

TOWN OF HULL
PLAN COMMISSION
MEETING

February 25, 2014

TIME: 5:30 p.m.

- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order on Tuesday, February 25, 2014 by Chairperson John Holdridge at 5:30 p.m. at the Town of Hull Municipal Building, 4550 Wojcik Memorial Dr., Stevens Point, WI 54482.

Present: Chairperson- John Holdridge, Committee Members - Bob Bowen, Bob Enright, LaVerne Syens, Jocelyn Reid and Secretary Patty Amman.

Excused: Shelley Binder, Al Stemen

Also present: Citizens: Peter Harris w/Weber Realty, Joyce Kirsch

- 2. APPROVAL OF MINUTES OF November 19, 2013 Hull Plan Commission meeting:**

Holdridge There was a great discussion on Village Powers. Also there was a lot of discussion on broadband. Patty gave you a handout there. Amy Sue Vruwink alerted us about some state money. When I got the letter from her, I sent it over to Dave Pederson. Pederson has got an interest. I know the discussion from the meeting in November, which I missed, was that there was interest in broadband and how that was handled. What happened was, Amy Sue Vruwink, our representative, had sent us a letter early on explaining the state would have this program. Now she came back with this and I sent it on to Dave Pederson who is heading that up. The Village Powers thing was started back in 1967 I think. The Board had a special meeting. That doesn't mean that we're a village but it means we have some powers of a village that address the questions of public safety, welfare and health. That's where we get into it. Now there are other things. If you were to ask me what is the list of village powers that we have because we have adopted this, I couldn't give you the whole list. It was probably in that literature you read but it does make a difference if you have village powers.

A motion to approve the minutes of the Hull Plan Commission November 19, 2013 meeting was made by LaVerne Syens, seconded by Bob Enright. Motion carried by voice vote.

- 3. CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS. AGENDA ITEMS ARE FOR DISCUSSION AND POSSIBLE ACTION.**

None.

4. ANNOUNCEMENTS; CHAIRPERSON AND PLAN COMMISSION MEMBERS.

Holdridge That was in the minutes too, a discussion of our budget situation. For 2013 we took what everybody pays in property tax and showed where it goes (in a pie chart). The property tax we pay in the Town of Hull that goes to public schools is 48%, Mid-State is 9%, Portage County is 29% and the Town of Hull gets 13%.

Bowen It's dropped by 2%.

Holdridge Yes, it dropped. So when people come in and say, "You guys raised my taxes!" This is what started it a couple of years ago. A lady called up and complained. We finally had to tell her we didn't raise her taxes so we came up with this pie chart so people will understand where their money goes. Jim Kruzicki, our treasurer, took it a step further. The next sheet is the Budget Revenues. Where does the money come from that supports the Town of Hull and 61%, as you can see, comes from the property tax. That's the main focus of our operation. The next question is how is it expended (pie chart) and the big one is 37% for street maintenance. Then you've got sanitation and that is basically curb-side pick up of garbage and recyclables; that is 17%. You've got where the money goes to that you get taxed for, then you've got where the revenues come from to pay for all our services and finally you've got what services the Town has.

Bowen How is the revenue obtained for the sanitation? In know it's probably taxed but how? Is it a flat fee for everybody?

Holdridge We take in the property tax. Then we contract with Harter's. We've got a cost for the recycling, a cost for the pick up and a cost for the transportation.

Bowen If a citizen wants to know how much it's costing to have their garbage picked up, how do you determine that?

Holdridge We could take the number of households we've got, 2,020, and break that down.

Bowen So it's not based on your tax levy.

Holdridge No. If somebody over in Maple Bluff...they're basically paying the same as somebody not over there.

Bowen At one time, didn't you have a percentage of your tax.....?

Holdridge Not since I've been here.

Amman I remember reading something about what you're talking about and it was different then because the way they picked up the trash was different. Some people had more trash but now everybody is in the same category.

Bowen Because at one time, I know I was paying for all these people down the road and I hardly had any.

Holdridge That became something of an issue. Let's say you've got 2 people living in a house and have 6 kids.

Bowen I put mine out maybe once a month or once every 2 months almost.

Holdridge But I like our (*new*) system. Towns have tried the other things where you pay based on your garbage and recyclables.

Syens That's a logistic nightmare.

Holdridge I'm happy with our garbage and recycling.

Bowen Yes. I wasn't complaining.

Holdridge Harter's does a good job and when they make mistakes, they go back and correct them. If they miss somebody and people call in, we'll call them and they'll go back and pick it up. Or if the garbage somehow gets thrown or distributed on the street, they'll go back and fix it. That's what you need. People, who if they make a mistake, they correct it and move on. And they've been very reasonable from a cost standpoint. Now they provide the carts so they have an automatic system much like the City does, for recyclables and that seems to work out pretty well.

Reid If you make the mistake of putting the cart out wrong, they let you know that too. I thought I was helping by putting it out the other way and I got a note from them that you have to have it facing a certain way. I put it with the handle towards the street so they could grab the handle. But they don't grab the handle.

Bowen They use an automatic system.

Holdridge On Friday morning, our guy, for the garbage pick up, is there about 5:30 a.m. and if you don't have it out the night before, he goes by you. Now recyclables, that same day, it'll be about 4:30 in the afternoon because they double-run the truck.

Syens That was an interesting discussion, concept by having Harter's provide the containers. Our cost went down some, I want to say, \$30,000 per year by having Harter's supply the carts so they could use a mechanical to pick up the carts and dump the refuse into the truck.

Bowen That's the salary of another guy.

Syens The thing that was shocking, not to me, but to the public was that their big savings came from worker's compensation. Back injuries, guys falling down and getting hurt.

Bowen That's interesting. I would have thought that it would be one less guy.

Holdridge Well we're happy with them and they're reasonable to work with, customer friendly and they want our business.

Bowen That's good.

Enright Is there a difference between State Trans. Aids and State Shared Revenue?

