

## Town of Primrose Comprehensive Plan — Written Comments

**Emailed - 8/19/10**

Dear Gerry,

As I'm sure you know, our dear late friend and mentor Lyman Anderson, were he to be voting on this issue, would probably support the Town of Primrose on their comprehensive plan even if he disagreed with it. His principles regarding local control would outweigh his likely reservations about the wisdom of Primrose's course. That's my view too and I'm pretty sure you will take the same posture.

That doesn't mean I like all of what the Town Board is proposing...I do not...but I would vote for the plan, and in support of local control, nonetheless were I to be on the county board.

I do believe that my Town Board is trying, by their lights, to do the right thing. By that I mean that I believe that they are sincere. But I do feel that they are overstepping their mandate with the elimination of potentially 50% of the 'splits' of a high proportion of our Town's landowners. Their rationale, as I've heard it explained, is that these landowners, because of current Town policy, have no ability now to build on their lands, so this plan offers a compromise to them whereby they may have a limited right cross 'agricultural' lands if they give up two 'splits' to get one buildable site.

For the record, this provision, which I find objectionable, does not impact me at all since, were I to ever want to utilize one of my 'splits', I could do so without having to cross any land defined as being agricultural. That's just the way my farmland happens to be situated in relation to existing road access. But other Primrose landowners are very much affected.

I suppose one could argue that this new idea does offer some opportunity to the affected landowners, but it will also have unforeseen impacts on the valuation of these farmer's land and that will certainly have impacts on how their lenders view current loans and loans for future expansion of agricultural activities.

The result will be to put more adverse pressure on farming's future here in Primrose. We don't just need to preserve 'open lands' to have a sustainable agricultural future, we also have to have economically viable farming operations and farmers.

So, I do expect you to support the Town of Primrose's plan tonight and I would agree with your doing so.

Perhaps however, you could remind your county board colleagues that your vote has to do with preserving the importance of local control and that, in the future, should this Primrose Town Board come to a different view, or, if the Town residents decide to change the composition of their board...and then come back to the county board for some revisions in their plan...the same logic should be applied.

Sincerely,

Jonathan Barry

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## **Emailed - 8/15/10**

The Primrose comp plan was approved last Tuesday night (August 10, 2010) by the ZLR Committee and sent to the county board for adoption into the county plan. For a while last night, it appeared as though the committee might send the plan back to the town board to make some minor changes, but that did not happen. One thing that did change was the language used in the farmer's retirement home section. The committee did amend the document to make certain that the farmer's retirement home was not included in the 1 for 35 or 1 for 70 split calculation. To sum up Commissioner Jensen's description of Primrose's plan, he compared it to another bad plan that was sent to the committee a few years ago for approval which was termed as a straight-jacket plan which ultimately ties the hands of the land owners. In the end, it was approved and sent to the county board but not before the Chairman of the committee commented that since the Primrose Town Board approved the plan and sent it to the county for approval, the Primrose Town Board will now need to deal with all the shortcomings of the plan. He felt that there are many areas that will require amendments in the near future.

Tom Lemke

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## **May 4, 2010 — Questions for Brian Standing**

1. In the Resource Protection Area, can farmers expand their agricultural business in this area?

Yes, provided any new structures, fill or impervious surfaces comply with county and state erosion control, shoreland, wetland and floodplain ordinances. Note that the language in this section refers to "new nonfarm development is generally prohibited."

2. Chapter 8 - page 8 - Does the density policy need to be repeated in Resource Protection Area? Currently, it is defined in Agricultural Preservation Area.

These are two different land use planning areas with different rules for each. Nonfarm development is limited in the Agricultural Preservation Area according to density options A or B. Nonfarm development is generally prohibited in the Resource Protection Areas. Note, though, that land in a Resource Protection Area is still counted as part of the acreage of an original farm under Density Policy 1 f, which reads: f) Eligible lands: When calculating original farm acreage and eligible density units, all property under single ownership within the Agricultural Preservation Area shall be included. This includes land under water, within mapped wetlands, floodplains, or environmental corridors.

3. Are acres covered by public access easements (example: fishing easements on the west branch of the Sugar River) subtracted from property owners' total acreage when calculating density?

Yes. Note in the "eligible lands" policy above, it says "all property under single ownership." A landowner who sells a public access, conservation or other easement on their property still owns the land, they have merely modified the rights associated with that land.

4. Please comment on maps not being rigid documents. Rather, that they are to be used as guidelines.

Maps, by their very nature, are representations of actual things on the ground. No map, no matter how carefully constructed, or no matter the source of the data used, can ever show actual physical features on the earth with 100% accuracy at every scale. Just the process of trying to show a round earth on a flat paper map will inevitably introduce some level of error. Maps, can however, be very useful tools to identify patterns, general areas meeting certain characteristics or provide information about the location of features such as wetlands, floodplains, slopes or soil conditions. The comprehensive planning statutes require that comprehensive plans contain maps showing a variety of information, such as soil types, natural resources, roadways and economic characteristics. All of these maps are provided for information purposes only. The only map in the comprehensive plan that has specific policies attached to it is the Planned Land Use Map (Map 8-3), which shows the areas where different policies in the comprehensive plan apply.

Even with the Planned Land Use map, though, this is really a guide, not an absolute indicator. In the case of parcel lines shown in the Agricultural Preservation Areas, actual ownership boundaries are determined by the legal descriptions on file with the county Register of Deeds. In the case of Resource Protection Areas, actual wetland boundaries are determined by soil, water and vegetation conditions on the site that define what is and what is not a wetland. Actual floodplains are determined by vertical height above predicted floodplain elevation. Maps of such features are never a substitute for information obtained from a detailed onsite analysis of conditions in the field, which will always be more accurate. However, wetland, floodplain and soil maps are certainly accurate enough to send up an appropriate "yellow flag." The earlier potential landowners or builders can know about such potential features, the easier (and less expensive) it will be for them to avoid potential problems. If landowners know about potential environmental concerns before purchasing, surveying or building on land, they have the option of changing the lot lines, adjusting the price they pay, or relocating proposed development. Or, if they choose, they can decide to invest in field surveys, wetland delineations or floodplain determination to show that the maps are in error. If such maps are not available, they may not find out about such potential issues (and the county, state and federal requirements that go along with them) until they are part way through the purchase or development process.

5. In Chapter 5 - page 8 : What is the difference between productive farm land, and productive farm activity?

I cannot find either of these terms anywhere in the February 24, 2010 Public Hearing draft of Chapter 5. Both terms are used in Chapter 8 (Land Use), however. I think in both cases, that these terms were carried forward from the currently adopted Town of Primrose Land Use Plan. I would generally interpret "productive farmland" to mean land with soils capable of producing relatively high yields of crops typically grown in the town. Elsewhere in the plan "productive farm soils" is defined as Group I and Group II soils under the Dane County Land Evaluation & Site Assessment (LESA) system.

"Productive farm activity" is used in the context of "a history of productive farm activity." I would interpret this to mean that the area has been used for agriculture in the past.

