

TOWN OF HULL  
**PLAN COMMISSION  
MEETING**

April 22, 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, April 22, 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: John Holdridge, Bob Bowen, Shelley Binder, Bob Enright, Jocelyn Reid and Plan Commission Secretary Patty Amman.

Excused: Dennis Ferriter, LaVerne Syens

Also present: Jeff Schuler & Steve Kunst, from Portage County Planning & Zoning  
Citizens: Dale Rosicky-Surveyor, Jerry Brzezinski, Jordan Bialar, Matthew Brzezinski.

- 2. APPROVAL OF MINUTES OF February 25, 2014 Hull Plan Commission meeting:** *Motion to approve the minutes of the meeting of February 25, 2014 made by Bob Bowen, seconded by Bob Enright. Motion carried by voice vote.*

Holdridge That paragraph about zoning ordinance which seems to indicate there was a discouragement of septic systems and private wells, I'm not sure how we ultimately deal with that but we'll go through that later. There was quite a bit of discussion. The other thing we discussed was state aid. Shared revenue, as you can see, we started in 2011 with \$208,000 and we ended up with \$156,000 in 2013/2014 so that's 5 years around \$150,000.

Bowen But you made it up in the next category.

Holdridge General Transportation Aid, but look at the per mile road aid. In 2010 it was \$2,015 then it went to \$2,117 in 2011 and stayed that way until 2014. Now roads are enormously expensive. They did raise it by \$50 in 2015. There are 2 main state programs, Shared Revenue and General Transportation Aid which is based on number of miles you have times whatever it is you get. We have about 82 miles of road. So the outlook here, there isn't much increase and in some cases there's decrease.

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

Shelley Binder I wanted to bring up something on non-agenda items. I just wanted to ask you, I participated in that water survey last fall. Then I got this letter in February from them because I was one of those that signed up for an interest in additional testing. So then we got a letter that they were "going to collect samples in other areas of the Town. We'll keep your information on file and contact you if there's an opportunity for further sampling in your area."

Holdridge What's the date of that?

Binder February 6, 2014. This was for those of us that had high nitrates, we signed up for additional testing. Or they might investigate why we are having high nitrates. I was somewhat disappointed that they weren't going to continue on and try to investigate what causes the problem.

Holdridge Paul McGinley is doing a study sponsored by the DNR/EPA to try to find out where the nitrate is coming from. He's with the College of Natural Resources. So he is pursuing this.

Binder So they are with the DNR pursuing this but they're not going to follow up with the individuals. They're going to do a broad survey.

Enright What they're going to do is take some of those and do an analysis on the water and what other things are in the water and see if they can find an association with the high nitrate levels and other kinds of contaminants that might be in there and make some guesses as to what the source of the nitrates are.

Binder I was just wondering if they knew any more other than what I read in the spring newsletter.

Enright And it's going to be a pretty small sample, I think, so maybe they didn't need to do yours or just didn't get that far along.

Holdridge How high were your nitrates?

Binder I don't remember for sure, well over the 10 ppm.

Holdridge I haven't seen that letter. But they did follow up with those with high nitrates.

Binder Well, they sent us a letter. We signed up after that session. They took our names.

Holdridge Can I get a copy of that letter?

Binder Sure.

Holdridge Amy Nitka is involved with that program. Does anybody else have anything?

#### **4. ANNOUNCEMENTS; CHAIRPERSON AND MEMBERS.**

Holdridge I did get some interesting communication from an Ervin Dustin. It says, "I am currently a senior at UWSP and am working on a project for my capstone class and have a few questions about the Town of Hull. The project is the expansion of Schmeeckle Reserve creating a greenway that connects Jordan Park, Dewey Marsh and the Wisconsin River. Part of the study area is in the Town of Hull. If you could answer the following questions: Does the Town of Hull have any conservation plan for the future? Where does the Town plan on growing? Does the Town have any plan involving greenways? Do you think the conservation of the Moses Creek headwater and the restoration of Moses Creek would help with some of the flooding issues? How is the Town handling some of the flooding issues?" The only flooding

issues we had were over by the Wisconsin River in the lowlands. This year, where the “Pipe” is, they closed that off but it’s open now. Those are the kind of questions he had and those are all great questions.

Then Patty Dreier sent us a letter: “I’m sending this along to the Town of Hull who may have an interest regarding water.” We’re always interested in water. This is a letter: Phil T. on Northpoint Drive. “This letter contains important information about your DNR permit application. Divert water from an unnatural lake known as Lake Chai in Portage County. Your application has reached the state of closure and considered complete.” “... Wisconsin statute requires that the public has an opportunity to comment on proposals like yours.” “...in the individual permit review process, notice of pending application and public comment...” A fellow by the name of Will Stites is the Water Management Specialist with the Department of Natural Resources. There’s a whole process and apparently we get notified and also, Eric Norton and Jeff Schuler (*and various others*).

Finally, we had a young man, Daniel Kaminski, who wrote us a letter. He had a number of questions for a class project. Patty followed up to try to reach him and couldn’t reach him so I finally wrote to a letter to a Professor Rice who’s in the geography department – GIS. Finally we got a note back from him saying, “Unfortunately your message was sent to my junk mail folder for some reason. That is why I missed it. I apologize for my late response and appreciate your persistence in trying to contact me.” So there seems to be a lot of student activism going on with topics related to water.

Bob, you asked about County X. I don’t have an answer for that but I’ll get you one.

Bowen            Are you still going to invite the commissioner to a meeting sometime?

Holdridge        I don’t know. We’ll have to see. On 527 Maple Bluff Road, the citizens over there developed a proposal for that property. Bob Konkol sent it to their attorney in Milwaukee and they sort of rejected that and ended up saying we should not send communication to that household. But that’s very much on-going. Some of the participants over there were in Florida but now they’re back.

Well #11, Steve Gaffield is going to be up here next Thursday. We’ve got some City documents for him to look at. So that’s an on-going thing.

High capacity wells, we’ve got another one going in for agricultural purposes north of Jordan which could potentially have an impact on subdivisions. They’ve applied for a permit with the DNR but I don’t know if they’ll go forward with it. They don’t have any public hearing. But we met with the applicants last week with Patty Dreier and Don Butkowski. I indicated if the citizens over there petitioned against it or have some questions, we will hold a public hearing. But normally, if the DNR approves it, there’s no requirement in the DNR approval process that there be a public hearing. There are a number of high capacity wells going in.

Binder            In the Town of Hull or Dewey?

Holdridge        No, it’s in the Town of Hull. We have an issue with a dirt bike track over on Jordan and Torun area. Portage County Planning & Zoning sent them a letter back in March saying if they’re going to operate those dirt bikes, they have kind of a track there; they’ll need to go through the Board of Adjustments. They come before that Board on May 1<sup>st</sup>. Meantime, the owner and a couple of his kids went out and started building a circle. The citizens over there called us and so forth. I think Tracy from Planning & Zoning may have sent them a letter saying they have to cease and desist.

On the 5-year budget, we’re going to be working on that plus the budget for 2015. We have reserve funds but we have to get our operational budget more consistent with our expenditures. That’s a challenge.

We have a system in the Town of Hull with 4 road crew members. Each one of those has a sector based on the snow plowing route. We have a checklist for each one in that sector and it goes through in

the spring and fall checking such things as culverts, vision triangles, signage. So the Board should be getting a report on that.

Bowen Who has the Wilshire / Jordan sector? Where you were going to put stop signs in, remember, after that accident over there. Those hedges that stick out from that property on the corner that's for sale, you've got to get your nose almost into the lane to see if anyone is coming from the right.

Holdridge You know we got shot down on that by the sheriff's department. We have a road as we come out of the "Pipe" that's a dirt road that goes up the hill. The citizens over there pointed out that its 45 mph. It goes up a hill and is narrow. That's based on state law. If there isn't enough houses in between. But that's got to change.

Bowen I would like to see that regulation or statute or ordinance or whatever it is on driveways.

Holdridge Pete and Bill Omernick went through the whole town.

Bowen What about that mapping project?

Holdridge We gave them \$100 for it. Shelley, I think we used your \$100 for that. Shelley gave back her \$100 stipend so that's what we used.

Binder What was the mapping thing?

Holdridge It was on the Wisconsin River, they were mapping the Wisconsin River, the depth and so forth.

Bowen How do you factor that into your budget when someone gives something like that back?

