, Oberhaus, Herrmann, Holtz, Anderson, Rolfs, Schwecke. County Staff in attendance included Shaver, Lindquist, Rose, Fruth. DATCP representatives Lisa Schultz and Alison Volk were introduced.

2. Update on Town of Oconomowoc farmland preservation efforts

Jeff Herrmann discussed the successful effort of the Town of Oconomowoc and Town of Ashippun in gaining a favorable recommendation from the State for their joint Agricultural Enterprise Area (AEA) application. He also noted that the Town of Oconomowoc is in the process of drafting a Purchase of Agricultural Conservation Easement (PACE) ordinance that will allow for donations of development rights in order to qualify owners for matching funds through the State's PACE program. He indicated that the program will not initially have a local funding mechanism but that the Town wished to make donors eligible for matching funds. Jeff indicated that the Town will seek comments from DATCP regarding the proposed PACE ordinance and that the County was also welcome to provide comments.

Questions from committee:

- Are any Oconomowoc farmers who own land outside of the AEA interested in participating in PACE?

Answer- Jeff indicated that he was not aware of any but did clarify that there are agricultural lands in the Town remaining outside of the AEA.

- Were all AEA applications approved?

Answer- DATCP indicated that all submitted applications were recommended for approval and will go forward to public hearing.

3. Continuation of 6/17/10 discussion-County Farmland Preservation Standards from 2009 County Development Plan

Dale Shaver gave an overview of the history of farmland preservation efforts within the County and explained that the five square mile block standard was supported by the agricultural community in past planning efforts. He noted that the 100 acre block concept was thought to be too small to be effective. Bob Bartholomew noted that, in past planning efforts, the farm community believed that farm blocks of greater than five square miles would be capable of supporting necessary support services such as feed dealers, veterinarians and implement dealers. Dale noted that the 1997 County Development Plan moved forward with this standard but explained that DATCP never certified the County Plan. Dale noted that the Agricultural Steering Committee for the now effective 2035 County Development Plan re-validated the general agricultural standards of the 1997 Plan. The Committee chose not to support a secondary agricultural area concept that would have included three square mile blocks in a 10 acre density category.

Questions/Comments from committee:

Why was the secondary agricultural area concept dismissed previously?

Answer- Barb Holtz noted that during strong economic times, farmers were concerned about the impact of such a designation on their land values. Tom Oberhaus noted that, from his perspective, 10 acre lots/density equates to poor and wasteful land use patterns.

Comment from public: The only real option farmers had in past was to sell lands to developer. Now the Working Lands Initiative (WLI) gives farmers another option. Dale noted that WLI envisions logical planning standards that complement the use of agricultural preservation zoning and provides for new options such as PACE.

A. Proposed revisions to county Farmland Preservation Planning Standards

Perry Lindquist gave an overview of the handout that was distributed regarding proposed changes to the criteria used for farmland preservation planning. He noted that the revisions are primarily in response to the discussion at the last advisory committee meeting. The proposed language would automatically include any area approved by DATCP as an AEA to be mapped as a farmland preservation area in the county plan, even if it did not meet the five square mile block standard. Language was also added to clarify that an entire farmland preservation area must be supported by the local government to be included in the plan. The 75% rural land use requirement was moved from the parcel criteria to the preservation area criteria and soils of Statewide Importance were also added to the parcel criteria. Perry explained how the proposed changes could be verified with GIS and would ultimately include more parcels within a farmland preservation area.

DATCP staff noted that the County would have to amend the Farmland Preservation Plan for an area to be eligible for designation as an AEA. Dale Shaver asked if the Farmland Preservation Plan could identify potential AEA's (secondary agricultural preservation

areas) and be amended later to include the area with an AEA application to DATCP. DATCP responded that this could be accomplished, but indicated that some might perceive this to be “voluntary planning.” Dale noted that the potential designation of lands in the northwest part of the Town of Merton was an example of an agricultural area that met farmland preservation criteria but was not supported locally as part of the 2035 Development Plan effort. DATCP staff emphasized that only \$12 million is available for the PACE program statewide.