Mary Kay Palmer  
Lynn Pitman  
Patty Peltekos  
Lee Crimmins  
Verdean Sherven and Mary Sherven  
Larry and Nancy Schlimgen  
Mike & Marilyn Duerst  
Virgil Haag  
Dawn Haag  
Florence Connors

Verdean Sherven and Mary Sherven  
Roger & Dona Stoll  
Bill Haack  
Cindy Haack  
Tom Lemke  
Ottman Family  
Tom and Susan Lemke  
Steve O'Connor  
Cindy Haack - questions  
Verdean and Mary Sherven - questions

## **April 12, 2010 — Comprehensive Plan Town Hearing**

Town of Primrose

I would like to make a few comments regarding the proposed Land Use Plan for discussion today. I approve the land use plan as state with a few comments/additions listed below.

Land density - to be discussed on a case by case with land owner.

Driveway - not to cross Ag land, continue to use "field road" if it fits restrictions

**Not in favor** of land owner to sell off their densities to others

Example — I have 3 densities but the densities I have do not have driveway access to a building site - I can sell a density to someone that has driveway access but not densities left.

Please consider my comments.

Mary Kay Palmer  
9260 Britt Valley Rd

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I commend the Steering Committee for the difficult work that you've done. From the comment there may be details around driveway length, for instance, that could be tweaked. I think that trying to create a positive version for the future around this planning process - one that encompasses both sides of the fence - is the next challenge. I think this township can be a model - if...

Lynn Pitman  
1410 Hwy 92  
landowner

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To: Josh Dein and the members of the Comprehensive Plan Steering Committee:

Thank you for the time and energy you have put into creating a Comprehensive Plan for the town. I support the draft plan and hope it will be approved by the Town Board.

Sincerely,

Patty Peltekos

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Lee Crimmins: 300' driveway to cross Ag land too short. Should be 1000', instead. Doubling density to 70 is "BLACKMAIL.

Land under row should be included as part of total acreage for calculating density.

Keep farmers at least away from creeks and streams.

No one is going to stay in farming.

Bill of Rights is shorter than Comprehensive Plan.

Notes taken by Brian Standing

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Verdean Sherven and Mary Sherven

I am opposed to this plan and it needs to be sent back for more rediscussions; text clarified and maps clarified and fuzzy mapping eliminated. If requiring a landowner to give up a split (1-70) option then the driveway length should definitely be longer than 300 ft to reach the acceptable building site. Also since 1981 when we were promised a split for every 35 acres some land has been sold by farmers and some splits have been transferred with the sale. What happens in this matters? Plan needs a glossary to define certain terms and help future implementation.

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Larry and I support the plan as a farming tool to keep farmland as farmland. We are totally against development of prime farmland for house lots for personal gain. We do support that a "farmer" should be entitled to build a retirement home anywhere they want on their land. He has worked that property all of his life making living off it and should be entitled to build where he wants.

Dane County has restrictions in regards to the acreage required to build on. I agree that a minimum of 35 acres should be required to build a home on, if you are not part of a family who farms. I just do not want our Township to ended up like Springdale with homes all over. People move out here from other areas to build a home, but now that they have their home, they think they should govern how the rest of live. We have both lived in Townships our whole live and prefer to keep our township rural.

Sure built our house on 2.5 ares of rock hill farm land. Larry was farming at the time. That is the ONLY reason we built a home on farmland. WE were making our living off the land. We still have cattle and we are still involved in farming in different aspects, but we are still making a certain percentage of our income from the farm. Also we do beat the requirement of having 35 acres, we have more acre than required.

WE support the "Plan" as written.

Thank you.  
Larry and Nancy Schlimgen

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We have seen many home expansion changes over the years to our Primrose agricultural community. Traveling around our rural block, there have been 16 additions to 4 farms and there could be potential for more. We are thankful for the limitation the Primrose Planning Committee has enforced to maintain our agricultural quality of life. We don't want our area to be built up like surrounding counties. The majority of the Primrose Township owners have spoken over and over again to voice their views starting they agree to the documents we currently have in place for building restrictions. Majority rules!

Although we prefer to keep the tight restrictions for country building on agricultural land we are willing to compromise with the newest document of driveways across 300' of agricultural land. But, will this satisfy the individuals that want to jeopardize our agricultural township? I rather doubt that they will be satisfied. In fact, I fear they will think of this as a stepping stone to changing our country living to a suburb.

The 'Transfer of Development Rights' program sounds like a WIN-WIN program for Primrose to stay on agricultural community and a property owner to make a sale. Individuals wanting to make land sales, do have options.

We thank you for your continuous hard work for the betterment of the Primrose Township.

Sincerely,  
Mike & Marilyn Duerst

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Public Comments- Virgil Haag April 12, 2010

I would like changes or clarifications on the following:

Throughout chapter 8 you talk about productive farmland, productive farming activities where and what are the definitions for these? On page 10 you then switch to talk about historically cropped ground? Again what is the difference? Are you going to continue to rely on hear say as to whether a piece of ground was cropped over 30 years ago?

Chapter 8 page 8- I want to see a landowner given the option for each request. Not having to choose a density option for the property one way or the other.

Page 10- When figuring densities it appears that all lands entered into an easement where the landowner received money for the easement is subtracted from the total acreage as well as the road right of ways, correct?

Page 14- How is the 500 feet going to be measured. I feel this should be thrown out.

Page 14- How are you going to determine who gets the split when several owners own contiguous woods? Why is this lot size raised to 10 acres?

I believe the maps could be very damaging to all landowners as they are subject to change without the township's approval by the county since most of these are county generated.

This plan reduces the value of a farmer's land by limiting the uses. You are then hurting his ability to continue farming in tough times by reducing his borrowing power. If the farm is worth less than that in townships in the area then you will put farmers at an economic disadvantage.

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Dawn Haag, Landowner

I ask that the clerk put a copy of my comments as part of the official record for this meeting.

I want to thank the committee for their time in this project. From the beginning comprehensive planning in Primrose has been an interesting process. The town board passed a public participation plan then knowingly chooses to violate it by:

- Meetings were held without proper notification per the participation plan. The township was warned by Brian Standing that corporate council for Dane Co. had concerns over the handling of information and to make sure it was done properly.
- No community house forms were ever made available as required by the plan.
- Town square website was a total joke as it was controlled by the comprehensive chairman, people were not allowed to make comments anonymously as stated, very limited participation (less than 40 people registered) and for a length of time the website was not available.
- Hidden emails going back and forth without proper public discussion happened on a regular basis via another email channel duped the "golden website".

On to the plan itself:

One significant change Brian didn't mention was the switch from non-contiguous to contiguous density allocation. This could mean loss of splits for certain landowners.

Chapter 5 page 8 - goals 1 and 2. Where is the definition of productive farmlands? How does the township intend to keep farming economically viable through the 21st century? The policies listed below that are very income limiting and can have adverse impacts on property as well as the farmer. Policy #5 is too restrictive it should include any activity needed for a farm to operate on a daily basis.

Chapter 5 page 11

Policy 6 is doesn't mention protecting the agricultural value of the township at all. It only refers to protect the rural character of the town and avoid environmental impacts. This is the main issue in the township—just be truthful with the landowners. Agriculture is the scapegoat being used to stop building when open space is what is really wanted by the newer residents to the town. Primrose is not truly committed to agriculture as several times

during the meetings committee members have expressed their concern over large farms and wanting to keep certain types of Ag. out of the township. This is further verified by Table 8-2 on page 4 of chapter 8 showing a continued reduction in agricultural acreage and an increase in open space.