Holdridge We just put it into a separate fund. What else do we have? Adopt A Road and Adopt a Highway, those are all active now. I think we have 6 citizen families that have adopted part of a road. The latest were Pete and Carrie Klismith up there on Granite Ridge. They adopted it in memory of Mr. Klismith who died. George is one of his sons. So that sign will be going up. So we have at least 6 of them. Those people go out in the spring and the fall.

Bowen Who has North Second Drive from Evergreen north to Hwy. X?

Holdridge Nobody.

Bowen It used to be the students at SPASH and they never did anything. There was a sign out there once. It's clean in front of my property but it's pretty messy other places.

Holdridge We're always looking for volunteers.

Bowen Good.

Holdridge This operates almost inversely based on age. The group that is really active is Bannach School. That's been going on for 25 years. They do all of Brilowski from north of Fleet Farm to Hwy. 66. The student council. Then we've got P.J.'s who has a new principal and they do Wilshire Drive.

SPASH has one on North Second and North Point. The problem with SPASH is in the fall these kids get busy. That's what I've got. Anybody else have anything?

**5. CERTIFIED SURVEY MAP FOR JAMES JAKUSZ – BEING PART OF LOT 1, CSM #7915 LAND LOCATED IN PART OF THE SW ¼ OF THE SE ¼ OF SECTION 10, TOWN 24 NORTH, RANGE 8 EAST, TOWN OF HULL, PORTAGE COUNTY, ABUTTING WILLOW SPRINGS DRIVE. SURVEYOR- DALE ROSICKY.**

Holdridge Are you representing James Jakusz tonight?

Rosicky Yes, I'm representing him.

Amman We have one more sheet, the Lot Split Check List (handout).

Bowen How far is that from Jordan?

Amman I've got it marked up here on the larger map. It's up here not too far from us (the municipal building) on Willow Springs Drive. Just north of where we are here.

Bowen I was out flying an hour ago and I couldn't find it. I could find it but I didn't know which lot is was.

Amman There was a sub-development over here.

Rosicky If you look on the right-hand side of the map, you see Timber Ridge Estates, Second Addition. That's how close it is.

Holdridge That road, that's not in there, that's proposed?

Rosicky Right. I don't know if the Town reviewed this about a year ago. It was originally going to be a county plat because Jim wanted to develop it a year ago and according to Portage County regulations he wasn't able to do it as a certified survey map so he was forced to do it as a county plat. But now that time-frame has elapsed around the first of April so now he is able to do it as a certified survey map. So that's why he's doing it this way. His partner, Greg Ross, is in Alaska and they're kind of severing their ties as partners so Jim is going to be doing this on his own.

Holdridge So what he's done is split a lot?

Rosicky He's created 2 lots there. Tracy has reviewed and approved this.

Holdridge We had our assessor look at it too.

Binder It must have been a year ago because it's dated 1-15-13.

Rosicky Right. This is what it was going to look at as a county plat. On that you might be able to get a better idea of where the subdivision is. It's the same 2 lots. They haven't done anything differently. We actually staked it a year ago and we were going to record it as a county plat. Jim was trying to get

Greg's signature from Alaska and ran into all kinds of problems and it was delayed a whole year. You can see on the bottom it was a county plat.

Holdridge Does anyone have any questions?

Reid So this is R-4 zone?

Holdridge Two-acre lots. Does anyone know the zoning?

Kunst Yes, I believe it's R-4.

Enright Isn't it supposed to be R-2?

Reid Is that what they're proposing, multi-family?

Rosicky I don't know. I can't speak for Jim but I'm sure he's building single-family homes there.

Enright So we're just approving the certified survey map?

Holdridge Yes, you're approving the certified survey map. Then it would go to the Board on the 5<sup>th</sup> of May.

*Motion to approve the Certified Survey Map for James Jakusz was made by Shelley Binder and seconded by Bob Bowen. To be passed on to the Town Board for their approval. Motion passed with voice vote.*

**6. CERTIFIED SURVEY MAP FOR GERRY BRZEZINSKI – BEING PART OF LOT 1, CSM #10290 LAND LOCATED IN PART OF THE SW ¼ OF THE NW ¼ OF SECTION 11, TOWN 24 NORTH, RANGE 8 EAST, TOWN OF HULL, PORTAGE COUNTY, ABUTTING TORUN ROAD (NORTH OF JORDAN ROAD INTERSECTION). SURVEYOR – DALE ROSICKY.**

Holdridge We've got Jerry Brzezinski here and Jerry, what you're doing is creating an additional lot.

Brzezinski Yes.

Holdridge Somebody is going to build a house there.

Brzezinski Right.

Enright It's lot #2?

Bowen Lot 2, the second one from the corner.

Rosicky I don't know if you have a copy of this but that was the original lot.

Holdridge Jerry, do you want to comment any?

Brzezinski We've got everything all set. I just need to get the perk test.

Rosicky It's for your son?

Brzezinski Yes. He's here.

Bowen Why is there no water test needed?

Brzezinski I just paid last year to do all the water tests on that previous survey. It's all been done last year on the rest of the property.

Holdridge On #7 it says extraterritorial plan review. Does the City actually look this over?

Brzezinski They did.

Holdridge Does their plan commission do that?

Rosicky Mike Ostrowski just looks at it. He stamps it, he doesn't have to have a signature block for it.

Bowen We asked that be typed (Lot Split Check List – hard to read handwritten notes at times). That's why we asked that.

Holdridge We also wanted a line for general comments to tell us what they intend to do or build. In reading this, sometimes we have to sort through. Okay, any other questions?

*Motion made to approve the Certified Survey Map and pass it on to the Town Board for approval for the certified survey map for Jerry Brzezinski was made by Bob Bowen and seconded by Jocelyn Reid.  
Motion approved by voice vote.*

Holdridge Are you going to come to the Board meeting on the 5<sup>th</sup>?

Rosicky I can do it, sure.

Holdridge We have a new policy that somebody who knows what's happening needs to be at the meeting.

Rosicky What date did you say it is?

Holdridge May 5<sup>th</sup>. We'll put you right in front of the agenda. Very good. Thanks for coming.

Rosicky I don't think Patty had it for this meeting, but I had my wife drop off a state plan that Jim Jakusz is doing on Brilowski where it was annexed to the City. Did you see that one?

Amman I have some information on it but I don't know what is going on with that.

Rosicky I don't know what capacity you need to do for that one.

Amman By the time I got it which was today or yesterday, there was nothing I could put on the agenda for it.

Rosicky Right. I was just wondering if you had any questions about it.

Amman I couldn't really tell what they were doing there.

Rosicky I had dropped it off to Janet probably a month or two ago so she had it and had a pretty good idea of what we were doing.

Amman Is it something that's on hold or is it in process?

Rosicky It's in the process now.

Holdridge Do we have to act on that?

Rosicky I think you just have to sign it because there's still a small strip that connects to the Town off the left side of Brilowski. I'm kind of working with Kyle Kerns at the City.

Holdridge Is that in the Schmeckle Reserve area?

Rosicky No, this is south of the old Wal-Mart building on the east side of Brilowski between Old Hwy. 18 and Hwy. 10.

Binder Is it that house there?

Rosicky Yes, it's Jakusz's house. It's that property.

Binder That was in the Town of Hull?

Rosicky It was, then it was annexed to the City. Just a small strip of the land had to....this is a copy of it. You can keep that one if Patty doesn't have it. That's going to be on a state plat 30 x 22 that will have to be approved by Madison.

Holdridge Patty, you want to take that and we'll check with Janet.

Rosicky Just have Janet let me know. It was sometime in March that I dropped a copy off to Janet and she said you have a meeting on the 28<sup>th</sup> or 23<sup>rd</sup> (which was cancelled).

Amman That's the one I called you about and left a message for you asking about it. I didn't get a call back so by then, I had the agenda done so there was nothing I could do about it.

Rosicky Did you call my office?

Amman Yes, I called and left a message on your answering machine (asking about 1901 Brilowski Road).

Holdridge Why don't we check with Janet on that.

Rosicky Sure.

Amman Is this the only one you have?

Rosicky Yes, it is.

Amman Because I have this.

Rosicky I just made a couple of revisions on it with arrows and things. Nothing major, just something Pat Fier from the engineering department wanted me to add. He wanted me to make the lines darker, extending Jefferson Street to the east. So if you want to keep this one, you're welcome to it.