Holdridge Shared Revenue is a fixed sum. What's the other one?

Enright Stated Shared Revenue is 11% and State Trans. Aids are 12%. Is that transportation?

Holdridge It's transportation.

Syens It's so much per mile.

Holdridge I think it's around \$117 per mile and we've got about 82 miles. That's a big one because roads are very, very expensive.

Enright So were both of those cut by the state?

Holdridge No. State Road Aid actually went up.

Enright But the Shared Revenue went down?

Holdridge I don't think so.

Syens It did. The Shared Revenue went down.

Holdridge But I thought they had stabilized this year, bi-annual.

Syens I don't think so.

Holdridge Last year it went down but I think the Road Aid stayed. You can imagine towns with all these roads and for most towns, the biggest share of the budget by far is roads and they've got tremendous lobbying power. It doesn't make a difference if you're a Republican or a Democrat, those Road Aids are really important. I think the second year of the biennium they go up a little bit too, the Road Aids. But those are the two big ones from the state; State Shared Revenue and Road Aids.

I got this memo from Patty and she says, "Bob Enright did a very good job chairing the meeting. We had a quorum with Bob Enright, Bob Bowen, Al Stemen and LaVerne Syens." So you get high praise.

Enright Thank you.

Holdridge Chuck Lucht, you know, has left and they now have a fellow by the name of Steve Kunst who takes over March 3rd for Chuck Lucht. Didn't we send something to Jeff Schuler inviting him to our meeting in March?

Amman Yes. That was one of the information pieces we handed out.

Holdridge In April we have 3 terms that are expiring; Bob Bowen, Bob Enright and Al Stemen. Al Stemen is not going to renew. He was a good, solid Plan Commission member, I liked him. He was very candid.

We get reports from the Planning and Zoning Department on zoning violations. Here is one converting a tri-plex to a duplex and cleaning up solid waste. This is a property along Jordan Road. We've got a number of these where the Planning & Zoning Dept. get a call and they'll go out and see that there is a violation. Then they send the violator a letter giving them so many days to clean it up.

Anybody else have anything?

Bowen The DOT had a meeting tonight on the Hwy. 10 corridor.

Holdridge I thought that was Thursday?

Bowen They have another one on Thursday at Washington School.

Holdridge For Hwy. 66.

Bowen Yes.

Holdridge Jeff Stuart from the DOT in Wisconsin Rapids was coming out, that was when I was sick. One of our people met with him.

Enright So what are they going to do at that meeting?

Bowen I don't know. It's an information meeting and they just want to let people know what their plans are.

Holdridge From my standpoint the biggest issue I have is that Green Avenue, getting across there. They need stop and go lights there. When I come out in the morning, the southern traffic getting off of Hwy. 66, that is backed up clear to the Interstate.

Bowen My guess is that they are going to incorporate the rerouting of Hwy. 10 south of Crossroad Commons into this discussion and how that affects the current Hwy. 10.

Holdridge Whatever they do, their target is like 2019. But I think they've got to deal with the Marshfield Clinic there.

Bowen On Hwy. 66 you mean?

Holdridge Yes.

Bowen Yes, that's a real problem area. Way back when I was on that TAC commission we were dealing with that but nothing ever came of that. When Walker got elected, we never heard anymore about that.

Enright Accommodating the traffic exiting I-39 to go to the Marshfield Clinic, is that what you mean?

Bowen Have you ever been on Hwy. 66 from 6 to 8 in the morning? I've been on it a few times when I was at the airport and wow, there's a lot of traffic. And then at 3:00 in the afternoon until 5:00, Hwy. 66 is just steady traffic.

Holdridge Then they come from North Point and they immediately turn left and get right over to get onto the freeway. In the morning, it's bumper to bumper coming from the Rosholt area.

5. Preliminary Certified Survey Map for Joyce and John Kirsch – land located in part of the NE1/4 of the SE 1/4 of Section 11, Town 24 North, Range 7 East, Town of Hull, Portage County, abutting Casimer Road and Birch Point Drive. Surveyor – Kelly Callaway. Representation by Peter Harris of Weber Realty and Joyce Kirsch.

Amman It's hard to see on your maps but we do have it marked on this larger map too where the location is which is over by Birch Point Drive and Casimer.

Kirsch Birch Point is a dead-end road. There is one other house at the end of that road. Between the house on Birch Point, which we own, and the house at the end of the road is our land and it's 19 acres. We wanted to split off a couple of lots from our home, which is for sale.

Holdridge You have one lot and you want to create 3 lots.

Kirsch One lot with the house and then 2 extra. One lot is 4.22 acres and one is 3.74 acres.

Holdridge We have a short note from the assessor as we usually give it to him to take a look at in terms of protection of the roads, encroachment of the roads. Jeremy Kurtzweil is our assessor. He says in his note, "...reviewed the proposed split for the parcel and have no issues in recommending that it be approved. The wetlands on the property shouldn't be a hindrance to the properties that are split off and have no objections on my part." Does anybody have any questions about this?

Enright Yes, I do. It just occurred to me. Remember the land-use change we had for the I-39 West area in there? We made a decision rule on the lot splits there.

Holdridge You mean in terms of size?

Enright Yes. I don't remember if it was size or if the lot sizes could be split. What was it?

Syens Wasn't it 2 acres? Lot size of 2 acres.

Bowen 20 acres and above it was 5 and below 20 it was 2 acres.

Enright Okay, so less than 20 acres could be split into 2 acre parcels. So we're consistent with that.

Holdridge I'd forgotten about that. That was a big thing. Joyce remembers that one.

Kirsch Yes. When we bought this, it was surveyed at 22 acres and now we found out that it's 19 so we lost 3 acres somewhere.

Harris The County has it zoned as General Ag which requires a minimum of 2 acres.

Holdridge Does any Plan Commission member have any questions? You want to add anything Peter?

Reid So the lot where the house is now, is that the 8.59 acres?

Kirsch Yes. It'll be sold with 8.59 acres.