## ALL MAPS

The maps are a major consideration- they should not be viewed as accurate. 5-3 was a parks and open space map that was developed by a county committee not locally. Haven't you all been stating you want local control? If this map is included, is the committee going to let building happen in this area? An example would be: Can a house could be built in what on this map appears to be labeled as open space. As of 4-8-10 another 5-3 map was sent out by Brian S. This is worse than the first one! It was never publically discussed except via email. Map 5-3 should be thrown out- whether is the version in the map packet or the one revised last week. They are inaccurate with the county even stating that. A map shouldn't be part of this plan if it is known to be wrong before being adopted. This was talked about at your meetings and you agreed they were wrong. Down the road you will pull them back out and say look here.....trust is an issue in this township.

Reducing the borrowing power of farmers through limiting the uses for their property will not achieve the economic strength for agriculture in Primrose as is stated in Chapter 6 page 2.

Chapter 7 along with map 7-1 shows the county's comprehensive plan for Primrose. It shows that Primrose is labeled as a transitional area for county growth. As an appointed member of the county workgroup for natural, cultural and agricultural resources I do know this is an accurate representation. It was determined that poorest agricultural ground in Dane County is in the southwest region and it would be suitable for housing growth.

## Chapter 8

Does the retirement home option exist for those landowners within the environmental corridor? Currently it is only mentioned under the agricultural preservation area.

I would like to see only 1 build used no matter where the non-farm residence is put. If not that, then as least I want to see landowners given the opportunity to use either density option A or B on a case by case basis.

Page 10- I do not agree with the length of driveway being 300 feet to cross historically copped lands. It should be longer than that.

Page 13- Site plan review. The township should make sure the planning commission members understand the ordinances if they are now going to be the ones advising people on driveways and other siting criteria. Too often they have had their own personal interpretations and continue to express them even when corrected by Brian and the county zoning. Make sure all the paperwork is in order prior to the process starting. Too many times depending on the party involved they have deviated from the ordinances and then it has created problems later.

While there are other issues that should be addressed, the main point is whatever is approved needs to be consistently applied to all land owners. If the trend to violate ordinances for a chosen few continues then the plan isn't worth the paper it is written on.



This could have been a time when all residents of the township could have gained appreciation and knowledge for others if the process had been handled differently, however, given the arrogance, controlling and rude behavior exhibited by committee members this plan will widen the gap between the township residents and continue the deterioration of Primrose's financial position.

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35th years ago today I wish someone could have told me I would be standing here trying to explain that my property rights are being taken away from my husband's 5th generation farm, century farm and our retirement is not going to happen because we are not being allowed to sell any of our splits or densities because of changing the original rules of the Farm Land Preservation of 1981 that guaranteed a split or density per 35 acres. This new plan allows nothing. We keep our farm as a unit and did not sell to developers but now we are being told well you didn't sell when you should have and so now we are going to control you and say no, yet I still have to pay the taxes that they even have a control on.

I would like to see a show of hands from the Comprehensive Plan steering committee which consist only Town Board and Planning commission members just how many of you have read all the Dane County ordinances which are referred to # \_\_\_\_\_ in this plan so you understand all the unwritten or hidden items in the plan?

**Chapter 8 Page 1:** the town maintains a very low-density population with less than 1% of the town's land occupied by residential use.

**Chapter 8 page 4** Approximately 4% of the town is developed so there are very limited opportunities for redevelopment.

**Chapter 8 Page 5 Land Use Goals Objectives and Policies:** The following land use goals, objectives and policies reflect these desires and are designed to ensure the long term quality of life in the Town by preserving farmland, protecting environmental resources, and respecting the property rights and responsibilities of landowners. It says preserving farmland and what it should say is preserve the farmer. The words Protect Farmland is abused so much because really the words should read protect our view and green space not farmland. Respecting the property rights these words need to be practiced in Primrose equally to all not just a few. Homeowners if you like you view then pay the farmer for it and own it and pay the taxes on it and maybe both can be happy. Please do not expect the farmer to furnish you the view yet you feel you can tell me just what you want to see in that view. Martha Gibson has at many meeting stated that the homeowners who built their house here were guaranteed that there would be no house built around them. Please explain if you are protecting Farmland what happened to the guarantee that farmers had 1981 that they could get 1 split per 35 acres of land so our rules got changed so homeowners your rules can changes also, if they do not then the township is not practicing equal property right for all landowners as the plan states.

**Chapter 8 Page 6 #3:** Redirect high-density residential land uses,..... to a designated Urban Service Area. Where is this area and what was discussed on this, but then all it takes is for a committee member to call Brian Standing and tell him to put an item in the plan and there was no discussion by the committee or public and it is our plan. I would like to know how that is right?

**Chapter 8 Page 7 Bc:** Limit nonfarm development consistent with town density policies. The large land owners are being told we are giving you an option to get a split but we will have to use 70 acres instead of the original 35 acres, plus have a deed restriction or Conservation Easement and this option will be followed all future owners of your farm forever. No program of Conservation Easement rules are furnished so would we be signing a blank form with rules to come later or one set of rules for one person and another set of rules for someone else? The commitment of the life long farmers of this township means nothing when it comes to this plan, this committee group is so afraid that these farmers who know their farms and just where a place for a house would work the best and keep the farm still a very useful farm, but this group is in such fear that Primrose could have 400 houses and they are putting the future generations of land owners into deed restrictions that only the Town Board, the County Board and Dane County Executive can lift. You and I know that will never happen so are we not forcing future generations to live by some crazy idea that our generation has come up?

The conservation Easement who is going to have there hands in the say or ownership of my property, but we still pay all the taxes on. The plan has no rules set up for the Conservation Easement so you will be signing up for what. The rules need to state up front and all knows just what the rules are. Again the rules will change down the road as they have done in the past. If you want to commit your land to this you have the choice but don't force me or future owners of my land into this. Common sense future buyers of our property will go elsewhere to buy land because ours has an unclear title or ownership. Bankers will not give loans to buyers money for property with a gray title. Can some one explain to me why I am being forces to not get my investment out of my property, home owners who work out of the township and has a 401K-retirement plan, my farm is my investment my business and we work here in the Township you just slept and play here.

**Density Option A or B Chapter 8 page 8, 9 & 10:** It is one or the other and not I split from A and then one split from plan B and is only 1 plan of A Or B per farm and that carries with the farm for all owners to come. On TDR and PDR part of plan, this was put in the plan that if this program was ever to get set up & started (no rules are in place to use this plan as of yet plan) this would give people who could not use any of their splits an option that we could at least get some value out of our splits? Who would set the selling price would a landowner even come close to the value of that density? Would the tax base on this split leave the Township with the split? The retirement generations now in the township will they every get to use this plan? Would Primrose be required to not only to send densities out of the township but would they also be required to receive densities? In other word give all away and not receive any that would not in balance would it? Then the big question we have been asking what happens to the Primrose Tax base, as we know our Town chairman keeps says the Taxpayers have been paying the bills so that will continue for the future but on what Tax base? Driveway 300 feet is the longest the plan will allow and then you have to hide the house with screening or a bream. Will we have to have rules that you have to mow your bream and keep it up so it doesn't become an eye sore?

**Development siting standards & criteria: Chapter 8 page 13 # 2 1a;** On RH zoned parcels dwellings and out building shall be limited to a clearly defined building envelope of no more than 1 acre in size. Remaining acreage shall be left in agricultural production, grassland, pasture, woodlots, or other open space use.

