



Town Residents Fed Up With Odor

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Ripon Commonwealth Press

December 3, 2009

A woman stood up last week Tuesday evening during the public comment period of the town of Rosendale's meeting.

"The smell is awful," she said. "...We've had people actually thinking about moving. The smell is like ammonia .. and we're not sure if it's going to get better."

"We can't have the windows open during the summer at all," another woman said.

These were common refrains at the meeting. And one that, potentially, could be heard less often in the future.

Residents of rural Rosendale and beyond may have a measure of relief coming from that level of odor: Rosendale Dairy could become the recipient of funds toward a manure treatment facility, which could have the effect of reducing the odor created by as many as 8,000 cows slated to live there (4,000 live there now).

In order to install one of several types of facilities, the dairy is applying for industrial revenue bonds – essentially a low-interest loan that requires the project offer the community a benefit.

But those who wish to have the dairy disappear entirely – or at least be limited to its current level of 4,000 cows – did not receive the news they wished for last week Tuesday night. At the advice of its attorney, the town of Rosendale board granted the dairy an extension on its existing building permit.

It's necessary as the dairy completes what is known as Phase II – an expansion of its facility that will enable it to house up to 8,000 cows and a handful more beef cattle, making it the largest dairy in the state.

What the evening was filled with was heated conversations. Residents as well as Town Chairman Tracy Swayze spoke at length, with all showing varying levels of frustration, either with each other or with Rosendale Dairy.

Much of that frustration centered around whether the town had any reason to deny a request to extend the building permit for Rosendale Dairy – a permit taken out in 2007 that expires this fall.

Town attorney Steve Sorenson framed the conversation by explaining what grounds could be identified for denial.

“The real central issue is, has progress been made in a reasonable manner? Then the extension should be fairly automatic,” he said.

Town residents, however, argued such an extension should be anything but automatic, despite Sorenson’s advice otherwise.

Questions were raised as to whether the buildings in Phase II were included in the building permit filed with the township. After looking at the schematics provided by the dairy to the township at the outset of the project, it was determined all structures were included.

Residents also urged the town not to extend the permit, explaining hopes that if the dairy had to get a new building permit it would fall under the “livestock citing ordinance.”

This ordinance, passed after the dairy announced its intentions to bring 8,000 cows to the area, has jurisdiction over dairies of more than 1,000 cattle. The dairy, however, turned its paperwork in to start its building process prior to the town creating it.

And, as Sorenson explained, if the town chose to deny the extension with an ulterior motive – i.e. for any reason other than because the dairy hasn’t been building while holding the permit – the town could get sued.

“We will really lose [the lawsuit] if it’s not extended because of odor and not because of [work done],” Sorenson said. “I think the odor battle is a different battle. I do think you have some legitimate things with odor.

The town soon went on to pass the extension unanimously, with the request the project be done by August 2010, and that a time-line for the project be submitted to the town.

But the town isn’t done discussing the issue of odor.

The odor issue will be discussed at its December meeting.

How much can be done is unclear, though.

According to Swayze, complaints about the levels of odor from ammonia at the dairy can be directed to the Fond du Lac County health officer.

“But it has to be a health hazard before she can do anything about it,” Swayze said.

At least one person in attendance believed it’s reached the point.

“I’m concerned ... I have asthma issues,” she said, “and I’ve been rid of them for 10 years. I can feel that heaviness again, and I don’t want it again.”

It’s also hoped by town officials that the odor issue could be improved in another way soon – by a manure treatment facility, funded by industrial revenue bonds.

“The purpose of this [discussion] tonight is to let you know they are getting ready to work on manure management and hopefully odor abatement,” Swayze said.

A representative of the dairy was on hand last week Tuesday night to explain the bonds.

Before money can be spent locally, he explained, the dairy must get permission to use the funds in the town because of the issue that it must offer a community benefit.

Because the dairy hasn't chosen what type of treatment facility it will install yet, no formal request was brought to the board last week Tuesday.

But when the dairy does bring it forward, it will be for some portion of the \$18 million in industrial revenue bonds the dairy has been OK'd to use, split between its three dairies.

“We understand the odor issues out here,” the representative said. “If we could resolve it overnight, we would resolve it overnight. But this is a big-ticket issue....”

“One thing we do not want is to replace one problem with another problem.”

No timetable has been set for when the dairy will come forward with a resolution about how it could use the industrial revenue bonds in the town.