

TOWN OF HULL

PLAN COMMISSION PUBLIC HEARING

March 23, 2010

- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order by Chairperson John Holdridge at 7:00 P.M. at the Stevens Point Senior High School (SPASH), North Commons , 1201 North Point Drive, Stevens Point, Wisconsin.

Present: Chairman John Holdridge, Dave Way, LaVerne Syens, Bob Bowen, Shelley Binder, and Secretary Patty Amman.

Also present: Chuck Lucht, Associate Planner of Portage County Planning and Zoning and Attorney Bob Konkol, and Town Supervisors, Dave Pederson and Dave Wilz, Citizens: Pete and Kerry Klismith, Attorney Shane VanderWaal, J.D. Manville from Weber Realty plus see extensive sign in list for names of other citizens in attendance.

Excused Absent: Robert Brilowski, Bob Enright.

General Announcements:

Holdridge Bob Brilowski recently had surgery and will not be in attendance and Bob Enright is out of town and also excused. Anyone wishing to address the commission should use the special sign-up sheet and we will call you up here to speak. First of all, remember that Hull does not have its own ordinance on zoning. We're under Portage County Planning and Zoning. So what we do has to be in conformity with Portage County Ordinance and State of Wisconsin laws. We've handed out the orange packet which is the letters that was sent to us. We had a couple more that came in today. The issue tonight is whether or not, as public hearing goes, the question is to address the request from Pete and Kerry Klismith and Justin Callan to change the land use on the intersection of I-39 and Casimir Road. Pete has about 10 acres there and Justin has one lot. All of you who have the pink packet, their requests are in there. So that is the topic and that is what people need to address. The public hearing is required by the Wisconsin status for any time you change the land use plan. You have to give a 30-day notice, which we did. You got the agenda first and you got the letter I sent to residents inviting them to this meeting. The 3rd document is the public hearing notice that was put in the Stevens Point Journal so that conforms to that. What that notice says is that the Town Board will meet on April 5th to take whatever advisory motions we make to go to the Town Board. Remember, this is an advisory committee to the Town of Hull Board. Bob Konkol is our attorney and one of the questions came up that we want to change the meeting date from the 5th to the 14th because of a conflict. Bob, can we just do that?

Konkol Yes, you announce the day, you already rescheduled it.

Holdridge We'll announce it then put a notice in the paper. So remember, if you want to come to the Town Board meeting, it will be on April 12th, that's a Monday. You should all have a copy of tonight's agenda. You should have a request of this, a request of the applicants to change the land use and you should also have these letters that were from citizens who made the

effort to write. Let's go to the public hearing. Is there a motion from the Plan Commission to go into the public hearing?

So moved by Bob Bowen, 2nd by LaVerne Syens, motion passed with voice vote.

- 2. Public hearing regarding request of Pete & Kerry Klismith to change the land use designation of Future land Use Map 8.4 for parcels 020-92EOL01, 020-92-E09-E09 & 020-92-E10 from Rural Residential to Commercial. Close Public Hearing.**
- 3. Public hearing regarding request of Pete & Kerry Klismith to change zoning of parcels 020-92EOL01, 020-92-E90 & 020-92-E10 from General Ag (A4) to Highway Commercial District (C4). Close Public Hearing.**

Shane VanderWaal I represent Pete & Kerry Klismith with regard to their request. What I'd like to do for the Plan Commission members tonight is to provide an overview of what Pete & Kerry are requesting. My understanding is that this is the public hearing to amend the Town's Comprehensive Plan. Hopefully the residents here have looked at the Comprehensive Plan. Currently the land use of Pete & Kerry's request is vacant land and is known as general ag. The request tonight is to amend the Comprehensive Plan to commercial. I had a chance to look at the Town of Hull's Comprehensive Plan. If there are any questions, Pete and Kerry are here. Pete and Kerry have entered into services with a realtor who is also here. We also have someone from Dewey Services as well as the State of Wisconsin Commerce Dept. to talk about the soils in that area. What I want to do is answer some of your questions or redirect your questions to those here that are more knowledgeable. I do want to talk about this request. It is a request to amend the Comprehensive Plan for the 10 ½ acres which is the northwest quadrant of the Casimir Road interchange. I notice that in looking at the Comprehensive Plan, when it was adopted in 2006, I see that the Town, like many municipalities, went through quite a bit of effort. It's not clear if the Casimir Interchange was being discussed. If it was, I didn't see it in the Comprehensive Plan. From what I recall, the Interchange went in approximately 2008. So from the time it was adopted until today there has been a significant event to that area, that being the Interchange. Now again, I don't know what the discussions were. I wasn't there in 2006 so I don't recall if that is correct.

Holdridge Just a second. Bob Bowen is shaking his head. Bob?

Bowen Are you sure the Casimir Interchange opened in 2008? I think you're wrong.

Klismith It did because I was hired to clear the trees for that area.