Holdridge We're advisory to the Town Board, but generally, when we approve something, it passes okay. There are 2 of us here who are on the Town Board.

Kirsch So where does it go after here?

Holdridge It goes to the Town Board and we meet on March 17th so we'll act on it then.

Bowen He says okay on soil suitability. I'm assuming it's suitable for a septic system of some type.

Holdridge You mean on the write up by the County?

Bowen Yes, on item #14.

Holdridge The Plan Commission is advisory to the Town Board and on March 17th, the Town Board will be meeting.

Kirsch Do I have to be there?

Holdridge It would be helpful. We had a problem a couple of months ago where at this level, we had a request for lot splits and nobody showed up. The surveyor gets paid for this stuff. So we didn't approve anything. We developed a policy that whoever is requesting this, if the owner or the surveyor doesn't show up, we're not going to act on it. It has to be one or the other. That got their attention. That's only reasonable. Patty can send you a reminder.

Amman I'll send you an agenda.

Holdridge It's March 17th, St. Patrick's Day.

Reid So did you put that road in yourself?

Kirsch No.

Reid That was existing?

Kirsch Yes.

A motion was made by LaVerne Syens to approve passing the Certified Survey Map request on to the Hull Town Board. Motion was seconded by Bob Bowen. Motion passed.

6. Review letter to Tracy Pelky at Portage County regarding lot split information and proper representation by surveyor or owner at meetings.

Holdridge I wanted to put that on here because we had problems with their write up. We'd like a paragraph in plain language as to what the owner wants to do. I wrote this letter December 19th and I haven't heard from Tracy on that first paragraph that requests that they have a small section with a narrative. The second one is our position as a Plan Commission and Town Board that people have to show up. The third one, we had some problems with Gary Stoltz who had a sort of a racing track on his land. The citizens got upset about that. I would say the County has handled that pretty well. They required, I think, by early spring that he has to revise that zoning or get a special exception with the Board of Adjustment to have that. I just wanted to refresh your memory on that, particularly the third paragraph.

Bowen Where is that located?

Holdridge Stoltz? It's about at Jordan and Torun. If you turn and go north on Torun and then turn right on Jordan, it's a cul-de-sac in there and Gary has the end of that cul-de-sac. He's got land there and he's got these dirt bikes and the neighbors heard what was going on and they got upset about it.

Bowen So it's within a subdivision.

Amman It's actually the edge of a subdivision with a bunch of homes and then the open land next to it so the 2 come together.

Holdridge His house is in the subdivision and his land is adjacent to it.

Bowen How does the ordinance handle this?

Holdridge If he has that, based on the County zoning ordinance, they have to get a special exception to have it which means they have to go to the Board of Adjustment and he never did that.

Bowen I would imagine it was a noise issue.

Holdridge Yes, it was a noise issue.

Reid So is it just for his kids, or does he have people coming from outside to use it?

Holdridge His 2 boys are involved. I don't know if he has people from the outside using it. We turned it over to the County. Tracy took a tough position on it. He sent one to us and one to Elsingher who kind of got it started with a petition. But that was going on and people just get annoyed with that kind of stuff.

Reid Like snowmobiles going by at 3:00 in the morning.

Holdridge Yes, we don't get much on that. But out in the hinterland you might hear that. I talked with Tracy Pelky 3 weeks ago and wanted to know the status of this and he gave me this. I looked at the documents he sent to Gary Stoltz. We had him in here you know. We had him at the meeting. But to have that kind of operation, you need to get a special exception. They'll (*the County*) have a public hearing and they'll invite the neighbors in.

Enright In this first part here, it says a short paragraph explaining what the owner of the property wants to do with the lot split. So what is a legitimate reason?

Bowen If there are going to be improvements on it, that would be something that would be of interest.

Holdridge You know, if you read this thing (*the checklist*), I pointed out where there should be something (*a description at the end*) and you say, what do they really want to do? That's all we're asking, it's pretty simple.

Syens This Plan Commission, I think, does a very good job of ferreting out that information from anybody that appears. I don't remember a lot split request where an inquiry as to why, what's going to happen to the property, has not been made. Sometimes it is volunteered before the question is asked, but that information is normally gained. Then we pass it on to the Board. One of the things you run into in that type of scenario is that the Board is getting our interpretation of what was said. If you have it in writing, then there's no interpretation.

Holdridge Yes, in just simple language, what are you trying to do. In this case, they're taking one lot and they're going to split it and have literally 3 lots. Very simple. But I haven't heard from Tracy.

Bowen We were just talking about a dirt track then a land split.

Enright We sort of jumped from one to the other.

Holdridge I think I'm going to talk to Tracy about this. Why don't they change their form.

Bowen I think it could be much more informative. Like what about the wetlands, if they could describe it, a little more descriptive than one word, what they are trying to get. If it's a yes/no, well that's okay. Then they should put in parenthesis, yes/no.

Amman I think this checklist is more for their internal use so it's meant for them to fill in quickly but it doesn't help us because it doesn't give a general layperson's explanation.

Bowen But it's always attached to the certified survey map.

Amman Yes, sometimes that's all they have.

Holdridge If they could get it down to our level. But we'll see. I'm going to keep bugging them on that.

7. Review of Portage County Planning & Zoning Ordinances: Section 1 Introduction and Section 7.1.2.1 on R2 Single Family Residence Districts – pages 1-6 in 3-ring binder provided at November meeting.

Holdridge We've talked about developing our own zoning ordinance. I remember Shelley Binder saying, why don't we just take Portage County's and see what they've got and maybe we can plug in some other things we'd like to see in it because I think we can make it stronger. That to me, over the long haul, makes a lot of sense because we don't have the staff. We take what we've got, going back to that pie chart, why do we want to repeat and put our money into it when we've already got 29% of what we take in goes to Portage County.

Bowen Exactly. As I read through that, it's very comprehensive and very detailed. For us to come up with a document like that from scratch would be not impossible but it wouldn't look anything like this, I'm sure.

