



TOWN OF HULL
**PLAN COMMISSION
MEETING**
October 7, 2010

- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order on Thursday, October 7, 2010 by Chairperson John Holdridge at 7:00 P.M. at the Town of Hull, 4550 Wojcik Memorial Drive, Stevens Point, WI 54482.

Present: John **Holdridge**, LaVerne **Syens**, Bob **Bowen**, Bob **Enright**, Al **Stemen**, Jocelyn **Reid** and Secretary Patty **Amman**.

Also present: Chuck **Lucht**, Associate Planner of Portage County Planning and Zoning, Attorney Bob **Konkol**, Civil Engineer Dave **Glodowski**, Hull Road Crew Foreman Pete **Kaminski**.

Citizens: Kelly & Dan **Hebbe**, Dave **Firkus**, Tiffany & Lance **Broecker**, Marie **Gawlik**, John **Oberthaler**, Jerry **Koziczowski**, Jim **Koziczowski**, Barb **Brilowski**, Janet **Wolle**, Dave **Wilz**

Excused: Shelley Binder

General Announcements:

Holdridge We have 7 members of the Commission and Shelley Binder was in Rhinelander today and we're hopeful she'll be back in time for the meeting. Shelley has a unique history. She was the first woman state patrol officer in the state and now she tests equipment that is used when they stop you for speeding, etc. She wants to make sure the equipment works so she's an important person; she goes all over the state to do that.

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

None.

- 3. MAP REPRESENTATION OF 20 ACRE PARCELS IN I-39 WEST AREA.**

Holdridge Over a 2 year period, at least, the Plan Commission developed a plan for what we call the I-39 West area. It's the area that's west of the Interstate by the Wisconsin River and from Casimir Road up to the Dewey line. When we did our Comprehensive Plan, we felt that area was unique. It has a lot of natural features. So we pulled that out to plan it differently and our key term was "preserve", low development. That's easy to say but very difficult when you get into this. What we ultimately came out with was re-zoning that land based on the change of the land use and having 20 acre parcels or more that could only be subdivided into 5 acre parcels minimum. So there are 50 plus parcels over there that are 20 or more acres based on the

County's map. Anyone who wants to change that splitting of land, there has to be a 5 acre split. You can't go to 2 acres. The other thing we did was to deny development at the Casimir interchange. We had somebody that wanted to build a commercial building. There was talk of a truck stop and any number of possibilities there. We voted to turn that down. Everything the Plan Commission does goes through the Town Board because we are an advisory committee. We do our work and have pretty good support from the Town Board. So once we did that, the planning officials, since we are under Portage County Planning, came up with a division, special map, showing the 20 acre parcels. At this point, I'll turn it over to Chuck and you can talk about what this all means.

Lucht What it came down to was people wanted to preserve some option to be allowed to split their lots without being able to create whole subdivisions. It was felt that between the often times limited ability to develop and 2 acre lots and those lots under 20 acres, that you would have only so many lots you could split your property into in the future, thus preserving the character of the neighborhood. Those lots that were 20 acres or over decided to be zoned A-3 which is 5 acres zoning which would still maintain the ability for those lots to have future lot splits without creating whole hamlets or large subdivisions out of it. By re-zoning those parcels of 20 acres and above to A-3, it serves the function of preserving the area as is.

Holdridge Now why the map? Why do we have to do this?

Lucht They need to have a map with the Town resolution so that when it goes to the County we can properly express to the Planning and Zoning Committee what lots are to be re-zoned and what lots are to remain A-4.

Holdridge A-4 is 2 acres.

Lucht Correct. With the resolution combined with the map, it makes it very clear that it's not in any way spot zoning because it was applied to the idea of 20 acres or above for one zoning and under 20 acres for the rest. It may seem patchy and hap-hazard but it fulfills the preservation function that the Town wanted for the I-39 West area.

