

**Roxann Halverson**

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**Sent:** Tuesday, April 09, 2013 4:33 PM  
**To:** Roxann Halverson  
**Subject:** Milton land use plan

Adopted 4/21/04

Sent from my iPhone

**Town  
Of**

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# **Land Use Plan**

**Adopted : \_\_\_\_\_**

**Prepared by: Town of Milton  
Landowners**

**Town of Milton Land Use Plan  
Buffalo County, Wisconsin**

**Town Board:** Kenneth Haeuser, Chair  
Eugene Bagniewski, Jr., Supervisor  
Rodney Bagniewski, Supervisor

**Town Clerk:** Keith Greshik

**Town Treasurer:** Brenda Krumm

**Assessor:** Joe LeCleur

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**Town of Milton Land Use Plan  
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## Definitions:

**Bluff-** A steep headland, promontory (high ridge of land or rock jutting out to sea or other body of water), riverbank, or cliff.

**Dugway-** A section of roadway extending from the top of a bluff to the bottom of a bluff, generally through the wooded portion of the bluff with a steep grade, often with sharp curves and/or switchbacks. We assume the term originates from construction by digging into a hill.

**Prime Farmland-** Rural land with the best combination of physical & chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is available for these uses. Normally includes classes I, II, III land as defined by the USDA Natural Resources Conservation Service.

**Smart Growth -** The development and implementation of local comprehensive plans as well as provide a grant program to assist local government in the development of comprehensive plans.

## Works Cited

**"Bluff."** The American Heritage Dictionary of the English Language, 4<sup>th</sup> ed. Boston: Houghton Mifflin, 2000.

**"Dugway."** Brevick, Dave. Buffalo County Highway Commissioner. Personal Interview. 4 Oct. 2001.

**"Prime Farmland."** Official definition. National Resource Conservation Services.

**"Smart Growth."** Wisconsin Department of Administration, Office of Land Information Systems

## **Code of Milton**

Remember, if you are planning on building a home or moving to Milton Township, that you are moving into an agricultural area. Along with the beautiful landscape and wonderful country setting comes livestock odors, manure and noise from agricultural equipment and activities, which during busy times, can last into or through the night and on weekends. (The farmer faces many weather-related time constraints and must get things done when the weather is right.)

The Town of Milton has some beautiful residential areas. Realize that these areas do not currently (and most likely will not in the near future) have access to public sewer and water services, streetlights, etc. These services will be your responsibility and at your cost.

Residents of Milton Township do have young children. Please obey posted speed limits, use common sense and watch out for our children. **They are our future.**

Boundary fences are the responsibility of both parties sharing a common border **WHETHER OR NOT THEY HAVE LIVESTOCK.** The responsibilities are shared equally and are outlined in state statutes (Wisconsin Chapter 90). These boundaries are also not to be moved without consent or agreement of all parties involved. It is wise to have a survey completed before you purchase land.

Before moving into an agricultural area, consider the possibility of your new neighbors expanding their farming operations and the noise odors and other issues that will increase with that expansion. Agriculture, like any other business, has to expand to meet family living expenses, inflationary pressures, low market prices, and to keep the bankers happy.

Animals must be restrained. There are three Wisconsin Statutes (Chapters 172- 174) on owner's responsibility for their animals. Stray dogs, for example, may pose a risk to children, or pose a disease transfer risk. The Township also requires that you pay a dog tax and that each dog has a dog tag or license.

Livestock, at times, has a way of finding its way through a fence. Don't be surprised if you see cattle on the road or maybe even in your yard or garden. If this happens, those of us who farm, would appreciate your patience and maybe even your help in rounding up our critters. Keep in mind that some animals can be dangerous--especially bulls (male bovines) and stallions (male equines). They may look cute, but they might not act cute.

Nature can provide you with some wonderful neighbors. Most, such as deer and eagles are positive influences on the environment. However, even "harmless" animals like deer can cross the road unexpectedly and cause a hazard. Rural development encroaches on the habitat of coyotes, deer, rattlesnakes, skunks, raccoons, mosquitos, etc. Some of these animals can be dangerous and you need to know how to deal with them. The Wisconsin DNR is a good resource for information.

