

Ashippun/Oconomowoc Agricultural Enterprise Area Application

1. What are the agricultural land use and development goals of the proposed AEA? Discuss agricultural and agricultural related uses, including discussion of relevant infrastructure in the AEA. Explain how the proposed AEA will advance the state's goal of agricultural preservation and development.

The goal of the proposed Ashippun/Oconomowoc AEA is to provide additional incentive to local farms and agricultural industry to re-invest in their businesses for the long term. The close proximity to the Greater Milwaukee Metropolitan Area has caused farmers in many areas of Waukesha, Washington, and southeastern Dodge County to be apprehensive of their future- often unwilling to make long term investments. The area selected for the AEA is on the outer ring of development from the GMMA (Greater Milwaukee Metropolitan Area). While significant development pressure exists, many local farms and agricultural businesses thrive in the area and wish to remain there.

The proposed Ashippun/ Oconomowoc AEA is currently a very diverse cross section of Wisconsin agriculture. The area is home to 15 dairy farms, numerous beef farms, horse farms and boarding stables, a pasture based hog operation, numerous cash grain farms, a commercial beekeeper, sheep production for both wool and meat, several people doing custom haymaking, and two direct market vegetable and flower operations. While the number of dairy farms has been decreasing, 3 have made significant investments (free stall barns, milking parlors) in the last 10 years. Several others have made more gradual capital improvements to facilities. LW Dairy, a local milk bottling plant, was built from scratch over the past two years.

At the same time, the number of beef, horse, and other livestock producers has increased steadily, most likely due to a close proximity to a major metropolitan market for meat, and in the case of horses, recreation. Several large horse boarding and breeding facilities have been constructed in the past ten years- one even including indoor polo.

Most importantly, recently there has been a major increase in the number of young farmers- mostly sons and daughters who have returned home to the family operation, ensuring that diversified farming will be maintained by future generations.

Infrastructure within the AEA includes:

- Frontier FS- a local supplier of fertilizer and feed
- White Oak Farms- a blender and distributor of organic compost and fertilizer
- LW Dairy- A local milk bottler utilizing local milk and glass bottles
- Honey Acres- A commercial food bottler (honey and other products)
- Old School Repair Shop- specializing in the repair of farm equipment
- Monis Electric and Plumbing- Electrical contractor specializing in agricultural wiring and plumbing

Infrastructure in townships immediately adjacent to the proposed AEA:

- Frontier FS- Grain terminal- Ixonia
- Universal Cooperative- fertilizer, feed dealer, and grain buyer – Lebanon
- Specialty Cheese factory- Lebanon
- Grande Cheese factory- Rubicon
- Country Vet Clinic- 4 person large animal clinic- Rubicon
- Gehrings- A dairy equipment supplier- Rubicon
- City of Oconomowoc Farmer’s Market
- Gettelman’s Repair- On farm machinery repair, Lebanon
- Brownberry Ovens- City of Oconomowoc

All of the above farms are dependant upon a stable, quality land base. Local infrastructure is dependant upon the success of local farmers. Frontier FS’s major market is in the immediate vicinity and east- with farmers towards Milwaukee very dependant upon them as the only source of crop supplies. LW Dairy is based upon local food—milk. Without at least one local dairy farm to supply them, they do not have a marketing plan. A significant portion of Country Vet Clinic clients operate within the AEA.

Farmers in the area have shown that they will reinvest in their businesses with more vigor and confidence when reassured the land around them will stay in agriculture. The town of Oconomowoc has Agricultural Preservation zoning and the Town of Ashippun has made a request to Dodge County to change its agricultural zoning to farmland preservation zoning in its 2035 plan. . Residents in the area hope to augment the tools available to preserve farmland. Adding the AEA will allow farmers to receive the full tax credit if they so choose, and will provide an additional incentive to stay in agriculture. Furthermore, the 15 year time commitment of individual farmland preservation contracts will further the sense of permanence.

Elsewhere in Waukesha County, as in many developing areas, apathy towards agricultural re-investment has occurred-“Why grow my business? I can sell it for houses much easier.” Optimistic farmers, cooperative local governments, and two enthusiastic land trusts hope the State of Wisconsin’s recognition of this land as an AEA will curb any such apathy here.

2. What activities are planned in the AEA to achieve the agricultural preservation and development goals? Describe any activities in the AEA that will help achieve these goals. Identify other individuals and entities involved in these efforts and their level of commitment.