Holdridge It's the best we could come up with. You can see the water here and the bays in the Wisconsin River and it's really this area right here. Anybody that tells you it's easy to preserve something, refer them to us because it's not easy. People were very protective. The compromise that came out after a lot of discussion was to have the threshold be at 20 acres. I counted over 50 parcels. This was raised today in an earlier discussion. Somebody could say, "I've got 20 acres and I want to split it into 2 tens." That's more than 5 acres. Then what happens after a year and they come back and say, "I've got a 10 acre parcel and I want to split it into 2 acres." Our goal here was to limit development and somebody could work right around that couldn't they?

Lucht No. That seems to be the case but when you split the parcels into 2 tens; you still retain the A-3 zoning. So even though they split, they usually go down to split it down to 4 fives. You're only splitting the parcel into the lowest common denominator of parcels possible, not changing the zoning.

Holdridge So the zoning would stay the same.

Lucht Right. So as long as you maintain the zoning, there's no ability or recordkeeping to try to prevent that from happening.

Holdridge Does that make sense, David, to you?

Glodowski Yes.

Holdridge Okay. So that's what we're trying to do here. If we act on this and approve these parcels and they're right off your records, then we'll put that on the agenda for Monday night for the Town Board. What I need is a motion to approve the map as printed on September 9, 2010.

*A motion was made by **Bowen** to approve the map display created by Portage County Planning and Zoning on the I-39 West area for 20 acre parcels or larger. Motion seconded by **Syens**. Motion passed without any further discussion.*

4. FIRKUS ROAD PROPOSAL(S) FOR DEVELOPMENT. CONTINUATION OF DISCUSSION FROM HULL PLAN COMMISSION MEETING OF AUGUST 17, 2010 AND SEPTEMBER 21, 2010.

Holdridge This is our third meeting on this topic. The first meeting we got to know some of the issues, then after that meeting on August 17th, we got Bob Konkol, our attorney, involved. So we're down to today's date of October 7th. I would say the reason why we are here is because 2 couples wanted to do some development in the back. Otherwise this might have gone on, in my judgment, erroneously, our claiming that for state road aid when there's no road there. So this has brought the issue to a head, which is where it probably should be. We still have 4 owners and 2 couples that want to develop land. Since our last meeting, there has been another legal letter from Bob Konkol dated 9/22/10 which I think you all have. I sent a letter last week indicating anyone who had a proposal, we were interested in looking at proposals because we do have some disagreement, to get it to us by October 1st at 3:00 p.m. and we've got a proposal. It's well written and divided up some of the cost factors. Then tonight, we have a letter that Jerry K. brought in that is dated today and that's been distributed.

Jerry Kozickowski John, I'd like to comment on that date. That was written within the last hour because I thought when we left this meeting; all parties would get together and come up with a conclusion. We started out here in the parking lot and we talked for awhile and we were very civil. Everyone was doing something and I was going to get contacted and I never did. The next thing I knew, October 5th at about... I got the message on my recorder at about 8:00 at night that they had a signed proposal and my name wasn't even on it. I wasn't invited into this proposal at all. You can blame that on me but when you said all parties, that's why my proposal came in late and it's very vague at this point. At this time, that's where I stand.

Holdridge You got my letter though, right, of September 28th?

Jerry K. Yes I did. I have some comments on that, but we'll do that at the proper time.

Holdridge In terms of what you submitted, I'm going to leave it up to the Plan Commission as to what they want to do with either proposal. We don't want to cut off discussion but we do intend to make some decisions. If there's one problem we had with the I-39 going on for over 2 years, it's that it went on far too long. For this, we have all the information, we have the interested parties in this, we're all at the table and I think we ought to make a decision.

Jerry K. John, is there any bias here in any way?

Lucht All of us don't even have a proposal; I haven't seen what you have.

Jerry K. I'm not talking about the proposal. This is the first time I've really been at the Town Hall meetings. What I mean by that, is anybody related here at all?

Holdridge There are couples related here by marriage.

Tiffany B. I'm not related and didn't know anybody in this room prior to all of this if that helps you. We knew the Hebbe's but that's all.

Holdridge We have a brother and sister who own land.

Jerry K. I'm saying with the board and the road situation we have going on.

