

TOWN OF HULL  
**PLAN COMMISSION  
MEETING**

August 20, 2019  
TIME: 6:00 p.m.

- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order on Tuesday, August 20, 2019 by Chairperson John Holdridge at 6:00 p.m. at the Town of Hull Municipal Building, 4550 Wojcik Memorial Dr., Stevens Point, WI 54482.

Present: John Holdridge, Paul Kubowski, Jan Way, Bob Enright, Bob Bowen, Jocelyn Reid, and Plan Commission Secretary Patty Amman.

Excused: Dennis Ferriter

Also present: Chris Mrdutt – Portage County, Jen McNelly – Portage County, Dave Wilz, Barb Brilowski, Janet Wolle, Jaycie Stremkowski, Brandon Stremkowski, Perry & Deb Piotrowski, Gary Tuskowski, Laura Cichosz, Darin Wriedt

- 2. APPROVAL OF MINUTES OF JUNE 18, 2019 Hull Plan Commission meeting:**  
*Motion to approve the minutes of the meeting of June 18, 2019 was made by Bob Bowen seconded by Jan Way. Motion carried by voice vote.*
- 3. CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS MAY BRING THEM UP AT THIS TIME. CITIZENS WISHING TO ADDRESS AGENDA ITEMS CAN DO SO WHEN THE AGENDA ITEM IS UNDER DISCUSSION.** *None.*
- 4. ANNOUNCEMENTS; CHAIRPERSON AND PLAN COMMISSION MEMBERS.**

Bob B. & Jocelyn R. indicated the neighbors on Bobby's Lane moved the garage out of the vision triangle area.

JH made several announcements as follows:

- Town creating a Hull ATV/UTV Task Force as directed by the Town Board, with possibly 11 members including people in favor of, not in favor of and those undecided regarding ATV/UTV road usage.
- Jordan Road property legal issues pertaining to water, Hull is denying that claim.
- North Second Drive will be paved by Labor Day with finishing taking until Oct.
- Former Kluck property along Torun Road has been purchased by the City of Stevens Point for \$550,000 and is officially owned by the City.

- Recent storm issues, power lost by some residents for several days. At the Sept. 9<sup>th</sup> Hull Board meeting there will be a representative from Wisconsin Public Service who will explain how they interact in storm aftermath situations.
- Hoping to have information in the Hull Fall newsletter about the role of Town government in these kinds of town related issues. The Hull Municipal Building has a natural gas generator to help power the building if regular power is interrupted. The Hull Fire Station is the same way. Hull will identify ways the Town can help citizens during these types of events.
- Hull and the City have been meeting discussing joint interests. Third meeting will be coming up. Michael Ostrowski, City Planner will be going to Texas.
- Country Club Drive is being worked on and should be re-opened in another week and a half. Then over the winter, the road will be re-done for the long-term use.
- Enforcement issues in Hull with speeders that needs to be addressed.
- Bob Bowen reminded the Commission members about the DOT meeting on Thursday, Aug. 22 at 4:30 at the Library about the I-39/Hwy. 10 overpass.
- JH reminded group of the Wellhead Protection Ordinance Amendments Public Information meeting to be held at the County Annex building at 7:00 p.m. on Wed. Aug. 21.
- Cindy Piotrowski from the Lincoln Center gave a presentation at the most recent Hull Town Board meeting regarding elderly services that are available. Hull will look at what services the Town can provide for our elderly citizens.
- Hull official agendas and minutes are sent out via U.S. Mail. Internet and email not always reliable with storm power interruptions.

**5. Private driveway for new home (J. Stremkowski, owner), (Darin Wriedt, builder) County Board of Adjustment decision (Chris Mrdutt).**

- Chris Mrdutt shared and explained the large map showing the various property owners in this area along with the current private gravel road which is 33' wide that the Piotrowski's own. The Cichosz's having an easement to use the drive to come in and out of.
- Stremkowski's land is approximately 19.04 acres. DuBay Avenue is along the north edge of the property but so are the wetlands area.
- Currently 2 properties share a private driveway. Stremkowski's are asking to be a third property to share the same 33' wide private driveway.
- Chris M. explained that for Portage County to approve the creation of a new lot, there needs to be access to that lot from a public right-of-way. This is to access the house with fire and ambulance vehicles, school buses, garbage trucks. The current County ordinance states you can have 2 residences or properties share a driveway. For Stremkowski's to also use this driveway, they are seeking a variance from the County ordinance through the Portage County Board of Adjustment to allow 3 landowners to use this driveway. Variances are held on a case-by-case basis and the BOA weights the pros and cons and uniqueness of the situation. The County prefers that there is no driveway put across the wetlands that are on the northern edge of Stremkowski's property which borders DuBay Avenue. The Army Corp suggested the Stremkowski's explore a different alternative such as sharing the use of the existing drive along the western side of Stremkowski's land, that drive being owned by Perry & Deb Piotrowski.
- Bob. B. asked how long that existing driveway had been in place and it appears it was there for a very long time, approximately 1914, pre-dating County zoning.