Amman I think I might have that one because mine looks darker. And I just got this one today. This is the Hunter Oaks one. That doesn't mean that it wasn't here earlier. I think I've got the most recent one.

## **7. EXTRATERRITORIAL ZONING VERSUS EXTRATERRITORIAL PLAT APPROVAL AUTHORITY – ATTORNEY CAROL NAWROCKI.**

Holdridge There was an article in the Town's magazine about these 3 different concepts.

Amman Jeff, would you like to come up and join us at the table? Because if you say anything back there, there's no way we're going to hear you back there.

Holdridge Who's there?

Binder Jeff Schuler came in.

Holdridge Oh Jeff, we'll put you up at the table. This question of extraterritorial zoning versus extraterritorial plat approval authority, it seems to me it happened in Selby. I can't remember since I've been out here if they talked about an extraterritorial between the city and town. I don't think we've ever had that.

Schuler There's just a few places in the state that have done that.

Holdridge So that's a rarity.

Schuler But the other thing happens all the time.

Holdridge Plat review?

Schuler I know the Village of Plover takes a look at every split that goes on in the Town of Plover. I assume the City does too but I don't know that. We don't know as much about the City Planning Department as we used to when John was there. It's a little bit different with different people working there.

Holdridge Well we know far less than we ever did.

Enright That last one we just reviewed, wasn't that on their list?

Holdridge Yes. It said Mike Ostrowski.

Enright                    That was a plat review one?

Holdridge                Plat review.

Schuler                  Zoning is a special thing that either the village, town or city have to agree to, to cooperatively figure out what is going to go on in the Town or the extraterritorial area, the village or city with the town. I think its 3 people from the incorporated place and 3 from the towns and you jointly plan the zoning that's going to be in that area. If there are any disputes, it goes to that.

Holdridge                Or else you don't have a majority.

Schuler                  I think it's 3 / 3 and if you don't get a majority, it fails, I think. I know the Town of Cedarburg, the Village of Cedarburg down by Milwaukee, I think there are other places in the southeast part of the state, maybe south central part that have that but none in this part of the state that I'm aware of.

Holdridge                Here it says, "However, the city or village may not adopt the proposed plan and regulations, or amendments thereto, unless they receive a favorable vote of a majority of the six members of the joint committee."

Kunst                    It sort of encourages that conversation between the city and the other municipality. I don't believe it operates up here.

Enright                    It's with respect to contiguous property or land given to the city. This is irrelevant because the city just annexes. Then they make their own independent decision.

Bowen                    This would never fly here.

Enright                    So this is a volunteer sort of thing?

Schuler                  Yes. You have to go through a very specific process to establish that. It's laid out in the statutes. You have to go through X amount of steps to establish it.

Bowen                    Why would a village or a city do that? Because they generally don't want any opposition to their acquisitions and this is opening the door for that.

Schuler                  The other side of that is it's seen as a way to say we're going to work together and you'll accept the outcome because we want to cooperate.

Bowen                    That's the optimum set of circumstances.

Schuler                  It may not ring real true around, perhaps, in the neighborhood.

Bowen                    Yes, that's what I'm saying. It wouldn't fly here.

Holdridge                We ought to have this for annexations, a join committee.

Enright                    Why don't we write a formal proposal to the city on it and say we're willing to do it? I think we should do it.

Kunst                    As far as creating a better relationship between the two municipalities or something like that, that's not always the case. With the City of Cedarburg and the Town, they don't get along. I don't know if it helps the relationship. However it does have some positives as far as getting things out there.

Enright                    I've been reading the Stevens Point Comprehensive Plan and it says in there that discussions are taking place with the Town of Hull and other municipalities regarding the border issues. So I think that it is incumbent upon the Town to express its willingness to participate in discussions.

*Motion made by Bob Enright to send to the City of Stevens Point our position that they ought to seriously look at the procedure for extraterritorial zoning in terms of annexation by using a joint committee and we would like to engage in discussions over contiguous lands as stated in their comprehensive plan. Motion seconded by Bob Bowen. Motion passed by voice vote.*

Holdridge                Well that was very productive.

## **8. CONTINUED REVIEW OF PORTAGE COUNTY PLANNING & ZONING ORDINANCES: SECTION 1 RESIDENTIAL DISTRICTS – PAGES 6-12 IN BINDER.**

Holdridge                There are 17 different districts. One of them is recreational. One of them isn't much used. I did talk with Paula Cummings today trying to get a handle on why Pine Grove doesn't have zoning. She wasn't sure. She said they typically have one building built a year. Nobody really wants to build there because you don't know who your neighbor is going to be because there's no zoning. When I was on the County Board, I remember going down there and there were a lot of trailers. She said that yes, there are plus a lot of agriculture. So that's the story. Jeff, do you know when county zoning went in? Was it 1967?

Schuler                    1966 or 1967, yes. I was doing a little research on that the other day and the county was actually excited and it went out and pursued zoning. That's how the Planning & Zoning Committee was created. They finally did something about zoning. They brought the research state-wide and there was a large group of supervisors that wanted it. So yes, the mid-1960's.

Holdridge                The Town of Grant has its own zoning. I'm not sure of the history on that. Paula said she wished there was zoning for property values and so forth. Although I think Houston, Texas has no zoning.

I'm glad Jeff is here because here in the opening statement under Single Family Residential District R-2, 7.1.2.1 – A. Intent: "This District is intended to provide for high density, unsewered, single family residential development. The application of this District, for 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. This District is intended to promote a residential atmosphere and to protect residential property values by prohibiting uses which are incompatible with homes." That's also in there, going back to 527 Maple Bluff Road. But this is the first time I've read this. I think it's the first time a number of people have read it.

Enright                    Did we do this all wrong then? We did ours all wrong because we have lots of R-2 that's not contiguous or practical to connect to sewer.

Schuler A lot of those were probably created several or many decades ago, right? The zoning, putting in the subdivisions that you have on un-zoned lands.

Enright But we reiterated it when we were doing our comprehensive plan when we got to land use and zoning on the land use. Hwy. 10 east of Brilowski and a whole bunch of other places are R-2.

Schuler We've been looking at that a lot too. We've had a lot of things that have gone on lately that kind of call it into question. All of these are 1960's statements and we understood the reason for them at the time. Lately the county has come up with a planned development district that allows for smaller size lots. So, in theory, you wouldn't need to be right next to city services to hook up to get that zoning, appropriate to get that zoning anymore. I think part of that is going to be, now that Steve is able to work with you on your comprehensive plan, get a feel for what size lot sizes you're after. You have a certain idea of the subdivisions that have developed in Hull and you probably aren't looking to have ½ acre lots in subdivisions. Which is what this allows, right? A 20,000 s.f. lot.

Holdridge Is that a half acre?

Schuler Yes. An acre is about 43,000 s.f. So it's about a half acre lot. If you look at septic issues, septic issues are a lot different these days because, in the old days a house lot had to have two places they could put the septic because once your drain-field went bad, you had to go somewhere else on your lot to put another one in. Now with the mound technology and now with the technologies they have today, they just take out the old one, put a new one in the same spot and it's probably better ground than was there in the first place. So having to have multiple sites on a parcel for septic, made the parcel have to be bigger. Now that's not as important of a choice anymore. When you talk about future land-use and the type of subdivisions you'd like, that's a valid question. How small of a lot do you feel comfortable allowing in the Town of Hull? You had a good part of that discussion when you had the I-39 West study. You talked about certain areas needed to be larger acreages, others could be smaller. Some are 5-acre lots. You might want to look at that when you look at the area east of that. What is that soil like there now? Maybe about what type of zoning there is most appropriate. Is 2 acres what you really want to see? Is there way to grow smaller? It's kind of like the texture of the town. How do you want that to play out?

Holdridge I think that I-39 West really grew out of the neighborhood over there. They wanted much smaller growth. The initial proposal by Dave Pederson and others said here is what we want. Very arbitrary. By the time we got around to copying it, it wasn't arbitrary. It said, here's what you have. Then we eventually came up with 2-acre lots and if you have 20 acres then it would be 5 acre lots. But that came out of that group just like the denial of any commercial establishment there at the I-39/Casimir Interchange. That came directly from the citizens. But the thing that strikes me about this paragraph, and it was pointed out by some of our committee members, "limited to areas where connection to municipal sewage treatment facilities is feasible at the time of construction." It almost looks like what we're trying to say is that a town cannot be independent and operate with their own private wells, their own septic systems. Somehow in the future there needs to be a way to tie in with the municipal sewer and water system and of course, in this area, it means annexation. Our position is that we want to be independent from the city. If you have that language Jeff, if you were going to do it again, I'm not so sure that language would be appropriate.