Holdridge No, the Plan Commission is independent. Sometimes it's hard to make a decision if you're too independent. We'll look at the evidence. I would say the Plan Commission's function is to make a decision about the plan. The financial aspect is up to the Town Board. We can make a recommendation on something like that. There are 5 elected Board members from the Town of Hull. The Plan Commission members are all appointed. The Plan Commission members get nothing for their service except a pat on the back once in awhile. They just serve out of the spirit of civility and for civil society. The Town Board is elected and they have controls over the budget. Two members of the Plan Commission are also on the Town Board, LaVerne and I. So we're interested in looking at the facts and applying the facts to the plan. We have legal and development issues here. Dave Glodowski is the manager of Gremmer Association in Stevens Point and Bob Konkol is an attorney with Anderson Law Firm. We use Bob on a lot of land issues. So that's the firm we use and they live in the Town of Hull which is good too. Let's turn to the actual proposal. Anybody who has an actual interest has the same documents we have. We sent those out with the legal opinions, etc. Let's go to the proposal of Oct. 5th from the Hebbe's, Broecker's, Gawlik's, Dave Firkus and John Oberthaler. Is John here tonight?

Oberthaler Right here.

Holdridge Maybe I should just read this (*see attached proposal that John read through*). As we look at this, I don't think that there won't be some dividing of the land; certainly the Oberthaler property, or possibly the parcels in the back. To say that you're going to just divide

that as it is and put a road up there and that's the way it's going to be is probably not realistic. That would be my view and probably shared by others who would look at this. It is in some sense a land division at some point. (*Continued reading.*) Who's Kelly Callaway, a surveyor?

Oberthaler A land surveyor.

Holdridge So in effect, you're going to give the Town the road and land for the cul-de-sac. (*Continued reading.*) That's the easement for utilities?

Enright That goes to the Town?

Holdridge That goes to WPS.

Oberthaler They want a 10 foot easement.

Holdridge (*Continued reading*) There's a question we have about stumps; we have a history of stumps in this Town. In the old days, they dug up the stumps and buried the stumps. That's good in the short term but in the long term those stumps rot and we end up with having crevices. Our concern is that the stumps be taken out and moved out of the right-of-way. Is that what we're talking about here?

Oberthaler That would be the proposal, to have the stumps removed and at this point, ground and turned into biofuel.

Holdridge (*Continued reading*) The DB Quarry is John's right up on DB?

Oberthaler Yes.

Holdridge I'll turn this over to Dave Glodowski, our engineer. He's reviewed this, and Pete Kaminski who is here from our road crew.

Glodowski We wanted to make sure that there was a certified test done or we get that fill tested.

Oberthaler its state tested, certified $\frac{3}{4}$ ", 1 $\frac{1}{4}$ ", DOT. Duffeck's name is on the sign. East of the freeway by $\frac{1}{2}$ mile.

Glodowski They've been hauling that and using that on DOT projects?

Oberthaler And the airport, its hard rock gravel $\frac{3}{4}$ " and 1 $\frac{1}{4}$ ".

Holdridge You want to get to the construction aspects of this, is 1,000 tons enough?

Glodowski You're looking for 8" of gravel, especially if this is going to be a seal coated road so that's about 2,700 tons. Obviously it's not covering all of it. You have 1,000 tons you are willing to offer?

Oberthaler My offer is for 1,000 tons of ¾" base course gravel at FOB Dewey Quarry.

Holdridge So we would transport it in our vehicles to the site. You want to talk about our road construction with an asphalt road with so much base? That's all part of an ordinance. This is going to be a public road and we're going to take it over. Dave will have the oversight; he'll lay it all out for us appropriately. He's a licensed civil engineer. Then we will take it over, constructed to our standards, and once we take it over, then we have everything to do with the road. We'll have plowing, keeping it up, etc. So we have to make sure, and we have an ordinance to that effect, that any sub divider that puts in a road, say you're establishing a bonafide subdivision, all those roads have to be black topped and have to be according to our standards. That's our concern, when we have a road and we take it over. We don't want to have all kinds of problems with the road. We want to make sure it's acceptable standards.