Holdridge It would cost us money for lawyers and all the rest of it. There was a discussion in those November minutes about the 17 towns in Portage County. One has no zoning, that's the Town of Pine Grove, that's about 900 people. The Town of Grant, which is about 1,500, that butts up against Wood County, they has their own zoning. They actually have somebody who does zoning for them. How that evolved, I don't know. That goes back a long time. The one

that has no zoning, Pine Grove, is further south. That's very, very rural. I was through there when I was on the County board and they've got trailer parks and trailers out there. I don't know if they even have a subdivision. Paula Cummings who works at the Planning & Zoning Dept. is the secretary/clerk of Pine Grove. She's big in zoning, but they don't have any zoning.

Enright So the towns have to adopt a zoning ordinance. They would by default be covered by the County zoning ordinance if they don't have their own.

Holdridge Yes.

Enright So we would have to adopt this or something similar to it.

Amman Could they have opted out of it instead?

Holdridge We had that discussion about opting out of zoning. I personally favor the option because I think it sends a message to the Planning & Zoning Dept. that they really need to be on the stick. We've had some problems with them. So I favor that but I don't think that got anywhere in the legislature. We discussed it as a group and I don't think we were in favor of that as a group.

Bowen I can't recall how Pine Grove would be able to opt out of this anyway.

Holdridge I think this goes back to when it started. I'd have to ask Janet when the zoning actually started for the Town of Hull. Probably somewhere in the '80's.

Bowen The impression this gives is that this is Portage County zoning and if you're in Portage County, you're covered by this zoning. But what you just said about Pine Grove...

Holdridge Pine Grove isn't and it probably goes back to the ordinance, they didn't choose to go with it, they probably could have. But for whatever reason, they have their own zoning.

Enright So what is our status?

Holdridge We're one of the 15 towns in Portage County under their zoning.

Enright If we did nothing, this would just stand. If we would find nothing wrong with this, they would do nothing.

Holdridge Right.

Enright We're only looking for things that would require changes.

Holdridge Right.

Bowen I think the thing that we can do is adding something a bit more stringent. We can't lower these standards.

Holdridge Right. We saw some real shortcomings in that episode at 527 Maple Bluff Road and that was an eye-opener because under our zoning, R2-single family, you can have as many cars as you want. You can have them all over your yard as long as they have a license and they operate. Imagine in a subdivision, your neighbor across the street has got a parking lot full of cars. That does not go over big with neighbors, but that is what you could get. I haven't seen the County address that at all.

Bowen There's a lot of detail in this that suggest enforcement which is a very big job.

Holdridge My impression is that they are very lenient, very understanding. The one that strikes me is the fellow that is right at the end of Old Highway 18 right before it goes into Stockton. This guy has been challenged and taken to court, fined for each day and it just keeps going, it's like a circle.

Bowen What is the issue?

Holdridge He just doesn't comply. He's got all kinds of stuff out there. They take him to court and the judge fines him daily. The house he lives in is actually owned by his father-in-law who is in the south somewhere.

As I looked at this when I went through it, there are a couple of things I would point out. At the bottom of the first paragraph (*page 1*) it has the Wisconsin Statutes referenced. Then Section I – District and District Maps: “For the purpose of promoting the public health, safety and general welfare...” That's the same language we use because we have village powers. “... determining, establishing, regulating and restricting the areas within the County outside the limits of incorporate cities and villages”. We are in an unincorporated area. Incorporated are the villages and the cities. Then it goes down to that last paragraph and that says, “All the protected shoreland areas of Portage County outside the limits of incorporated cities and villages, including within the following towns:” then it lists the towns that are under Portage County zoning. You won't find Pine Grove there and you won't find Grant.

The one that has really come to mind because of that Maple Bluff Drive situation is R2-single family. I talked with the people over in that area. They petitioned and came up with a proposal to develop a nuisance ordinance that lists particular things they want to see that people cannot have on their property. LaVerne and I have talked about that because when you start listing things, you've got a whole range of other issues. But because of the shortcomings of what we say are in the R2-single family residential areas as a result of the 2 or 3 times we've appeared before the Planning & Zoning Committee, we have now moved to the nuisance ordinance. We had a nuisance ordinance and the latest one I sent to Bob Konkol saying we need to enforce the nuisance ordinance. He called me today with some strong suggestions on how we enforce the nuisance ordinance in regard to 527 Maple Bluff Road. I would say one of the things I'm kind of leaning towards, I don't know if I've got a lot of support, is in these R2-single family residential areas, which are basically subdivisions as we know them, we need to develop a nuisance ordinance that sets certain standards. LaVerne, when Stan Potocki was here, was that a regular Board meeting?

Syens No, that was the meeting when we had all of them (*neighbors*) here.

Holdridge We had a pretty good size crowd there from the Maple Bluff area. They really challenged Konopacky. He doesn't own the property. Rebecca Bohne owns the property. Stan, who is on the Planning & Zoning Committee made the statement that he didn't know of any subdivision in Hull that would accept what is going on at 527 Maple Bluff Road. I've made the same statement. Any subdivision, mine, LaVerne's, Bob's, Meadow Manor or any subdivision would not accept that kind of thing with vehicles, junk and everything else he has there. That leads us to the fact that we got nowhere with the Planning & Zoning Committee on it. We need to go to the public nuisance ordinance. Only to focus, though, on R2-single family because that takes into account basically all our subdivisions.

Enright So we need to make our own nuisance ordinance.

Holdridge Yes, we have a nuisance ordinance but what we need to do is to develop some standards.

Reid Where do subdivision covenants come into this picture?

Holdridge Covenants are privately enforced. That's not enforceable by government.

Reid Because those are more stringent yet than this is.

Holdridge Oh yes, they can be.

Enright There are no covenants in that neighborhood.