Wisconsin has "No Trespassing" laws (Wisconsin Trespass to Land Statute Sec, 943.13). You cannot enter another person's property without consent. So, in an effort to show neighborly relations and to maintain the beauty of the Township, it is not necessary to plaster your property with NO TRESPASSING signs.

Caution is advised on rural roads. We have children, bicyclists, walkers, etc. that use the roadways. At times you will encounter large agricultural equipment that is moving slowly and taking up much of the roadway. Other considerations are wildlife and the occasional tourist enjoying the countryside.

At certain times of the year or depending on your location, emergency response could be slow due to driveway conditions and accessibility or the weather - even though we have an excellent voluntary fire department and first responders team. A hard-to-reach building site could affect the ability to obtain reasonably priced insurance because of the increased risk.

Police services are provided by the Buffalo County Sheriff's Department. Although it is unlikely that you will be attacked in your home by roaming bandits, having your mailbox destroyed, your yard or field driven through or having litter tossed in your driveway can at times feel almost as terrible. We are a community and we look after each other. Treat your neighbors like neighbors and they will also look after you. Remember, that in a rural setting, police personnel have to drive long distances and may have other more pressing matters to deal with, so their response may be slow. However, they will get to you, so please show some courtesy and have patience.

Roadways are plowed in order of importance with consideration to school bus routes and major traffic areas. If you are going to move into an out-of-the-way area, you will probably not be the first to be plowed out. You also need to be aware that the roads are seldom kept open through the nighttime hours. Plowing on weekends is not always much of a priority in some areas. (Consider this if you anticipate having off-peak travel needs.)

School buses travel, for the most part, on maintained county and town roads that have been designated as bus routes by the school district. You may need to drive your children to the nearest route so your children can get to school.

Every effort is made to maintain our roadways and level of service that we have. However, in an effort to keep taxes as low as possible, we all have to realize that at times we have to temporarily put up with a bump in the road or a pothole or two.

Trash removal can be much more expensive in rural areas than in the city. It is illegal to create your own trash dump, even on your own land. It is best to find out the cost of trash removal before you move into the area. Curbside pickup is provided in residential areas and dumpsters are provided at Checksville (garbage bags must be purchased at Checksville). Recyclables are to be taken to the Fountain City Recycling Center. Our roadsides are not garbage dumps. Please respect our roads and the property of others.

Trash thrown along roadways costs everyone money and takes away from the beauty of the area.

Not all land has decent, buildable sites. Steep slopes can slide in unusually wet weather. Large rocks can also roll down slopes and present a danger to people and property in some of the bluff areas.

The topography of the land will tell you where water will go in heavy precipitation. If you build in a ravine, you might want to consider that the water that previously drained through the ravine may now drain through your house.

## **HISTORY OF MILTON TOWNSHIP:**

The original description of the Town of Milton was laid out July 20, 1857, and was originally much larger than currently. In 1858, the town name was changed to Eagle Mills, mainly as an advertisement campaign for the mill owned by the Fetter's and Mehrmann's.

Later, with the organization of Fountain City, the northern part of the Town was given to Waumandee, and the southern part was given to Buffalo, leaving the Town at its present size and shape.

Adam Weber and Michael Obermeier were the first settlers coming to Eagle Valley in 1853, followed by many others around 1856. Fred Fetter was the first chairman and Fred Binder was the first clerk.

Settlers in the Town were basically all German.

## **TOWN OF MILTON SOILS:**

Eagle Valley is the major drainage area for Milton Township. Waumandee creek is the major stream.

Blufftops are mainly Fayette and Dubuque soils, with Fayette being the deeper, more productive of the two. Slopes of 0 – 12% are very common and require a minimal amount of management to control sheet and rill erosion. Contouring and conservation tillage will maintain productivity of these soils. However, gully erosion in areas of concentrated flow where the landscape changes to the steep bluffsides, is a concern.

