

ST. CROIX COUNTY



PLANNING & ZONING

March 25, 2009

Ed Schachtner & David Schachtner
2210 50th Street
Somerset, WI 54025

Wilma, Ed, & David Schachtner
2200 50th Street
Somerset, WI 54025

Schachtner Family Partnership
2200 50th Street
Somerset, WI 54025

Code Administration
715-386-4680

Land Information &
Planning
715-386-4674

Real Property
715-386-4677

Recycling
715-386-4675

RE: Rezoning of Schachtner properties from Agricultural to Ag-Residential

Dear Schachtners,

On March 18, 2009 the Rezoning Technical Review Committee reviewed the above rezoning requests and had the following comments on the individual applications:

RZ0083: Wilma, Edward & David Schachtner rezoning application

- 1) The property is bounded by properties zoned mostly Ag-Residential.
- 2) There is a residential development located west of the northern portion of this property.
- 3) A major portion of this parcel is located within Shoreland and will need to follow Shoreland Zoning requirements within 1000' of the Ordinary High Water Mark (OHWM) of Pine Lake and any other mapped wetlands or ponds. Land use permits and/or special exception permits may be required for filling and grading within the Shoreland area. Please refer to Chapter 17, Subchapter III Shoreland Zoning to review these requirements.
- 4) A very small portion of the property is identified as containing productive farmland.
- 5) Closed depressions are identified in the southeastern portion of the property.
- 6) The property is identified as containing probable sand and gravel deposits.

RZ0084: Ed and David Schachtner rezoning application

- 1) The properties listed on the application under the names of Edward J. and David L. Schachtner appears to be owned by David and Catherine Schachtner. Please verify. *Land swap went faster than expected*
- 2) This property is bounded by properties zoned both Agricultural and Ag-Residential.
- 3) A major portion of this parcel is located within Shoreland and will need to follow Shoreland Zoning requirements within 1000' of the Ordinary High Water Mark (OHWM) of Pine Lake and any other mapped wetlands or ponds. Land use permits and/or special exception permits may be required for filling and grading within the Shoreland area. Please refer to Chapter 17, Subchapter III Shoreland Zoning to review these requirements.

- 4) A major portion of this property is located within an environmental corridor.
- 5) Approximately 40-50% of the property contains productive farmland.
- 6) Closed depressions are noted in the southeastern portion of the property.
- 7) The entire parcel is identified as containing probable sand and gravel deposits.

RZ0085: Schachtner Family Limited Partnership rezoning application

- 1) This property is bounded by properties zoned mostly Ag-Residential
- 2) Most of this property listed is located within an environmental corridor.
- 3) No portion of this property is identified as containing productive farmland.
- 4) This property contains identified closed depressions.
- 5) The property is identified as containing probable sand and gravel deposits.

Rezoning TRC comments pertaining to the three rezonings:

- 1) Rezoning is not required to divide the properties for estate planning.
- 2) Rezoning is not required to swap land between relatives.
- 3) Rezoning is not required to provide a parcel or building site for a family member, when it is a parent or child.
- 4) The productive farmland should be retained in exclusive Agricultural zoning.
- 5) There are primary environmental corridors, wetlands, shorelands, waterfowl protection areas and steep slopes located on sizeable portions of the properties that should be protected from development. Question number #5 of the applications asks if any of the sites has any wildlife, scenic or recreational value that should be protected or enhanced. The response to this question is that there is "No such value". Please explain how this is possible.
- 6) What uses are proposed if the properties are not going to be farmed? The response to question #6 on two of the applications is that there is no residential development planned, yet the response to question #7 is that the properties contain "not very productive farmland; better suited for other uses". One of the applications states that a one lot CSM will be created but will not be a challenge. Please explain what the proposed use of the properties will be if they will not be farmed nor will have any or very minimal residential development.
- 7) The responses to question #7 all state that the rezoning complies with the Town's Comprehensive Land Use Plan. Please identify how these rezonings will meet both the Town's Comprehensive Land Use Plan and the St. Croix County Development Management Plan.
- 8) Please identify the existing use of each property.

Please submit any additional information that was requested in this letter by April 6, 2009 so the information may be included in the staff report to the Planning and Zoning Committee. The public hearings for the three rezonings will take place at the Planning and Zoning Committee meeting set for April 22, 2009 at 7:00pm in the Community Room located within the Government Center in Hudson.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Grabau". The signature is written in dark ink and is positioned above the printed name.

Kevin Grabau
Code Administrator

Cc: Clerk, Town of Somerset
Files: RZ0083, RZ0084, RZ0085

Response to TRC Comments

1. There are 9 children and 18 grandchildren to whom this land will be divided, which will bring individual ownership to less than 35 acres.
2. Granted rezoning is not required to swap land, but see statement at the end of these comments.
3. Rezoning would be required if I create a lot for each of my six children.
4. I disagree with the productive farmland issue. Regarding the Ed & David Schachtner land rezoning of 81 acres, 40% to 50% of the land is not productive farmland. See attached map, more like 10%.
5. This land is in an environmental corridor, as is about 60% of the land in the Town of Somerset. This land is no different than land that surrounds us. Land that is in an environmental corridor doesn't mean it should be zoned exclusive ag. When development occurs, this land would be a good choice for conservation design.
6. If the property is not to be farmed, it would be put up for sale. While it is being farmed, we want the flexibility to be able to sell off portions to maintain the farming operation.
7. Has proximity to existing developments. No high quality farmland. Terrain is more suitable for development than farming. Most of the land is not in direct proximity to rivers, lakes, wetlands or conservancy areas.

This land meets the Rural Planning Area of the St. Croix County Development Management Plan. The predominant land use will be agricultural and residential. Agricultural lands will be converted to residential uses. When development occurs, protection of environmental features through conservation design will be highly considered. This land contains a very small portion of class 1-5 agricultural soils, so there is no reason to remain in exclusive ag. zoning.
8. Cropland is farmed on all of these parcels. Pastureland and woods are pastured on Schachtner Family Partnership and Ed, David & Wilma land.

The only difference between this ag. to ag.-residential rezoning that has occurred in the Town of Somerset is the size of the parcels. The size of the parcel should have no effect on the rezoning request. Other land exists in the town that is more productive and is zoned ag.-residential. We are the last generation to farm this land. None of my children are interested in farming. High cost of inputs and the quality of land prohibits anyone from purchasing this land and farming it to make a profit. There are towns in St. Croix County where exclusive ag. does not exist, and the quality of land is much higher. It was Town Board decision to have an ag. district and so it should be a Town decision to rezone back to ag.-residential.

Rezoning is about land use. The best use of this land is not farming, not now nor in the future.