- Chris M. said the County would like the Town to discuss, at some point, the possible need for a public road at this location but to make that a separate issue from the current need/request for a variance by the Stremkowski's from the County BOA.
- Chris said the current drive is elevated 2'- 4' with ditches on both sides.
- JH said the private gravel drive owned by Piotrowski's runs south from DuBay Ave. until it hits the area of a two-car garage which blocks the road from going any further south.
- Chris explained that in order to obtain a variance from the Portage County ordinance, the Stremkowski's need to seek approval through the County Board of Adjustment. The County BOA asks for the Town to take a look at the situation first to get feedback from the Town.
- Perry Piotrowski asked for clarification of ownership/use of the private driveway and Chris said it is the Piotrowski's land, they own it and always will until or unless they choose to sell it.
- Chris stressed the Army Corp as well as the County preferred that a new driveway NOT be put through existing wetland area.
- Discussion about other lots in that area such as the Gollon lots which do not have access to DuBay Ave. and are landlocked. Also the Cichosz property that does not have an easement (further south in the area) is also landlocked. Landlocked property cannot have a home built on it. Much of the land in this area is wetland and Chris explained the map shows the wetlands in a general sense but is not exact in the delineation of wetland boundaries. Only a wetland delineator would be able to find the exact location of wetland boundaries.
- Jaycie and Brandon Stremkowski had already spoken with the Piotrowski's prior to this Plan Commission meeting about the use of Piotrowski's driveway.
- Perry Piotrowski asked Chris if a variance is granted by the County to the Stremkowski's, is it still up to the Piotrowski's and the Stremkowski's to come up with an agreement for the Stremkowski's to have an easement? Chris agreed that was the case.
- Bob E. asked even if the Stremkowski's get a variance through the BOA, what about the other properties out there. Couldn't they have some justification in asking for the same thing? Chris said somewhere in this process, you would probably need to draw a line in the sand and look at this being something more than just a private driveway. You want to avoid having a private driveway with many multiple houses off it. Where they have those in Portage County, they are headaches due to the need to use them for garbage trucks, school buses, ambulances, etc. It gets hard to extend public services and gets complicated with easements.
- Chris explained when lots are created in the County, the County doesn't deal with easements because they are not described thoroughly enough.
- Chris said the Town Plan Commission or Town Board does NOT grant a variance, that is done by the County Board of Adjustment. The Town accepts or rejects the request of the landowners, or promotes their request to the County, or gives a strong recommendation to the County. The Town can ask for conditions to be attached to the request to be taken up by the County Board of Adjustment. The BOA is the only body that can approve a variance or special exception. Easement agreements are created by and between the landowners. Piotrowski's would have an attorney write up an agreement between them and the Stremkowski's.
- Some discussion about the current private drive being made into a public road. But as it goes south, that is all wetlands. Chris M. said the zoning there is residential and lots must be at least 2 acre size lots. Landlocked lots cannot get a building permit from the County because they do not have access to a public road.