Bowen We discussed this 2 meetings ago and I said that when this thing came out, it was a conceptual document and didn't take into consideration the fact that subdivisions can exist way beyond

the extraterritorial boundary and annexing is not feasible. That's why I suggested a way that could be fixed is if they add some kind of a disclaimer sentence at the end that rural subdivisions, take that into consideration which would eliminate the strict intent of connecting.

Schuler        If I'm me, interpreting that, I have to think that nobody in the county wanted to have a high-density residential development that wasn't close enough to connect to city services. I think a 20,000 s.f. size, small lot, didn't belong on a well and septic. It would seem that a town wouldn't want to have a ½ acre lot subdivision that was well and septic. That wouldn't make sense just as a way of life out here especially with the water situation out here where sometimes it's tough to get water and if you have that many people in an area doing that. So in a sense you wouldn't want to use that zoning across a wider area. I don't think it's there to make people hook up to city services. It's one of those things that if somebody wanted to develop that, it would have to be in a place where you could get municipal services. Never say never because the Town of Plover and the Village of Plover had an inter-municipal agreement where parts of the town were going to stay town and get village sewer and water. So there are those kinds of agreements that exist. The town has never used it. Now their squabbling about it and it's going to go away after its 10-year life span. It was put in place in part because of Crossroads Commons development. Something like that could be possible if, in the Star Trek future the Town of Hull got along with the City of Stevens Point and you did have an agreement where you could have a development within the town that was a more dense development that might have city services.

Holdridge      I'm not so sure you couldn't have a ½ acre lot, I'm on a ¾ acre lot, that you could have septic and water on a ½ acre lot. You mentioned early on the design of septic systems. What struck me, Dave Wilz and I went to a seminar on municipal water put on by the League of Women Voters. It targeted municipal water systems. The point they made about Stevens Point municipal was that they collect the sewage, they clean it, they send it out and it goes into the Wisconsin River and goes down to New Orleans. They lose it. Basically someone said it's unsustainable. We both said one of the advantages with a septic system is it's sustainable. In theory, it's cleaned by the sand and gravel and at some point it goes right back into the aquifer. So I'm not so sure that you can't have it on a half acre lot. I'd like to see that more investigated. What you are doing of course when you have these large lots is spreading out. Two acre lots, you're spreading the whole growth, urban structure. When I was back going to school, that was called urban sprawl. I'm not so sure we shouldn't be looking for more self contained. The other thing, sort of collective systems that work within a subdivision or a couple of subdivisions. When we create a county, one of the major functions of a county is to serve unincorporated areas. When we get this language, it seems to me it's sort of serving the interests of Stevens Point. I don't disagree with what Bob says. But I'm concerned about those that are contiguous and this notion that the history is that you're going to be a part of Stevens Point. I don't see any great agreement with Stevens Point. There ought to be but there's been no effort by this mayor. The previous mayor, yes, we had a good relationship.

Schuler        Mayors change.

Holdridge      I'm not going to wait for the mayor to change. Is there any possibility that this language can be changed?

Schuler        Oh, there's a very good possibility. I see where you're coming from in your interpretation of it. I would never interpret it that way but I can see where you're thinking about that. Like I said, Chris and Tracy and I have sat down a couple of times and talked about stuff like that which cause the questions. The last thing you want from an intent statement is for it to raise questions. It's kind of counter-intuitive. So we're looking at it.

Holdridge When we looked at this last time, 3 or 4 members of the committee said this jumped out at them and frankly, I had never read this. It's like when they say, go back and read the original document, you might discover all kinds of things. Anybody in academic life knows that. Read the notes to the Declaration of Independence and might have a much different interpretation back then. That sort of thing. So once you read this, this is the original, this is what we operate from.

Enright So were we thinking them R-2 and then ended up making our lot sizes 2 acres? Are some proposing building on smaller lots than that?

Schuler At R-2 and 2 acres?

Enright Are those 2 separate things then? We state 2 acres in all those areas in our plan where it said it would be R-2 because we were under the assumption they were 2 acre lots.

Schuler There is one thing that by default might do that, if it's in the wellhead protection zone, there is a 2 acre minimum lot size even if the district allows for ½ acre lots. If it's in wellhead protection B or C, I think, it's a 2 acre minimum lot size so the groundwater protection trumps the zoning in terms of lot sizing, yes.

Holdridge Is that the city or the county?

Schuler County.

Enright If it's not in a wellhead protection area, then what?

Schuler Then it's should be whatever you've zoned it. I don't know if there is a way you can restrict the use of the zoning area. I don't think you can go lot by lot saying this one you can have a half acre and that one needs to be 2 acres.

Enright Couldn't we just say R-2 would be 2 acres?

Schuler I think you would be in R-1 because that's a 2-acre district. I think you wouldn't adjust the size of the district to make it different, you would go to a different district.

Enright I thought we had put a lot of that undeveloped land of Hull in R-2. I guess we have to look at the zoning map because I thought we called it R-2.

Schuler The thing about the comprehensive plan is when you get into first, the utilities then the public utilities element, then the natural resources element, you'll have a discussion about groundwater. Then you have a variety of capabilities for groundwater across the town. You've got some places it's slow to get out of the ground, it's hard to get 5 gallons per minute. There are other places it's better than that. I think people's ability to get water will lead to what size lots or how much development you get. It all boils down to how many people you want in an area. I think you'd be hard pressed to want to put a lot of people living closely together in an area where it's hard to get water because it's going to create problems.

Enright How do we explain, how do we do this, how do we designate the areas where we can do one or the other? How do we avoid just being reactive when someone says I want to develop

these on ½ acre lots when we're thinking it should be 2 acre? Do we have any basis upon which to make a decision on that or a particular reason to deny it? It seems to me as if we intended to do one thing and we did something else which could make what we planned not what we really planned to do. Something to straighten that out.

Schuler I think in every chapter of your plan there's going to be a background section that's going to talk about whatever the resource is. Then you'll come to a series of conclusions or issues about it and say, if you're discussion groundwater, you talk about this, the capacity for wells is more limited in certain areas of the town and land use should be looked at accordingly. You lay out your reasons for why you want to approve or not approve something throughout your document. One of the most important things for the town is going to be is do you want to scatter people all over and make your maintenance and your plowing of roads more difficult. Where people have to drive every day makes an impact on what you think. Whether or not you want to have busing with people far flung all over the place in terms of what you talked about along the way, the town considers this to be a problem and we therefore do not approve this development. But your comprehensive plan is there for you to lay out your conclusions about every one of those resources whether it be transportation, natural resources, public facilities, however you want to do that. Even housing.

Holdridge I go back to that letter I read from that student. Those are all great questions but they are largely irrelevant to us. It's almost like it came from a textbook. You need to have some kind of plan and here is where you are going to go. That isn't part of how we developed here. When you think of where the lots are the largest, it's I-39 West. There you've got to go down fairly deep to get water, those are drilled wells. We have a situation where we met with the owner of the land last week after hours. He's got 80 acres and he's talking about a high capacity well. If he does, there's going to be a shoot out because the neighbors will have a petition and so forth. But then he mentioned alternatives and what about developing it as a subdivision. I don't know the economics of this, how many of what lot size is needed to make a profit. Right now it's wooded. They'd clear the whole thing. So what's the alternative if you're going to develop that 80 acres into a subdivision? What are the options? If you come in with something, rather than 2 acres, come in with ¾<sup>th</sup> acres or an acre, or a half acre and lay the structure out so they could have a good return on that. He asked what about vacancy rates. I don't think we have a high vacancy rate. We've had 12 houses built in 2013. I don't even know, Jeff, who tracks vacancy rates, maybe the realtors or somebody. I think there would be a demand for a property that would be a reasonable cost.

Schuler It's one of those things where you want to ask him, "What's your market study?" If anyone wants to do a development like that, they have to study the market and see if there's a profit for them there. It's not altruism that they're doing it. They're doing it to provide a product that people will consume. That it will be subdivisions that people want to live in.

Bowen If the wellhead protection area overlays the comprehensive plan, how does that expand when...