VanderWaal Everyone knows when it opened, it did when it did and I'm not going to debate the point. One of the things in the Town's Comprehensive Plan that I looked at under economic development, section 6.5 under desired businesses, the Town states that in the Comprehensive Plan, that as the Town grows, residents would like to see small scale commercial development that has minimal environmental impact and does not require public sewer and water. Again in section 6.8, the Town of Hull supports small scale non-polluting, neighborhood compatible businesses. One of the things I noticed in the Town of Hull is that a large portion of the town is

within a wellhead protection area as indicated in your Comprehensive Plan on page 74. If there was ever going to be any kind of development within the wellhead protection area, that would require city sewer and water, which means annexation. One of the key aspects for this is that it is outside the wellhead protection area. I would refer the Plan Commission to map 8.2. It does not require city sewer and water because it is out of the wellhead protection area. One of the letters that Pete Klismith submitted is a letter from Dewey Services stating that they went out there. They looked at it and said the site is suitable for commercial or residential on-site waste treatment systems. The men both from the state and from Dewey Services are both here tonight to talk about that. So from a groundwater and sewer and water perspective, amending your plan to commercial would be consistent with what the Town indicated in the economic development element of its Comprehensive Plan. The other maps I looked at included the agricultural impact. One of the maps I looked at is map 5.1 in the Town's Comprehensive Plan which looks at ag impact of that land. I noted that in 5.1, this land in the northwest quadrant here is not in a prime ag soil area, even if it was drained. So your affect on prime ag land is zero. It is not prime ag land. It's next to I-39. The other thing I wanted to look at besides the soil, and this dovetails in with everything else, is the wetlands and the floodplains. I looked at the Town's map 5.4. According to that map, this land is not in the floodplains nor is this land in the 100 year floodplain. So all of those are indicators that there is not a negative economic impact. As I indicated, the request is to amend to commercial. Public Service has submitted a letter to the Town Plan Commission and to the Town Board indicating that electric and natural gas is available to this site. I believe the Plan Commission has also received a number of letters from citizen's owning property who are supportive of that. In closing, I would submit that this amending of your Comprehensive Plan to a commercial use does not have a negative impact on agriculture. It will not require annexation because the soils do not require city sewer and water and is outside the city's wellhead protection area. A waste water treatment system can be developed for that property. As I looked, and just noticed, there is a commercial property immediately to the east of this property. As many of you know, Pete and Kerry have lived in this community for a number of years and look at this property much like you would look at your 401K retirement plan and maybe your stock. This is their retirement. This is what they'll have to live on for the rest of their lives besides working, no different than the rest of you. So we would respectfully ask that the Plan Commission amend the Comprehensive Plan. Any questions?

Citizen Is there a plan on what is going to go on this property? Or are they just going to ask for commercial and that's it? I've heard rumors of gas stations, truck stops.

VanderWaal I would defer that to the realtor. Right now, we're in the Comprehensive Plan stage. My understanding is that the Town's Comprehensive Plan is that it is either commercial, residential, rural residential or ag. I know Pete has had it for sale. We all know the economic environment we're living in today. There is no specific plan. One of the limiting or expanding factors is obviously the zoning designation. I believe there are 3 or 4 commercial districts in Portage County zoning.

Citizen Can you just answer the question? They must have something in mind.

VanderWaal It's up for sale.

Citizen Answer the question.

VanderWaal I'll give it to the realtor (*to answer*).

Manville I'm the listing agent.... (*he was too far away to hear the rest of his comment*).

Holdridge Let me comment on this. This Plan Commission has been operating for a number of years and we've discussed a lot of issues. I'll have Chuck Lucht correct me if I'm wrong, he is the county planner. Currently you're requesting a re-zone to highway commercial. Now if you re-zone to highway commercial, that's pretty broad. That could be a truck stop, or a mall, or a gas station, etc. Once you re-zone to highway commercial, I don't think we've got any controls over that. Chuck, you want to comment?

Lucht Once you re-zone, any of those uses you mentioned are allowed to go in there subject to special exception uses. Some of those could be bowling alleys, bus truck terminals, drive ins, greenhouses, hotels and motels, lumber yards, modular or manufactured homes, mobile homes, recreational vehicle storage and sales, public and municipal buildings, including repair, storage, restaurants, taverns, shopping centers, malls, utility sub stations, transmission lines, warehousing, wind power electric generators, special exception uses, general retail uses, mobile home parks, gas stations, towing services, car washes, sport complexes, transient trailer parks, camping grounds, machine fabricating.

Holdridge So the permitted uses are pretty extensive. Is that accurate?

Lucht That's correct.

Holdridge This gentleman asked a question and it's a good one. I just want to clarify, that if you amend the Comprehensive Plan and you go from rural residential to commercial, then you have to say what kind of zoning. As I read Pete Klismith's application, he's talking about highway commercial zoning. Highway commercial has the permitted uses Chuck Lucht just mentioned. So we're staying on land use. This man asked a good question and I thought we ought to clarify it.

VanderWaal I might just add to that the request, if for C4 zoning or whatever the commercial highway designation is, as I was explaining, my point is that there are other commercial districts in Portage County: A C3 commercial district, a C4 commercial highway district, a C1 neighborhood commercial district. In my opinion, the Plan Commission could say we're going to approve the amendment to the Comprehensive Plan and say, "but we're not going to grant the C4 but we would grant an amendment to C1 which is a commercial neighborhood district", which has a lot more different use than C4. I think that is the full answer to your question.

Dan Klupfort(?) My name is Dan K(*not sure, he did not sign in*), I'm an owner in the subdivision regarding the covenants that I have in my possession. There needs to be 85% of the voters of the subdivision owners in order to make any changes to the covenant. I've never been asked, nor approved of this, but it already seems that it's been done. I know there is another owner that owns lots 3 and 4 there are 11 lots and you own less than 8 From that point

and time, if he and I both say no.... *(some conversation lost with multiple people talking at the same time and too far away to hear.)*

Holdridge You want to make any other comments? There are others who want to address the commission.