Holdridge We looked and there wasn't any at least not where these people live. The really interesting part with that one is the owner of the property is Rebecca Bohne but the mouthpiece making all the noise is her friend Konopacky. She doesn't say much. When Bob Konkol and I went over and walked over it and took pictures, she came along. We had a meeting down at the law office with them. So our effort to get compliance is going towards her because she is on the record as owning the property. Now he's hired a lawyer whose name is Konopacky, a firm in Milwaukee.

Enright No relation?

Holdridge I think it's his daughter. But that's a thorny problem there and we know in that area this is kind of a new wrinkle, property values have been affected. There's a house right across the road that hasn't been able to sell. Realtors tells us and Jeremy Kurtzweil, our assessor, took a look at it and said there is no question that that parcel there and all the vehicles and stuff that he's got has affected property values.

Amman Is that quite visible? I mean the vehicles he has. Can you see them quite easily from these other lots across the road?

Holdridge If you go down Maple Bluff Road, yes. If you go down Golla, there's a vacant lot there and you can see all the stuff he has in there.

Amman Not from the vacant lot, I was just thinking about the other houses along the street.

Syens It depends upon the timing on that. When pressure is applied to him, he moves a lot of it behind the house. If there's not a lot of pressure, then it comes into the side of the lot and it's all over. I drive by there on occasion just to see.

Bowen My question is, why do you need a nuisance ordinance if the zoning ordinance itself is sufficiently restrictive so these things can't occur because what a nuisance sounds like to me is something like a loud party or a dirt track or something like that.

Holdridge We had 2 or 3 hearings before the Zoning Committee and that was a fiasco.

Bowen Don't we have a junkyard ordinance?

Holdridge They have a description of solid waste. The other thing I've discovered is that it's very possible that the Planning & Zoning Committee never went out to look at the site.

Syens I can attest to that. I talked to Stan Potocki at the last meeting and they never looked at it.

Enright They would have to be the ones to have the sheriff investigate.

Holdridge They'd have to rule on the Zoning Committee. I know, because I served on the Planning & Zoning Committee when I was on the County Board. We used to go way out to Lanark then we'd re-adjourn in 40 minutes and we'd go down and look at all this stuff. They never did this as far as I know. I'm going to talk to Leif Erickson and a couple of others, that's a major omission. They relied on Chris Mrdutt and he knows what the zoning is but the visual part of this is a big deal. We went over and walked it, off of Golla. We never went on Bohne's property.

Bowen Did you get pictures?

Holdridge Oh yes.

Bowen Send them to the zoning people then they don't have to go out.

Holdridge Konopacky went around and got pictures in the neighborhood. Somebody might have a travel trailer out there. He's taking these pictures arguing that's a violation. The chairman got the picture and said that didn't look bad. Well he had the wrong picture.

Enright Oh, he had pictures of other neighbors.

Syens Other neighbors, then the chairman looked at those and said, “Well this doesn’t look bad.”

Enright So in order for the sheriff to enforce the law, the Planning Commission has to state that there is a violation.

Holdridge Yes. They go into the courts and they’ll send them a letter just like some of these letters that say you’ve got to contact me by such and such a date. If it doesn’t get resolved, they’ll issue an order, just like they did with Gary Stoltz and they’ll get into the courts, and so forth. It takes awhile.

Syens The feeling I got from that Committee was that the conditions as they saw it up on Maple Bluff did not violate anything within Portage County zoning. We were asking for a change to Portage County zoning to cover such situations but we are not asking that this be mandatory on all townships. We were asking that it be selective or elective by the towns because this isn’t a situation where one size fits all.

Holdridge That’s going to come back to us. Patty Drier is going to come out tomorrow morning to talk. What really struck me was, how many automobiles can you have? I think you can have one inoperable one, one unlicensed, but you can have as many automobiles as you want as long as they’re licensed and they run. That seems like—who would want that? Konopacky is not a lawyer but he’s got a legal mind. He’s been down the road. The latest one out in Alban, the County tried to take him to court on a zoning violation. Fleishauer had it and he ruled in favor of Konopacky. He said it wasn’t a zoning violation, he said it was nuisance violation. So the County appealed to the appellate court in Madison, they lost there. So this guy, with no legal license or anything was his own attorney and the County has got 3 corporate counsels. If you see him at a meeting, he takes over the meeting on you. When we had him out here, he’d go right up and lean over these people who had a question. He’s very personable.

So the big one from my standpoint, it’s big because of the public nuisance, is the one on page 2 which says Single Family Residence District- R2. Patty, we’ll have to check, but I think all our subdivisions are probably R2. Then it goes on to say, “This District is intended to promote a residential atmosphere and to protect residential property values...” there’s a big one....”residential property values by prohibiting uses which are incompatible with homes”. Now I hadn’t read that but that’s one of our arguments that what has happened over there on Maple Bluff, property values have been impacted by what has gone on at 527 Maple Bluff. Then it talks about what else can go there, municipal buildings, parks and playgrounds, accessory buildings and so forth. It continues on the next page.

Reid John, I had a question and someone just needs to explain this to me, that very first paragraph under the single family residence: Intent, it says, “This district is intended for providing for high density, unsewered, single family residential development.” Then it goes on to say, “New development should be limited to areas where connection to municipal sewage treatment facilities is feasible at the time of construction or in the near future.”

Bowen That’s what I noticed.

Enright It's confusing isn't it.

Holdridge Yes, I picked that up too.

Reid So does that mean...

Holdridge That's an effort by the County, I think, to try and prepare for annexation, with sewer and water. I hadn't seen this until I read it this afternoon. I think we've got to do something about that.

Amman Isn't that kind of unrealistic? If you live out in the rural area of the County like the Town of Sharon or someplace like that, there would be no way that would be practical.

Reid They say at the time of construction or in the near future.

Holdridge I'm not interested for placing subdivisions and having them be annexed by Stevens Point.

Syens I think you have to challenge that.

Holdridge Yes, I do too. I mean why can't we continue with certain lot sizes with septic and our own wells?

Bowen The alternative to that statement is lot size.