Glodowski Just to add to that after we strip the top soil, we want to be excavating the ditches in. We don't want to just set the gravel on top of the grade. We want ditches and draining somewhere so there will need to be a little bit of design to go into it. If it was a double seal coat, we would want 8" of gravel. If paved with 3" of asphalt, we could probably get away with 6" of gravel if there's good sand up there, and the 3" of pavement.

Jerry K. With the stump removal, how much compaction will we need? In the road itself, we're pulling stumps out and putting in some fairly good voids. It's not going to be virgin soil so you'd be looking at compaction and I'm wondering how much need there is for that?

Glodowski Depending upon what it looks like after you are done, the grading operation would be to grade the center of the road, cut the material out of the ditches and probably put that in the center of the road to build the road up a bit. So that would be done in 8" lifts and compacted. The existing sand would be all compacted in place prior to the gravel.

Holdridge The other thing we discovered with the last rain was that there was water coming across Firkus Road. How far was that from North Reserve, Pete?

Kaminski From North Reserve Drive it went down that corner probably 150'.

Holdridge So we'll have to put a culvert in there.

Kaminski There is a culvert there, a 36" one. I went out there and looked after we got a call on it and our culvert was running but there was just so much volume it went over our road.

Holdridge That may be something we have to look at. We expect based on the saturation of the soil that the spring of 2011 might not be a good situation.

Oberthaler I have a topographical map of the property in question done by GPS and it indicates the heights of the area you are talking about as well as the proposed area here to show the differentiation between the elevations. So that is available.

Holdridge Jerry, have you ever had water coming over that road when it rained?

Jerry K. No, John, but one of my questions and you hit on it, was that Firkus Road did flood and it flooded in 2 spots and it was where your road supervisor did say up in the front. My concern is that if the Town is putting money towards a new road when in this road, I don't think it was a culvert problem, I think that road needs to be raised. I'm not a road expert, I'm just guessing 4-6" and maybe the ditches a little deeper and maybe there needs to be a culvert. With that problem there, how can the Town be spending any money towards a new road until that is taken care of?

Glodowski Typically roads and culverts are designed for a 25-year storm so that was more than a 25-year storm so that could happen anywhere in the Town and anywhere in the State.

Jerry K. But it's a very good lesson for us. We had a good storm. That isn't a very expensive fix but it's a fix I believe should be made before road construction or add on's to roads.

Holdridge We're going to have other places in Hull. A person actually stopped in today from Hay Meadow Bridge on North Reserve. He claims that there are culverts there that are blocked up. We're going to have to spend some time this fall making sure all these culverts are open. Every place that I noticed over the weekend that was flooded was because the culvert couldn't take the runoff from the rain. But they're calling this a 100-year event. Typically you don't plan for a 100-year event; you plan for a 25-year event.

Jerry K. But the earth itself is changing. We never had the tornados that we're having and the hurricanes in the country and we've got new insects. So is the next 100-year flood going to be twice as bad?

Holdridge 1993 was supposed to be the 100-year one. So let's move on here. (*Continued reading proposal*) I think one of our concerns was that you're probably going to need some of that top soil from/for the ditches.

Oberthaler If there's extra, that's all I was indicating.

Jerry K. John on that estimated value, how can you put in the land value? In my case, where the land is dedicated, there's not any value for me in that. Whether I gave it or whatever. The land value is dedicated so that isn't really a cost for the road. We know that's going to happen. I know there's a value there no different than there's a value on my property. My dedication was there for zero dollars. I didn't get anything for it.

Holdridge Well you didn't pay taxes on it.

Jerry K. I didn't, correct. John hasn't either yet.

Oberthaler Sure I have.

Jerry K. Well, yes he did. How long have you owned that John?

Oberthaler Just a little bit less than a year but I did pay the taxes in the sense that I bought it out of the Forest Management.

Jerry K. I understand the tax break.