VanderWaal Can I answer his question?

Holdridge You can answer his question, sure.

VanderWaal Covenants are usually not enforced by the local municipality. I haven't read your covenant. That's something the 3 of you need to work out. It's just another issue Pete is going to have to deal with. As far as developing it, besides the Comprehensive Plan, besides getting a zoning request change, from whether it's C4 or C3 or whatever C it is, this is another issue that he has to deal with, his neighbor who is apparently on the agenda as well. So this is the very first step of many steps. By the way, the idea of it being sold in this kind of economy would actually have to occur for any of this to happen.

Pete Klismith I was born in Stevens Point in 1964. Some of you know that I still have a lot of relatives in the area, some are here tonight. In regards to the last meeting regarding the land splits; I'm not here to ruin the neighborhood, I was born here. I love the area and plan on living where I do the rest of my life, if I can afford to. Taxes are very high. I'm not trying to be cruel to anybody. We do own the land and we pay taxes and I feel the best use for that property would be some sort of commercial. Do I want to see any kind of industrial? No, that's not what we're asking for. We're asking for some type of commercial. Maybe, if this even goes that far, maybe it won't, maybe it will get shut down tonight. It could be some sort of office building, maybe a surveyors office. I guess it would be nice to answer your question *(about use)* but it's too early to tell. The snag with the whole thing is that if it's not sold as commercial, we've got a potential commercial site sign up with JD Manville from 1st Weber. It says potential for a reason. Yes, we're looking for some of our money back. If you could put yourself in my position, would you really pay taxes on a piece of property and let it sit vacant? Maybe. I don't think so. It was an old farm at one time. It is pretty good soil. If you researched it, you could maybe put one house on it if you don't mind living by a highway, could be, but most people don't want to live right by the highway and if you do, I think most people go into these small subdivision like Plover where the highway is next door. We're lucky there's a current tree line that was planted by the Shuda family when I bought it, to the east of Infinity Lane. If this does go through, which I hope it does, again we're not trying to ruin the neighborhood, but we are looking out for our best interests. I've been in business since 1987 and I have no retirement. If anybody knows the story about where my folks are today with the same business, they're in a world of hurt. So I'm looking for ways to hopefully have something. I would not purposely try to ruin anything but we have the land and we're trying this. If we get knocked down, we'll still learn a lot along the way. Then we'll try it again. I don't know if the law requires another year and you can come back. It's not going to be any industrial or window manufacturing company, etc. etc. I myself, I would prefer a gas station and an Arby's or something like that. I don't have the money to develop it myself. It'll be sold to a developer and hopefully they can do it. If anybody has any questions, feel free to ask.

Citizen I have one question. Why did you buy the land?

Klismith We bought the land for a few reasons. The Shuda family came to me and asked me if I wanted to. Since my dad used to purchase some land in the area, he was in forestry and timber harvesting. So they knew that I did buy and sell in the past, mainly to have work for myself with the timber. I might as well sell it off and hopefully make a profit, or I'd try to keep it for hunting. I don't think it's worthwhile to go hunting anymore for myself. I am currently working on the property now clearing jack pine. I'm removing all the jack pine and releasing all the oak and maple. That's my work for this spring. Am I really making any money off of it, no. I paid a lot for the land and I've paid a lot in taxes already since you pay more taxes per lot than if it was a 40. So that's what I'm working on. Without that, I wouldn't even have a paycheck. The last two weeks, that's where I've been because it's good soil. To answer the question, we thought we were going to provide some nice lots for people just like people that live on the Fox Ridge Road area that my dad developed years ago. Which in all honesty, he lost money on, he never made a dime. I know the story because I was right there. The economy went sour and for other reasons we've held on to some of the lots. They are nice lots. I don't think that anywhere in this town or this state you can see that residents don't coincide with businesses. Just go down to Fleet Farm and turn left. You've got the new Highway 10 Commons and Holiday Inn, everything's down there. There's a subdivision and hundreds of people live right next door. Here we're lucky, we've got large lots and everything is spaced out. Timber Creek Estates, if it does happen to end at Infinity Lane, then to the east if we could allow some kind of commercial, which hopefully it will, I don't feel that would necessarily be a bad thing. It's not like you're going to look at it out the window. I'm trying to lay it out so that it's friendly to the neighborhood. I know that if I go down to a Brewer's Game, which isn't often because it's expensive, I know that there are ideas with people thinking it's going to bring in riff-raff or whatever you want to call it. If I get off the highway and my kids are really hungry, I feed them a hamburger. I don't go driving around the neighborhood looking around or cause trouble. I get back on the highway and continue on to my destination. Could it be an issue? Probably. But the highway is there and the land is there. I thank you for your time. There were some other questions?

Citizen When did you purchase the property?

Klismith 2001 roughly. 2002 is when we got the permission from Hull to put in the subdivision which we put in 2003.

Citizen Pete, it might be good to know that you purchased it prior to the lightning that struck the interchange.