Holdridge Maybe that goes back and gets in Schuler's mind because as far as I'm concerned, he didn't do anything on this annexation with the gas stations and that whole business. He never used the bully pulpit saying to the City, why didn't you communicate with Hull, which they never did. He was just silent. So maybe the underlying scope here is sort of to get the towns annexed and use sewer and water, get them away from the sewer and water systems. But that's pretty striking. When I read it, I noticed it too.

Enright When was this written?

Amman It's been updated numerous times (*1996 – 2012*). It's the most current thing that they have.

Enright But we don't know when it started to be like that.

Amman Where all they changed it and what they changed when.

Holdridge You might be able to go back and track it.

Enright According to that, we wouldn't be able to use R2 zoning for a subdivision that was nowhere close to the City.

Holdridge No, I think we have R2 zoning in.....

Enright But this says it's supposed to be for places with sewer connections.

Holdridge I would be surprised if Meadow Manor, which is remote from the City, is in R2, up on North Second Drive. We've got any number of them that are not contiguous to the City that are still zoned R2. We'll have to check that, Patty.

Amman I'm looking at the map right behind you. That's the zoning map behind you with the colors on it.

Syens I would suggest that language you find in paragraph 7.1.2.1. (A) the Intent, is what you call "boilerplate". They don't even look at it. Any changes they make, that's automatically put into the next printing and no one has ever challenged that language.

Amman It wouldn't make sense out in Sharon and Polonia. They've got subdivisions out there and there's no sewer.

Syens For those subdivisions, it absolutely does not apply.

Enright Language like "should be", what does that mean? I don't understand. Who decides what should be?

Holdridge The overall perspective is the County government is in the business to serve unincorporated areas. That's why we have County government. We have a sheriff's department, we have planning and zoning. There's no town that I know of that has their own police force. We don't. So what do we rely on, the sheriff's department. We don't have our own zoning, we rely on County planning and zoning. The City has police, they have their own zoning. Plover too. So the function of the County is to serve the unincorporated areas. And here we've got this in our zoning thing which seems to indicate that we really ought to consider sewer and water. You know it's striking when you take the original document and you start reading it. What does the text really say, because I'd never read this.

Syens Unfortunately, when you do get into this type of situation, normally you skim through the language until you get to that area of concern and it doesn't really register until you sit down and do a thorough reading of the document. Then suddenly it jumps out at you. I bet none of the towns have really looked at that language and considered it.

Bowen What that says to me is that this is a conceptual document and it was developed when it was logical that subdivisions would be contiguous to Stevens Point, around the City, suburbia and they weren't thinking in terms of rural subdivisions like Meadow Manor and all the others. So the concept with which they wrote this is different for Hull, the way our subdivisions actually developed. They're not contiguous to the City.

Enright Right. Their frame of reference is the City.

Bowen Right, exactly. That's what I mean. That was the concept they were thinking of.

Holdridge Why would a County agency take that approach? What's wrong with having a 2-acre lot with a septic system and a private well? Why do we have to part of a municipal sewer system?

Bowen What I think LaVerne said is what actually happened. If they just revised this in 2013, they didn't even read that with the detail that we're discussing, the implications of it. Because it doesn't apply.

Holdridge I'm reacting based on what happened with 2 gas stations and the sort of arrogance that the mayor is showing that just sort of overrides everything. And the act to extend sewer to unincorporated areas.

Syens The situation that we have been faced with now brings emphasis to this line.

Enright Very simply, this document is supposed to give us guidance on how to zone but it doesn't. How are we supposed to zone our subdivisions? It doesn't say.

Holdridge From my standpoint, I don't have a problem with the R2 zoning.

Bowen I thought the rest of it was pretty good, but I don't live in a subdivision and that's why I was going to depend on you people who do live in subdivisions to scrutinize this and see if it's logical or not.

Holdridge I have a problem with it because it suggests the goal ought to be to get you under sewer and water, for whatever reason.

Bowen And of course we've taken the opposite approach to that and protected water by having a 2-acre minimum so you can have your own well and your own septic.

Holdridge The League of Women Voters had a big session with all the municipalities. They were talking about how the City of Plover had taken the sewage, they clean it and send it down the Wisconsin River. That's what happens. Our system, which is pretty thorough, you've got a septic system which filters it out and these things get reused. Our septic systems and our water flow does not send it down the Wisconsin River to the Mississippi to New Orleans. We are a self-contained system and we use the water and the resources over again. The City, through their processing, they process it then it gets sent to the Wisconsin River. It's out of here. We were thinking that our system is much more sustainable. There was some thought that Wausau actually used Wisconsin River water but I called them up. They don't use it. But look at what has happened in West Virginia and there was another community using river water for their drinking water.

Syens That was the one in Ohio just recently. Cincinnati was concerned.

Holdridge So as you go through this, it's got a section on signs. On #9 on page 4, "laying chickens and ducks provided"...how in the world that got in there I don't know. Then a little further down it talks about bed and breakfast.

Bowen Addressing this Intent issue, I think that if they add a disclaimer sentence at the end or something to explain that rural subdivision, if they take that into consideration then it eliminates the strict intent of connecting.

Holdridge I would challenge that paragraph.

Bowen Well yes. Unless they have a disclaimer in there.

Holdridge Why do they have that in there for us?

Bowen Right.

Holdridge We're perfectly happy to stay an independent municipality.

Bowen Exactly.

Holdridge That's a bias as far as I'm concerned.

Bowen Then it has to be changed.

Holdridge Let's see what else we have here. Then you've got height and other requirements on page 5. Then on page 6 you get into multi-family residential district, R4. Then they've got rural, over on page 8, rural and urban fringe residential districts. I think, Patty, what we've probably got to do.... Over on page 10 there are 1 and 2 family residential districts.....is take a look at our zoning and see what different categories that are residential, those 3 or 4 districts we actually have in Hull, because most of ours are R2 categories. For that matter, over on page 14, then we get into the rural districts. So we've got residential of some sort, there's 3 or 4 categories there, then you go into the rural. Our rural is probably pretty simple, how we classify the zonings in the rural. We take this and look at it on a map. How many pages do we have in this Patty, do you know?