Results of a recent survey distributed to Town residents in the Town of Oconomowoc sited “maintaining the rural character” as a number one priority for the Town. The Town of Ashippun has reflected the same priority in its planning. Therefore both Town governments have reflected the desire of the residents by embracing farmland preservation in their Smart Growth Plans by implementing farmland preservation zoning and promoting development in sanitary sewer districts. Waukesha County has expressed desire to see the Town of Oconomowoc as a transfer area for development rights, and the Town, itself, may soon be considering its own PDR or TDR program.

Tall Pines Conservancy, 501c3 land trust, whose mission is to preserve our rural heritage by protecting remaining farmland, water resources, natural areas and open spaces impacting Northwestern Waukesha County, will play a major role in orchestrating these preservation efforts and will serve as the fiscal receiver and steward of any conservation easements as a result of the PDR program or AEA. In addition, Tall Pines will work cooperatively with the Drumlin Area Land Trust in Dodge County where it is appropriate to their mission.

3. How will the AEA location promote agricultural preservation and development? Explain what is special about this location. Include why the AEA is geographically targeted for ag preservation and development. Explain how the geographic distribution of existing ag uses and related infrastructure helped determine the location.

Many factors make the location of the proposed AEA unique. First, it has a strong history of agricultural development. Waukesha County has a strong dairy history. Once termed “Cow County USA”, many dairy breed champions called Waukesha County home. The first artificial insemination of dairy cattle was done just south of Oconomowoc on Pabst Farms. The first tractor equipped with rubber tires was tested and later sold to a Waukesha county farmer. Jerry Apps, writer of “Barns of Wisconsin” indicates that the first known silo in Wisconsin was built in Alderly, a small village in Ashippun Township. Today, Waukesha County Holstein Breeders is the oldest county breed association in the country, and Oconomowoc is home to the reigning World Lifetime Milk Production Champion cow, Granny.

The location of the proposed AEA is significant because it encompasses two townships in two counties, and is a logical place to enforce the idea of agricultural preservation. Waukesha County has had the second highest population density increase over ten years in the state.

Waukesha county continues to experience significant development pressure due to it's proximity to Milwaukee. Yet county and local government has always maintained that its far northwestern corner, Oconomowoc Township, should remain in agricultural use. Grassroots efforts have suppressed development pressure, supplying governments with the courage needed to maintain agricultural zoning. Dodge county is still largely rural but is beginning to receive the next wave of development pressures due to the new Hwy 16 bypass north of the city of Oconomowoc. The southeastern corner of Ashippun Township has also seen considerable development pressure in the past 20 years due to the attraction of the Kettle Moraine landscape for country homes.

What is unique is that both Waukesha County -mostly urban- and Dodge -mostly rural- identify that farmland preservation is key to maintaining agriculture as an industry, and that help with farmland preservation in these two townships will not only assist the local area, but help stop the spread of urban sprawl into Dodge County, one of the most agriculturally significant counties in the state. At the same time, it provides Waukesha County with green space, a link to its agricultural past, a preserved land base to go with the 8000+ agricultural jobs in Waukesha County, and a secure land base for locally sourced food.

The eastern borders of the AEA are also of important significance. Ashippun borders on the Town of Erin (Washington County), and the Town of Oconomowoc on the Town of Merton. Neither of these towns (Erin & Merton) has supported agricultural development in the past 20 years, with both of them experiencing a significant amount of urban sprawl, a decrease in the number of farms, and consequent decrease in the amount of open space, farmland, and agricultural economy. Interestingly enough, this decline has led to these townships becoming bedroom communities, with few new employers replacing farms and agricultural businesses. This has been a particular problem to local fire departments, EMS, and other organizations in the area, as very few volunteers are available during normal business hours. The petitioners feel that establishing the AEA will prevent these issues from occurring in the Oconomowoc/Ashippun area.

A critical justification for preserving this large area is: The eastern part of Waukesha County, due to development, is experiencing significant water supply issues. Conversely, the western half of the county serves a critical role in providing water re-charge, due to its abundant farmland and open space. The western half of Waukesha County has been identified by SEWRPC as an area of high or very high water re-charge potential protected through implementation of the 2035 land use plan.

4. How did you determine the size and boundary of the proposed AEA?

The size and location of the proposed AEA encompasses all of the areas designated Agricultural in the Smart Growth plans of Ashippun and Oconomowoc.

Due the enormous development pressure, given its location close to Milwaukee and Madison, the petitioners feel that significant size is needed to retain "critical mass" to the agricultural community and allows for further expansion of the AEA. Furthermore, they realize that the benefits of an AEA should be available to all members of the local agricultural community, and that leaving areas out will threaten the integrity of the initial zoning and goals of the Smart Growth plans- precisely the opposite of what the petitioners intend.