Schuler It modifies the zoning.

Bowen Okay, but I didn't finish my sentence. ...of when the city comes out and drills a well in the Town of Hull. Does that change the wellhead protection issues?

Schuler You know I would assume it would because there's a different well to protect, right?

Bowen Right. It sounds logical but I'm asking.

Schuler It's like automatically updating mapping at the same time. I don't know the answer to that.

Holdridge We've got a water committee which we still need a couple of members on. One of the goals was to look at a wellhead protection area for Hull. We have all these private wells and if you've got 2,020 private wells and something happens and it happened with 35 households, they don't have any water, what do these people do? Don't we need something to protect our interests and our citizens' interests?

Bowen Yes.

Schuler Right now, the wellhead protection just protects municipal wells.

Bowen Right. So this is working in reverse right now.

Enright I thought the county wellhead protection protected the county?

Schuler No.

Enright There were two. One was city and one was the county. I thought someone said that.

Schuler No, they were mistaken. The wellhead protection is just for the municipal water sources. So the city's goes up to the edge of the city boundary and when you cross that boundary into the town, that's where the county's wellhead protection is. It's all based on some study that was done a while ago about time of travel and direction of water flow and what is the zone of influence around a municipal water source.

Holdridge It looks to me like what has happened is the county has ended up coming in on the side of the city in this rather than promoting the interest of these unincorporated areas particularly those faced with these kinds of issues. Why isn't the county assisting us? We want to develop some kind of protection for our wells, 2,000 plus wells. Where is the county in that? Why is the county saying we're going to protect the city, or are they doing it for Plover too, the village?

Schuler There is a distance away from each well that is considered to be the important contributing zone that you have to watch out how the land is used.

Holdridge Who regulates that?

Schuler Within the village or city boundaries it's the village or city. Beyond that it's the county. To the extent of that straight line that the zone is, the state said you really need to think about protecting your municipal water sources. I don't know if the state has ever established any guidance or even law that allows for the protection of individual private well sites. It's not the county not wanting to. It's that there's never been any movement at the state level to have a similar type of protection for an individual well. I think it's a valid point and I think it's a great thing to bring up during the groundwater management plan because that is the county's document for how it thinks about groundwater across the whole county. Not just within the pumping zones of municipal water sources.

Holdridge That's put together by the groundwater group?

Schuler Yes. I will make sure we make a note of that. Actually Steve is going to be working on that with Ray Schmidt. Ray is the point person for that and it's been on hiatus while Chuck has been gone so we're gearing up for getting that going again. We'll certainly bring that up. That plan is being done by the Groundwater Citizens Advisory Committee. They're the first people to draft it. They've created a subcommittee to put the text together, go through GCAC, to go through the Planning & Zoning Committee to go to the County Board. So I see him (*Steve*) writing right now, he's a very astute young man. But I think that's a totally legitimate question. We can put the question out there and talk about the pros and cons and then you'll know what the pros and cons are. You have a totally legitimate question of why can't there be something done to protect individual well owners and properties.

Bowen Right. Exactly.

Schuler There has to be 2 sides to the discussion and a reason why it isn't as common sense as it seems on the face of it, right?

Bowen Right.

Schuler To get the question out there is really important.

Bowen The installation of these additional wells is not wellhead protection. It's production for supply of water at the expense of whatever is in that area.

Enright Where are the restrictions on the city? Could you just go and drill a well anywhere you wanted to?

Schuler They are all permitted by the DNR and it gets down to the geology and access to the groundwater and quality of the water. All of those things. But it's very technical.

Enright Irrespective of what municipality or where it's located.

Schuler I don't know to the enth degree but I have a hunch that is pretty much right.

Holdridge There was a session last week by a professor in Vermont and she was really up to speed on what is called the Public Trust Document. The Public Trust Document pertaining to certain things says that water belongs to everybody. If it's a navigable stream, nobody owns that water, it belongs to everybody. It was a statewide hookup and I asked the question to her, what about groundwater because that also comes from the Public Trust Document. It was used in this Lake Beulah situation but it's sort of an unchartered part of the law that's why this issue out here is a big question. The municipal well is damaging what is coming from the ground and that's where we all get our water, damaging other wells that are also maybe in some cases 40 feet deep, in some cases deeper. But whose water is that? The thinking is probably that water isn't owned by the city, the Town of Hull doesn't own it, it belongs to everybody.

Schuler What makes it really interesting to us is that 2 or 3 years ago, I think it was the Golden Sands RCAT, a 9 county conservation organization made up of the individual counties, they passed a resolution saying the Department of Natural Resources, based on the Lake Beulah decision should take a

wider look at what they call cumulative impact. So Portage County became the third one of those counties to pass a resolution to say, “DNR, please look more widely at this.” We sent it to the state and there was a mini uproar. We got it passed. But we had Bob Smail from the Water Use Section and the Section Chief, Eric Ebersburger come and talk to both the Groundwater Citizens Advisory Committee and the County Board directly about how difficult it is for the DNR to – and a city well is basically a high capacity well. So their process for reviewing those is clunky and not exactly transparent and I think that’s what really irks people. They don’t have a public hearing. You have to work to find out where there has been an application that has been taken out. If you know where to look, you can find it on the website but you have to do a little work. So that’s the whole discussion right now. Our department is working with the state chapter of the planning association at our June conference to have a discussion about what the different perspectives are on regulating quantity out of the ground. It hasn’t been done in the state. They tried it a couple of times. The Doyle administration talked about having water commissions in different parts of the state. The Walker administration came in and said they didn’t think it was a very good idea and all that went away. So it’s a topic that’s never been resolved but it’s getting a little more traction. A lot more people are starting to talk about it. I think an outcome of that might be is you start to think about what are the rights of individual property owners and what counts as protection. It’s all going to be a compromise. If you look at it, people need water in their house, ag needs water to grow crops, to process things, cities need water, villages need water to give to the folks that live there. How do you compromise on this and make sure that everybody gets a piece of it because everybody needs a piece of it, right? So they’re modeling with two projects that are going on now. There’s a modeling project for stream flow in the Little Plover River. The DNR and Extension down in Madison are doing a groundwater quantity model for the Central Sands. That’s going to be done in the beginning part of next year. It’s the first major attempt to figure out how do you quantify and do that? Because everybody says they draw 20 million gallons of water a year out of whatever resource, or billion. Nobody knows if that’s a little or a lot. In order for it to make sense of what can a local, single landowner claim as his right, you have to figure out what constitutes an impact. Nobody knows the volume of water in the ground. So they’re trying to figure that out. That’s a long way of saying there’s a lot of stuff being done now, finally, to try to get to where that conversation really makes sense. It didn’t before because nobody could agree. George Kraft would say something and the potato and vegetable growers would try to have him fired because (*they say*) he’s a radical and bad-mouthing their industry. Somebody would go out and get another scientist to have a different take on what’s an impact on either groundwater or surface water. They’re trying to come to some baseline of knowledge of what they’re talking about.

Bowen            How could the town move to put a moratorium in hi-cap wells until the kind of information that you say is lacking becomes available?

Schuler           I think the DNR would say, what science do we have to know that its...

Holdridge        The short answer to that is probably the nuisance issue. That you’ve done harm to households.

Bowen            Yes.

Holdridge        That gets you right in there. That really does become the issue. If somebody has to spend six grand to put in a new well and pump because of the city, it proves the city..., you talk about cone of depression. That’s very interesting. We hadn’t thought about that. The reality is you say the wellhead protection is based on some knowledge of the cone of depression.

Schuler Yes. Done by science, that's about 30 years old.

Holdridge And Jeff, that's the issue with that Well #11. They go out in tentacles. They draw that area down and if your house happens to be located in or about there, you're going to lose water. You've got to put your well much deeper. So Bob, the answer to that is probably the way most of the great issues in this country get resolved, they get into the courts. We don't want to do that but on the other hand we've done some research. The reporter from the Stevens Point Journal, Chris Jones, came out and wrote that article, front page of the Stevens Point Journal. That George Kraft was saying that there is definitely a relation between Well #11 and those dry wells.

Bowen Water is a natural resource and therefore it seems it's incumbent upon the DNR to establish this...

Holdridge I got an 18 page printout from this gal who is a professor and I'm going to send it over to O'Brien because in the last 4 pages she says what happens is there are all sorts of things we can do. We can defund them, cut back funding, cut back positions. You've got to have staff to do a lot of this stuff. So there's that sort of thing. Now that's her perspective.