- Gary Tuskowski owns the land east of the Stremkowski's and explained some of the wetlands had been recently logged out. Gary said there are deep tracks into the wetlands from the logging equipment.
- Brandon Stremkowski explained that Mr. Klismith followed the rules regarding which trees he could remove from the wetlands. Brandon also spoke about a location along Old Wausau Road that has 7 houses off a private drive and another private drive off Wilshire that has 6 homes.
- Chris M. said he had spoken with the Army Corp today and the Army Corp said they do not enforce forestry practices.
- Gary T. asked if he can then go on the wetlands and do whatever he wants? Chris said as long as he's not excavating, he can cut trees on his own property.
- Chris thought the new home would end up with a shallow 6" lift mound system as the groundwater in the area is 28" to 30" on the high ground where the house would be placed. Closer to the road, the wetlands would have groundwater more like 12" to 15" from the surface.
- Bob B. said he was recently out in the area and saw that Gary Tuskowski has a driveway that goes back a ways. Gary T. said his driveway has been there for 100 years and had gravel put on it as it was getting muddy. There used to be a house back there and the house foundation is still there.
- Bob E. asked if any of the landlocked properties would be buildable and Chris explained there are some high-land areas on some of these lots. The County is looking at the future in case any of those lots would be subdivided down to the 2-acre minimum. Although the Gollon property has some areas that could be buildable, how would they be accessed since they do not touch DuBay Avenue?
- JH said if Gollon's wanted to do any of that, the Gollon's or other property owners out there would be asking for a variance, again, to see if they could use the existing private drive. Chris said the County would not support that request since the Gollon property does not even touch DuBay Ave. unlike the Stremkowski land which does have access to the public road of DuBay Ave. but the County prefers that a driveway not be put across the wetland area.
- Jan Way asked how much control does the Town have over making this private driveway a Town road. Chris M. said the property belongs to the Piotrowski's so the Town would need to discuss it with the landowner. Jan read the portion of Chris's memo that suggests the Town consider looking at the possibility of turning the private drive into a Town road in order to facilitate access by the other parcels to a public road. Jan asked if, moving forward, could we ask for a variance now and look at the possibility of a Town road later and Chris said yes.
- Discussion about lack of knowledge of the costs for a Town road, where would the road be placed since it would need to be wider than the existing 33' and there is a highline that runs along the left (west) side of the existing driveway.
- JH said if this were a subdivision, the Town would control where the roads go. But as it is, the Town would need the road constructed to Town standards, if a road was put in. There are various ways this could happen. Usually with a sub-development, the developer pays for the road construction. Bob E. felt it should be make clear, at this point, who would pay for a possible road if a Town road would eventually be built in this area.
- Jaycie S. asked why there would be need for a public road when there are other places in the Town that have 6 or 7 homes off a private drive. Chris M. explained this is what they are trying to prevent from happening from this point forward as it is not a good practice to have multiple homes off a private driveway.

- Chris explained that lots with no access to a public road cannot be built upon and therefore, have lower value. If lots can get public access, the lots become more valuable. Chris said a long time ago, the City plotted out the possible location of a road going through this area that would be a City street connecting down to North Point. In between, there is a lot of wetland. But the land is in the Town of Hull and the Town would determine what the road would look like. JH felt the Hull road foreman would want a cul-de-sac at the end of the road to facilitate plowing and turning around. Chris said cul-de-sacs in Portage County cannot be longer than 1,000 feet. Currently the private driveway is about 2/10<sup>th</sup> of a mile long.
- The current width of the private drive, 33', does not allow for turning around on the road and only one vehicle going one way can go down it at one time.
- The Piotrowski's and Cichosz felt there was no support by them for a public road to be put in that area.
- Jaycie Stremkowski noted that the land to the south owned by Jeremy Fritsch is her brother and he has access with his land to Old Wausau Road.
- Bob B. said the Gollon properties are currently landlocked. The three parties involved in the current discussion of accessing the private driveway are the Piotrowski's, Stremkowski's and Cichosz (who has a current easement agreement with Piotrowski's). Bob was suggesting a cooperative arrangement between these three parties to figure out how to use this private road by all three.
- Perry Piotrowski asked, if he decided to not grant an easement agreement to Stremkowski's, would his drive always remain his driveway? JH said the Town is not anxious to take over that road but there could be so much conflict out there with the various landowners wanting to use this private driveway that it might be better for the Town to have a public road there. But the Town would not pay for that.
- Bob E. asked what if the Gollon's want to also have access to the private drive? Chris indicated the County would not approve that.
- Janet Wolle asked Chris M. for clarification of the process of the Town's recommendation to the County BOA. Does the Town Plan Commission recommendation go to the BOA or does the Town Plan Commission recommendation go the Town Board who, in turn, make the recommendation to the County BOA? Chris said it's up to the Town to decide how they want to do that. JH said the Town's process is to have the Hull Plan Commission make recommendations to the Hull Board of Supervisors.
- Bob E. asked how long the easement agreement between the Piotrowski's and the Stremkowski's would last and Chris said it depends upon how it is drafted and it could be a revocable agreement if they so choose. Typically they say, for ingress and egress for so and so to cross so and so's property and then a description of where that is happening.
- Bob B. suggested an idea of each of the three involved parties deciding upon the value of the land associated with the driveway and each become 33% owners of the drive. They would need to purchase their share of it. Chris M. said if you create an out lot, only two people can share in that out lot. So they would be right back again to ask for a variance.