The agricultural area within the Town of Oconomowoc was determined as all land north of Hwy K, which has been the border to agricultural planning and zoning by both the town and county for many years. It is still extremely appropriate. The vast majority of the land north of Hwy K is still in agricultural production, and is for the most part, Class 1, 2, and 3 soils capable of good crop production. Well drained, the soil is capable of producing high yields of most crops, with little risk of flooding or water damage in wet years. A close water table and good subsoil formation make irrigation a possibility in drier areas of the town, and several farms have used various methods of irrigation over the years. More certainty of zoning and future land use would probably promote more irrigation investment.

The area of the Town of Ashippun is similar to Oconomowoc in soil type and productivity, but has a larger proportion of heavier soils that do not require irrigation, but rather, benefit from subsurface drainage- with many farmers installing tile over the years. Much of the land in both townships is rolling, providing little area for water to pond in wet years, and is an excellent environment for forage crops as well as grains or other crops.

Some highlights of the area:

Several dairy cooperatives actively procure milk in the area, and LW Dairy bottles local milk in glass bottles from its plant located in the proposed AEA. Strong basis has been achieved for grain as three ethanol plants have been built within a 40 minute drive in the last few years. With these to the northwest and southwest, and the Port of Milwaukee an equal distance to the east, there are many competitive opportunities for grain.

Close proximity to cattle markets for both breeding stock and beef are important, but much local beef, pork, and poultry is marketed directly to consumers. The large group of consumers in the Waukesha and Milwaukee metro area is important to these producers, as many of the consumers are affluent and are seeking local food of high quality. This area could draw considerable interest in the coming years. In addition, the area's close proximity to both metro areas of Madison and Milwaukee offers a large opportunity for farmers to supply the growing desire of urbanites to buy "local" from CSA's. Currently there are not enough CSA's located in the region to meet the demand.

A similar group of consumers seek recreation through the equine industry, and while not providing food as an output, the horses require hay, veterinarians, animal supplies, and manure removal.

Agro-tourism in the area is developing. The museum at Honey Acres attracts bus tours and people of all ages. The Oconomowoc and Watertown Farmer's Market offer opportunities for local produce and tourism. Carriage and sleigh rides through the countryside are popular attractions as well. The adjacent 135 acre Harnischfeger county park offers recreation in horseback riding, camping and hiking. It also draws people from wide geographic area hosting large weddings and events. The soft rolling hills have long been a favorite site for bikers. The rivers and wetlands attract statewide birdwatchers especially during the spring migration.

White Oak Farms, a supplier of organic fertilizer and compost, is a market for such products. Currently, they buy local ingredients for compost and blend in other soil amendments, marketing fertilizer to the organic community. They may consider a small biomass project in the near future. This could require a sizeable amount of crop residue, and produce energy and compost.

The last resource to be discussed is that of farmers. Farms do not exist without farmers, and the area of the proposed AEA is no exception. A promising feature for this AEA area is that approximately 20-25 farmers under the age of 40, with the majority of them under 30, have returned to the farm or have started farming ventures. This may be due, in part, to the area's close proximity to Madison and Milwaukee- offering access to health care, off-farm jobs, and entertainment. Simply put, the accessible urban setting makes this proposed AEA area attractive to the more youthful future farm population.

Education plays an important roll in young farmer retention as well. Oconomowoc High School, which covers almost all the proposed AEA area, has the last FFA in Waukesha County, and has just invested in 80 acres as the "School Farm" to teach agronomy, soil science and conservation, and general biology. The farm, located within the AEA, shows major commitment on the part of the school district to support the local agriculture economy. A very capable agriculture teacher is now busy inspiring even more young farmers. Should an AEA get off the ground, the land will be in good hands.

5. What are the current land uses within the proposed AEA?

The current land uses within the Agricultural Enterprise Area (AEA) located within the Town of Oconomowoc, Waukesha County, Wisconsin are mainly agricultural with some limited residential development (see Attached Map). This portion of the AEA contains high quality prime agricultural lands, which includes those lands in agricultural use, unused/open lands and primary/secondary environmental corridor or isolated natural areas within a 5 square mile contiguous area (including adjacent counties) that meet all of the following criteria: 1) is outside of any planned sewer service area boundary; 2) 75% is agricultural or open/unused land use; 3) 50% is Class I or Class II soils which meet Natural Resources Conservation Service standards; 4) 75% consists of land ownership parcels of 35 acres or more; and 5) any parcel exceeding ten (10) acres in size that was adjacent to a parcel included in the above definition.