Questions from committee:

Can a Town have its own plan?

Answer- DATCP responded that no, a town plan cannot be recognized by DATCP as a Certified Farmland Plan.

Does DATCP have specific ideas about what will constitute an acceptable plan for Waukesha County?

Answer- DATCP responded that, no, there has not been specific discussion regarding Waukesha County’s plan and that proposed secondary agricultural areas would need to be rational and have supporting agricultural policies in support of them. Dale noted that the secondary agricultural areas are likely to have differing levels of local support, and that the county would seek the input of affected towns in considering such areas for inclusion in the plan.

Comment- Concerns were raised regarding the protection of the Mukwonago Watershed.

Answer- Dale noted that the watershed can be protected in a variety of ways- not just through farmland preservation. He acknowledged that SEWRPC’s watershed protection plan should be utilized in various planning efforts. He also noted that SEWRPC has supported the five acre rural density development standard as an effective way to protect ground water resources.

Question- does agricultural preservation zoning have to be in place for lands to be included in the farmland plan?

Answer- DATCP answered no, but having agricultural preservation zoning would likely positively affect DATCP decisions regarding AEA applications, PACE and other competitive programs.

Is the minimum acreage for an AEA 1000 acres?

Answer- DATCP answered no, but priority is given to applications containing more than 1000 acres in the DATCP ranking system.

Are administrative rules envisioned for the WLI?

Answer- DATCP staff explained that they will likely wait until they have a couple years of experience with administering the program under the new law before drafting rules.

Are Waukesha County lands realistically going to be competitive in seeking PACE funds/eligibility?

Answer- DATCP noted that parcels/farms of 80 to 300+ acres in counties that have generally smaller farms would be expected to be competitive if the farm contains good soils, if farmland preservation has community support and if both land use controls and farmland preservation zoning are in place.

Comment from committee - Town of Mukwonago landowners were generally supportive of a purchase of development rights initiative.

Answer- Discussion ensued that, in absence of a funding mechanism for such an effort, there are other ways to preserve agricultural lands, such as transfer of development rights and agricultural land use preservation planning categories and zoning districts.

Other Discussion:

At the conclusion of the discussion, Dale noted that the July 29th draft planning criteria will be brought forward as presented and that county staff will prepare a map that will consider additional potential secondary agricultural areas that go beyond the previously contemplated 3 and 5 square mile blocks.

B. Review Class III Soils relative to Prime Soils criteria

Perry Lindquist explained that, subsequent to the last advisory committee meeting, John Koepke had asked that Class III (or Statewide Importance Soils) be considered for inclusion in the farmland preservation criteria. He explained that in Waukesha County, these generally include wet soils or slopes in the 6-12% slope category (C slopes). Perry showed draft maps and explained that including such soils would expand the eligible parcels within a farmland preservation area, or may even result in other areas meeting the block criteria. He said parcel level mapping would continue to evaluate what lands would be affected by the revised criteria, and that they would also review the potential for secondary agricultural areas. The first step was to update the agricultural land use layer for the county.

C. Questions to DATCP Staff regarding 2009 State Law changes and PACE

Most of the discussion on these topics occurred during prior agenda items (See Section 3A above).

Question- Does the conversion fee apply to lands that are annexed to an adjacent City or Village.

Answer- Dale Shaver noted that DATCP Staff previously indicated that conversion fees would apply to annexed lands.

4. Agricultural Infrastructure and Production Trends

Given the length of discussion on previous agenda items, it was decided to delay discussion of this topic until the next meeting.

5. Topics, date and time for next meeting

A meeting date was not established as Staff stated a need for time to refine mapping to reflect the proposed planning standards criteria changes and to further consider additional secondary agricultural areas. The meeting was adjourned at approximately 12:34 p.m.