Schuler It's pretty amazing what's happened in terms of the employment at the DNR and what they're allowed to actually look at.

Bowen But you know, the geologists have established, and the soil scientists, what the characteristics are of this whole area and state for that matter and they know where the water comes from and where it goes. It's dependent upon snowfall and rainfall and evaporation and all these factors. It's pretty much a finite resource and they know where it is and where these underground channels are and everything else. You say its 30 years old but I tell you it's been pretty well established. All they have to do is show it to us. How much water is here and how much water can you take out before you impact a person's well.

Holdridge The real concern about Well #11, we had a big presentation out here with Halvorson, George Kraft and others before they put in Well #11. Even in that presentation it was pretty clear that was going to be the main well for Stevens Point. Now think when that thing really gets operating, because it's not near the capacity yet, what happens to these areas around it, when it starts pulling the water out? That's the next-day sort of thing we are concerned about. Not just the present, which is bad enough. I think what happens here, if I were sitting in a law firm with a partner, boy, these guys could be right on the ground floor in terms of real serious litigation because nobody has looked at municipal wells and their impact on private wells. I don't know if there has ever been any done on high capacity wells and their impact on private wells. It's all about streams or lakes as far as I know. Maybe you know something, Jeff. It's never really gotten to these private wells. I'm assuming Portage County probably has 30 to 35% of households with private wells. Kind of reflecting what Ray Schmidt said. That's 1/3<sup>rd</sup> of the population.

Schuler So what's the best way to answers to the question?

Holdridge One of the things I'd like to see is some modification to this one paragraph of the intent question. We have these subdivisions placed where they're not contiguous. We have an interest in remaining independent, the town has that interest. Somebody pointed out that this stuff gets in and it's been in for quite a while then all of a sudden it jumps out at you.

Enright                    But this is the county's. It didn't make sense to me when we were talking about it before on different zoning districts for different municipalities. Can you really do one for all by just striking this? Is that going to work for all the other municipalities?

Schuler                  Well it has to make sense. You wouldn't make different zoning districts for Hull. Towns would use whatever zoning districts they feel are prudent.

Holdridge              Out of the 17.

Schuler                  Right. There used to be a lot less because over the years, as towns had issues, new ones were created. If there's a new way to look at it, okay. If you look at 527 Maple Bluff Road, is that a neighborhood that calls for a different type of zoning district? We had a little bit of that discussion but at the last Planning and Zoning Committee they didn't feel they wanted to discuss it. You have a new Planning and Zoning Committee being formed tonight. We have Barry Jacowski, Stan Potocki, Bud Flood, Larry Raikowski from the Town of Eau Pleine and Jerry Walters from Whiting. That's the new committee as of about 5:20 tonight as approved by the county. I was there before I came to this meeting. Is that another time to bring up the conversation? I would say yes. I would say that's what we asked before, what kind of zoning do you want out there?

Holdridge              Leif Erickson made the best statement, I thought, but he never followed through on it. Maybe what should happen is the county people and the Hull people who are interested should sit down and look at the flexibility that could be put in R-2, only R-2 residential. That could be put in that kind of area. Give the town the option. That's the thing we were talking about. If the town doesn't want to do it, that's fine. But give them the option to modify that R-2.

Schuler                  That gets back to you can't apply only parts of the zoning district to different properties in different areas.

Holdridge              I would say, Jeff, if it's R-2 in the Town of Hull and you have an alternative, a modification plan, that option should be applied to all R-2 in the Town of Hull, just the option, whether or not people do it or not. This Barry Jacowski, he's one of the guys who kind of stormed out saying you guys, you've got a nuisance ordinance. Well what did he do, he came across and got some kind of a modification of a plan that would affect his area where it seemed to me you could have some development in rural areas, isn't that accurate?

Schuler                  Yes.

Holdridge              Here's a guy who said we couldn't do that. This is not a dead issue. Our problem right now is we're going the nuisance route with that 527, but that should never have had to happen because that's costing us money and the county has 3 corporate counsels, and we're paying for it. So that kind of gets under our skin a little. All I'm saying is there ought to be in that R-2 area some options for towns to use that are consistent with the county but let the town decide. They have to face their constituents. Your requirement in that R-2, you can have as many cars as you want, as are operating and you could put them all over the front yard, as long as they're operating and have a license. That is just crazy.

Schuler                  We're working on that too.

Holdridge              Isn't that crazy when you think about it?

Schuler Yes, in the extreme case, yes. I guess it's one of those things where there hasn't been an extreme case.

Holdridge But we've got a case over there with Konopacky now that nobody would have ever expected that would happen in that neighborhood.

Schuler But we've been thinking about that too. I think the county overall has taken somewhat of a hands-off approach to property rights regulations. People might laugh at that because we have a zoning ordinance but the fact remains, they are hard pressed to weigh into people's business. We're trying to give them information on how they can do that, so we've been working on that part of it too.

Holdridge But the problem, Jeff, is we become the victim. They lay off on Konopacky, those neighbors over there become the victims.

Schuler I understand.

Holdridge They protect the perpetrator. When are they going to help the victim?

Schuler I know that the executive is very interested in the problem.

Holdridge Yes, I know that.

Schuler My thought on that is having a separate urban area type of zoning district, a separate district that you, as a town could apply in your neighborhoods the way you see fit, that makes better sense to me. I don't see a way you could have a modification option within a zoning district that you just apply to certain cases. Because of that uniform application of law says the law is the law and you shouldn't be able to tweak different parts of it for different parts of the town. I would say the point would have to be made to the Planning and Zoning Committee that the Town of Hull thinks it's appropriate for there to be a new zoning district because we have, if you look at the county, what is really kind of a unique situation in our borders that we think we need to approach differently. This is the town saying this is how we need to take care of our business. Of course, like a broken record, it all comes out of your comprehensive plan. You lay out your policies in there that you can take down to the Planning and Zoning Committee and say, hey, in our adopted comprehensive plan, these are the things we have issues with and these are the things we need to fix.

Holdridge Yes, but Jeff, do these people really care about that? We have a comprehensive plan and we're supposed to have intergovernmental cooperation with the city, nothing. There's nothing there. They just went ahead and did whatever they wanted. Oddly enough, where they annexed, was probably where we agreed with them south of Highway 10 in that area. That wasn't going to be in Hull and we had no problem with it.

Schuler I would say don't give up just because you kind of got your nose tweaked the first time.

Holdridge Well, we're part-time people.

Schuler That's why we're here to help you.

Holdridge We devise these plans and all that and we've been through the process. But I do think you need to have some modification in a town for certain districts and I would say the R-2 is the classic one. That's a high-density residential district where you give some flexibility.

Schuler I would venture to say that we have a real good understanding of what your concerns are and I will speak for Steve, I will volunteer Steve, when we get a chance to really look at your comprehensive planning, we would love to bring you ideas where, in different chapters, some of this stuff would make sense to stake out what your real thoughts are as a community. Of course you're going to have a public process where people are going to say, yes, I'm from Hull and I agree that's what we're going to say. You have a variety of opinions within the town itself, right? It's not everybody thinking the same thing. You have identified from a large group of people what the concerns are so we can figure out a way to help you put that in your plan so if anybody asks, you can say, we've thought about this as a Plan Commission and the Town Board and this is really how we feel about this. Then you come to the county and say, hey, look, we did this in our plan. Then I can blame Steve because Steve will have helped you do that, and we should follow through on that. I'm just saying that is a really good path to go.

Holdridge I was on the County Board for 17 years and sat on some of those committees and you've got a 5 member committee and you've got 3 of them who could care less. That's what we saw on your planning committee. The opportunity to persuade them, Stan Potocki and a couple of them, it doesn't work that way. We think democracy works because we get a bunch of people together and they're all knowledgeable. It doesn't work that way either. If we have a public hearing, we do what we can to get people to a public hearing for whatever reason we have one, but you get this emotion, that emotion, rationale. You go through these comprehensive plans and that started and was approved in 2006. You go through it and one of the big aspects and I think there were 5 or 6 aspects, one of them was intergovernmental cooperation. That was key to everything. What happened? There was no intergovernmental cooperation.