Therefore, any parcel exceeding ten (10) acres in size and lying adjacent to lands meeting the new definition are now included as prime agricultural land. This is important to eliminate scattered large lot development in the Town of Oconomowoc.

The Town of Ashippun adopted their 2030 Comprehensive Plan on January 12, 2006, the town's comprehensive plan identifies future development patterns as well as existing land use trends in the area. The development of the town's comprehensive plan included a complete inventory of existing land uses. Per the existing land use inventory, it was determined that approximately 20,582 acres or 90 percent of the town is classified as Agricultural and Other Resource Land. The agricultural land and wetland/open space areas were combined in to one category since the categories are closely related and typically blend together. Other land uses in Town of Ashippun consists of: 702 acres or 3.1 percent used for residential, 855 acres or 3.7 percent of used for transportation, 54.2 acres or 0.2 percent used for public and quasi-public, 262.9 acres or 1.1 percent used for parks and recreation, 17.6 acres or 0.1 percent used for communication and utilities, 24.2 acres or 0.1 percent used for commercial and 254 or 1.1 percent used for industrial and quarries (See Attached Map). As you can see in the existing land use inventory, most of the town and hence the proposed AEA is an agricultural land use or an open space land use. Much of the development in the town is centered around the unincorporated areas of Ashippun and Alderly. To help promote higher density and consolidate services, the unincorporated area of Ashippun is on public sewer. By having its own sewer district, the Town can focus development in the sewer district, rather than the rural areas in the town.

Similar to other communities throughout the state, the Town of Ashippun is subject to the constant pressure of nonfarm residential development. The pressure to develop land for large and small residential developments is an on-going issue in the town. Unlike other areas in the state, the location of the Town of Ashippun will make it an area constantly threatened by development. The town is located in the triangle of growth, which is formed by the City of Madison, City of Milwaukee and the Fox Valley Region. The town is with an hour drive to these three major developed regions, this location feature makes the town especially appealing for development. It is no secret that many Wisconsinites wish to live in a rural setting, many seek to live in the country on a small parcel of land. Various factors allow people to achieve this scenario, these factors include: well maintained road network, more efficient vehicles, commuter acceptance and established infrastructure (electricity). The desire to live in rural areas and the want to live near the conveniences of large metropolitan areas will continue to place development pressures on the town. This pressure to develop places the Town of Ashippun in a tough situation, therefore the use of additional land preservation tools is needed to further protect the agricultural and natural areas of the Town.

The Town of Ashippun is an area that has good soils; this is shown in the Dodge County Soil Survey. The majority of soils in the Town of Ashippun are upland silt loam, which are considered good for agricultural uses. The soils in the town are classified by the United States Department of Agriculture to represent different levels of agricultural use. Class I, II and III soils are all considered good soils for agricultural production.

Majority of the Town of Ashippun has prime soil designation (See Attached Map). The Town of Ashippun is located in the Rock River Basin; this basin has excellent agricultural producing soils. According to the Wisconsin Agricultural Statistics reports, the counties in this region typically rank high in the state for their production of agricultural crops. Though this area is under constant nonfarm development pressure, it continually has good agricultural production. The region's ability to consistently produce high yields of agricultural crops is attributed to the good agricultural soils.

Agricultural uses within the AEA are comprised of:

- 15 medium scale dairy operations (ranging in size from 40 cows to 350 cows),
- Cash cropping (approximately 23 operators residing in the AEA).
- Approximately 15 horse boarding and other equestrian operations are currently operating within the AEA. Many of those operations are located in the Town of Oconomowoc, which has seen an increase in the number of new horse boarding operations.
- Beef enterprises, both feeder cattle and cow/calf operators. (12 enterprises, most small scale, 10-150 head)
- 5 small scale lamb operations
- A pasture based hog operation
- A number of small scale poultry enterprises, including pheasant, chicken, and turkeys
- Many mini-farms or hobby farms that are scattered throughout the AEA.

There are currently 15 dairy operations within the AEA, which are located throughout the area. These operations provide large quantities of milk used for both bottling and cheese products. Although many dairy farmers (mainly family farms) have ceased operation across the state, the number of dairy farmers in the AEA has remained relatively steady over the last 15 years. Cash Cropping remains a large component of the agricultural uses in the AEA. Approximately 23 farmers residing in the AEA are cash cropping, with other operators from outside the AEA operating land in the AEA as well. It is anticipated that "commercial" type farming will increase and smaller specialty farming may also increase in numbers. It is important to note that an "enterprise" in itself is not a farm; instead, a farm may include more than one enterprise. A number of the beef feeders also grow cash crops, etc. Several farmers have two (2) enterprises, such as dairy and cash cropping.