**1c:** Residential buildings, driveways, public or private roads and out buildings shall be located on pastures, woodlots, or on the edge of woodlots. All you people who want woodlands protected what is this saying?

**1 e:** New buildings, driveways, and public or private roads must comply with resource Protection corridor policies which is nothing is allowed. **2 b, c & d:** New driveways, houses or outbuildings will be located a minimum of 500 feet away from adjacent far buildings and residence is the size allows it,....or is a new residence that is a part of a "cluster development" When does Primrose allow cluster development? Is this 500 feet figured by the road distance or as the crow flies. Buildings are to be hidden from town roads whenever possible, with only a 300-foot driveway will that be possible? So is the 300 feet from the center of the road you pay taxes from or from the right away that the county figures your densities on. No rooflines can extend above the hilltop or ridgelines so is that not taking away some person view scape? New buildings are going to be screened by vegetation or berms. In talking to some one about the hiding of the houses just how unsafe could this be. We have had break-ins where the Stamn's house was robbed during his mother funeral & a house in Montrose during a family anniversary. If we require hiding these houses are we not helping the criminals move into the township? Has any one thought of this being a problem?

These are just the tip of the problems with this plan so committee be very careful on what you approve because your life also can be affected and you do not even know it.

Florence Connors

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We Do Not support this comprehensive plan. The process has been manipulated from the beginning.

All landowners in 1981 were promised one split for each 35 acres plus a rounding up. In 1994 the roundup was taken away and the driveway ordinance was changed to allow no driving across ag land. Now this new plan will take even more. I think the farmer/landowner has already compromised enough!! Before 1981 we could have put one house on every 2 acres.

I object to the inclusion of all these maps that go way too far in restricting peoples property. If you assume the maps only affect farmers properties and lands, then think again. because you better make sure. If your land or home is in one of the resource protection categories you may not be able to remodel, add a deck or an extra room , a utility shed or replace or repair a house or barn or shed that was destroyed by fire or tornado. just because of these maps. It says in the plan they "may enhance" What does this mean? Could it mean that in the future the rules on these resource protection areas may change to be more restrictive to protect a plant, bug, or minnow that the government views as more important than you and has more rights to your property than you do. Think about it a new map has already appeared Just ask the farmers in California that had their water shut off because of a minnow in a water resource area. To protect the minnow the water was shut off to one of the most productive valleys in California and the farmers are not able to grow anything there any longer without irrigation waters. Just an example of what could happen. These types of things have been happening all over the country.

The whole plan, text and maps, is going to be adopted by ordinance so it will be like law. The maps also are incorrect, depicting water and other resources where they may not be, but the landowner will be required to bear the cost and time involved to prove that the maps are wrong once the maps are adopted and certified as correct by this plans adoption of these maps. Because the whole, plan text and maps, are adopted by ordinance the county will use it in reviewing requests by landowners.

The one per 70 change in midstream is unfair and unconstitutional as there are people who have already used their one per 35 splits. Is this fair to those who have not used any splits?

Since 1981 what if someone sold 35 acres with a transferred split but the new owner was saving the land for building a retirement home and now was ready to build but have to cross ag land, therefore need to use the 1-70 option. Since they have only 35 acres they can not build. Will this kind of a situation trigger more lawsuits?? Do not include this 1-70 scheme as it will only bring many more problems. However, if the 1 per 70 scheme is still included, requiring people to give up a split, then the driveways should be at least 1000 ft. to help anyone. Also, a landowner who needs to use Option B should be able to go from Option B back to Option A, not only Option B forever.

The more I read this plan, the more problems I see. PLEASE send this plan back and get the maps right and let the landowners keep their splits they were guaranteed in 1981.

To whomever formulated this plan and whomever backs this plan, Remember you are stealing our property rights today, but you will be Thieves forever into eternity!!

Verdean Sherven and Mary Sherven

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To the Comprehensive Plan Steering Committee:  
and the people of Primrose Township.

We are writing to state our dissatisfaction with the contents of the final draft of the comprehensive plan. The steering committee was comprised of only the members of the Town Board and Planning Commission. We are the only Township in Dane County where this has taken place. Residents in our town were asked to volunteer. We had over twenty plus volunteers and not one person was taken from that list. Therefore, we feel that this was a very bias committee. They brought into this plan the interests of the majority with total disregard for the rights of the minority.

A look into Chapter 5 and 8 will tell you much more about why we feel that our Comp. Committee is not as concerned about saving agriculture as saving the agricultural look. A prime example of this is that they chose not to help one young active dairy farmer use a field rd (not a cropped area) for a driveway so he could update his operation.

There are many, many government regulations set fourth in this plan that may affect you more than you know.

PLease think carefully, may-be you will be told you can't have a yellow or blue house on a hill or some other seemingly sill regulation.

Thank you  
Roger & Dona Stoll

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Peace in the world works best where minorities have equal rights.

We moved to Primrose in 1982, where land owners had 1 split per 35 acres owned, with development on soils that are less productive, while protecting large agricultural Blocks. When my neighbors built their houses I didn't try to stop them by claiming it would disrupt my view, I respected their Constitutional and legal rights as long as that development was placed on less productive land, and complied with our 1981 Farmland Preservation plan, ordinances, etc.

We came from the town of Cross Plains, lived on Garfoot Road for most of my life. The land owners of Cross Plains still have the right to use their 1 split per 35 acres, and are required to put new residents on less productive land. The majority in Cross Plains recognize the Constitutional and legal rights of all its large acreage land owners. Both Townships had almost the exact language in their Plans, only our Township seemed to have agreed to no subdivisions. Any language that limits a landowners use of their property by placing further restrictions beyond the 1981 plan is a taking. Another word would be stealing.

The Farmers of Primrose have preserved and protected this town by implementing strip cropping, buffer stripes, barnyard diversions, etc., but yet your violating their rights by changing the rules as you go along and take land value without Just Compensation. The Town board has taken an oath to uphold the Constitution and the Bill of rights yet you give these rights to some, while discriminating against others.

#### MAPPING

Called "Fuzzy Mapping" to be "Enhanced at a later date", by whom?

#### Dedicated Open Space

Again, to whom is this property being dedicated to and Why? What new restrictions will be placed on it and why? These questions need to be addressed. These maps are simply being used to further restrict property rights. It is called "Inverse Eminent Domain." It is the taking of property without Just Compensation.

The same questions should be asked about all the other maps.

Don't let history repeat itself. Look at our own States History. Ask the Ho Chunk Nation, the Sauk and Fox, and the Eastern Sioux Nation, how the Government broke agreement after agreement, every 10, 20, 30 years adding more restrictions, taking more land until some tribes didn't even have a Reservation. Stealing will always be stealing. Ask the Tribes who still live here before us, many of who still live below the poverty level. "Inverse Eminent Domain", again, which this Plan endorses, does exactly that. I personally know how a fair and just way works. In 1990 Dane County Parks approached us to see if we were interested in selling some of my adjoining property in Springdale Township, to Donald Park. We did so knowing it would increase the value of my adjoining property in Primrose. I sold it for Farmland price, but I even though I could have put a subdivision there. Now, a few property owners in Primrose want to steal that value by placing restrictions on my Primrose Property, in violation of our 1981 Farmland Preservation agreement. By endorsing the New Comp Plan, you are not only stealing, by taking land value, but increasing the poverty level for some of its residents. Is it important to Honor Constitutional Rights? It depends on ones Values.