Amman In this section, there are 82 pages.

Holdridge I would guess for most of this, we don't have categories in Hull that this would pertain to. So maybe what we could do for the next time is take those 4 residential categories, see where they are located on a map and those would be the ones we may look at and want to make some modification, make it more stringent. Does that make sense?

Syens Would we give the Plan Commission the letter from the citizens on the public nuisance?

Holdridge We didn't distribute that.

Syens But should we distribute that?

Holdridge Bob Konkol called me and I had another call so I told him I'd call him tomorrow morning. He suggests that we take what the citizens recommended and send it to Konopacky's attorney.

Syens Sure. There's an area in that letter that I have mixed emotions on and they're talking about limiting the number of vehicles in a yard. One in the garage and 2 parked outside, I believe. In considering that, the neighbor directly east of me across the street has 3 children, all have cars.

Reid I'm in the same situation with 3 kids and if they're all home...

Syens He and his wife each have a car and they have one garage, a single garage and they have a camping trailer.

Reid Yes, are you talking about me!

Syens Now I'm not offended by those vehicles because they're not junk vehicles. They do a good job. They don't park them on my lot. They don't park them in the yard. They're never parked on the street, they're off the street either in the driveway or the back yard.

Holdridge Not parked on the front lawn?

Syens Not parked on the front lawn. I don't have a problem with it. So in the event that limitation of vehicles would be considered, it would be my opinion that we would have to make an exception, and I don't know what exception or how to do it at this point, for that situation where you have a family with children with multiple cars.

Amman Or what if people have a Tupperware party once a year and then they do have somebody parking in the yard.

Syens Yes but that's an exception.

Holdridge If you had a month-long Tupperware party and the cars were all there, then you might have a problem.

Reid You'd almost have to base it on the number of residents in a home.

Holdridge Number of drivers.

Syens One of the problems in that neighborhood is that sure, those cars were licensed but they were up on blocks.

Enright What's the matter with just "non-operational"? Is this for the nuisance ordinance or is this for zoning?

Holdridge No, zoning says you can have one inoperable or one unlicensed vehicle.

Enright But this business about one in the garage and so many on the lot....

Syens That's a suggestion.

Enright For putting in a nuisance ordinance or zoning?

Holdridge In a nuisance ordinance. That's what these people on Maple Bluff suggested. But if that's an ordinance, they've got to realize they've got to live by the same thing. That changes it a little bit. They did their best job and they were trying to be hardnosed and stuff but that's got to be modified.

Syens Absolutely.

Enright In their neighborhood, subdivisions in Hull, there are 4 cars parked in the driveway that are all operational.

Holdridge When I come over into my subdivision, right to the right, she's got kids and you might see 4 cars there when they come back for the weekend or something.

Enright Sure, yes.

Holdridge We're not opposed to that. But when you've got them up on a block. That's a little different deal.

Reid That's not operational.

Holdridge I think the important thing is that you've got to make it complaint driven. These neighbors all say, "Oh, that's okay with Mr. Konopacky". You've got a guy as you come into Maple Bluff that has a semi tractor parked, backed in. I had a call from one of them to complain about this. I talked with the guy. Well it's his livelihood. I explained it to her and then she backed off. We've got another one up on Wilshire just north of where Dave Way lives. He's got his whole semi parked there. He's a working guy that brings his semi home. Now he's got to have a weight limit permit, Barb gives it, they can do that. Well the neighbors understood that. That's his livelihood. We've got another one on Jordan about the same thing.

Syens We have one in our subdivision who brings a semi tractor home on weekends, not the trailer but the tractor comes home on weekends and sits in his driveway.

Holdridge Now being reasonable and understanding that people have to make a living, some of it may get a little over the top with this stuff but the key thing for anybody who writes an ordinance is to understand that everybody is going to have to abide by it. Konopacky made a

point of going out and if somebody had a boat out there, he'd take a picture of that and say, "What about that?" Well it's a difference of scale. It's a difference dimensional wise compared to what he has and what these people have.

Bowen I'm sure glad Wisconsin-Nicaragua Partners chose to put their warehouse out on North Second Drive because I've had 5 fire trucks parked there at one time.

Holdridge What's your zoning?

Bowen We're A-4.

Holdridge Density creates issues. You have to look up and look across and see your neighbor.

Enright So your take on this is that he is sometimes polite at these meetings but yet he knows that this offends the neighbors but he does it anyway?

Holdridge That would be my take.

Syens Sure. He just doesn't care.

Holdridge Our focus isn't on him though. It's on the person who owns the property because if you get into fines and so forth, it's going to be on her. She's the owner of the property. It's all in the record.

Syens It's going to reach the point, because of hiring representation, that we're going to stop dealing with him and her. We'll have to deal with the attorney and that takes him out of the equation.

Bowen Where is the situation right now? Is it on hold?

Holdridge I got this proposal from the residents. I sent it to Bob Konkol and he was doing some additional research. I called him yesterday and he called me back and I think he sent some stuff, he has some proposals. You've got to keep these lawyers to say this is serious stuff. Bob lives right in the neighborhood. He backs up to this house and he went to school with Konopacky. They're graduates of Pacelli. The first thing I asked him was, "Bob, do you have any problem with enforcing this thing with Konopacky?" He said no, he didn't have any problem. It's hard in this community not to find relatives or associations.

Enright In order to have any issue that would say since it's not one of the permitted uses, then the Plan Commission of the County doesn't have a problem with it. Is that it?

Holdridge No. The County said they looked at the solid waste and they never talked property values or any of that. They just looked at the zoning for R2-single family and said they looked at it and didn't see a problem. That's essentially what they said.

Amman It seems like that very first thing *((A) Intent)* where it talks about intent and residential property values, it would be in violation of that.

Holdridge That's another thing.