Most land on valley side slopes is Fayette Silt Loam and Norden Slit Loam. These Fayettees are mapped as a different soil type, since it is found in the valley side slopes. This is still very productive land, but requires more management to protect it from erosion, since slopes range from 6 – 20%. Norden soils are slightly less productive and not as rich in organic matter.

Bertrand soils are found on stream benches. This is a productive soil on 0-6% slopes that require minimal conservation management.

In the lower site positions, Ettrick, Judson and Chaseburg are the most common soil types. These are productive, well-drained soils of 0 – 6% slopes. They require minimal levels of management to maintain productivity and prevent soil erosion. Areas of concentrated flow from the steep bluffsides are a concern.

The lowest site positions have Peak and Muck soils mapped as the predominant soil types. Generally, these are poorly drained soils. Drainage problems are the major management concern of these soils.

Major soil types found in the Town of Milton are listed in Table 1.

<b>Table 1</b>			
<b>Major soil types found in the Town of Milton<sup>1</sup></b>			
<b>Soil Name</b>	<b>Abbreviation</b>	<b>Yield Potential</b>	
		<b>Corn (bushels)</b>	<b>Hay (tons)</b>
Chaseburg (B slopes)	CaB	125	4.7
Dubuque (B slopes)	DeB	110	4.1
Dubuque (C slopes)	DeC	100	3.9
Dubuque (D slopes)	DeD	90	3.3
Ettrick	Et	130	4.7
Fayette (B&C slopes)	Fa	145	5.5
Fayette (C&D slopes)	Fv	135	4.9
Judson (B slopes)	JuB	150	5.5
Loamy Alluvial	Lv	---	---
Norden (D slopes)	GFD	80	3.0
Norden (E slopes)	GFE	--	--
Steep, Stoney & Rocky	St	---	---
Bertrand (A slopes)	BeA	145	5.5
Bertrand (Bslopes)	BeB/BeB2	140	5.3

No yields are given for Norden soils with E slopes since it is class IV land and the most intensive sustainable use is permanent pasture. Many farmers in the Town are able to sustainably farm these soils with careful management practices. Many of the Loamy Alluvial soils are too wet to farm. Therefore, no yield potential is given.

**EXISTING LAND USE AND ZONING:** The Town of Milton is a rural township. Agriculture is by far the predominant industry. Rural residential properties continue to grow in number, but none is organized as a subdivision under current Buffalo County rules. Table 2 displays the breakdown of property within the township.

<sup>1</sup> Buffalo County Wisconsin Soil Survey. USDA, 1957.

Table 2 Property Assessment in Town of Milton (2003) <sup>2</sup>			
Property Classification	# of Parcels	Total Value	Total Acres
Residential	275	14,242,500	191
Commercial	13	470,100	39
Manufacturing	4	473,800	87
Agricultural	353	575,700	5,211
Swamp & Waste	168	501,300	2,506
Productive Forest Lands	227	4,384,300	3,247
Other (Ag Building/Sites)	48	2,674,700	62
Woodland Tax Lands	83	2,409,400	1,789
Exempt Lands	201	0	4,008
<b>Totals</b>	<b>956</b>	<b>23,322,400</b>	<b>17,140</b>
Western WI VTAE	956	23,322,400	
Cochran-Fountain City	956	23,322,400	

All towns within Buffalo County participate in county comprehensive zoning as described in Wisconsin Statute 59.97. Zoning decisions are made by the Buffalo County Zoning Committee and Buffalo County Zoning Department.

**POPULATION AND POPULATION PROJECTIONS:** Population and population projections for the Town of Milton are illustrated in Table 3. Based on 2000 census data, there were 120 households in the Township, with an average of 4.31 persons per household, for a total population of 517. The median household income was \$46,838, with 8% of the households living in poverty, compared to the county average of 7.3%. The per capita income is \$22,431, which is 92% of the state average.