The new Plan doesn't help Farmers or farming in Primrose because it takes value from property and steals one of their best assets... their land Value. I am asking the people of Primrose to send this plan back to the Committee and tell them to honor our 1981 plan, our

Master Plan, and involve the Public like they promised instead of censoring them. This plan will only divide this township and subject us to many more lawsuits. The further I study this plan the more I realize this is government from the Top down and not Government from the Bottom up! I refused to sign the Resolution, to send it forward for this meeting. I am asking you to say no to this Plan! Thank You,

Bill Haack  
Planning Commission Chair, Town of Primrose

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Hi, my name is Cindi Haack, I am Bill Haacks wife, I cant be here tonight because I am handicapped and pretty much house bound, but I would like to have my statement heard.

I have been doing legal research on the New Comp Plan for about 4 years now. What prompted me to start, was a Map that Bill saw at a Steering Committee meeting. There was a strip of our property in what is called "Dedicated Open Space", on a map that Brian Standing had. When Bill asked Brian about it, Brian said "Its Dedicated Open Space and you can't build there." So I wanted to know how our land got into Dedicated Open Space, when it got there, and why it was there.

When I first started I thought that there could be no way that the Government could take our property and render it useless. Some of the marked property had been set aside to build our retirement home on and a small amount of property to sell. We were counting on that money for our retirement and to live on, as both of us have health problems and we are going to need a way to survive since we have no savings, no IRA, and no 401k. We have dumped every penny we ever made back into our farm.

What the county and Township is doing to the Farmers is called an "Unconstitutional taking of property without just compensation." That means that they are placing regulation on top of regulation on our property until it finally loses its value. People will not want to purchase this property because of its limitations. At the same time, the value of property in small acreage is going to sky rocket because the regulations will guarantee that they will never see their neighbor or will never be built in. Somehow, these people seem to think that they are entitled to a View Scape that they never paid for. What they need to do if they don't want to see their neighbors is Buy it!! What the New Comp Plan will do to our township is split it in 2. Some people will make an enormous profit on their property and the rest of us, will either lose their farm or continue on in a state of poverty. Remember, there is no Farmland Preservation without the Farmers. If this plan gets pushed through I am going to seriously consider selling the whole farm and moving before the property loses any more of its value. If I would have known that we were going to lose our property rights, I would have never moved here!!

In an attempt to understand exactly what is going on, I found the following Statement that I feel sums up fairly well what is happening. This was Written by Janet I. Fischer and S.A. Martin from the organization Land Rights. She has decades of experience in this field and has compiled documents that have to do with Unconstitutional Takings. She quotes the following:

*QUOTE "This compilation came about in response to demands for information due to increasing public awareness that United States' citizens are being robbed of their rights and property by white-collar criminals, who use the courts to steal. These very sophisticated con games rely upon public ignorance about "due process" to get away with trespassing, stealing, and using corrupt court employees to issue "judgments" to give these fake things*

*the appearance of "legally valid," when they are as criminal and phony as a \$3 bill. The cure to this problem, is to know what you own, and know the "bundle of rights" that comes along with owning anything from a chicken or a telephone, to a mansion or a Lear jet. "If you don't know your rights, you don't have any" is as true today as it was during the American Revolution. By knowing your rights, knowing what you own, and by knowing our beautiful laws, nobody can bluff or con you out of your rights or property. We are a capitalistic society – all our laws are designed to protect our enterprises, and give us total freedom to spend all the money we want on as much stuff or property as we want. "Personal use" means that you acquire pottery, cars, poodles, golf balls, cookbooks, chickens, etc. for your pleasure, because that's what gives YOU that "zip" or "inspiration" in life. A free society protects this uniqueness, and no man can infringe on your lifestyle, property, or self expression unless he first PAYS you for it. Rights have value, and all property has value. Only socialist dictatorships restrict lifestyle and property ownership." Unquote*

We, the People, are Constitutionalsists and require all public servants, to abide by their oaths in the performance of their official duties. This protects the American Citizens from government and abuse. The limited powers delegated to government by the Constitution can never supersede the powers of and Rights guaranteed in the Constitution to The American People. "Authority" is an extremely important word and concept. Government and the courts without Constitutional authority can conduct nothing lawful, and government has no authority to disparage your Rights. Keep "authority" in mind as you review the following statements and questions.

"The Fifth Amendment forbids the taking of private property for public use without just compensation. We have recognized that this constitutional guarantee is ` "designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole." (Quoting case law *Penn Central*)." This is also called discrimination.

This entire process of coming up with this Comp Plan has been flawed since its inception. The people have been censored, even some of the Committee members were censored. The Steering Committee, The Town board and even County Officials are trying to blow the people of Primrose off by not letting them speak and even the minutes of the meetings don't reflect what really happened. A hand full of people from these Committees single handedly wrote the Comp Plan they are asking you to pass. At best, some of the Board and Committee members have treated people rudely and not one single item that was suggested for the Comp Plan was placed in the New Plan. They wrote what they wanted and threw out the rest. The same people tried to minimize our suggestions by stating that we got our ideas from certain organizations, giving it no credence, where in reality we have researched this Comp Plan in hundreds of places. For instance, the following information is from the FBI, The Federal Bureau of Investigation:

"It is a crime for one or more persons acting under the color of law, to willfully deprive, or conspire to deprive, another person of any right protected by the Constitution of The United States." It goes onto say that "Color of Law" simply means that the person doing the act is using power, given to him or her by a government agency. Criminal acts under the color of law includes: acts not only done by local, state or federal officials within the bounds or limits of their lawful authority; but also, acts done beyond the bounds of their lawful authority. The FBI goes onto say,

Most of the FBI's color of Law Investigations fall in to 5 categories, 2 of which are:

Deprivation of property; and

The failure of public officials to keep us from harm

In the case of deprivation of property, the official would violate the color of law statute by unlawfully overstepping his bounds, or misapplied his authority. An example of a person over stepping his bounds are local officials who are trying to scare the public by telling them that 400 houses are going up in Primrose Township. That is not only a fabrication, but it is an outright lie. If you believe that 400 houses are going up in Primrose, I have a bridge to sell you!

"As stated in the Supreme court case Lucas: The fact that regulations that leave the owner of land without economically beneficial or productive options for its use... carry with them a heightened risk that private property is being pressed into some form of public service"

...And that is exactly what is going on here. These people are not doing this because they are worried about Farmland Preservation, or water quality or anything else. Some of the individuals with small acreage, have their own agenda because they stand to make an enormous profit on their property if this Plan goes through. Others, like the County, want control of our land, but don't want to pay for it because its too expensive, so they will just wait until the value of our property hits rock bottom and then they will offer to buy it. Like Brian Standing said "It will be worth about half." Again, its called stealing!! If the Town was making every single owner of land give up half of their property, how far do you think they would get with their Comp Plan? These people have no business passing this Plan. They are not looking out for our best interest, and most of them don't even understand the consequences of enacting this Plan.

"... Supreme Court Justice Holmes recognized in the court case Mahon, If, the uses of private property were subject to unbridled, uncompensated qualification under the police power of the government, ` the natural tendency of human nature [would be] to extend the qualification more and more until at last private property disappeared.' These considerations gave birth in that case to the oft-cited maxim that, ` while property may be regulated to a certain extent, if regulation goes too far it will be recognized as a taking."