Klismith Yes, it was way before the lightning struck. I was on board with Mr. Bowen, I was trying to keep the ramps open at X but it didn't happen. That affected our land up there greatly. It's not like we wanted anything to happen either. It is what it is right now. Again, I've lived in that neighborhood all my life. I still go down to the Pipe and the Red Bridge, I take my walks. This property is right on the highway so I'm just hoping that people would really look at it from both sides. I'm sure you will, I have a lot of faith in you. Whatever everybody's opinion

is, I will respect it. I really do. That's what makes the world go around. If we were all the same, I think it would very boring. But those are our wishes right now. Anybody else?

Holdridge Thanks Pete.

Kerry Klismith Hello, I'm Kerry Klismith and I think most everything I'd want to say has already been covered. The big thing being that Pete and I have lived here for a number of years starting out on Fox Ridge Road. We got a bigger place and more land that we love and hopefully our kids will be a part of that someday. When we were approached by Shuda's to purchase that land, if they would have sold that to us for \$60,000 or \$40,000, that would have been hunting land. That we would have saved for the kids or whatever and that would have been it. But when you pay \$300,000 for a piece of property, it's too much to let it sit around and use for hunting. We didn't have any options at that point. I can see some real positive things going in there. When Starlight Ballroom was over there, we had the gas station, I certainly went over there and filled up the car. I think a gas station would be a great thing to have there, a Kwik Trip would be nice where I could get the milk, bread and bananas. Sometimes I have to borrow it from my neighbors on occasion and they've been great about it. It would be a convenience. I also like the idea of kids riding their bike down the street. I grew up in Nelsonville, road 3 miles to the market and got a popsicle. I think that would be fun. That would make a little gathering for the kids and the people, if there's a little restaurant there, maybe going to it after church, stop in visit, have some coffee and talk. Or if there's an outside table, maybe sit and catch up on some things. I see it as a positive. If we have any choices of what would go in there, we want it to be a thing that the community would be proud to have there.

Citizen How close do you live to this parcel?

Klismith Probably about 1 ½ miles. Maybe not that far, a mile. I hear the noise from the highway every night.

Holdridge You're on the end of Shady Oak aren't you?

Klismith Yes. When the weight stations were open, I could hear exactly what they said. I don't think we should be punished just because we're lucky enough to live here.

Dave Pederson I wish to recognize the thoughtful work of the Plan Commission in preparing our Comprehensive Plan. By looking for ways to preserve the unique characteristics of various areas in our Town for future generations, the commission has engaged in long range planning. They have addressed the issues of "What we want our Town to look like 20 or 50 years from now. What imprint will our activities have on the land. How do we accomplish this?" the "How to" has been the most difficult to craft. I applaud your efforts. This is a test of that plan. It is a good plan and I encourage you to follow the plan you developed.

What is being considered this evening effects your larger effort to preserve the character of a Casimir neighborhood. Any decision that allows commercial sprawl to find its way to the I-39 Casimir interchange will negate those efforts. This is the front door to our neighborhood. Tall brightly lit signs, idling diesels, blacktop parking lots, garish signs, noise and windblown trash are not welcome here. The survey conducted by the study committee underscores that sentiment.

89% of the respondents did not want any commercial business or industrial development on the west side of I-39. Talk about retirement, we've all been hit by what's happened to our savings, our 401K's and any stocks we might have had. They were speculative. This is speculative. This is speculation, pure and simple. To quote Aldo Leopold, "We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect." We are a part of this community. This request is a threat to our community.

Paula O'Kray First I'd like to show you where I live. Every day, my husband and I walk the dog the entire 3 mile stretch. My maiden name is Scholtz and you might know my father who is Rudy Scholtz and used to run Rudy's Bar. We have owned the land that I live on since 1987, my father owned it and before he owned it, my grandmother owned it. Every day when we walk our dog, there are people there with us who are walking their dogs or walking with their kids, they're biking or running and enjoying that space. We heard from the people that run the big bike rally how important that space is and to keep it the way that it is. It's sought after in a great way and that we should preserve it. Any commercial development there is just going to bring more noise and more light. I enjoy going out on my deck at night, and you can see how close I live, and I like looking up at the stars and not having any ambient light from anything around. It's very special and one of the reasons I live here. We have a lot of noise from the highway and there are nights we have to close the windows of that side of the house because it's so distracting. Any more would just be wrong. I don't want any more and I'm sure the neighbors don't want it either, not any more noise. Ever since we put in the interchange, it takes 4 minutes to get to County Market, 4 minutes, I've timed it. I don't understand why we need another Kwik Trip or another short cut or a fast food place this close to our home. No negative environmental impact? Okay, when I'm on my walk, and in my yard sometimes, I see osprey, hawks, at night possums, turkey vultures, night hawks, coyotes sometimes. Do you think they'll be around after we put in this commercial development regardless of what it is? I don't think so. I just think we're opening up a Pandora's box by allowing this to occur.

Holdridge I just want to comment. I'm pleased that all of you came tonight. Our practice is to be expansive. We sent letters to everybody who owns property west of I-39, but we also, based on our zoning policy, because potentially there is zoning here, if the land use changes, then there is a zoning issue. Our policy says we will be expansive with that. So we sent letters to people who live on North Second Drive. They are also impacted by this. So I'm please that you came and anybody else from North Second Drive. We cut it off at a certain distance.

Way Mr. Chairman, I have to be excused.

Holdridge Okay David.