Table 3 Town of Milton Population Statistics and Projections <sup>3</sup>					
Jurisdiction	Census 1960	Census 1970	Census 1980	Census 1990	Census 2000
Town of Milton	271	370	416	452	517
Buffalo County	14202	13743	14309	13584	13804

<sup>2</sup> Buffalo County Treasurer's Office, Buffalo County Courthouse, Alma, Wisconsin, 2003

<sup>3</sup> Wisconsin Department of Administration and Applied Population Lab, 2001

## **HOUSING AND LAND USE:**

- The area identified as the “sand prairie” should be continued to be developed for single family dwellings. Many of the soils are poorly suited for agricultural production, it is close to major highways and is suited for single family sanitary permits.
- A Town of Milton driveway ordinance should be written and adopted by the Milton Town board. This ordinance should address road access, road approach standards and driveway slope.
- Landowners should be encouraged not to build on bluffsides along highway 35. If structures are built, they should be built with setbacks in mind and not destroy the scenic natural beauty.
- A conditional use permit and hearing should be required for all structures built in the steep soils district. In some cases, 10 acres is not sufficient and in others less than 10 acres is more appropriate.
- The Town should study the pros and cons of adopting town level zoning and how Buffalo County Zoning fits with the Town of Milton wants and needs.
- A committee should be established to study implementing a uniform building code as a function of the Town of Milton.
- Minimum lot size for single dwelling structures should be set at ¼ of an acre.

## **NATURAL AREAS AND SIGNIFICANT HISTORICAL SITES:**

- All current federal and state wildlife areas should be maintained.
- Current regulation on farmland and construction erosion should be enforced.
- Map of historical sites - Appendix

## **AGRICULTURE:**

- Restrictions on large-scale animal agriculture should be put in place on the “sand prairie” due to the number of housing units and the potential for conflict.
- Landowners need to be respectful of their neighbors and when possible, should build livestock facilities according to guidelines from the University of Minnesota. Farm odor and residence separation should be used for all new livestock facilities.
- All farms should meet a reasonable nutrient/waste management plan for their farm and keep it updated as farm size increases. These plans should be in place for both livestock and non-livestock farm businesses.
- Large corporate farms with ownership coming from outside the Buffalo County area and owners who are not involved in the daily operation of the farm business should be discouraged from locating in Milton Township.
- New landowners need to realize that the state statute governing fencing (Wisconsin Chapter 90) needs to be followed for all line fences. Neighbors can agree to markers rather than a fence, but both parties must be in agreement.
- Landowners should be discouraged from developing “prime farmland”.

## **TRANSPORTATION:**

The Town Board of Milton has a 3-year plan for the maintenance and improvement of roads within the township. This plan will be updated in cooperation with Buffalo County Highway Department using the PASERWARE software. The following is a summary of the plan to-date.

In 2003, the Town will road surface work on 1 mile of Waumandee Creek Road.

In 2004-05, the Town will complete 2 miles of road resurface work on Lower Eagle Valley Road.

In 2006-07, the Town will complete 2 miles of road resurface work on Canada Ridge.

Currently, Town snow removal and mowing is completed through a contract with Louis Duellman. This contract is reviewed every 5 years. Maintenance on town roads is completed on an as-needed basis

## **UTILITIES, COMMUNITY FACILITIES AND INTERGOVERNMENTAL COOPERATION:**

The Town of Milton currently holds regular meetings and elections in the Town Hall, which is the historic Fairview school building.

Fire protection is provided by the Fountain City Fire Department. The fee for fire protection in 2003 was \$9,800, and is reviewed in July of each year. Ambulance service to the Town is provided by the Winona Ambulance Service. The Town does not pay an additional fee for this service.

Recycling services are currently provided by Buffalo County Recycling.

New residents to the Township should realize that emergency services cannot be expected to be to all locations quickly because of the distance and the terrain that must be traveled. Emergency water fill sites are located within the township to help with water requirements.

## **IMPLEMENTATION REVIEW:**

This plan will be reviewed each year at the Town annual meeting. During the review, progress on implementation will be determined. The need for a formal updating of the plan will also be determined at the annual meeting.