Oberthaler There is a unique difference here. Yours was dedicated and the current land owner of the property in question underneath any road right now is me. It is not the Town of Hull, nothing was dedicated. I am the owner and I believe that land has value. So that is my statement.

Jerry K. The only thing I'm saying here is that there is a separate cost there. We have to separate that from the road-building costs, because the Town does not have that in theirs.

Holdridge You make a point but on the other hand, if we were going to put the whole road in, we'd have to pay for that, there would be a value to the land. So there is a value for it.

Jerry K. I understand there is a value.

Bowen What is it assessed at?

Oberthaler One 40 is assessed at \$4,000 an acre and the other is assessed at \$3,000. Exactly what I put in the paper there.

Holdridge *(continued reading)* Chuck, did Tracy get back to you with anything?

Lucht Yes. We have a whole section on that, whether you want to hear it now or...

Holdridge What do you mean you have a whole section?

Lucht We have our own take on the whole proposal. So I think we should get through this first.

Holdridge *(continued reading)* Now with this date, this is going to be a real struggle to do this. Pete, you want to talk about where you are at with the schedule?

Kaminski We just got done fixing a washed out road. We've got 2 or 3 washouts to fix up; I've got 3 culverts to do this fall. I've got roads I've got to router out and fill and tar. I've got sand to haul in and snow fence to put up. I've got wings and plows to put on. I've got a very busy schedule.

Holdridge I think if we had not had that weekend rain...we had FEMA in here yesterday and I think our total cost to Hull was around \$20,000 and rising. Those towns along the river like Carson and Linwood are much worse than we are. They had to close roads. We must have had 4 or 5 roads where the water just came right over.

Kaminski In our Township we actually had 14 spots where we had water over our road and I have 3 culverts I need to repair this fall yet.

Holdridge So that's a potential real problem. (*Continued reading*) The problem we would see, if there's going to be development up there and you put in a double seal coat road then you start running these heavy vehicles on it in the summer, we're going to have a road that is going to get all tore up. So what you'd want to do is put down a good base and run the big equipment on the base not the seal coat. Then come back once you get some basic development down there, then put in a seal coat road. Pete, you want to talk about your concern about cul-de-sacs?

Kaminski The only thing about sticking in a chip-sealed cul-de-sac, we've had too many experiences in the past where we get garbage trucks and school buses turning on that chip seal. It will right away loosen up, tear up and in my past experience, we're always going out there with blacktop and patching. So I would like to see a blacktopped cul-de-sac, 86' paved, for snow plowing purposes, school buses, garbage trucks for turning on.

Holdridge So that's our reaction to this proposal.

Konkol There was the last bullet point that I had some questions on about any costs exceeding those stated above....(*he read that section*). I guess I just needed some clarification from the folks that propose this. Are you saying that the donation of the value of the land, that is fixed, so there's not going to be any overrun on that I assume? As far as the \$6,000 estimated for clearing and grubbing the 2+ acres, are you implying that if it's going to be more than that, then the Town is responsible for it?

Oberthaler No. The clearing and grubbing indication was to leave the Town with an area that was free and clear of stumps or roots. That was just an estimate of what that would cost. No, it doesn't mean that if it costs more, that would be the Town of Hulls, but I don't know exactly how to answer your question.

Konkol That's what I was getting at. That if it costs, say \$6,500 or \$7,000, that you're not looking for the Town to be responsible for that difference.

Oberthaler No.

Tiffany B. What we were really meaning was at that point that anything that fell outside of the specific points that were mentioned as far as new, we're not road construction people, so if there was something above and beyond what was mentioned, we just wanted to say....

Oberthaler Like road signs and those kinds of things?

Tiffany B. Right. Even blacktopping the cul-de-sac that Pete was mentioning. Anything you feel that should be done, we just wanted to know if it's in the best interest, that we need to have a fixed amount, or as much as we can at least on the general items being covered. Like John said, if it's \$6,500 we would cover that, but any new items that were not topics mentioned....

Konkol Again, if the 1,000 ton base course ended up being \$5.50 a ton, you wouldn't be looking to the Town to cover that difference.

