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November 5, 2008

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SENT BY E-MAIL

Ms. Kristine Kohlhoff
Town of Clyman Town Clerk
735 Main St.
Clyman, WI 53016

Dear Ms. Kohlhoff:

Re: Petition for Zoning Ordinance Text
Amendment

The Town Board of the Town of Clyman (the "Board") has authorized me to initiate on the Board's behalf amendments to the text of the Town of Clyman Zoning Ordinance (CZO) pursuant to CZO § 12.2(1) proposing to add to CZO § 4.6(3) three new conditional uses for the Town's AG: Agricultural Districts. Specifically, the Board seeks to add as conditional uses the following three uses: grease recycling, commercial truck repair and biodiesel fuel production; all such operations to be conducted within buildings. These uses would be added as § 4.6(3)(r), (s) and (t), respectively. Those owners and operators seeking to engage in these activities in any of the Town's AG Districts will be required to apply for and obtain permits pursuant to the public process of CZO § 6.1 *et seq.*

The Board considers these text amendments to be appropriate in an AG district because they:

- Are similar in character, operation, function and potential impacts generated by other conditional or principal uses already permitted in an AG District: such as (3)(d)1 (in the cases of grease recycling and biofuel production) and storage and repair of farm machinery pursuant to § 4.6(2)(b) (in the case of truck repair). (See CZO § 4.6(3)(n).)

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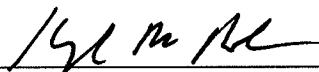
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- Are consistent with the goal of promoting reuse of agricultural products such as animal fat and soy bean and other vegetables oils and thereby promote agriculture, in the cases of proposed uses (3)(r) and (t).
- Are consistent with CZO § 4.6(1)(b) insofar as these lands uses are not compatible with residential uses.
- Account for a property's location and if done within buildings and pursuant to appropriate conditions will preserve and protect existing and future farming and other agricultural activities.
- Will allow the Town to regulate such existing but not-yet permissible uses at the N2797 Highway 26 site – uses that can operate and, in the recent past, have operated in a nuisance-free manner.
- Have, in the case of the N2797 Site, characteristics similar to those under CZO § 4.8(1) and (2).

For these reasons, the Board proposes that each and all of these proposed text amendments should be incorporated into CZO § 4.6(3).

Those persons likely to be affected by these amendments, assuming that conditional use permits ("CUPs") are subsequently applied for by and granted to the owners and operators at the N2797 site, are those persons with properties as defined by CZO § 6.5(2).

Respectfully submitted in behalf of the Board.



Raymond M. Roder
Special Counsel to the Town of Clyman
Town Board

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cc Patrick Morrison, Chair of Plan Commission (via e-mail)
David Blank Town Board Chair (via e-mail)
Nancy Schlender, Supervisor (via first class mail)
Chuck Burkholz, Supervisor (via e-mail)

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