# **APPENDIX**

## Strengths

- Rural
- Peaceful and beautiful
- Laid back and quiet
- Close to schools
- Close to churches
- Variety of land – river – bluffs
- Beautiful school with recreation
- Good mix of people
  - Old residents
  - New residents
  - Many occupations
- Everyone cares at least a little about each other
- Good natural resources
  - Road building
- Good roads
- Good wild land
- More good whitetail hunting
- Financially sound
- Close to Winona
- Good Zoning
- State Park
- Few stores
- Limited industry
- River
- Great River Road & Scenic Bi-way
- Good utility service
- Good farm land
- Agricultural heritage
- State snowmobile trails
- Turkey hunting
- Fishing
- People wear clothing – no strip joints
- Conservation practices on farmland
- Successful farmers
- People are neighborly
- Good water quality
- Community involvement in local town government
- Desire to come here
- Clean/well kept

## Weaknesses

- Town developing without the infrastructure
- Flood every other Spring
- Don't have industry
- Weak County zoning
- Not enough stuff for kids to do
- Close to Winona
- Railroad – rough crossing
- County Board that won't listen to Town residents
- Hilly roads – expensive to keep up
- No stores (limited)
- Not enough people attending Town meetings – Annual Meetings
- Poor drivers on back roads– mostly “Out of Towners”
- Poor decision making by County Board
  - Details not paid attention to
  - Ignoring the voice of the people in voting process
- Large flood zone (The new flood zone is larger for Town of Milton.)
- Wildlife habitats destroyed by development
- No Cable – High speed internet
- No Book Mobile
- No local Library
- Ambulance Service – Response time
- Lack of knowledge of what people can do with garbage and recycling

## Opportunities

- Voice in decisions for future
- Is room for people to build houses to enjoy what current residents have
- Scenic are for people to live
- Hunting and fishing at our doorstep
- Close to all services
- Good medical services
- Mississippi River
- Close to education centers
- Friendly neighbors
- Cultural museum
- Local participation
- Good opportunity for small businesses
- Local control of land use if Town chooses
- Control to regulate building sites
- Travel opportunity for visitors (State \$)
- Scratch Casino
- Recreation
- Opportunity for more organic farming
- Intensive forestry practices

