

Town of Merton
Public Hearing
Conditional Use Request of Jim & Patti Harmann
To Conduct Land Altering Activities on Less than One Acre to Eliminate Invasive Species, Store Lake
Weeds and other Materials for Future Composting, with some Grading to Restore Site.
Minutes of July 17, 2019

Present: Chairman Klink, Commissioners Jensen, Fleming, Siepmann, and Good, Attorney Chapman,
Planner Haroldson and Deputy Clerk Claas

Absent: Commissioners Griffin and Morris

Also Present: Jim & Patti Harmann, Larry Stover, Steve Horwatic, Rob Kobs, Dan & Pam Christiansen,
Barbara & Mark Harmann, Don Mullett, Bill & Sarah Zwieg & Jim Grinney

Public Hearing Called to Order by Chairman Klink at 5:30 p.m.

Claas read the public hearing notice.

Jim Harmann stated the property is 25 acres with 20 acres being farmed by Mike Lawton. They get weeds from Okauchee Lake and compost them and grinded leaves from the Village of Hartland. They compost from this property and the property can't be seen from Hwy 83 and Hwy CW. He digs out buckthorn by the roots and then fills in the ground to get it back to the original site. In two years' time the compost is pretty nice soil. They have two compost piles, a pile of rocks, and when he digs out the trees there is a brush pile. Twice a year he gets a burn permit from the Stone Bank Fire Department to burn the brush. They've owned the land about ten years and they've never had any problems. Jim Harmann stated that 1/3 of the brush is trucked in from landscaping, 1/3 comes from his house, and 1/3 comes from the site. About twice a year he takes a Bobcat to work the land so weeds don't get seed heads. After about a month there is green coming back. He doesn't leave any equipment at the site at night. Harmann said about three of four times a month he hauls in and then in the fall when the Village of Hartland calls with the grinded leaves he brings in about 10 truckloads. The compost sits about two years before he mixes some of the compost with 25% top soil. Haroldson confirmed with Jim Harmann that the weed harvester does not go to the property. He buys the lake weeds from a guy that has let them sit for about two years. The access point is across from the old Elsinger farm house of CW. It's not an actual driveway. It's a path he made. He doesn't have an access from County. Siepmann questioned if he added any gravel to the access. Jim Harmann stated he added a little gravel when the County raised Hwy CW 4 or 5 inches.

Fleming stated that a neighbor stopped and he went up there and looked at it and he said it looked like hell. Fleming asked if he was cleaning up jobs, dumping it up there, and covering it up and he stated Harmann can't make a land fill. Jim Harmann said the elevations aren't changing and the tallest piles are from compost. Fleming said Jim Harmann had the same thing going on in Hartland when he was down there; dumping stuff, leaving stuff uncovered, and it looked like hell. Now you're just moving it. The Town tried to get you to straighten it up, but it took forever.

Jensen stated the Town has JT Arborist in the industrial park and they have big piles there and the amount they have there is considerable. Jensen questioned if they are going to allow composting on this site, would there be a limit on the amount that they put in and would it have to be more of a business. Haroldson stated no, because the Town allowed other private property owners on smaller parcels to compost.

The public hearing was opened for public comments and concerns.

Mark Harmann – W320N9127 Hwy 83 – stated he and his wife, Barb, are opposed to this, of course. He handed out photos of Jim Harmann’s property that were taken in April of 2019 from their drone. Mark Harmann questioned if he can bring in that amount of fill and is there a permit involved through the Town for fill materials. He stated this has been going on for six years. Mark Harmann said if you look at his pictures closely, you will not see any compost. The photos show those are the piles he has before he gets the skidster and levels it out and then he brings in another 30 or 40 loads of fill. He’s bringing in dirt fill and clay fill from jobs and raising the elevation. Mark Harmann said if they look at the picture, that is not buckthorn, there are tree stumps and other debris. He questioned whether it is compost, garbage, or fill and said it is not anything close to compost. Mark encouraged everyone to go take a look at this and stated the topography has changed. Mark Harmann is also questioning the size of the site. He believes it is more like an acre and a half and questioned if the County should be involved if it’s over an acre.

Jim Harmann responded he never hauled fill and he has composted for six years. Jim also clarified that the bigger stumps are box elders. He does have a rock pile.

Chapman asked Mark Harmann if he was concerned about flooding. Mark Harmann said yes. Chapman then asked why? Mark Harmann stated they have experienced flooding in the past. Haroldson clarified if the flooding was from this property. Mark Harmann said there hasn’t been flooding so far on this property. Mark Harmann said the neighbor across the road, John Dalton, is concerned about it.

Fleming questioned if burning is allowed in the Town. Several people responded that you can burn in the Town as long as you obtain a burn permit from the fire department.

The question was asked if anyone has been to the site. Haroldson said she was there with the Highway Superintendent. Klink stated he was also at the site and it looked like the photos from July because the piles were gone. There is nothing up there now. Jim Harmann said anyone is allowed to go to the site.

The public hearing closed at 5:59 p.m.

Respectfully submitted,

Holly R Claas
Deputy Clerk