*A motion was made by Jan Way the Town supports the property owners and agent to seek a variance from Portage County Zoning to share their driveway. Bob Enright added an addendum that Hull does not recommend additional variances beyond this one on that driveway. Motion seconded by Paul Kubowski. Motion passed.*

*This will pass on to the Hull Town Board meeting of Sept.9<sup>th</sup>.*

## **6. Portage County proposed changes to the Wellhead Groundwater Protection Ordinance.**

Jen McNelly from Portage County gave an overview of the Wellhead Groundwater Protection Ordinance draft.

- Portage County Wellhead Protection Ordinance in place since 1993 and has not been officially revised since that time. Some proposed changes during that time, but none were adopted.
- Purpose is to protect municipal water in the County from contamination.
- Ordinance is geared only towards water quality issues.
- Dictated by State statute and the Federal government agencies-Clean Drinking Water Act.
- The Wellhead Protection Ordinance has 3 districts for every municipal well in the County. District A, District B and District C. A is the closest to the municipal well and the most restrictive and based on the cone of depression drawdown area. B is further out based on a 5 or 10-year time of travel for groundwater. Stevens Point, Plover and Whiting are based on the 10-year time of travel. District C is furthest out and includes the entire groundwater recharge area for the municipal wells. Groundwater in District C flows towards the municipal well.
- The 3 districts have specific land use restrictions for each district. The closest, A, has the most restrictions, B is less restrictive, and C is the least restrictive.
- The 3 main reasons for the ordinance being revised now are:
  - + never been revised since 1993,
  - + new municipal wells have been added since 1993,
  - + Amherst needed a District C
- There are both mapping revisions and text revisions to the ordinance.
- Jen M. shared copies of map with better color resolution so easier to see.
- New map shows a new District A for the new Well #11 (Stevens Point).
- The new District B is expanded as it now incorporates the new Well #11 area.
- District C is extended also because of Well #11, further to the east, but shortened to the north and no longer goes up to the Marathon County line.
- The purpose of expanding the various 3 districts is primarily to provide protection to new municipal wells that have come on-line since 1993.
- When new municipal wells are developed, the agency responsible for that well is required to develop a wellhead protection area and then share that information with the County. The County uses that information to base their districts locations and boundaries.
- Boundaries of the districts snap to parcel lines so there aren't split parcels in 2 different districts.
- Computer modeling, usually done by a consulting/hydrology firm hired by the municipality, is used to delineate groundwater recharge areas and groundwater flow directions. Based on science, usually using the Modflow computer program.
- JH commented that both the City and the Town used different hydrologist firms regarding Well #11 and both firms said their information was 'science based' but their information differed.

- Stevens Point had to develop a wellhead protection area for Well #11 in order to get approval to install that municipal well and that information is what the County is basing their districts off of for the Well #11 area.
- In the newly proposed plan, there are some properties that will be going from the current District C into the proposed District B. Also some properties will go from the current District B into the newly created District A for Well #11.
- Land use restrictions within the various districts are proposed to have some changes. Each district has permitted uses, special exception uses and prohibited uses.
  - + Permitted uses are allowed, no questions asked.
  - + Special exception uses go through County Board of Adjustment for Variance request.
    - ^ May be approved by the BOA.
    - ^ BOA may approve with added conditions.
    - ^ BOA might deny (but usually does not deny).
  - + Prohibited uses are strictly prohibited.
- Generally, residential and ag uses are permitted in all the Districts with relatively few restrictions on those kinds of land uses.
- Biggest restrictions are placed on commercial and industrial/manufacturing uses because these pose the most hazards to groundwater contamination.
- Jen indicated there are not a lot of significant changes to the text. Mostly refining, rewording, simplifying.
- Jen read through permitted, special exception and prohibited uses for District A (the smallest, closest to municipal well and most restrictive district).
- JH asked how the uses changed in District A. Jen said the only noted change for District A is under permitted uses. They now allow LP tanks of 1,000 gallons or less (usually used by residential properties). No changes to the special exceptions. No changes to prohibited.
- Bob Bowen asked about animal confinement for District A. Jen said no animal confinement facilities are allowed in District A. Animal Confinement is defined as exceeding 3 animal units per acre.
- JH and Jen M. discussed the need to also reference the County Zoning Ordinance as to what is allowed in certain zoning districts. The ordinance draft periodically includes a reference number to other documents in that regard. The Wellhead Protection is an additional overlay on top of the existing County Zoning areas.
- Bob B. asked how this would affect the Kluck Excavating operation along Hwy. 66. Jen explained under the old/current ordinance, that property was in District C. Under the new/proposed ordinance, it would be in District B and doesn't affect their operation because there are no changes to B that would affect that operation.
- For new lots created in the new/proposed Districts B or C, there is a minimum of 2 acres needed for the new lot. That does not apply to existing lots of record.
- JH asked the same question about District B, what are the changes. Jen said permitted uses and prohibited uses stayed the same, special exceptions added animal confinement facilities (it used to be in the prohibited section of District B). Animal units can vary somewhat depending upon what type of animal it is. For example, one cow, 200 chickens, etc. It all depends upon the size and weight of the animal. This change was based on the recommendation of the Portage County Conservationist. He felt if they are complying with all the rules and regulations that go along with an animal confinement facility, the risk of