Syens They didn't look at that, they never looked at it. Mrdutt said none of this stuff fit into the category of solid waste.

Amman Alright, but if it's reducing the property values, it says right in their ordinance that...

Syens But they never considered that, never took it up. But that's why these meetings were so frustrating. In our conversation with Stan Potocki, Dave Wilz and I talked with him after the meeting, he also made statements during the meeting. I'm not sure when Stan made this statement, if it was the day after the meeting or during the meeting, but he did definitely state that committee never went out and took a look at this. But he also said he's going to bring it back to the committee to be dealt with. Now to what degree of success he's going to have with that....

Holdridge Well Patty Dreier is going to get into it too and place some pressure. Stan's got an opposition from Dewey. Stan has been a good County Board Supervisor. His big constituency is Dewey. There's a big vote in your area west of I-39. He stood with us in some of these issues.

Bowen Are you going to donate any money to this depth study?

Holdridge Is that the mapping business?

Bowen Yes.

Holdridge I think we're going to put that on the agenda for March 17th. We'll get a copy of the study. I think that probably makes sense. Usually we don't give contributions, grudgingly. Is there anything else anyone has?

Amman Do you want them to read a certain section *(of the zoning)* for the next meeting?

Holdridge Why don't we make sure everybody reads the part about residential and digest that. Then we'll get into the ag. But I think we need to take a look at where we've got residential zoning. We have hardly any farms and we've got ag areas but probably the biggest is where the people are in the residential areas. So next time we can plot this on a map. I'm going to try to get the new P & Z planner out here and get him going on our comprehensive plan.

Bowen Do you know any more about the Portage County plan for redoing County Trunk X? They announced it as part of the budget but they discussed this personnel development system that they're trying to work with and they never said anything about County Trunk Highway X. They said it came in at 3 million under what it was originally was projected.

Holdridge The guy that Patty Dreier hired, he left and the assistant commissioner took over and the new guy is local.

Bowen You mean the highway commissioner.

Holdridge He came from Mequon and he had a lot of responsibilities in Mequon. I think he is probably a pretty qualified guy. Mequon is a fairly up and coming suburb north of Milwaukee. I think at some point we need to ask him to come out.

Bowen Yes. The construction process will impact Town of Hull roads for a long time.

Holdridge That X?

Bowen Yes. When they start coming in there to redo that because they're going to tear it up.

Holdridge Well they've got to get weight permits and what they call the haul road, film it and all that. They may want to get off at the Casimir Interchange and come up North Second. When is that going to take place, do you know?

Bowen I don't know. It's in this next biennial budget. Don't they have a biennial budget? It's 2 years I think.

Holdridge No, it's a year.

Bowen It's one year, then it's this next year.

Holdridge We'll have to check on that. We've got another issue. You know where Bill Beversdorf lives? The corner of Old Hwy. 18 and Brilowski. There's a sidewalk there. I think the County put in the sidewalk but his house backs up to the sidewalk. But they are required to take care of the sidewalk. They do that, then the plow comes through and throws all that snow. Imagine it with the way this winter has been. Bill is a very decent guy to deal with but he's frustrated.

Bowen How is the resident across from Kwik Trip doing?

Holdridge The lady who's lived there for 51 years?

Bowen Yes. It doesn't look as bad as it sounded when it was being discussed. Most of the activity is facing the north and her house is a little bit southeast of that.

Holdridge She's kind of on the fireline there. I was going to ask Mike Ostrowski if it ever bothered him from a moral sense to stick a gas station across from a lady that's in her 70's and has lived there for 51 year? Did he ever have any qualms about that.

Bowen He's a member of the millennial generation and I don't think those things come to mind. You're a sociologist, you want to explain that?

Enright It was one of the members of the City Council who said that if he paid attention to that woman's situation, he would not be doing his job.

Holdridge Who said that?

Enright I don't remember which one it was.

Holdridge It was a common council person?

Bowen If he paid attention to her? Oh, he's supposed to ignore it.

Enright Right, because that person was not a citizen of Stevens Point and so he wouldn't be doing his job as a City Council Member of Stevens Point if he were regarding the situation or wishes of a person in Hull. He said that.

Bowen But that's not true because the consequences of their decisions have to be considered across borders.

Enright That's not how they construe it or they wouldn't have come up to the conclusion they did. If Planning & Zoning would have read this stuff, there is stuff relating to parking buried away in here. It says parking lots containing 10 or more parking spaces which are located in the residential district....then it's got to be screened, with either evergreens or a wall or something else of that type.

Holdridge And the screening cannot be obnoxious. There's another statement about that.

Enright That's on page 57. You've got to go pretty far into this document. Now maybe if you'd only have 9 out there and they would say it's not a parking lot because there are no lines painted on it....

Holdridge I'm interested in those chickens and ducks. That's another case where they probably lifted it from somewhere.

Syens Sure.

Holdridge How many residential R2's have chickens and ducks?

Amman There are some in Polonia.

Reid There's somebody on North Second Street that has them. I hear the rooster across the street but not in the subdivision. I would love to have chickens but our subdivision has covenants that don't allow them.

8. DATE OF NEXT MEETING: *The next Hull Plan Commission meeting will be held on Tuesday, March 25, 2014.*

Amman It's going to be the same kind of parking deal like today. We're going to be parking out here along the east side of the building for the next couple of months (*while the building is under construction*).

Holdridge You won't come in that door (*current front door*) until the addition gets completed. This will eventually be the community/meeting room. The offices will be in the new part.

Syens Everything from here to the outside wall, per current plans, will be removed.

Enright The bathrooms are going?

Syens The bathrooms, the offices.

Amman The bathrooms will be in the new section.

9. ADJOURNMENT: *Motion made by Bob Bowen to adjourn meeting, seconded by Jocelyn Reid. Motion carried by voice vote. Meeting closed at 7:05 p.m.*

Respectfully submitted,

Patty Amman, Plan Commission Secretary
Town of Hull, Portage County