Oberthaler I'm offering 1,000 tons of base course FOB from the DB Quarry.

Konkol Whether it's \$5.50 or \$5.25 or whatever.

Holdridge But you're saying 1,000, not 2,700?

Oberthaler Not 2,700.

Jerry K. So we're short 1,700 tons.

Holdridge Chuck, what do you have to report on this?

Lucht First of all looking at this proposal that I just got a few minutes ago, the County is not going to see any reason why they should have less than the full 66' of right-of-way.

Holdridge Which proposal? That's Jerry's, let's stick with the first one.

Lucht From the other one, we would suggest first off that the Town think about putting in a clause that any future lots that go into a subdivision there be assessed a certain amount to recover the cost of putting the road in. The Town is well within their rights to do so and it would be very smart for the Town to do that. The County is lukewarm on supporting a modification. What I mean by that is, it is a modification of the subdivision ordinance that goes through the Planning and Zoning Committee and the P&Z Committee's decision on that is final. It's a process that neither I nor Jeff have used in the time we've been there although it has been used on occasion in the past.

Holdridge You mean extending that distance?

Lucht Right. The Town subdivision ordinance says you can't have a cul-de-sac longer than 1,000 feet. Part of that is for potential safety reasons.

Bowen Can you explain that?

Lucht Yes, I'll come back to that. It's not a variance, even though it doesn't have anything to do with land use or re-zoning. It's a modification of the subdivision ordinance. It will go through the P&Z Committee just like any other normal thing would, however it doesn't go to the County Board for approval after that. Part of the reason for that 1,000 foot limit on cul-de-sacs, and that would be starting from the point where Firkus Road splits off from North Reserve Drive, we would ask that the parties think of running 33', not giving or dedicating a road but putting a dashed line on the map, along 33' of each side of their property that heads straight west so that if they every decide to put another road in, they would have enough right-of-way to put that in rather than running across someone's side yard. *(He then showed the*

committee visually on a map.) Because if a development happens out there, we would like to see it eventually go all the way back out to North Reserve Drive. In the past when this has occurred and they've gone through the modification processes, the County has required some future possible way of being able to access those back routes.

Holdridge What does that mean though, what is the practical effect?

Lucht The practical effect is if you were to subdivide a lot close to that, you would account for that 33' then you would put your set-back for your house just further south or north of that line so that if a road ever did have to go through, it would be set aside. There's already enough there for it rather than having to condemn anyone's property or go through the variance process. The County intends to support one of these, then the other one will not happen. The County will not support two cul-de-sacs or two roads going in there. It's one or the other.

Bowen You were going to explain why the 1,000 feet. It seems very short-sighted to have a regulation that's trying to make every situation fit it rather than a regulation that can be adjusted to situations.

Lucht It's something I've discussed with Tracy and he seemed to think this was a viable option if things were to start developing out there. It's not a bad idea as people can see now, the question of access can arise. There's a lot of land out there and it's real easy to do it now rather than try to do it later.

Konkol To try to try to respond to Bob Bowen's question, we tried to respond to that earlier today, where Tracy's comment was that if you had a wash out there, you may have a number of....(*tape ended*).

Bowen ...you don't want to extend beyond 1,000 feet but now it sounds like you're open to it.

Lucht If another street were able to be extended to the West, then there would not be a cul-de-sac.

Bowen You already raised that proposition so that suggests to me what you're going to say to 1,340 feet.

Lucht So we kicked this around a lot trying to figure out whether this was a good idea. We understand that of the 8 parties, 2 couples and 4 land owners involved, that it was going to be up to those 8 parties and the Town of Hull to decide what was going on and if they thought it was a good idea. If we were to get a positive recommendation, the County could support it because of the fact that access has been cut off and due to time, change in land owners and the change in policies in zoning and subdivision ordinance, we felt those people had a legitimate grievance to get a variance but in this case it's not a variance but a modification. So if we got a positive recommendation, we felt that it was something we could at least be lukewarm on.

Bowen On your dotted line proposal, would that extend east of the proposed cul-de-sac road to access Jerry's land?