groundwater contamination is minimal. This may come into play more for Amherst and Junction City. Hull doesn't have that much rural/ag. A CAFO would be a large example of an animal confinement facility and could be a special exception in District B. The only place this might possibly happen would be Junction City.

- The minimum lot size standards/requirements are listed under the District B section but apply to both District A and B.

- Under District B section, the maximum lawn size was eliminated and instead a sentence was added: "Nitrogen applications on manicured lawn or grass may not exceed rates described in UW Extension publication A2303." That document outlines how much nitrogen should be applied to a lawn. Some discussion about the practicality of knowing what this document says or where to review it. Jen M. agreed that is somewhat problematic and is open to feedback on better options that might be suggested. Bob B. suggested that retailers that sell lawn nitrogen should have a sign that says, "When you use this product, you are limited to \_\_\_\_ per \_\_\_\_." Further discussion about the fact this is very hard to enforce. This is an issue with ag land nitrogen application too. Portage County is trying to advocate at the State level. Can we change the recommendations for nitrogen applications by lowering the amount recommended? Jen M. wants to work with commercial application companies to have them be aware/educated on the proper amount of nitrogen to apply and not to exceed the amount. They are supposed to have an applicator license where they would learn about the application rates. Bob B. asked if the applicators keep some kind of record of their applications. Chris M. said the main issue may be the homeowner who buys his own fertilizer and applies his own. Dave W. said it is important to have standards, regardless if they can be enforced. Trying to educate. Barb B. said if you could say this is the reason you should use a certain application amount, to help protect your groundwater quality, that will hit home with some people. Bob E. said the County might want to take the lead in this effort by getting this stuff off their lawns/playgrounds/municipal areas. Currently they apply this stuff to school lawns shortly before summer school starts.

- Jen spoke about the difference between a nutrient management plan and a farm plan. The nutrient management plan has not been working in terms of limiting nitrates as it is based solely on economic return. Jen said we have some of the highest nitrogen applications to the most susceptible soils right in this area of the state. So the County is looking to something more workable such as the farm plan where discussions could happen with the farmers about what they can use for the benefit of crops and be profitable but also take into consideration water quality. Farm plans would be reviewed by the County's Land and Water Conservation Department.

- Around 90% of nitrates come from ag influence and the other 9 or 10% from a combination of private waste systems and private lawn fertilizers.

- JH in having discussions with various University personnel felt the issue with water quality for Well #11 was more related to ag influences as deep water would be coming from the eastern part of the County where agriculture affects the soils and groundwater. Jen concurred with that conclusion. She is hoping the new farm plan would address some of these issues, in all 3 districts, A, B, and C.

- Jen M. read through a few more additions to the Performance Standards section for the proposed ordinance changes including the one of most interest, on page 6, #12 "New or replacements POWTS systems must meet additional denitrification requirements per the Portage County Private Sewage System Ordinance." This statement is considered a 'placeholder' statement. This requirement does not exist yet in the County's private septic system ordinance.

The County's private septic system ordinance is currently in the revision process. If this requirement does not get approved in the septic system ordinance, then this statement will be void/null. If it is passed, this requirement could cost homeowners an additional \$6,000 on top of the regular cost of replacing their septic system, should replacement become required, or for new construction.