Look at the wording in the plan. You will notice that it uses the word "Enhanced" repeatedly. What do you supposed the Plan means by saying that the maps will be enhanced? They also want to change the wording on "Dedicated Open Space" to "Resource Protection Corridor", which is like jumping from the frying pan into the fire. Legally, the word Protection means mandatory Protection of, so none of these people are being straight up with us.

The good news is that at this time, there are more and more cases like ours that are making their way to the Supreme Court, and the pendulum is starting to swing our way more and more, every day. The bad news is that there will always be someone who will try to get something for nothing off the backs of others. It's called Stealing! This Country was built on the backs of the Farmer. Don't let the Town take your Property Owner rights away without Just Compensation! Talk to the Town Board, and the Committee members and tell them what you think! My husband and I are available to talk to you, so if you need more detailed information, we will do our best to help you.

In conclusion, this plan needs to go back to the Committee and Town Board to start over. Some of the Committee/Board members need to be replaced, if they cannot uphold our Constitutional rights. We need to be represented by Board members that have the Primrose peoples' best interest at heart.

Thank You For Your Time,  
Cindi Haack



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Josh/Dave:

I am writing this letter to voice my concerns with the adoption of the land use plan referencing the current versions of maps that are marked as DRAFT. These maps are not correct. Prior to acceptance by Primrose Township, the maps need to be completed by the responsible government entities and then resubmitted to the township for approval. The maps should then be reviewed by township landowners, because once they are accepted and approved by the township, it will be difficult to challenge and change them.

When we built our house in 2006, some employee at the county stopped my project because he claimed that my house was within 300 feet of a stream or body of water and that we needed a more detailed erosion plan put in place. My builder met with this county employee to find out what the issue was. This county employee pointed to a map and said that according to the map, the placement of the house was within 300' of a waterway. My builder had taken a tape measure and had attempted to measure the distance from the footings of my house to the supposed body of water and found that it was well over 500' to the low spot they were calling a waterway. When the county employee indicated on the map what he was talking about, my builder asked him what scale he was using to take his measurements on the map. It was discovered that the county employee was using the wrong scale to read the map and determine distances. Once these maps are accepted by the township, you will have a very hard time convincing some of these agencies that their maps are wrong and need updating.

My biggest concern is the fact that the majority of the maps submitted by the county are clearly marked as DRAFT. The plan indicates acceptance of the maps "as is" which is wrong. I work with construction plans and submittals for my currant employer and if we get anything marked as draft, it is used for review and comment only. If we were to accept/approve the draft documents as a final submittal and something was missed or in error, my company would be hung out to dry to pay for the extra charges. I see the same thing happening here only it will be at the land owners expense to fight Dane County, the DNR, and the State of WI. If the township or the land owners were to attempt to challenge the validity of the maps after acceptance, our chance of winning without great expense to the township and landowner would be slim. It is my recommendation that the paragraph Brian added to the plan that he pointed out on Monday should be stricken from the plan along with any other reference to the maps. The stricken text in the plan should be replaced with an indication that any maps marked as Draft will not be used for determining building sites. Dane County, the DNR, and the State of Wisconsin will have XX (number of days) from date of application for rezoning to perform a field survey to provide adequate proof of noncompliance and disallow rezoning. This will put the burden of proof back on the entities that are asking Primrose Township to accept an incomplete set of maps.

Please reply to this email in writing.

Thank you for your consideration to my concerns.

Tom Lemk

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Hi, Tom

I wanted to explain a bit about how the maps in the comprehensive plan are intended to be used. Section 66.1001, Wisconsin Statutes states that all comprehensive plans must consist of "a compilation of objectives, policies, goals, maps and programs" for each of the nine elements of a comprehensive plan. Most of the maps in the comprehensive plan are data inventory maps required under state comprehensive planning law, that are provided for information purposes only. The only map that has any policies affecting private landowners connected to it is Map 8-3, Planned Land Use, which divides the town into the Agricultural Preservation, Resource Protection and Public Lands districts. The rest are background information.

As with all maps, their accuracy depends on the scale at which you are looking them. No printed map can be accurate at every scale. Even with Geographic Information Systems and computerized mapping, which allow you to look at geographic data at a variety of scales, some data is not intended to be used at a site-specific scale. All maps depend, to some degree, on a sampling of data. For example, the Dane County Soil Survey is based on sample points taken along a transect.

Other state and federal laws REQUIRE Dane County to use official Wisconsin Wetland Inventory maps, published by the Department of Natural Resources, or Flood Insurance Rate Maps published by the Federal Emergency Management Agency, as base sources for wetland or floodplain information. The same regulations also describe the process by which landowners and others can challenge the accuracy of mapping data, based on site-specific soils, vegetation or elevation data. Neither Dane County nor the Town of Primrose have any authority to change this process, since these are based in state and federal regulations. It is better to acknowledge this process in the comprehensive plan than to pretend that it doesn't exist.

I'm sorry you found your experience with a shoreland zoning permit frustrating. We are all of us human, and all make mistakes. I would suggest, however, that in your case, the process worked exactly the way it should. Despite your claim that "you will have a very hard time convincing some of these agencies," in your case it only took a conversation between your builder and the county employee to correct the error and have your permit issued. In other cases, more work and data may be required to satisfy state and federal regulatory requirements. As I pointed out before, however, neither the Town nor Dane County has the power to amend these standards.

Finally, the reason the maps are labelled DRAFT is simply because, like the rest of the version of the plan recommended by the Steering Committee, they have not yet been adopted by the Town Board. Once the Town Board takes action on the plan, all of the text and maps will be labelled FINAL.

I hope this information is helpful. Please feel free to contact me again if I can be of any further assistance.

Brian Standing  
Senior Planner  
Dane County Planning & Development  
Room 116, City County Building  
Madison, WI 53703  
(608) 267-4115

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Brian:

Thanks for the explanation on the maps. This was a question/comment that has been floating around for quite some time and it was good to get an answer. My wife had several people mention to her last night after the meeting that they did not know that the maps were marked DRAFT until after the town board approved them and that they will only be used as a reference and not used for a binding decision with the exception of map 8-3 Planned Land Use.

I also understand that policy is what it is and that it will not be changed easily. I will admit it is very frustrating when you are on a tight time line to bring a project to completion only to have someone miss interpret a document and force you to incur added time and expense to prove them wrong. Sometimes I think our civil servants forget the fact that they are called civil servants because they are hired to work with the people that pay taxed and ultimately their salaries. I understand they are human and are allowed to make mistakes but they should be more receptive to the fact that perhaps they should take a second or third look at the document of reference before issuing a mistaken judgment.

Perhaps there is one additional bit of information that you can clear up for me. I have heard comments that state law requires the county and townships to have land use plans in place but yet I know of a county in North Central Wisconsin that does not have a land use plan in place and doesn't intend to write one. Some of the townships in their county are writing land use plans but not all are writing them. Since I have ties to this area of Wisconsin, I will not divulge the county name but I have a newspaper article from this area that talks about this very subject.

Thanks for the information plus any additional information you can provide.