Chet Dombrowski Mary and I are present in support of the request. Commercial business will be additional property tax income to the Township at a time when it is needed. Property taxes for residents west of I-39 have been explosive in recent years. Commercial business will mean more jobs when more jobs are needed. Commercial business, if a convenience store, will give nearby residents an opportunity to buy gas and groceries without the need to drive additional miles to town. We foresee a store will encourage more bikers, runners and walkers to use the

surrounding area because it would act as a pit stop. The commercial structure could be an energy start structure. It might even be the first plug-in car place, who knows, where you could plug in your electric car. Finally we request that the respective boards think long and thoroughly about their decisions on this request. Growth and property tax relief is desperately needed for the property owners and Township of Hull, especially those west of I-39. We stand in support of the request. Chet Dombrowski and Mary Dombrowski, 2032 Driftwood Drive.

Citizen Do you walk, bike or run sir?

Dombrowski I'll bike, I'll walk and I'll run when my grandchildren hits the ball.

Dave Pozniak My name is Dave Pozniak and I live at 1720 Granite Ridge Road and I was born and raised within a half a mile from this land that's up for sale, for 52 years now. A few years ago when the truck scales shut down, I thought we'd finally have peace and quiet from listening to the trucks coming and going all night long. You'd hear on their loud speakers "backup, pull ahead" or whatever. With a gas station there, I don't want to be hearing, "pump 1 is ready, pump 2 is ready" and so on. I think once you open this up to commercial zoning, I think it's going to be like a cancer that keeps on spreading. I just can't see it. Is it going to be gas station, a motel, who knows, a casino. I just can't see it. Thank you.

Larry Koy I live on Granite Ridge Road up by Pete's father. The thought occurred to me (*tape change*).... The last questionnaire that was sent out had issues on it and I thought it would be good to send out another questionnaire on just this particular issue.

Holdridge Do you have a position on this particular land use change? What's your position? Are you for it or against it or what?

Koy Pete's a friend of mine and I'm ambivalent at this point.

JD Manville (*From 1st Weber Realty*) I live on Western Drive in Stevens Point where we don't have interstate issues, we have train noises. I don't know which is worse. I'm mainly here to answer questions. I can provide some brief background. When we listed the property, we valued it based on the few recent sales we could find. One in particular was one that Marshfield Clinic bought. Once the interstate changed, it changes all the rules of the game. We have had no serious inquires on the property. I've had some cursory inquiries from some of the usual players, but with the economy the way it is right now, there is almost no commercial development going on by any of the usual players. My thought was that I would probably get interest from the truck stop / gas station / fast food type people. This particular section based on the interstate system, we do a lot of commercial development. We're going up north to Merrill tomorrow to look at a similar parcel. If that type of developer would be coming in, they are very location-specific based on the proximity of the competition and the DOT traffic counts. I suspect that since these 4 lanes have opened up and since it only goes to Junction City, you aren't seeing anywhere near the traffic now that you are going to see once it is opened up all the way to Marshfield and after/when the economy recovers. I think you're going to see a significant increase in traffic. My heart goes out to the people on Fox Ridge and Pinewood. I've been in real estate for 27 years. It was hard for those people to find that kind of land and then after they built out there,

they find a 4 lane interstate going through their back yard. That kind of changes it. My thought was that the other possible developers might be something like an implement dealer, or possibly something on a lower retail use. I suspect that the main interest would come from somebody that really wants to be in a certain section of the interstate. One further note before I answer questions, I was very familiar with Rudy's Bar in the early 1970's. That was just a cool place to hang out.

Holdridge Any questions?

Citizen Did you imagine that any business would be more interested to get business off the interstate than otherwise?

Manville Off the interstate I think. Although the business models are similarly required. The Kwik Trips as an example are constantly refining their business model. An incredibly successful franchise. If they can combine interstate activity with local revenue, they are out there aggressively looking at it.

Citizen With your real estate experience, if a gas station or something like that was allowed, what do you feel that would do to the rest of our property values, especially those such as ours? We just bought ours. Or anybody who would be close enough to hear the pumps (*if it was a gas station*), etc.?

Manville That's more of an appraiser question, but I'm not going to duck it. I would say that the lighting is the one thing that can really have a negative impact. I drive by the truck stop down in Plover and I just want to get the sun tan lotion out. The technology has come a long way since then. They're not doing that as much as they used to because it's very expensive and it's very annoying to the neighborhood. There are all kinds of new developments coming along that somewhat mitigate things like that. Truck wise, I don't know, it depends upon the grade and things like that. The local municipalities really got involved in specific questions and remedies that would make it as unobtrusive as possible. But each one is unique and different. Each municipality is unique and different. Once something goes in like that, depending upon the size and value of it, you could have your treasurer or assessor speak more to that than I. Some of these property taxes on some of these developments can be substantial.

Pete Klismith I did some research on the mil rate. It's 17.95 overall. If there would ever be a project there that would be assessed at 2 million dollars, the minimum dollars to Hull, and I don't know how that would be spread out, but it would be \$35,000 a year. That's just one example.

Holdridge Let me just talk about taxes, because it's a big issue. If you looked at your household tax bill this year, and I would encourage you to do that, you will see that Hull's portion of the taxes didn't go up at all. We went down. What taxes are going up? Well, you are paying over 50% of your household tax to public schools, 28% goes to Portage County and 15% goes to the Voc/Tech. System. We take about 14% in the Town of Hull for our portion. All of them (*other than Hull's portion*) went up, some of them substantially. So when you say you're going to help the Town of Hull, what happens is, what was that, 17 something, that's the overall

mil rate for all combined taxes. I think our portion is about \$2.40 for local services and that is all we can control. So taxes from our standpoint, we hold the line, we reduced our taxes for the Town of Hull portion. We're very conscience of it. But the big ones, they are the ones that are going to grab that increase of equalized value. That's going to go to the school district, Portage County and the Voc/Tech. System.

