

Town of Primrose 2024 Comprehensive Plan Committee and Dane County Zoning:

This letter should be kept as part of the record for the 2024 Town of Primrose comprehensive plan review and possible approval.

The Town and County Zoning are failing to produce fair and intelligent results in the application of farmland preservation.

In 1981, the landowners voted by 69% not to accept the farmland preservation ordinance proposal. Not because they didn't want to preserve farmland, but they were skeptical of government intervention in helping small family farms. The farmland preservation ordinances were pushed through anyways. As suspected, the Town and County Zoning have proven that they are incapable of making good decisions on behalf of farmers and farmland preservation on numerous occasions. The path they are taking is ultimately going to be devastating to family farms. In fact, their decisions are already negatively affecting family farms and the notion of farmland preservation. Here are a personal example of how their lack of fair application of the rules and ordinances have shown that they do not understand what farmers and landowners need to be successful.

In 2012, I applied for all four (4) of my remaining densities/splits with a conditional use permit (#2219) which included a secondary farm residence to bring in the next generation, a future retirement home, and two splits clustered next to Mount Vernon. It was within my right to obtain these splits based on the 1 per 35 acres split allotment outlined in Chapter 8 of the comprehensive plan and also how it had previously been applied to other applicants.

When considering new development proposals, one of the goals of the Town, per farmland preservation, is to preserve agricultural land. In application #2219, for a secondary farm residence, the approval process took more than a year and a half to complete and the final approval required all four (4) of my splits for just one (1) farm-related house, which I refused to accept because it is discriminatory compared to conditional use permit #2220, which required only a single split for one (1) farm-related house. I would have had to forfeit my future retirement house and two other proposed densities next to Mount Vernon all of which were in compliance with the town use plan. Unfortunately, the only proposal the Town and County Zoning would approve, which I accepted under duress, was four (4) splits clustered next to my farmstead. They had steep driveways (at 11% grade) and removed four (4) productive acres from the middle of a contoured strip of cropland, essentially making two smaller fields, which makes it more difficult to work the land. The Town and County Zoning did not entertain more reasonable alternatives that took less farmland out of production. For example, my alternative proposal would have removed less than 1/10 of an acre of productive cropland located on the edge of farm fields, and included two short driveways (~5% grade). These locations would have had little or no impact on the agricultural land. The approved proposal also included clustering next to the farmstead, which is generally against the Town policy. My proposal included clustering next to an already existing cluster, Byam's Addition to Mount Vernon. The Town and County Zoning had much better choices and chose not to take them.

The unfair application of the 1 per 35 split allotment reneges the intent of the original comprehensive plan, or at least picks winners and losers. According the original comprehensive plan, housings were to be sited where it did not interfere with agriculture, if possible.

It has become apparent by the Town and County Zoning's poor decision making regarding application #2219 that they really did not want to approve the splits at all and their goal was to frustrate rather than follow their ordinances and, thus, proceeded approve to the splits in the most inconvenient place possible, which more greatly hinders agricultural use. If the Town and County Zoning are regretful that landowners are entitled to a 1 per 35 acre split, they should implement a transfer of development rights (TDR) or purchase of development right (PDR) as suggested by County Zoning (per an email to the Town of Primrose Comprehensive Committee from Brian Standing on July 14, 2009). To date, the Town has refused to do this and instead intends only on to reducing the amount of usable splits through the comprehensive plan, further violating landowner rights.

The reason for this letter is to try to convince the town and county to apply the existing comprehensive plan fairly and to be mindful of landowner rights when approving further comprehensive plan revisions. There is a better path forward to preserving farmland and family farming.

In addition, the town and county should hold themselves accountable and hear grievances from landowners that disagree with their decisions. Otherwise, the democratic process is lost as it is in my case.

I am still asking for a hearing as to why I was discriminated against, before the approval of the updated 2024 comprehensive plan by the Town and County Zoning.

Thanks,
Bill Haack