It is quite evident, based on the Town of Oconomowoc, Town of Ashippun, Waukesha County and Dodge County Comprehensive Land Use plans, that a key component of those plans is to protect and preserve agricultural uses within the AEA. However, it is also anticipated that development pressure will continue to cause the decline in the number of active farms. It is extremely important that both communities continue to preserve and protect agricultural uses to the greatest extent possible and encourage farming practices within the AEA.

6. How is the proposed AEA consistent with your other local land use plans?

The primary goal of the Town of Oconomowoc Comprehensive Land Use Plan for the lands within the AEA is the preservation of productive prime agricultural land to meet the future needs for food and fiber. In addition to providing food and fiber, agricultural areas can provide wildlife habitat and contribute to the maintenance of an ecological balance between plants and animals. Moreover, the preservation of agricultural areas also contributes immeasurably to the maintenance of the scenic beauty and cultural heritage of the Town. The preservation of agricultural lands can maximize return on investments in agricultural soil and water conservation practices; and minimizes conflicts between farming operations and urban land uses.

The Town of Oconomowoc Comprehensive Plan shows a total of 7,778 acres in the Prime Agricultural category. This is by far the single most acres in any category on the land use plan. Approximately 38.4 percent of the Town of Oconomowoc is classified as Prime Agricultural land and exceeds urban residential by 4,374 acres. It exceeds all urban uses in the Town of Oconomowoc by 2,704 acres or 53.3 percent. Although residential development is not promoted in this category, the Town does recognize that some residential development will occur for family members of the owner or operator of the farm. Development is strongly discouraged and where development is allowed it could take the form of large lots for single-family dwelling units, with each lot being thirty-five (35) acres or more in area, or could use density transfer, planned unit development, or cluster development design techniques to achieve the recommended overall gross residential density. Dwelling units could be concentrated on carefully located groupings of smaller lots, possibly as small as one-quarter acre in size, on a portion of a site to be developed, while retaining the balance of the site in agricultural or other open uses. The clusters of residential lots should be sited to protect prime agricultural land, preserve the rural appearance of the landscape, facilitate the provision of sewage disposal and water supply, and avoid the creation of problems such as poor drainage and foundation failures. This development option could include transfer of development rights between parcels of land throughout the community or adjacent to each other, resulting in higher densities of dwelling units at the development site while maintaining large areas of the landscape in agricultural or open uses. Many options exist with respect to the use and ownership of the preserved prime agricultural lands and open areas of a rural-type development, as well as for the design of the portion of the site where dwelling units are to be clustered.

In addition to the Town of Oconomowoc's Comprehensive Plan, Waukesha County adopted an Agricultural Land Preservation Plan in 1984. The Waukesha County Agricultural Land Preservation Plan describes agricultural statistics and land preservation techniques for agriculture uses. The existing Waukesha County Land Preservation Plan shows a majority of the Town of Oconomowoc as agricultural land to be preserved. The Waukesha County Land Preservation Plan certification expires in 2010.

The Waukesha County Department of Parks and Land Use will be working on certifying the newly adopted Waukesha County Development Plan as the new Agricultural Preservation Plan in 2010. During the comprehensive planning process, county staff worked with town officials to identify areas that should be protected and identified as agriculture. That plan is consistent with the Town of Oconomowoc Comprehensive Plan. Since the Town and County's future land use map are consistent, the proposed AEA was derived from the town's future land use map. By using the future land use map to create the AEA, there should be consistency between the future land use and future agricultural land preservation map.

In Dodge County and the Town of Ashippun there has been considerable efforts made to plan for agricultural preservation. In 2003, Dodge County, the Town of Ashippun and other participating communities were awarded a \$321,000 comprehensive planning grant. This opportunity allowed county and town officials to work together to cooperatively develop comprehensive plans for the county and the town to meet the state's Comprehensive Planning Law. Also, this was a unique opportunity since each community benefited by learning what the others were planning to do and how they planned to do it. The Town of Ashippun's comprehensive plan outlined the future intentions of the community, this was done by developing goals, objectives, policies and recommendations. The town's intention to preserve and enhance the agricultural and natural resource is well documented in the plan. One of the main features of the comprehensive plan is the town's future land use map (See Attached Map). This map displays the location of land uses the town would like to see in the future. As expected, the town would like to see most of the development around the existing developed areas. Keeping the development around the existing developed areas would help centralize services and minimize land use conflicts in the agricultural areas.