Pete Klismith On that note, since the schools are in the need of funding, that wouldn't necessarily be a bad thing either.

Holdridge No. but if you're going to look at your tax bill, look at it and assess where we are at on it. That's what I'm saying.

Shane VanderWaal John, if you're doing other developments, typically in other communities, and I'm sure other places are the same, whatever the development might be, it's common to go through an extensive site plan approval process.

Manville Shane is right. The process is multiple layers and the time frame averages 13 to 18 months. It goes back and forth and there are all kinds of things that go on. These things don't happen overnight.

Shane Explain what the site plan process is.

Manville Briefly, the process is, if we get a serious inquiry, the offer will have contingency after contingency, environmental phase 1, 2, etc. It's expensive and extensive. The zoning stuff has to be done ahead of time. We as realtors have to provide information like this. This is the criteria that will have to be met and here are the things we are going to need, special extensions or variances.

Citizen As the realtor, as it sits right now with nothing on it, to sell a piece of property or a home near there, if there is a gas station or truck stop, which would be easier, to sell property or a home without a truck stop nearby, or to sell one with a truck stop nearby? Obviously, in my opinion, it's going to be a lot harder to sell a piece of property right there if there is a truck stop down the road.

Manville I'm not a politician, so don't take this answer that way, we have local people who came here in the 60's to go to college and stayed. We have people around here that you couldn't get to live near an interstate highway, you couldn't give them a house near there. We have people come in from Appleton or the bigger cities that we show houses to and that's how they grew up. They could care less (*about living near an interstate*). So it depends upon the buyer. The right house for the right buyer.

Pete Klismith gave some added information about lighting information he obtained through Ellis Construction on the evolution of lighting for commercial applications and how the light is minimalized to not light up the sky or provide light pollution. He offered the information to anybody that was interested in looking at it.

Mark Turkiewicz (He showed us on the map where his lots are, #3 and #4.) I wasn't going to say anything here tonight, but I think I have to. I just got back from Iraq. On the last deployment, I was in Kuwait for a year and I came back and I wanted to buy some land. After being with all my soldiers, I wanted to be away from everybody so I wanted a place away from everybody. So I bought 2 lots, 6 ½ acres, came back this time and now we plan on building next year. I don't know if I'm going to put that on hold because of this whole deal or not. This is obviously a very sensitive issue with everybody. I for one think it needs more looking into as to what is going to go in there. If there is going to be a gas station, I would have to say no (*I won't build there*). Anybody coming home from work can just stop at a gas station that already exists and fill up their car with gas. There's Kwik Trip just a couple miles into Point. I could see maybe a small office building where people come to work to their job, go home, maybe an accounting firm in there or some 9-5 type of business. Maybe a little two story building. But a gas station, I think I would be very opposed to that. A truck stop would be a big opposed. I work at the Mosinee's airport and I work with jet fuel. I know what fuel does to the environment. You can have above ground tanks, below ground tanks, you can have water separators, trucks going in there, truck fumes, again a lot of noise. Pete, I understand exactly what you're doing and why you're doing it. I can't fault you for what you're trying to do. You've got to look out for your family and I can't fault you for that. But as far as for what I've looked for, in land and where I want to live, this is where I plan on living the rest of my life and I bought out there because it was peaceful and I'd like to stay out there because it's peaceful.

Holdridge I thank you and applaud you for your service (*audience applauded him*).

Tom Eagan Good evening, my name is Tom Eagan and I live at 327 Orderinda Court. First of all, I do appreciate all the work and effort the Klismith's have put into this. I appreciate them participating in not going to do what they were going to do but going through the right channels. I think that's really great. I think everyone here has pretty much spoken through their heart with regards to the request. I can't express my concerns any more eloquently than Dave Pederson did. Or state the practical concerns Paula O'Kray did, and personal concerns Mark Turkiewicz did. Really, the only reason that I wanted to speak tonight is because I shared many of those concerns and I wanted to make sure the Board was aware. First the noise concern . We did live through the weight station being just up the road and it really did get kind of obnoxious when you hear all night, "back up, back up". We're concerned about the noise if there is a truck stop put in with the diesel and refrigerator trucks running all night. So we're hoping the Board will take that into consideration even if they're going to grant some sort of commercial zoning . That we can address the noise issues and certainly the light issues. I'm aware of the types of lighting that can be done and I think that was a good presentation that you gave. My concern is that it's not a guarantee. Unless the Town, in its planning or ordinances, make sure that any lighting is the type that goes down instead of up, because I do enjoy seeing the stars at night where we are. It's one of the reasons we live out there. Another concern I have is the additional traffic that would be brought in if you put an interstate based business up there. There would be more cars coming up and off the exit and on ramps. I'm concerned that if we get that increased traffic, the state DOT will come back to us once again and want to turn Second Drive into a highway and we've been all through that already. I'm concerned about the safety issues with all the additional traffic for those coming on and off the interstate for those that are biking or walking their dogs. While that bridge is new, DOT, in my opinion, didn't give a whole lot of thought into the pedestrian

traffic that could be on that bridge. I don't think the DOT was particularly appreciative of the neighbors and the people in the neighborhood using that bridge or that intersection. They made it abundantly clear that they wanted that to be a county highway, not a town road. Hats off again to our Town Board for their efforts when we were fighting the DOT on that. There is a commercial business that's in red on the map and you could not ask for better neighbors than Firkus' Salvage Yard. They are wonderful people. Their business doesn't add noise, their business doesn't add traffic or minimal traffic. Their business doesn't add light pollution and they are just fine people to live next door to and I think we're lucky to have them.