Lucht As we understood the situation at close of business today, we were under the understanding that this was likely to be the only proposal because Mr. Koziczowski had no interest in having any sort of access back there, so we were under the assumption that he wasn't part of this. So there's no reason to run that dashed line to the east because it would be for running a road back out to North Reserve Drive and you wouldn't have cul-de-sac access. It wouldn't be a cul-de-sac at that point. We're only going to support one of these roads. Part of that issue is that if you support the existing Firkus Road elbow north, the western north 20 lot still has to work out access.

Enright This dotted line, is this going east from North Reserve going right along the boundary between the Firkus and Chopper Farms, is that right?

Lucht That's what we're suggesting. We not suggesting a land dedication. We're suggesting that it be labeled so that if access would be needed somewhere in the future, this is where it would go to hook up with the Firkus Road cul-de-sac and it wouldn't be a cul-de-sac anymore. It doesn't have a name at the moment.

Enright So how long is that distance?

Holdridge That going up is about ¼ of a mile, right? That's what we've used.

Enright So somewhere around 1,300 feet.

Lucht Right.

Oberthaler Actually it's ¾ of a mile. From North Reserve over to the cul-de-sac road would be ¾ of a mile.

Holdridge From North Reserve to the end of Firkus Road is ½ mile.

Lucht If the road didn't exist prior to the adoption of the ordinance, Mr. Koziczowski wouldn't have been able to put a road in that area either.

Enright So you said this would be dedicated in the event if there would be more construction in here.

Lucht One person looks at how they've got the cul-de-sac and it's perfect for more development to happen. Its upland, it's not in a wetland on either one of those 20's. There's more than enough land in the 2 north 20's to add additional lots. I think there could be more development out there. It may not stay in agriculture. A smart betting person would say that it's not a bad idea to not dedicate but label it as the 33' feet on either side so that might be a future road.

Enright What I was getting at was what would be the trip wire when you would say that the road needs to go in? Is there any general or specific rule of one more house or what?

Lucht When it's needed. Just the same way as the north elbow wasn't needed from 1948 until 2010. It might not need to be part of the trip wire for a very long time, many decades. However, anybody that has an eye out for extra land like that, it's perfect for it. So many places aren't perfect for it. This place is laid out smack dab with the cul-de-sac right in the middle equally splitting 4 pieces, 66' on either side of it.

Holdridge I think the history of what is happening in Hull is that we tend to like cul-de-sacs. Why do we like them? Because we don't like through traffic in neighborhoods. I'll give you a big example, when we planned that Shady Olson, remember the City wanted to run a road up Regent Street to Brilowski and we opposed that, they agreed with us. So cul-de-sacs to us cut down on traffic in neighborhoods.

Lucht It's not something the County is going to stand on their head about over a dotted line. That is not anything more than a suggestion on a piece of paper.

Stemen You mentioned safety concerns. What's the difference between the safety on a 1,000 foot road and a 1,300 foot road?

Lucht That's a very good question and it's open to debate.

Holdridge Chuck, why did you accept 1,000 and not 1,500 or 1,200 feet?

Lucht It's open to debate. The 1,000 foot limit is generally so that we don't get lots ofif someone takes a fresh section or there are lots of places where there are four 40s from the road left that in the County, so that if someone doesn't want to put a road winding all the way back in there you have people that do vanity addressing and you have people that....you have roads wash. Linwood had a horrible problem. If you didn't know the back roads, you were cut off for 2 or 3 days last week and if you needed an ambulance or a fire truck, well, those trucks can cash out in the water too, or we had sink holes develop under some of those roads out there and if a fire truck would buckle that road, then nobody would get through.

Holdridge Other questions for Chuck?

Bowen I want to go back to the dotted line. You're talking about development but if this proposal were accepted, you would be landlocking Jerry's land so how does he unlock his land?

Lucht Jerry's land is not unlocked, he has his own access down at the very end and he's just not, he'll have to wait until development hits out there.

Bowen So if we did have some development on this land, we could put it in there at the end of the road....