In addition to the town's comprehensive plan, Dodge County adopted a Farmland Preservation Plan in 1980. The Dodge County Farmland Preservation Plan outlines agricultural statistics, land preservation techniques, as well as planned for agriculture and non agriculture uses. The existing Dodge County Farmland Preservation Plan shows a majority of the town as agricultural land to be preserved. The Dodge County Farmland Preservation Plan certification expired in 2009, however an extension of one year was granted to Dodge County. The Dodge County Land Resources and Parks Department will be working on creating a new Farmland Preservation Plan in 2010. During the planning project, county staff will work with town officials to identify areas that should be protected and identified as agriculture. Also, the county Farmland Preservation Plan will need to be consistent with the county/town's future land use map and zoning map. It should be fairly easy to get consistency between the future land use maps and the farmland preservation maps, since the county future land use map is the same as the town's future land use map. Since the town's future land use map will be used to create the new Farmland Preservation Plan map, the proposed AEA was derived from the town's future land use map. By using the future land use map to create the AEA, there should be consistency between the future land use and future Farmland Preservation map.

There are some areas on the existing Farmland Preservation Map that are identified as nonagricultural land uses, these areas may be changed on the new Farmland Preservation map, since the town's future land use map identifies them as agriculture.

Both Plans strive to protect and preserve agricultural uses and limit the amount of acres available for development. The Waukesha County Development Plan and the Dodge County Comprehensive Plan support the local plans.

7. What nonagricultural development trends affect the proposed AEA?

While the recognition in a land use plan of smaller blocks of farmland may enable a larger number of farmers to qualify for tax credits, the maintenance of long-term agricultural use within such smaller blocks in an urbanizing region such as Waukesha County, Southern Dodge County and Southeastern Wisconsin has proven to be very difficult. For most farming enterprises, the economies of scale require relatively large tracts of land, frequently involving many hundreds of acres. The breakup of large blocks of farmland by urban intrusion makes it more difficult for farmers to assemble such larger tracts either through ownership or rental arrangements. Tract assembly is thus complicated by scattered field locations, resulting in costly and inconvenient related travel distances and, therefore, in unproductive time and higher fuel consumption.

The proposed AEA is in close proximity to the fringe of urbanizing areas. This often leads to a decline in interest among the next generation of farmers to continue farm operations. This is not true within this AEA. Next generation farmers are taking over operations of viable farms and farming within the AEA hopefully will continue for future generations. A key goal of this AEA is to protect this area from urbanization and scattered residential development. It is the hope of this AEA to maintain the current agricultural land uses and preserve those areas for the next 20 years.

Development trends affecting the Town of Ashippun and the proposed AEA area is mainly nonfarm residential development. Most of the nonfarm residential development in the rural area is not in subdivisions, but rather scattered nonfarm residences. This form of development results increased fragmentation of the landscape. With the increases fragmentation of the land, there are also increases in land use conflicts between nonfarm and farm uses. Some of the land use conflicts include: increased traffic congestion, noise from machinery at night time and smell from manure spreading. While there are right to farm ordinances available for towns to implement and reduce land use conflict complaints, there is still a need to further protect farming communities and the large chunks of land needed to maintain a farming community. There are areas designated as agriculture on the town's future land use map and placed in the proposed AEA, however that doesn't mean those areas will be exempt from development pressure. It is anticipated that if an AEA is created and additional incentives are instituted, there will be more an incentive to keep farming and promote agriculture activity.

8. How will the current or proposed land use controls support the proposed AEA?

All land development and building activity in the AEA is regulated by Zoning Regulations, Subdivision Control Ordinances as well as Building Codes and Health Regulations from the Town of Oconomowoc, Waukesha County, Town of Ashippun and Dodge County. Land use regulation is intended to restrict or curtail development in areas where there are limitations in either the natural resource base (for example, soil and slope conditions with severe erosion potential or poor drainage) or the public utility base (for example, inadequate water supply or sewage disposal capabilities).

The Waukesha County Zoning Code, which became effective on February 26, 1959, has jurisdiction in all of the Town of Oconomowoc lying outside the jurisdiction of the Waukesha County Shoreland and Floodland Protection Ordinance. The Waukesha County Shoreland and Floodland Protection Ordinance, which became effective on July 16, 1970, has jurisdiction within 1,000 feet of any lake or pond, 300 feet of any stream or river, or to the landward side of the 100-year recurrence interval floodplain, if it is greater. The Waukesha County Department of Parks and Land Use and the Town of Oconomowoc administer the Waukesha County Zoning Code and the Waukesha County Shoreland and Floodland Protection Ordinance, under Wisconsin law, jointly.