Holdridge I would think that now we would close the public hearing for Pete Klismith, then we'll open it for Justin Callan. Probably the comments that were relevant for Pete's situation would be the same for Justin's too. Is Justin here tonight? (*He was not.*) Well, why don't we close this public hearing.

Syens moved to close the public hearing on Pete Klismith's request, 2nd by Bob Bowen. Motion passed with voice vote.

4. Public hearing regarding request of Justin Callan to change the land use designation of Future Land Use Map 8.4 for parcel 020-92-E11 from Rural Residential to Commercial. Close Public Hearing.

5. Public hearing regarding request of Justin Callan to change zoning on parcel 020-92-E11 from General Ag (A4) to Highway Commercial District (C4). Close Public Hearing.

Holdridge Let's open the public hearing for Justin Callan's request.

Bob Bowen I move that we open the public hearing for the Justin Callan remarks.

Syens Second

Motion passed with voice vote.

Holdridge Justin's property is a 2 acre lot that is really in front of Pete and Kerry's place. I think it's lot #11. He owns that 2 acres and he also wants to see a land use change from rural residential to commercial. So we are prepared to take comments that you have on that topic. My guess is that the issues we went through on the previous one, the comments would be very similar but if anybody has anything they would like to add about that, feel free to comment.

Dale O'Kray I just want to add this all together here, the biggest thing is we can guess all day on what it's going to be commercially, and we can make all the plans we want but if someone commercial comes in there, it could be anything. It would be great if it was just going to be some little country store that sells ice cream but we don't know that. So we're going to lose what we do have in the neighborhood.

Cindy Eagan I would just like to say that I do appreciate all the homework you've done. If you wanted to use the property for your own family to use, but because of the side project, that you want to sell it, that changes things. If it was you guys putting up your own store, it would be very different.

Barb Borski The Callan family, what do they want their 2 acres to be rezoned to commercial for?

Christine Callan We live at 1605 Infinity Lane. My husband couldn't be here right now. We wanted to rezone to commercial to use for businesses in the community and for growth. I don't see how it would hurt.

Barb Borski We live on Casimir Road. That's my concern; that Pete and Kerry want commercial and all of a sudden someone next door wants to do commercial and it becomes like cancer like someone commented. All of a sudden it won't just be at I-39 and Casimir Road, it'll be into the neighborhood and that's why I'm strongly against the commercial request. Thank you.

VanderWaal I have one question. The second item on the agenda was the closure of the Klismith public hearing relative to land use designation. The zone change request, are we coming back to that one?

Holdridge No. The zone change request is contingent upon us changing the land use plan. If we do not change the land use plan, then the whole questions of zoning change is mute. That's my understanding and the legal advice I've gotten. Is there anybody else that wants to comment on the Callan request?

VanderWaal So the Plan Commission is going to take up the decision on the... I just want to be sure because a know Pete and Kerry will have a lot of questions, they're going to take up the issue of the land use comprehensive change and if the Plan Commission recommends that it not be approved, then they're going to deny them the public hearing on the zoning?

Holdridge That's right, yes. You're a lawyer, is that the way you understand it?

VanderWaal I'm not your attorney. Mr. Konkol is quite capable.

Holdridge Bob (*Konkol*), do you want to speak to that?

Konkol The law is that the Town can't act contrary to the Comprehensive Plan. The Comprehensive Plan provides that that will be Rural Residential and if it doesn't change, the Town can't move on the zoning. It stays the same.

Klismith Can I comment on that? I appreciate what you said about if that was ours but I don't know exactly what you meant by ours but let's say I bought my dad's sawmill for instance. It's noisy. If I wanted to move that whole building down there at that intersection. It would be industrial, I don't think people would like that either.

Cindy Eagan But I think people would be more willing to listen if it was personal, for your family.

Klismith It is personal right now because this is the one shot we have to have something for our kids.

Cindy Eagan But what you're talking about is an investment. Like the salvage yard across the road, that's a family business and has always been a family business.

Klismith Would you look at it differently if I had the money, which I don't, to build an office building or two for myself and lease out and look at it that way?

Cindy Eagan That's an investment.

Holdridge *(Gavel)* Let's go back to the Callan comments. Is there anybody else who wants to comment?

Citizen I've got a quick question for Christy. How long have you lived there?

Callan I've only lived there about a year but Justin has lived there for about 4 or 5 years.

Holdridge Is there anybody else? Is there a motion then to close the public hearing?

Bowen I move that we close the public hearing for the Callan request.

Seconded by Syens, motion passed with voice vote.

Holdridge Let me just review a couple of things. First of all we have 15 letters that were sent to us and we got 3 more today. Of those, there were 8 against and 7 supportive. Two of the eight who were against it were from the same household however, two of the ones that supported it had land in Hull but did not live in Hull. There were two individuals from Second Drive further up that I don't think according to Janet Wolle, we didn't send a letter to, they just happen to send a letter but that's fine. I would suggest you read this and there is one letter in here that I would call you attention to and that's a letter by John Long, which I thought was pretty comprehensive. Now going back and just quickly going through the history on this.