- JH asked about the evidence of nitrate concerns. Jen M. said the health standard of 10 mg/l was based on risk for infants developing blue baby syndrome. There is additional growing evidence of risk, especially in pregnant women, for birth defects, pre-term births and stillbirths. Also growing evidence for the risks of certain types of cancer, thyroid disease and diabetes in adults. JH asked if Jen could give him that information on evidence and she agreed to do so. Jen said the biggest concern in Portage County is nitrate levels, although the County does have concerns about other contaminants (pesticides, herbicides, neo-nitronides).

- Jan Way said 35 years ago, when they lived over by the St. Casimir Church area, they tested their drinking water and it was high in nitrate. Their family doctor told them, back then, to quit drinking that water.

- Bob E. appreciated the work that has gone into this to help protect water but he felt some refinement might be needed for this ordinance. Since state-wide, 90% of the nitrate comes from agriculture and only 9% from septic systems on small lots, the conclusion the County is coming to is to put a restriction on all private lots to have the more expensive/nitrate removal systems. Bob E. said rather than ask people to pay for things unnecessarily, it would be reasonable to have people on very small lots with septic systems test first to see what is going on in that area before insisting on the \$6,000 additional nitrate removal system within Districts A and B. Are they high in nitrates? Where lots are bigger, is it really needed? The return on that more expensive system would be minimal considering that it's only 9% of the total nitrate coming into the groundwater versus 90% coming from ag sources. Jen agrees and that is why this is still under discussion. The return on investment is a high price tag. Those discussions would come under the debate within the revisions of the County septic system ordinance. Bob E. felt since these 2 documents (Wellhead Ordinance and Septic System Ordinance) would be looked at roughly at the same time, there could be pressure to fit the \$6,000 requirement into one or both of these. He didn't see any evidence that supports this being a good venture and we could end up with a lot of opposition to some of the hard work the County has put into this. People could be subject to an inordinate expense for almost no improvement in the overall goal of nitrate reduction. Bob E. pointed out the County is suggesting loosening up requirements for animal confinement and lawn fertilization but he didn't see how that helps the County move towards their goals. Chris felt that would be a good comment to make at the County Planning & Zoning Committee meeting.

- JH didn't feel there was evidence to support the fact that private septic systems were adversely affecting the large municipal well.

- Jen said the Pete Arntsen research work was what the County based the 2-acre minimum lot size requirement on. Pete's work showed the importance of separation distances between septic systems and wells. From one lot to another, the needed amount of spacing of land to properly dilute the septic system flow so it doesn't affect the neighbors well. Bill DeVita's research (done within the past few years) used tracers to help identify contaminants coming from ag sources or private septic system sources (human sources of nitrogen). Bill DeVita found that shallow wells draw water from closer sources, and deeper wells are impacted by land uses from further away. Shallower wells usually showed impacts from septic systems by

tracking human tracers like artificial sweeteners, medications, etc. Deeper wells showed impacts from agricultural influence with herbicides and other related tracers. Jen agreed that the City's municipal well, because it's so large and so deep, their nitrate issues will probably be primarily from agriculture sources since the water is coming from deeper within the aquifer, influenced by land uses further away. Jen said the older, smaller lots that are close together, could be influencing each other's water quality, but probably not the water quality of the larger municipal well. Bob E. felt the evidence seemed to show Hull residents that have high nitrate, are residents that are ones really close to ag areas. Bob E. said his own nitrate levels, within his subdivision, are very low even though he's on the west end of his subdivision which is the direction the water is flowing so you would think any nitrate influence from other septic systems further east in his subdivision would show up more on his lot.

- Jen said if the County wants to reduce nitrate levels, they want to look at all the different potential contamination sources and how do they start addressing that. It could require big changes for homeowners, agriculture, everybody.

- JH felt it was important to have good evidence and have it disseminated so people understand the situation and it's up to the experts to provide that evidence.

- Discussion about lead in water and how it's a different issue as it doesn't come from the ground, but rather is leeching from lead pipes due to changes in the corrosiveness of the water going through the pipes (usually older pipes).