The Dodge County Land Use Code is in effect in the Town of Ashippun, since the town has adopted county zoning. The Dodge County Land Use Code includes zoning requirements, as well as floodplain and shoreland requirements (as determined by statute). In addition to enforcing zoning requirements in the Town of Ashippun, the county also has land division requirements in the town. Land divisions in agriculturally zoned areas must meet the density standard, the density standard regulates the number of lots a landowner can create. Due to the implementation of new Farmland Preservation Zoning standards, Dodge County will be adopting the new zoning standards (including the new density ratio).

Though the town has adopted county zoning, the town does not currently participate in Farmland Preservation Zoning. Since the town does not participate in farmland preservation zoning, landowners could only participate in the Farmland Preservation Program if they signed a Farmland Preservation Agreement with the state. In addition to applying for an AEA, the town has also expressed interest in participating in Farmland Preservation Zoning. If the Town of Ashippun does participate in Farmland Preservation Zoning, the new zoning standards will greatly help protect land in an AEA. The new zoning standards limit amount of growth in the area and restrict the uses that are allowed in the Farmland Preservation Zoning District. These uses that are allowed or conditionally allowed in the Farmland Preservation Zoning District are limited to uses that are compatible with agricultural uses. By obtaining an AEA and participating in Farmland Preservation Zoning, the Town of Ashippun would make its farmers eligible for the highest tax credit and implement stiff land preservation tools.

Dodge County staff plans to begin working on the Farmland Preservation Plan and the Land Use Code in early 2010. Dodge County has applied for a Farmland Preservation planning grant to help pay for this effort. Dodge County is planning to revise the Land Use Code to be consistent with the new Farmland Preservation zoning standards. Once county staff begins working on the Farmland Preservation Plan and Land Use Code, county staff will work with town officials to implement the necessary changes to make the town consistent with farmland preservation zoning standards.

These zoning ordinances are to be minimum requirements adopted to promote the health, safety, morals, comfort, prosperity, and general welfare of the Town of Oconomowoc and Town of Ashippun residents. Among other purposes, such provisions are intended to provide for adequate light, air, sanitation, drainage, convenience of access, conservation of wetlands, safety from fire and dangers; to promote the safety and efficiency of the public streets and highways; to aid in conserving and stabilizing the economic values of the community; to preserve and promote the general attractiveness and character of the community environments; to guide the proper distribution and location of population in the various land uses; and other-wise provide for the healthy and prosperous growth of the community.

To ensure an orderly development, it is the intent of the Towns to prevent urban sprawl by appropriately zoning those areas in the Towns to discourage such activity and retain the rural (agricultural) character of the Towns. This is sound public policy in that it does not put any land in any urban use category unless development is imminent and thereby, gives the community the opportunity to review all changes from rural to urban uses prior to such conversion and to use the Adopted Comprehensive Development Plans to guide both communities in sound, future land use decisions. Currently, the AEA has ___ acres in agricultural preservation zoning, limiting development to 35-acre densities.

The Town has sound provisions requiring recording of minor land divisions. This requirement provides that any division of land other than a subdivision resulting in the creation of two parcels and not more than five (5) parcels be surveyed and a certified survey map be approved by the Town Board and recorded at the Waukesha County Register of Deeds Office. The Town also requires that assignment of any new tax key numbers or the combination of tax key numbers be completed following the minor land division process with the approval of a Certified Survey Map.

The division and improvements of lands within the Town of Oconomowoc are regulated by the Town of Oconomowoc Land Division Ordinance, which was amended on August 4, 2003, and the Waukesha County Shoreland and Floodland Subdivision Control Ordinance, amended on May 17, 1983, has jurisdiction in the same areas as the Waukesha County Shoreland and Floodland Protection Ordinance. The Town's Land Division Ordinance is more restrictive than Section 236 of the Wisconsin State Statutes, as it requires formal platting of lands when a division creates four (4) residential lots less than 1.5 acres in five (5) years, or where the division creates more than six (6) residential parcels or building sites of any size within five (5) years.

9. How will the proposed AEA promote compliance with the state's soil and water standards for non-point source pollution?

All parties signing farmland preservation agreements will need to meet standards set by ATCP 50, Wisconsin Adm. Code. At this point, a number of farms within the proposed AEA already meet state standards.

Several dairy producers within the AEA have completed and implemented nutrient management plans, have constructed manure storage structures, and built structures to filter and capture feedlot runoff. Water quality enhancement has been studied intensely within the AEA, as one farm was a multi-year participant in the Discovery Farms project conducted in cooperation with UW Madison and UW-Extension, with surface and tile drainage monitored in several locations. This project has served in an educational capacity for motivating surrounding farms to learn best practices and the significance of methodologies to preserve water quality. Furthermore, Waukesha County requires all new horse stables to have a manure management plan.