Tom Lemke

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Hi, Tom

S. 66.1001(3) of the Wisconsin Statutes reads:

"(3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS. Beginning on January 1, 2010, if a local governmental unit engages in any of the following actions, those actions shall be consistent with that local governmental unit's comprehensive plan:

- (g) Official mapping established or amended under s. 62.23 (6).
- (h) Local subdivision regulation under s. 236.45 or 236.46.
- (j) County zoning ordinances enacted or amended under s. 59.69.
- (k) City or village zoning ordinances enacted or amended under s. 62.23 (7).
- (l) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.
- (q) Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or 62.231."

There are some towns, particularly in northern Wisconsin, that have no zoning or subdivision ordinances at all. Such towns are, as you point out, not obligated to adopt a comprehensive plan.

In Primrose's case, however, (h) & (j) apply. Even though Primrose is under Dane County's zoning ordinance, if the town board wants to take advantage of its legal rights to object to or disapprove a county zoning amendment, it must have an adopted comprehensive plan. Similarly, it must also have an adopted comprehensive plan to enforce its own subdivision ordinance.

If you're interested, the complete text of the state comprehensive planning law is available here:

<http://www.doa.state.wi.us/docview.asp?docid=5436&locid=9>

In addition to the state requirements, the Dane County Comprehensive Plan includes a provision that allows the county board to adopt town comprehensive plans as part of the county plan. This helps make sure that the town board and the county board (both of whom must, under state law, approve any zoning change) are working off the same document.

Hope this helps. Please let me know if I can answer any other questions.

Brian Standing  
Senior Planner  
Dane County Planning & Development  
Room 116, City County Building  
Madison, WI 53703  
(608) 267-4115

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AT THE PUBLIC HEARING MS. HAYWARD COMMENTED HOW THIS COMITY WAS A FAIR REPRESENTATION OF THE COMMUNITY . THAT MAY BE TRUE STATEMENT IF THE PEOPLE ON THAT COMITY WERE SELECTED IN A FAIR MANNER. PEOPLE WERE APPOINTED BY THE BOARD AND ONE CAN ONLY ASSUME THAT THEY WERE SELECTED FOR THEIR POSITIONS ON LAND USE. PEOPLE THAT HAD WORKED ON OTHER COMP PLANS AND OFFERED TO BE ON THIS COMITY WERE NOT CONSIDERED. THE PEOPLE ON THE COMITY IN MY OPINION , CAME WITH PRECONCEIVED IDEAS AND WERE NOT OPEN MINDED. MS HAYWARD HAVING SPENT MOST OF HER ADULT LIFE IN THE JUDICIAL ARENA SHOULD HAVE A GREATER UNDERSTANDING OF FAIRNESS THAN MOST. THIS WAS NOT A FAIR CROSS SECTION OF THE COMMUNITY . THIS PROCESS WAS POISON AND DOOMED FROM THE START. SHAME ON YOU. THE OTTMAN FAMILY , LAND OWNERS AND FARMERS.

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I didn't attend all the planning commission meetings, but of those that I did attend, the meetings were not conducted in a professional manner, and public comment was not listened to. This was not a committee that was working together for the good of the township; this was a committee with enough members to make a majority who forced their own agenda. This group did not discuss and debate all the changes to the comprehensive plan that has been presented tonight. Only select members of the committee were allowed to share their ideas and opinions. One member of the committee was denied the opportunity to present his ideas. At the end of one meeting, the information to be incorporated into the comprehensive plan had been decided upon by the committee, but when the updated plan was made available at the next meeting, an entire section was added into the plan that was never discussed. There are also many items that are not clearly defined and leave the interpretation up to the planning board and the town

board. These items need to be clearly defined so that there is no misunderstanding or loose interpretation. Leaving these items as they currently stand will allow the planning board and the town board to approve a split in one location and deny a split at another location with similar or the same environmental conditions. This plan is not right and is not fair to all landowners, and some of you are in clear violation of the very restrictions you are forcing on others in this plan.

Some of you might think this plan doesn't affect you, but it will affect everyone in the township with higher taxes. The taxes in the township were increased by over 8% this year along with the taxes in Dane county, and the State of Wisconsin. While I am not in favor of turning any area of Primrose Township into a subdivision similar to what is located east of Dayton on highway 92, I would like to see the farmers allowed the splits they were promised and agreed to in 1981, to help them with their farming operation in whatever way they require. This plan has so many restrictions that any landowner that needs to be able to sell a split, is being denied their right to do so. Of the people in attendance at the comprehensive plan steering committee meetings that I have discussed this plan with, none of them want to turn their farms into rural sub-divisions. Their only plan is to raise some cash to continue their operations, or help their children continue in the family business.

Development in Primrose at a flat 1 split per 35 acres would build a larger tax base to help pay for maintenance in the township. Some will argue that if you allow people to build in Primrose Township it will only increase our taxes because new residents mean more children. More children mean larger schools forcing the schools to expand by raising taxes. Another argument is that new residents mean additional miles of roads will need to be added to the township, which will increase township maintenance costs. Neither of these fears need to be true. School taxes will increase whether people build here in Primrose or somewhere else within the school districts boundaries. We might as well have a few more people living here to help us with our taxes rather than living somewhere else. Regarding roads, the town can place a restriction on roads/driveways for new development that removes the township from assuming and maintaining any new roads/driveways that were improved to meet the township road standards as of a specific date. Only roads/driveways meeting township requirements by the specified date will be added to the township maintenance schedule. Any other roads/driveways that are installed to access a property or properties after the specified date will be the sole responsibility of the property owners.

What this plan will do in its current form is drive the present Primrose farmers out of business rather than protect the farm land which was the original idea behind the county-wide comprehensive land use plans. By preventing the farmers from selling some of their splits, the farmers will be forced to sell some or all of their property, quite possibly to corporate farmers. Thirty-five years ago, a person just starting out in a non-farming occupation in town probably started at about \$3.75 per hour or about \$8,000 per year. Today, with average wage increases and promotions, that same person working in a non-farming occupation is probably making between \$24 to \$29 per hour or between \$50,000 and \$60,000 per year without loans for land, cattle, feed, machinery, seed, etc.. This is an increase of between 625% and 750%. Thirty-five years ago, the price of milk was between \$6 and \$7 per hundredweight. Today the price of milk is \$12.50 per hundred which is an increase of about 200% since the mid 70's. If the price of milk had increased similar to the average non-farm worker, the price of milk would now be between \$43.75 to \$52.50 per hundred instead of \$12.50. About a year ago, the price of milk was around \$20 per hundred. How many of you took a 32% pay cut in the last 18 months?

Speaking of corporate farmers, if you think it might be bad looking out your view scape as you call it, and seeing an extra house or two, consider what it will be like when the farm you are living next to is now owned by a corporate farm that milks between 500 and 1000 cows. If you don't know what a manure pit smells like for that many cows, when you leave tonight take a drive to Paoli via A and PB. Just before you get to PB, roll down your windows. Once at PB head north to Paoli. Get a good whiff! Better yet, consider what that land in your view scape is going to look like when Kathleen Falk builds one of her manure digesters on it. Then think of what the noise from all those trucks and tractors hauling manure to the digesters sounds like, looks like, and smells like. If you think you should have the right to dictate to the landowner what he or she can do with his land, why don't you consider purchasing the split that he puts up for sale? That way you will own the split and can hold it as an investment for a later sale or prevent it from being developed so that you will have control of your view scape. Work with your neighbors! That is what rural living is all about! If your neighbor's barn burned would you go and help him rebuild his barn if he had a raising Bee?