Our Plan Commission was started in 2001. Prior to that, we did not have a Plan Commission until the state mandated that we have to have a Comprehensive Plan. So when that was mandated, we created a Plan Commission. We have 7 members, Dave Way, who just had to leave to go to another meeting, was one of the original members. I think there are 3 or 4 of us who were the original members. The Comprehensive Plan was made and approved in 2006. In that plan there was a notation and an action plan that we need to look at I-39 West because it's a very unique area. As we went through it, there was one statement that was a result of a survey that was taken by some citizens of I-39 West that had a very good return. One of the things they found out that was very strongly supported was that they didn't want commercial development at I-39 interchange or along any potential frontage roads that might run from X down to the

Casimir Interchange, so they were opposed to that. Here is the language that has constantly come down that we've talked about: "prohibit new commercial industrial development at the Casimir Interchange and the I-39 planning area." That has been a constant. We started looking at I-39 about 3 years ago. That has been constant in the discussions and the feedback we've gotten. So that is a little bit of the history. The agenda indicates that we will take action and I'm going to go to

6. Action on request of Pete & Kerry Klismith to change the land use designation on Future Land Use Map 8.4 for parcels 020-92EOL01, 020-92-E09-E09 & 020-92-E10 from Rural Residential to Commercial.

7. Action on request of Pete & Kerry Klismith to change zoning of parcels 020-92EOL01, 020-92-E90 & 020-92-E10 from General Ag (A4) to Highway Commercial district (C4).

Holdridge That is the very first step that has to be taken. We have a Comprehensive Plan that's been adopted by the Town of Hull and by the County Board and any change has to be voted upon by the Plan Commission and then that recommendation that we have will go to the Hull Town Board and if the Town Board approves it, then it goes to the Planning and Zoning Committee of Portage County.

Binder Do we have the numbers on the Board tonight?

Holdridge Yes, we have a 7 member Board and we have 4 so we have a quorum.

Binder There are different levels of commercial, correct? There are 4 levels in Portage County?

Lucht There are 4 levels in Portage County, C1 are small commercial buildings, C2 , C3 just a plain commercial district like Stevens Point downtown, C4 is highway commercial which is like this land being sold that is close to the highway.

Dan (K.) The letter that they sent out to us on the public hearing notice, was the designation changed from C3 to C4 at some point in time?

Klismith Janet Wolle had a misprint and did an amendment to correct it.

Holdridge Any other questions for the Plan Commission?

Citizen Just a comment. When you mentioned that the taxes for the Town of Hull are such a minute part of the whole mushroom, but the point is that income for those property taxes will keep the property taxes low and the only way you can do that is with new business and jobs.

Holdridge But he ironic part of that is that the more equalized value we have in the Town of Hull, the more that grows, and ours grew, the bigger part of the school district budget, the bigger part of the county budget, the bigger part of the Voc./Tech. school gets. That's the ironic part. The more businesses we get in here, the more our taxes are going to go up because we'll need to

increase services. The real hitter is the school district and the Voc./Tech. system. That's the anomaly of property taxes.

Bowen I don't know if this is a dilemma for the Plan Commission but we spent between 5 and 6 years developing the Comprehensive Plan and we looked at virtually everything that's been discussed here tonight and the conclusion was that the predominant attitude in the Town of Hull was that they wanted very limited, and I'll say very limited commercial development, C1 at the very most. That's why this doesn't have to be a dilemma if we are true to what we did for the 5 or 6 years in developing that Comprehensive Plan. No matter how sensitive we are to Pete's desire, we had gone on record, after all that time, saying that we were going to maintain a low level commercial acceptance for approval.

Holdridge We are basically a community of single family households, very few apartments and hardly any multi-family because we all have private septic and private wells. We are sort of the Park Ridge with large lots, that's what Hull has turned out to be.

Syens John, I'll make a motion that we deny the request to change the Comprehensive Plan at the request of the Klismiths.

Bowen Second.

Holdridge Discussion? What we're really voting on is not changing the land usage right now. Many of you know Dave Way. He's been on this commission a long time and he's going to be resigning but here is a note he gave me, it says: "Request to change land use of Comprehensive Plan for Pete and Kerry Klismith and Justin Callan, Dave Way votes no to both." I don't know how we can do that as a vote (*addressed to Bob Konkol*). But that's his sentiment.

Bowen I think that is only a point of information and doesn't have any official count.

Holdridge Any other discussion? All in favor of the motion signify by saying aye. Motion carries. Thank you.

8. Action on request of Justin Callan to change the land use designation of Future Land Use Map 8.4 for parcel 020-92-E11 from Rural Residential to Commercial.

9. Action on request of Justin Callan to change zoning on parcel 020-92-E11 from General Ag (A4) to Highway Commercial District (C4).

Syens I make a motion to deny the request to change the Comprehensive Plan at the request of the Callan's.

Bowen Seconded.

Motion passed with voice vote.

10. Next meeting date. *No further meeting was discussed.*

11. Adjournment

Motion made by Bowen to adjourn meeting, seconded by Syens. Motion carried by voice vote.

Meeting closed at 8:35 p.m.

Respectfully submitted,

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