Schuler So how can you get around that? Can you get around it? I don't know but you've already identified #1 the lack of intergovernmental cooperation, #2 the whole Maple Bluff Road thing. It's given you at least 2 instances where you really want to make more strong and reaction statements in your plan about what you really think.

Holdridge I think, Jeff, Maple Bluff Road is probably going to be a pretty strong nuisance ordinance for R-2 and where there is high density. I would say you can do this and you can't do that.

Schuler I will caution you that you are best served, I think legally and from an organizational standpoint to make sure you establish why you need to do that in your comprehensive plan. The comprehensive plan is supposed to be your book of thoughts. It's supposed to be what Hull is. I know you've gotten a bad reaction to parts of it that hasn't seemed to work but I'm telling you, you're best served if you take advantage of the document because it's the first thing people are going to go to say, what's your legitimate basis for this. You can say, it's in our comprehensive plan.

Holdridge This would be simply a lawsuit. We've looked at public nuisance ordinances in other communities and boy, some of those are pretty strict. If you've got that standard and somebody violates the standard, you've got some real teeth.

Kunst But, like Jeff was saying, the courts and other people do evaluate why this was created and what justification do you have for limiting what people can do. You can create whatever you want but people may say we disagree with this and take it to court.

Holdridge      What we did was get all those neighbors that live over there and they came up with a plan but it's a little too much. But that would form the basis.

Schuler          But a judge might say, mob rule. Whereas if you have it in your plan, the judge would say, okay, as a community you have talked about this, you've had public input on this, you've voted several times to make this your official stand and I see where this has really good legal basis for civil actions.

Holdridge      I think that approach is, write a letter to them, have your corporate counsel send a letter and all that stuff. Then they bring him in before a judge and they fine him so much a day and he walks out and is back within 6 months. We've got real issues that we feel pretty strongly about. The statement in here about property values. We have pretty good evidence that property has really impacted property values over there. That's a nuts and bolts kind of thing. We'd love to have the county do it through the county zoning but I really think the county failed us for that planning and zoning committee. That was sort of a fiasco when the chairman picks up a picture and says, "This doesn't look too bad." Well he wasn't looking at the right property. He was looking at a different property that Konopacky had taken a picture of. I mean that's the kind of stuff we get. You make sausage and you make laws and you wonder why you eat the sausage and why you made the laws. That's the kind of impression people got out of that. You were there. You saw some of that.

Schuler          Yes, I did.

Holdridge      It was pretty discouraging. But I'm concerned about this paragraph. To me the implication is that we're really doomed to be sewerred and watered and we're doomed to be annexed and I don't think that's what we want to do. If we are a county and we've got a county agency that serves the unincorporated areas. The City of Stevens Point, they've got their own zoning. The Village of Plover has got their own zoning. This all serves the outlying area.

Schuler          We will keep you up-to-date on what we are doing on that.

Enright                 So you are going to try to re-phrase these things in a way that...

Schuler          We look at our zoning ordinance all the time and this is on our list of things to really assess what makes good sense. You guys have raised a good point and we've been thinking along the same lines of, does that make sense in today's world especially with the other zoning district we've just created that seemingly works sideways of that particular requirement.

Holdridge      What one is that now?

Schuler          The Planned Development District, that's very encouraging.

Holdridge      That's Barry's idea out there?

Schuler          Yes. We're encouraging that kind of thing that you say we can't have. So I'm saying maybe we should look at that.

Holdridge      What is that? How does that work?

Schuler It's a special zoning district that has to be approved individually by each town that allows you to have smaller lots on well and septic.

Holdridge Residential?

Schuler Combination of residential and commercial. Whatever is appropriate. A developer comes in and says I want to have so many units in this circumstance with this type of screening. It's meant to be a unique kind of project. A water-front development. The first one is up in Dewey next to the Tiki Bar. What can they do in sort of a higher density residential development that still respects the shoreland zoning, gives proper storm water runoff.

Holdridge Did that grow out of Barry Jacowski? Or was Dewey before him?

Schuler No, that came from a developer who asked a question to the executive who asked us to say, is it feasible.

Holdridge So that was pre-Barry.

Schuler It was during his time but not generated by him.

Holdridge Now you have an actual ordinance.

Schuler Yes. Which is another thing we need to talk about when we get to your land-use chapter and some of the other chapters of your comprehensive plan, you'll need to have the discussion, does that make sense for Hull. We'll give you a lot more information about it at the time. It's a neat option that is used infrequently but in the right situation, it brings good value and an interesting development into a town that was never able to be approved in the county before. We sort of took it and said why can't we do it here?

Holdridge Where do we go now? We've got Steve on board which is great, but are we going to have Steve's assistance as we go through this comprehensive plan?

Kunst Yes, absolutely, that's fully the intent.

Enright It would seem to me the other part of this, and if we go back to the others having to do with annexation and changes in zoning and land use, is another aspect of what I said before where we should meet with the City of Stevens Point. We have on record an instance where we had cooperation between the city and the town on a development on a gigantic parcel of land that was put into development. Despite that, bad relationships have existed and Hull is cast as an obstructionist to economic development and expansion on the part of the city. Despite that there was citizen cooperation on the part of the Town of Hull to put that land into the city and zoned for commercial development. The one that John mentioned, south, by Old Hwy. 18, the Town of Hull has expressed no opposition to that at all. But the ones that get the attention are when an idea comes up and then it is in conflict with the character of the neighborhood to both the city and the town such as the Home Depot and the other one over by Carol's Lane I think it was, these are the ones that are identified. I think that is a misconception and what I think we need is someone to publically stand up for planning as a concept because the plans are written. We've spent a lot of time writing these plans but when development occurs, it basically throws out the comprehensive plan. It throws out the planning document with no one to stand up to say

this was the deal, this is what we planned. We've been just sitting on another one because it's going to happen again as soon as the property next to the U.S. Bank is sold.

Kunst I think you are referring back to the extraterritorial review and the fact that it seems as though we're not following the planning principals at the town level because there hasn't been that discussion between the town and the city. I know of a couple of instances that you are somewhat referencing. I'm not going to know all of them but I'm getting up to speed where it's not in line with what the town is calling for but it was definitely in line with what the city was calling for in their plan, looking to grow here in the future. That discussion wasn't mutual. So yes, it's in line with some planning but not with yours and that's where the trouble is.

Holdridge There are two parties and neither one wants to interact. It really is more the city's responsibility than ours. They're the big elephant. There has got to be somebody above that and I've always thought it was the Planning Department that ought to say, look, you developed this plan based on a law in 2001 and one of those elements that is very strong is intergovernmental cooperation. One of the groups dropped that and that was the city. I've heard stories that the mayor didn't even tell his aldermen what was going on, let alone tell Hull or communicate with Hull. Somebody has got to take the leadership role on that, that is sort of above the fray but understand there are planning concepts involved here. That's what we need in these situations. We would have been happy to meet with the city on any of these issues but they just went ahead and did it.

Enright But in fact we did meet with them on the land that I just mentioned. We met with them repeatedly over months putting together the plan for the land that I just mentioned right next to the U.S. Bank. That went through numerous revisions and after the last one when they were supposed to come back with the next revision of it, never showed up again. That was the end of it. We're waiting and we've been waiting about 4 years on that one. So that's why I think we don't wait anymore. We say, yes, let's talk about this and what the Town of Hull Planning Commission stood for on that issue was yes, there could be commercial development on that lot, but that commercial development should be in a way that does not conflict with the land-use which is adjacent to it which is residential. That is all we have asked for. But instead, repeated revisions of the plan, because it was the city who was the one that was actually writing the stuff down on paper after we agreed that this was going to go into it. When they rewrote it and it came back to us, it wasn't written the way we agreed upon. It was a confusing document that said you could build a 4 or 5 story hotel to within 8 feet of the property land of a residential lot. When we said that was not consistent with what the previous meeting was, they were going to be the ones to revise it and it was going to come back, but it never came back again. So I'm very open to having that discussion again and we're not going to say you can't develop it commercially but come up with a plan that is going to be consistent with the surrounding land use instead of doing what just happened twice in the Town of Hull. That's all we're saying. Somebody had to stand up and say, planned land-use change makes sense and un-planned land-use doesn't.

Holdridge I don't know how you get that across to the city. Obviously it's a planning concept and the whole approach to this comprehensive plan was that there needs to be intergovernmental cooperation and sharing of planning. We have to send it. I think we sent them a copy of our comprehensive plan. We sent it to Dewey and Stockton and all the stuff to get this communication but there's been really nothing.