The current maps are not correct. These maps need to be reviewed by everyone in the township, because once they are approved, it will be difficult to challenge and change them.

When we built our house in 2006, some employee at the county stopped my project because he claimed that my house was within 300 feet of a stream or body of water and that we needed a more detailed erosion plan in place. My builder met with this county employee to find out what the issue was. This county employee pointed to a map and said that according to the map, the placement of the house was within 300' of a waterway. My builder had taken a tape measure and had attempted to measure the distance and found that it was well over 500' to the low spot they were calling a waterway. When the county employee indicated on the map what he was talking about, my builder asked him what scale he was using on the map to take his measurements. Turns out the county employee couldn't read the map and was using the wrong scale. It won't matter who you are, you will have a very hard time convincing some of these agencies that their maps are wrong and need updating.

Respectfully submitted by Tom and Susan Lemke for the public comment section of the Land Use Meeting held on Monday, April 12, 2010.

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In 1981 the Land Use Plan and use-value assessment were put into place. It provided a fair and equitable program to help farmers keep farming.

With this new plan you are devaluating almost every farmer's land by 50% or more. This will result in less borrowing power and less net worth.

The upcoming re-valuation is going to push up the assessment and tax liability on our farms without helping our bottom line.

Bottom Line:

**HOW IS THIS PLAN GOING TO HELP FARMERS!!**

Steve O'Connor

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Cindi Haack

1. Did you not swear an oath that said you would protect each person equally and abide by the Laws and Constitution of Wisconsin and the United States?
2. Did you not agree to uphold the Laws and Comprehensive Plan as they were written?
3. Do you believe that the 1981 Farmland Preservation Contract is a legal and binding document? And if not, Why?
4. Who do you believe is responsible for the Content of the Maps that are Part of the New Comprehensive Plan? Are you aware that the maps are not accurate, and there is a disclaimer on every map we are supposed to approve? Why are the Maps part of the Comp Plan when we currently have maps of the township already?
5. If the Maps are not supposed to be used for decision making and for reference only, why is it the Landowners burden to prove that they are wrong?
6. How are the New Comprehensive Plan Maps going to affect our township? How are they going to affect the Farmers and large land owners?
7. When the plan talks about "Enhancing" the maps, what does this mean?
8. Do you currently, or have you ever held 400 applications, requests, or permits to build houses in Primrose?
9. Who is "Dedicated Open Space" dedicated to?
10. How will Map 8-3 affect new and old development within the Environmental Resource Protection area?
11. Who was responsible for adding extra verbiage to our plan Example: Building footprints, and eliminating retirement homes for farmers?
12. Who's idea was it to Replace "Dedicated Open Space" with "Environmental Resource Protection Area?"
13. What, exactly does that phrase mean? Is it more restrictive or less restrictive?
14. The Plan proposes so many problematic harms, who, exactly is going to be harmed by one, or any of these catastrophes?
15. Have any of you read Chapter 19 of the Wisconsin State Statutes, Codes of Ethics for Local Government Officials, Employees and Candidates?
16. Do you realize that if you neglect to read and educate yourself about the New Comprehensive Plan, how it relates to other forms of Government, how it will affect the

public, and provide them with answers for their concerns to the best of your ability, you may be held personally liable if your neglect of duty harms anyone?

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Please enlighten us on the process by which TDR and conservation easements will be set up and implemented. Take me through the process from asking for a TDR until its completion to deed restriction so I understand how this will work. Also take me through the process of what would be involved in a conservation easement from step one to last step. conservation easement recorded on deed.

Is there costs involved to the landowner who is sending splits like appraisals, etc and who pays for this?

Is this plan even set up to do TDR right now ?

Why not just have a deed notice, why does it have to be deed restriction or conservation easement recorded on our deeds? Why does the deed restriction or conservation easement have to run in favor of the Town of Primrose and Dane Co. Boards of Supervisors?

If there is an issue of trust here it is because promises have been broken. Steve and Florence were promised that their amendment would be discussed in this comprehensive planning process and they were ignored here Why were they ignored?

In Chapter 8 page 13 2.a.1(a) it says **On proposed RH zoned parcels, dwellings, out buildings, etc. shall be limited to a clearly defined building envelope of no more than 1 acre in size.** What does the " etc". mean ? Also by saying this you are effectively telling people how big and/or how many buildings they are allowed. Is this the intent?

The Town of Cross Plains used the same planner as the Town of Primrose , Brian Standing, and the Cross Plains Comprehensive Plan does not take the splits away from their landowners. I'm sure the Town of Cross Plains is probably under much much more pressure to development than the Town of Primrose because the Town of Cross Plains is just 5 minutes down Mineral Point Road or Highway 14. Obviously the Town of Cross Plains townspeople believe that they can preserve their farmland and not have to take the landowners splits away to do it. The text I am speaking of from the Town of Cross Plains Comprehensive Plan: :

Chapter 8 page 5 I.A.Goals #6 Permit landowners to use available splits on their land.  
Chapter 8 page 6 C Policies and Programs- General Land Use #10. Policies and programs listed above will not be used to prevent the use of available splits.

Why is taking the splits away from the Primrose landowners so important of a goal for making this Comprehensive Plan in Primrose?  
Verdean and Mary Sherven

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[My](#) name is Cheri Kainz and I oppose sections of Chapter 8.

I'm all for the nature and beauty of our township but at what cost? The Lane Use Plan was find the way it was if it would have been used correctly but that is not the case. It's bad



enough that we were "told" where we could build then we turn around and we are rezoned to all residential even though we were limited on where the residence could be.

Putting restrictions on driveway length is fine if it would actually REACH the building site. The proposed restriction is just another way to stroke the people into believing that they can build when they can't.

Beauty can be had but I do not agree with my neighbors telling me how I can "improve" my land. The land that I pay taxes on, the land that I chose as my "home".

Some of those people are the very farmers that support these changes – do you really want someone to tell you what you can do with your life, your health, what kind of groceries you buy? Cuz that's exactly what is happening and you don't even realize it.

How many farmers in here have brand new equipment that their neighbors paid for or better yet, how many of you get your neighbor to agree to pay for an increase in taxes so you can buy new equipment. I'm guessing none of you but yet you supported a 10% tax increase so your town could buy new equipment while you struggle to make ends meet.

It's not fair to you or any other resident of Primrose. I don't have health problems or land to divide that I need to sell to pay for health care but I am guessing many of you are in that very situation.

However, I am a resident of Primrose and I think each and every one of us should have the right to make OUR HOUSE – OUR HOME.

Think about what our township has become. Our children will not remember the beauty of the landscape, only that they watched their parents & grandparents struggle to make ends meet, struggle to pay their property taxes, struggle to stay healthy, and struggle to keep the homes we all built and nurtured with our own hands. We will be known in the record books as the RISE & FALL AT PRIMROSE HALL.

I am asking all of you to think about what you want for their future. A place to "COME HOME TO" or "TO COME HOME TO A PLACE OF DESTITUDE".

IT'S NEIGHBORS THAT MAKE A COMMUNITY; A COMMUNITY SHOULD NOT DICATATE WHO YOUR NEIGHBORS ARE".

April 12, 2010