

**Town of Vienna - Plan Commission - Meeting Minutes  
Monday July 11, 2016**

The Town of Vienna Plan Commission meeting was called to order at 7:00 P.M. by Chairman Greg Smithback. Commissioners Cathleen Heath, Brian Meinholz and Jerry Marx were present. Todd Mallon was absent. Town board supervisor Steve Ruegsegger was also present as acting town clerk. Also present were Stan and Kyle Rauls and Jeanne Whitish.

**Previous Meeting Minutes:** Motion by Marx, 2<sup>nd</sup> by Meinholz to approve the minutes of the April 11, 2016 Plan Commission meeting. The motion passed 4-0.

**Public comment:** None

**Discussion and action on a request from LB Land Investments, Inc. to rezone parcel #064-0909-221-9501-3; approximately 35 acres from Exclusive Ag to A-2 and to request a Conditional Use Permit to operate a yard residuals composting site:** Jeanne Whitish, the CEO and one of the owners of Purple Cow Organics, was in attendance. Her business partner is Lee Bruce. Lee and Jeanne are also the owners of LB Land Investments Inc. Purple Cow organics is in the business of receiving lawn waste from different municipalities and they anaerobically compost the material into a high grade horticultural soil additive. Currently, they process waste for Middleton, Waunakee, Shorewood Hills, Verona and Monona. They have bid to do compost for the city of Madison - that would not be happening until 2017 if they are the successful bidder. They also have sites east in the Milwaukee area and receive material from the city of Milwaukee. They have a contract with the county of Waukesha and receive waste from the individual townships there. They have a great relationship with the DNR. County zoning requires a conditional use permit and in the zoning code there are two possibilities for a conditional use permit – one being A2 and the other as C2. They would prefer to be A2. They are not putting up any buildings on this parcel. They are currently doing some grading to fill in the old pit. They met with Madison Sand & Gravel and have a very good working relationship with them. This feels like a good location for their business since they are leaving the berms and it is in a secluded area. They have a retail line and are certified to sell into certified organic food production. They also serve the landscaping market within a certain region – there are limits on how far you can ship the product. Their product is sold in about 350 retail stores with most of those being in the Midwest. The bulk of the product is shipped around the state of Wisconsin, northern Illinois, and Iowa. Chairman Smithback asked if they operate in Blooming Grove. Jeanne responded that they are in the process of getting an conditional use permit there. They are on the Town of Blooming Gove's agenda for August 10<sup>th</sup>. There is some confusion as to where this business fits inside the zoning code. This business originally started as part of the Bruce Company and it was considered landscape materials. Chairman Smithback asked about their site in Verona. Jeanne responded that the Verona site is all set. They used to recycle shingles and more wood materials at this site, but have gotten out of that business. Chairman Smithback asked if they have an earth disturbance permit and an erosion control plan right now. Jeanne responded 'yes' and that it is on file with Dane County and that she would get a copy for Vienna. Chairman Smithback asked if they had a silt fence. Jeanne responded that they weren't required to have one because they were not filling in the entire pond. Originally, they were going to fill the pond in but once they realized how much fill would be required they changed the plan. Chairman Smithback requested that Jeanne talk to Jeremy Balousek and to Dan Everson to clear things up because they could not find an application on-file. Chairman Smithback asked about the hours of operation. Jeanne responded that typically they are Monday through Friday 7:00 AM to 4:30 PM. There could be an occasional extension of that but it would always be during daylight hours. There may occasionally be work on Saturdays if it is warranted, but it would

most likely be a half-day in the morning. Chairman Smithback asked about the number of employees. Jeanne responded that there are 25 employees inside Purple Cow and this particular site would have 2-3. 1-2 full time people and then one additional person for when grinding is taking place because an additional person will be needed to run the loader. Chairman Smithback asked what kind of equipment will be used for the process. Jeanne responded that there would be a high speed grinder which is the first step of the process. They have wheel loaders and screeners. After it has been processed it is sent to their bagging line in Mapleton. They have pickup trucks and that is about it. They do own 3 semis for their own use that they use to haul the compost just north of Oconomowoc to Mapleton to the bagging plant. Chairman Smithback said we will want to see a written agreement between them and Madison Sand and Gravel. Madison Sand and Gravel has certain restrictions for pumping. Drainage has to go through the Department of Land and Water Resources and also will want a written agreement between you and them. Jeremy Balousek can be contacted for additional information. When disturbing that much land you need a permit. Jeanne indicated she had the permit and would be able to provide a copy of it. Commissioner Meinholz asked what type of liner would be used. Jeanne responded that it would just be the composting material on top of the lime stone. The leachate is just leaves and yard waste so it is not a threat of any kind. DNR wants 8" of material, and that it must be 5' above any water table and they will have a much greater distance above the water table. Chairman Smithback also requested a site plan with grades. Jeanne can show the preliminary plan. They understand they are prepping a site that hasn't received a Conditional Use Permit for yet and there is no guarantee one will be issued. Tonight's meeting is more informational and they need to provide the documents and then they will be placed on the agenda for a future meeting. The Plan Commission would like the information 10 days before the meeting so they have time to review it. Please clarify with Dan Everson what is needed for the storm water and erosion control. Chairman Smithback asked what was being done with the existing buildings. Jeanne responded that the 2 existing buildings have been leased out to a company named Kale Enterprises and they do ice sandblasting out on various sites and they also provide other creative services. They may or may not request sometime in the future for a hoop house with cloth on it to keep material dry. They haven't decided if they will need one or not. There was another question about the need for a liner. Jeanne responded that this is a much cleaner material than manure and no liner is needed because they are less than 20,000 yards of compost at any given time. Chairman Smithback said per our town's attorney (John Mitby) a summary of what requirements the town needs should be documented and provided to Jeanne.

**Discussion and action on a request from Stan & Kyle Rauls to rezone parcel #064-0909-364-0305-7 to agricultural:** It is a lot that is zoned residential but it is almost totally impossible to build on. Taxed as residential and would like it to be taxed as agricultural. They just purchased the land and currently have corn planted on it. The previous owners farmed it as well. There is a stream or crick there that sometimes floods if there are heavy rains for several days. They will be able to maintain the stream/crick should any work be needed since they own the land. Chairman Smithback is going to check into set-back requirements and a few other items and this will be placed on a future meeting agenda to provide an update. They also indicated they would like to put in some drain tile in that lot and put a pipe under the road instead of having the water go through the ditch. The tile would run next to the ditch. If they didn't do the pipe under the road they might pump the water. They are going to check into what the regulations are for this.

**Next Meeting:** The next meeting will be Monday August 8<sup>th</sup>, 2016.

**Adjourn:** The meeting was adjourned at 7: 48 P.M.

Minutes written and submitted by Steve Ruegsegger - Town of Vienna Board Supervisor.

Note: These draft minutes are subject to approval at the next Plan Commission Meeting.

DRAFT