Enright It really isn't communication when the Town of Hull chairman is restricted to 5 minutes in the public forum and that's the extent of intergovernmental dialog. It just seems to me that's what it says, is that we're going to have dialog and it's not communication when the land-use is... (*over talking by others*).

Holdridge Are there any folks at the Planning Department that can help us on this?

Enright Maybe we're expecting too much. I don't know. Maybe we're expecting too much from planning stuff, I don't know. It just seems to me as if we spend a lot of time working on planning that we are owed something back from both the city and we're owed something from the whole idea of planning, that it actually means something.

Holdridge We were really one of the first towns to jump in this when Chuck Kell raised it back in 2001. We were really right on-board. We created a Plan Commission. So we were interested in planning. But we've got to have somebody that is above the process who at least knows the process that says you guys really have got to communicate.

Schuler I would be very comfortable in that role. I think part of this is also when you organize your thoughts and your plan, you have to be really specific on how you are approaching things. I think you'll find when you look back on some of your policies that there are ways that maybe you bring them to a more finer point or more specific to what you need. I think the intergovernmental cooperation chapter is a good place to start. There might be some generic statements about the whole operation but we really need to define what you need more specifically to get out of the city then try to find a way to make them engage in it. Because you have some very obvious strong feelings about what you would like to do in terms of communication with them. What they should bring half way to the table, right? How they should in good faith talk to you.

Holdridge Well we always like to talk, never fail to talk, but I'm not so sure I'm prepared or anybody else is prepared to do a lot of things to communicate with the present mayor. Maybe our communication is in the courts. They put in this Well #11. That's a huge issue. Maybe at some point that has to be worked out in a different venue than this idea. We've been at this for a long time. We went through this comprehensive plan, diligently. We'd like to do that, but there has to be an attitude adjustment by them I think.

Schuler What I'm suggesting is I'm not sure how far you've gotten in your plan update. I know you went through several chapters with Chuck Lucht. I would say, if you could, if Steve and I could take a look at what you have now and if there are ways to incorporate some of these things you want in there, I would like it if we could have Steve, because he's the one that will be the person working with you on a daily basis, but if you could start by going through to double check where you are. Off the top of your head, what chapter did you...

Holdridge I'll talk with Patty. Patty has been tracking this.

Amman I sent that matrix to Steve so he knows.

Kunst It's my understanding, and it seems like there is more than one town that was left off, you were up to about Chapter 4, Utilities and Community Facilities.

Amman Intergovernmental Communications is like the 7<sup>th</sup> chapter, it's further down, correct?

Schuler Correct.

Kunst            So we haven't gotten to that section yet. We haven't gotten to land-use. You guys haven't had that discussion as part of this recent update process.

Schuler            What were your thoughts on how you wanted to pick it up again? How soon?

Holdridge        As soon as possible. We want it revised.

Schuler            Would you be comfortable if we took a look at where you are and with what we've heard over time and tonight and make a proposal to you about what makes good sense for where to pick it up and here's what we'll do to get to the end?

Holdridge        Sure.

Schuler            That's good because then we're all starting from the same spot and if there are some things we have to go back and double check, that's just all part of the process.

Holdridge        That's fine.

Schuler            We'd be really happy to do that.

Holdridge        I even look at demographics. This building, this room here is going to be gutted and this will be a community/meeting room. It grew out of our problems with a limit of 38 people in this room when we have 100 people that want to come to a meeting. But this will become a community room. We know that our data shows that we have more and more elderly. I haven't talked with the Commission on Aging people but I think our demographic data show those numbers keep going up. So one of the implications, there are a couple, one is that maybe we really need to do something in cooperation with the Portage County elderly group. The other thing, which is interesting, I think this is the law, by a certain date you have to have larger street signs. Are you familiar with that?

Kunst            I can't say that I've heard that.

Holdridge        Well Pete Kaminski has already ordered them. That goes back to the vision problems you run into. It's all tied in. I think that's federal law that is on the books, that by a certain date you have to enlarge these signs. That goes back, in my judgment to the increasing number of elderly. We're going to act on it on May 5<sup>th</sup>. If we've got them, we should be using them.

Bowen            It relates a lot to the decision making process because you can see the larger sign at a greater distance and know what you're going to do. Some of these little signs, you've got to be right up on top of them and then you can't read them.

Binder            I think they were standardizing them too throughout the board. You were supposed to standardize signs where one community couldn't have one type of sign and another in another place.

Holdridge        I love Copps because they have wide aisles and they've got great big signage on the aisles. Now I notice it because I'm low vision but it really stands out. That is something in our town and I suppose all over the country relates to increasingly larger numbers of older people with vision problems. That would be great if you guys interact and we'll do what we can.

## 9. INTRODUCTION OF NEW PORTAGE COUNTY ASSOCIATE PLANNER – STEVE KUNST.

Holdridge Steven, why don't you explain a little bit of your background? How do you pronounce your last name?

Kunst "Koonst", I believe it means "art" in German.

Holdridge It didn't sound Irish to me.

Kunst My name is Steve Kunst and I was born and raised in Shawano County in Birnamwood, Wisconsin. I went to Birnamwood High School in 2006. From there I came down to Stevens Point and went to UWSP and graduated with a Natural Resources management degree, majored in land-use planning. I worked a lot with Anna Hains who was my academic advisor there. Got my degree in 2010 from Stevens Point then got my masters degree in urban planning from UW-Milwaukee. Throughout that time I interned with Ozaukee County Planning Department as well as Madison and again while in graduate-school went back and worked with Ozaukee County again. From there I got my first job as a county-wide planner for Shawano County and was there for a year and 3 months. In that time I did farm and reservation planning. I updated a number of town comprehensive plans both in Ozaukee County and Shawano County. So I've spent a lot of time here in Central Wisconsin throughout both in training and school. I also worked on a 400-cow dairy farm throughout my entire time at UWSP. So that is much in line with my values because I've lived in rural areas but also in urban areas as I get older. So I believe I am very in line with what the issues are in rural areas because that's part of my upbringing most of my life.

Holdridge We're considered an urban town.

Kunst Yes. You're the most populous town in the county.

Holdridge I have a master's degree from the UW in Milwaukee. I wrote an 87 page thesis on the growth of the civic center in Milwaukee which is the access from the County Court House to City Hall way back in 1967.

Enright What was your degree in?

Holdridge I had a Masters degree in urban history. So you know Mike Ostrowski graduated from Milwaukee too.

Kunst Yes. I believe he did from UWSP as well. I met with him a couple of times.

Holdridge There was a guy there by the name of A. Theodore Brown. Ever hear of that name?

Kunst No.

Holdridge He was a big gun in urban planning. Do they have a PhD there now? In urban planning?

Kunst I believe it's an option.

Holdridge Well Steve, we're glad to have you here.

Kunst I appreciate it and look forward to working with you.

Holdridge I think you'll find it challenging.

Kunst That's part of the job, that's why we do this.

Schuler So at your May meeting, perhaps we could at least start to take a look at steps and what a logical sequence is for moving forward.

Kunst I printed out the matrix I have from Patty so I see Chapter 4 was where we left off but I think we have an understanding that we'll take a look at it from square one.

Holdridge If you communicate with Patty and if she's got something, she'll talk with me.

Kunst Yes, we've already established our e-mail connection there.

Amman We know it works.

Holdridge Very good. Thanks for coming and being part of the discussion.

**10. APPOINTMENT TO HULL PLAN COMMISSION OF DENNIS FERRITER.**

Holdridge Dennis is a retired principal. He was on the Town of Burke Board in the East-Town area of Madison which used to be in the Town of Burke and it got annexed. I try to get people from throughout the town and Dennis lives over by the river not far from where Al Stemen lives. It's good to get someone from that area. He'll be a good-solid member. They have a bed and breakfast over there now, him and his wife. You know where it is?

Bowen I know where it is.

**11. DATE OF NEXT MEETING:** *The next Plan Commission meeting will be held on Tuesday, May 27, 2014.*

Enright I won't be able to make the meeting on the 27<sup>th</sup>. I'll be out of town. I just wanted to mention that.

**12. ADJOURNMENT:** *Motion made by Bob Bowen to adjourn meeting, seconded by Jocelyn Reid. Motion carried by voice vote. Meeting closed at 7:35 p.m.*

Respectfully submitted,

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