Conservation is not a one-time event, however, and the petitioners see the AEA as significant encouragement to adopt better management practices. Furthermore, the 15 year commitment focuses producers' thoughts on "long term". Long term thinking requires better land stewardship- and this in turn leads to better water quality through reduction of erosion, management of nutrients and manure, and other management practices- what benefits the farmer benefits the environment. As conservation practices evolve, it is expected that the practices of AEA enrollees will evolve as well.

With several lake watersheds, as well as the Rock and Ashippun River (Rock tributary) watersheds within the AEA, it is obvious that compliance with ATCP 50 via the AEA will have a significant impact on waters of the state. The petitioners feel this is a very important area to stress to the non-farm public.

10. How will the proposed AEA promote agricultural and related investment?

Like most areas in WI, the level of investment in the proposed AEA varies from farm to farm. In the past decade, local producers have re-invested in dairy facilities, grain bins and drying facilities, farm shops, field tile, and other long term improvements. A considerable amount of capital has also been invested in horse boarding facilities.

Some highlights since 2000:

- Two dairy farms have grown their herds, adding new free stall barns and milking parlors to accommodate the income needs of children returning to

the farm. A third farm has remodeled their milking parlor. All three have invested significant capital in manure storage as well.

- Several large horse boarding stables have been constructed. These include riding arenas, indoor polo, hay storage, and other investments other than just horse barns.
- Several grain producers have added grain drying and storage capabilities to their farmsteads. This is a direct response to the needs of the ethanol industry.
- A new, small scale vegetable storage facility is under construction to meet the needs of a local grower who distributes local produce to residents in the greater Milwaukee and Madison areas .
- A new nursery and tree farm has opened on a former dairy farm- adding diversity to the area.

Some infrastructure investment highlights since 2000:

- LW Dairy has constructed a new milk bottling plant. (2008) LW bottles milk in glass, and home delivers to the Madison and Milwaukee areas.
- Frontier FS is currently adding storage capacity for fertilizer and fuel at their Mapleton branch, located within the proposed AEA. Frontier has also made major investments in grain drying and storage at the nearby Ixonia branch. (Ongoing)
- Old School Repair has opened in Ashippun. (December, 2008) It specializes in the repair of farm machinery, as well as automobiles.
- White Oak Farms has moved to the area of the proposed AEA (2007), turning an old lumber yard into a facility to blend organic fertilizer.
- Universal Cooperative in Lebanon serves the proposed AEA area, and has greatly expanded grain storage, fertilizer, and added a new supply store and office complex.

The proposed AEA addresses the largest handicap to successful agriculture in the area: the uncertainty of future land use decisions. Agriculture has provided a stable income for this neighborhood for generations- yet producers do not feel comfortable re-investing if the land around them falls out of agriculture. With a strong land use plan in place, overlaid with the AEA, existing and new farmers will have more confidence in business re-investment for the long term. The agricultural community will prosper and grow stronger each year- providing food, employment security, and environmental enhancement for its citizens.

11. How will the proposed AEA support economic activity within the community?

Creation of the AEA could be a significant economic stimulus to the economy in the area for the future.

Many farms are currently sharing resources, something that could disappear without further farmland preservation efforts. Currently, 3 custom combiners reside in the proposed AEA, two farms share a forage bagger, dairies supply bull calves to local beef feeders, crop producers allow horse manure spread on their acreage and provide grain to dairies and other livestock operations, and the list goes on and on. Further residential development in the area would result in further fragmentation of the agricultural community. Opportunities to share resources would decline, driving up costs for those remaining in agriculture and subsequently providing a challenge to stay in business.

Instead, creation of the proposed AEA would create opportunities for further shared resources. Perhaps the most intriguing idea of the future would be a CSA combining the products of several different local farms- both animal and vegetable. Such an idea has been discussed by a local producer, but has not advanced as of yet. The creation of the proposed AEA could certainly support and advance this idea, as it would give the area and the CSA a common goal and identity. See attached letter.

12. What is the level of cooperator support for this petition?

See attached cooperators signature pages

Are there any other compelling reasons to choose this AEA proposal from among competing proposals?

Our proposal is significantly unique and should be selected for the pilot project for the following reasons:

- An outstanding example of unprecedented intergovernmental cooperation: between two Townships and two County governments
- Its unique location: between Wisconsin's two largest metropolitan areas, Milwaukee and Madison, and therefore experiencing significant development pressure.
- Critical location as a high water recharge area for the region (as identified by SEWRPC).