- Bob B. asked when the Wellhead Protection Ordinance would be effective and Jen said as soon as the County Board adopts the ordinance. Then it would go into effect. She said there is a provision within the State statutes that municipalities can create zoning to protect groundwater. Paul K. asked if the County might look also at District C and make the \$6,000 nitrate removal system required in that District as well. Jen said they might look at that possibility. Paul said that could impact a lot of people and suggested they consider what Bob E. said about testing for nitrate levels and if the nitrate level is low, to not require the more expensive POWTS system for those lots. Jen could see the potential of that idea. The reason the County didn't go out to District C yet with this idea is because most of those lots are large and rural. Jen liked the comments about smaller lots testing for nitrate levels to see if the nitrate is even a problem there. Jen said she could take those comments back to the County staff to discuss internally while they work on updating the County septic system ordinance over the winter. Jen said they might reconsider leaving the 'placement' language in the Wellhead Protection Ordinance about the more expensive POWTS system requirement. They do not have to leave that language in there.

- JH asked if the County currently has some kind of advisory committee for septic systems and the answer was no, there is not one. Chris said the sanitary ordinance has not been revised since 1983 and is need of revision. It references programs that don't even exist anymore. Like any ordinance, once the County drafts the ordinance language, it would get sent to towns for their review/input. Then there would be a public hearing on it.

- District C doesn't have any changes except for boundary changes. No changes in uses. District C shrunk from the north but changed some of it's other borders. If an area touched a flow line (modeling of where groundwater is flowing from underground), it was included within District C. Jen said all the other municipal wells have flow lines except for Well #11. Apparently the State adopted Well #11 without flow lines. The only information available for groundwater flow for Well #11 seems to be the horseshoe shape to the northwest of the municipal well, which is what is shown as the general recharge area for that well, but does not

show the time of travel with flow lines. Jen said the information for Well #11's flow lines does not seem to exist and she did not know why that is. She said that should be measurable but she thinks they may have not done that. JH felt the County should require that information from the City. Flow lines tell you where the water is coming from. The green flow lines on the provided map are what show the groundwater flow patterns for approximately 10 years out.

- Bob E. had some questions about Special Exceptions listed in District C. Jen said there are minimum separation of use requirements by the State that affect these special use cases. When new municipal wells go in, they are required to meet the State minimum separation of use requirements. The County wants those minimum separation distances to be met on a continual basis, rather than just when a municipal well is put in.

- JH asked if the County has any plans to come up with a wellhead protection plan to protect private wells. Jen explained current wellhead protection is not designed or intended for private wells. She felt there were a couple of different options to explore to protect private wells. One option is for densely clustered areas with small residential lots to explore the idea of considering those areas as one entity as each of these areas act, in a way, like a municipal water supply. Looking at a type of wellhead protection for a given area of high-density private wells or it could be another overlay district similar to what is being currently discussed. Similar in nature to try to protect those private wells.

- Bob E. spoke about the Hwy. 10 East area where the District lines of the new and old District B show up on the map. He suggested the County could write an ordinance to protect both municipal and private wells by moving that line on the map for District B along Hwy. 10 to the east, or else rewrite the ordinance to get the below ground hydrocarbon, petroleum out of Special Exceptions and put it in as a prohibited use in District C. Jen said if they prohibited that use in District C, then they would be prohibiting a gas station in the whole area of District C. The lines for District B are based on the modeled 10-year time of travel lines. The justification of where they drew these district lines was based on if it included or touched the 10 year time of travel of groundwater. It used to be based on the 5 year time of travel line but the City of Stevens Point and some other municipalities wanted it to be 10 year. Gas stations in District C would be a special exception that would need to go through the County Board of Adjustment. The BOA doesn't have to allow that land use, they could deny it, or they could place additional restrictions on it to make it as safe as possible.

- Bob E. said the County should not only be writing ordinances to protect City water but should have an eye out to protect the people in the County too.

- JH said Hull has over 2,000 private wells. What can the County do to protect the quantity of water for private wells? Private wells were hurt by Well #11 and now the ordinance does everything to protect Well #11. Counties were created to serve the unincorporated areas. Can the County come up with something to protect private wells from quantity/quality problems? Well #11 was a great example of private wells not getting the protection private wells needed. That could happen again.