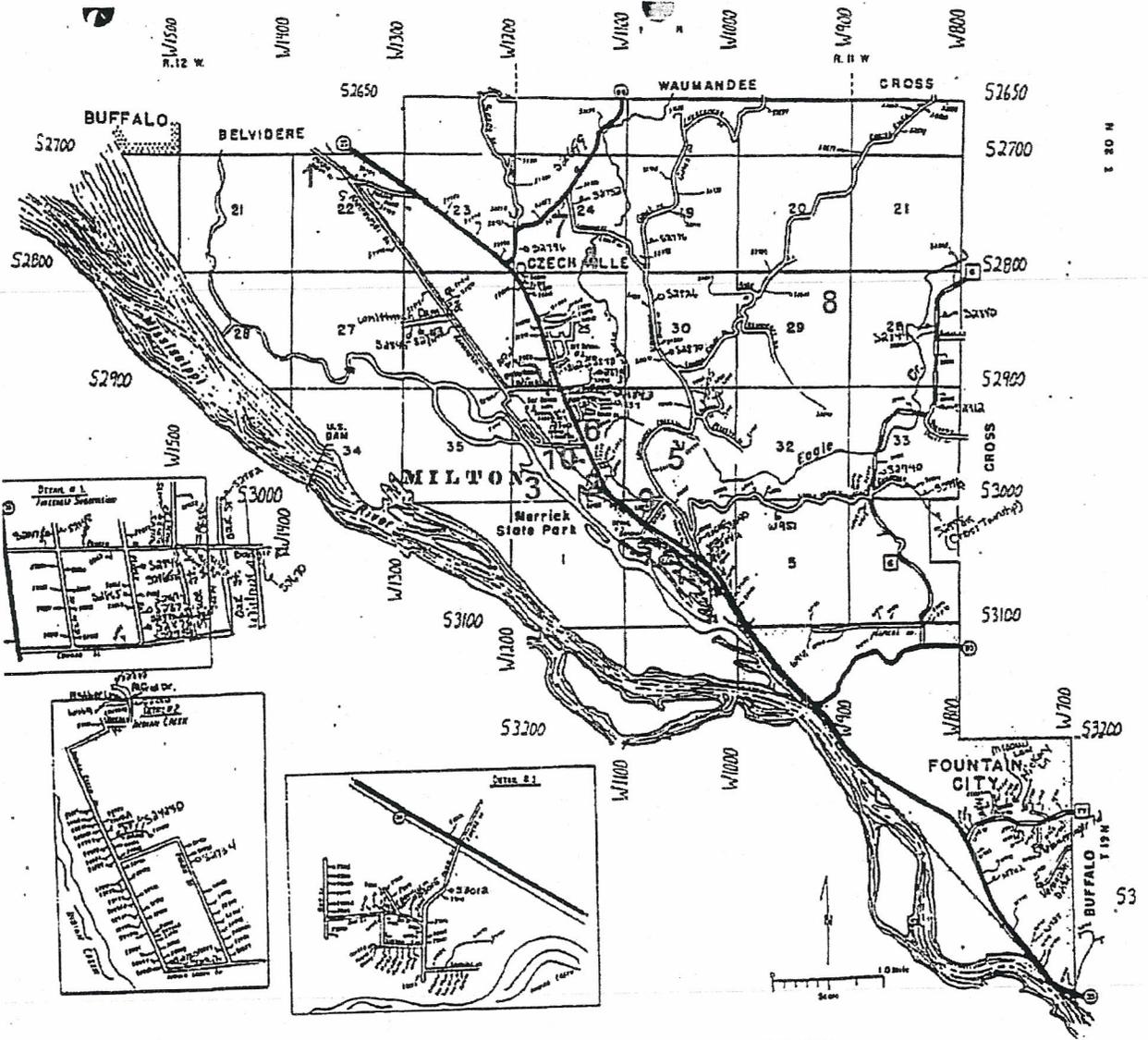
## **Threats**

- Over development
- More people / more crime
- CWD
- More non-residential ownership
- Wal-Mart
- Large scale animal agriculture
- Ag area to recreational area
- Greed – selling of property for personal good
- Not enough local control
- Being responsible when selling property
- Lack of state funding – Will Town remain strong?
- Plan for sewage and water on the Prairie
- Erosion
- Pollution
- Outsiders buying land and not respecting property lines
- Liability of injuries for accidents on your land
- Light pollution from development
- Agricultural runoff
- Wetland loss
- Siltation of Indian Creek
- Use of property by new land owners
- Cabins, etc. not accessible

## **Issues for Township Current & Future (to 2010)**

- Development on Sand Prairie needs planning
  - Will become a lot more dense
- Stronger voice for Town Government
- Zoning Regulations
  - Detailed regulation for building sites, wetlands, farmlands, etc.
- More planning on local controls for codes for development
  - Driveways
  - Lights
- Keeping education strong
- Conservation Issues
  - Preserve soil & water
  - Wildlife
- Erosion Control
  - Building on hillsides
  - Driveway
  - Farmland
- Increased taxes to land owners for cost of development
- Farmland future – what will farmland be used for when sold?
- Large scale farming / feedlots
- Regulations on present situations if new rules are put in place
- Taking care of elderly with added housing availability
- Up grading and maintaining roads for higher population
- Liability of having poor roads
- Changing legal issues
- Lighting codes
- Farm prices low, financially stressed farm businesses
- State, Federal guidelines – Costs more to enforce rules that are handed down
- Differentiate density issues / areas within Township
- Building codes to meet the wants and issues in County & Town

# Significant Historical Sites



- 1 Prairie Moon Museum
- 2 Lovers Lane
- 3 Merrick Park Indian Mounds
- 4 Indian Mounds
- 5 Existing Town Hall (Fairview School)
- 6 Old Dance Hall
- 7 Garden Valley Entrance School
- 8 Round Barn
- 9 Log Barn
- 10 Gingerbread (originally a boat)

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