- Jen said when municipal wells go in the ground, they are supposed to go through a process, laid out by State statute NRA 810 or 811 of what the municipality has to submit to the State. Part of that is submitting the drawdowns, the pumping tests, etc. in the licensing process. Jen said the State has attempted to set up a system to avoid the issues Hull had with Well #11 and Jen admitted that system failed the Town of Hull in the Well #11 situation. The science used didn't add up correctly and she doesn't know why. Jen doesn't know why the City didn't pay attention to George Kraft's work. She feels the State's system may not always work and Hull

could be an example of how it does not always work. There is no current tool in the toolbox to address private homeowner well protection for quality or quantity of water. The County recognizes that is a problem. Jen said it will take ingenuity, thought and a willingness to work that out. The County can undertake that task but they do have some limitations they need to work under. They cannot interfere in the permitting process of municipal wells. However, using zoning to restrict wells or to protect wells is a grey area. That hasn't been tried or tested in the State of Wisconsin yet. Jen said potentially a similar concept to wellhead protection but not just for a single well, but across the whole County based on risk for a private well either because of soil types, land uses, etc. You can regulate zoning based on the risk to groundwater of those characteristics of those areas. It would be another overlay zoning district that would have restrictions based on water quality. The County could create that, but there needs to be a willingness at the committee level.

- JH asked if there are rural states that have instituted policies/ordinances that protect the private homeowner well. Jen did not know of any. Chris said there were protections via setbacks from known objects. But that is enforced by the installers.

- Bob E. sees this as a potential starting point and committees depend upon the professional recommendation of the County staff that know more about this.

- Chris M. said quantity is a hard thing to work with because there are so many factors that influence it and it changes and varies over time.

- JH asked if the County could pass an ordinance to regulate the amount of pumping of a municipal well. An idea that might be explored. He felt Hull doesn't get the support they need from the County government and the County comes in on the side of the municipalities.

- Jen is trying to update this existing ordinance as it is a tool in their toolbox that can be used by the County to regulate some of the water issues in the area. Jen agreed they need to do more and do better.

- Bob E. hopes we are past the era of underestimating risks for both quality and quantity of water. Since we are focusing attention on this ordinance, maybe now is the time to start thinking about what the next steps should be rather than waiting until a proposal comes in for a special use exemption or a crisis. While we are currently drawing these districts lines, this is an opportunity to head off future environmental and water quality problems as well as political problems. It's time for rational approaches and accurate risk assessments. Include concrete steps where the County speaks out on risk assessments for the Town. To leave the ordinance like this is to have no protection and have all risk. The County could probably come up with a half dozen other things that could lay down the ground rules that wouldn't hurt anybody but avoid these fights in the future.

- JH asked for other comments and Jocelyn Reid said she felt the whole Wellhead Protection Ordinance was to protect municipal wells and people in the City. Whereas so far, with the exception of possibly restricting commercial and homeowner applications of fertilizer, the only concrete change she is seeing is the possible change in the private septic system which will benefit the people in the City but not the people in the County but we're the ones that would be paying for that. Jen responded that it does potentially benefit the Town citizens as well because nitrogen inputs would be reduced, especially in the more densely populated areas. JH said but it comes at a very high price. Jen said they recognize that and the cost factor and that is part of the discussion. Chris said he hopes as the State looks at that, the State would consider improving other technology and then hopefully the costs would come down.

- JH said there may be a need to define ‘dense’ neighborhoods. He lives on a ¾-acre lot and there is quite a bit of land between him and his neighbors.

- Jen said this proposal isn’t perfect yet and that’s why they haven’t made the official proposal yet and why there are continued discussions to get everyone’s input to find out if this is the way to go.

- Bob E. asked if this could be expanded so benefits to the Town are not just ancillary but look at broader ways that would involve additional time and effort. If Town citizens have to pay more for septic systems, would it be reciprocal with the City where the Town doesn’t have the burden of all the risk and expense? Bob asked that these suggestions be taken back to the County staff/supervisor.

- Chris said to broaden the ideas of septic systems and concerns associated with them, the County is also looking at shoreline lots because there is the direct input from the septic systems going to the lakes. That would be another instance of looking at nitrogen and phosphorus input reduction systems.

- JH asked that the City pays more attention to the needs of Hull than they would other towns and Jen assured him she would pass that along.

#### **7. Preliminary Population Estimate (Town of Hull) 2019.**

- There was an information piece included in the Commission member’s packet on this data for them to look over. There was also a handout on how the upcoming 2020 Census would be conducted. Bob E. felt much of it would be done over the Internet.

**8. DATE OF NEXT MEETING:** *The next Plan Commission meeting will be held on October 15, 2019.*

**9. ADJOURNMENT:** *Motion made by Bob Enright to adjourn meeting, seconded by Jocelyn Reid. Motion carried by voice vote. Meeting closed at 8:40 p.m.*

Respectfully submitted,

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