Holdridge But it's also landlocked...Bob you want to talk about that landlock situation? Because his land is all contiguous so in theory at least, he's not landlocked because he can come off a public road on his land and serve the back 80. He's not able to serve the back 80 with a public road although we have 33' of road.

Jerry K. Which road are you saying I can come off of?

Holdridge Firkus Road, the ½ mile.

Jerry K. We have 33' there now and that's not enough for a road. So if John Oberthaler doesn't put a dotted line and give 33', I can't develop.

Holdridge When I talked with Bob earlier, you made the point that Jerry is not landlocked because he can get to the back 80 right now over his own land.

Konkol As far as it's presently constituted, that's right. Where he would have an issue is if he wanted to subdivide.

Jerry K. Where would I bring the road in from?

Holdridge How big is the land that you own that is right adjacent to Firkus Road?

Jerry K. I own 135 acres and for my north piece, I'd have to cross a creek to get to it. It's not developable and to bring a road from the north, I'd have to cross an open marsh.

Holdridge The problem that these folks have is that they have no public road, also the ones in the back there except for possibly those along North Reserve and I think there are some development problems there. They don't have access to a public road. What we are saying in your case is that all your land is contiguous and you can come off a public road, Firkus Road.

Jerry K. Explain to me where? I need 5 acres for my house.

Holdridge We could go though that but in theory, you are a contiguous parcel and you can have access to public road whether its' back or not but you'd have to go across you land to do it.

Jerry K. Correct. I want to state that probably the only way I could get a road in there would be to tear down that house and put a road in and that's not feasible. But yet because you have two people, the Firkus' who sold their land and split it up within the last year or two, you are willing to take care of that piece and totally landlock me without tearing my house down to put a road in. Unless, and we're planning for the future with all these other properties and there's no dotted line on John's east property line and we could go on to the proposed Gawlik and go straight north another quarter mile and leave a dotted line there and on mine too for prospective roads but you're not doing any of that for me but you're doing everything for them.

Holdridge We haven't done anything for anybody at this point, Jerry.

Jerry K. Now they said there was no prospective dotted lines going to the east on that proposed property that the 2 Firkus' own. He said that's not possible. To the east, to my land. But we're going to do it to the west. Now those 2 people that own the Firkus land have a relation right there where you're talking about putting in a future road and there's no proposal from that point which is only a quarter mile, the same distance.

Hebbe I'd like to go back and it's in the minutes too, from day one, I mean no offence to you Jerry, but you were opposed to this whole transaction to begin with. In the first meeting he said that he was in the process of taking that land back already. So as a buyer, we have to work with someone who is willing to work with us. Now the 180 happened at the last meeting so it's hard for us as buyers to know who to work with. John has been understanding and he's the guy that has helped us the whole time. I just want to make that clear.

Jerry K. In that first meeting, the issue that is still not solved is that a road or not? Yes it was dedicated. It was dedicated by me back in 1991. Legally, if John Oberthaler was driving down that road with his daughter on his 4 wheeler and she fell off and broke her neck, who's insurance would cover that? Now, the Township is going to take charge of that because they say it's theirs. I posted that property and I was told to post that property and I never brought this up, for liability reasons. Because if John goes across that and somebody gets hurt, I posted it and so he'd be trespassing. Not only did I help myself, but I protected the Town because the Town would then say, when John comes after you with a lawsuit, now is that your property? It's up to the lawyers' discretion then the judge will make the ultimate decision, just like you said John. So I have to protect myself also. I didn't know if it was a road and I still don't know if it's a road. So that's the position I took. Am I that stupid that I've got 80 acres that I could develop and it's all high land, there's no low land on it, it could all be developed. What you guys are doing today, you're talking about the future but your taking that land out of development.

Holdridge My impression of you at these meetings, Jerry, going back to the second one, is that you just weren't prepared to cooperate on this. You said that it was never dedicated. So we got all these mixed messages. If I were in these people's boat and we tried to work something out, why wouldn't they come up with a different proposal. They all have an interest in that land. I think when we were initially prepared to do something on that road, we would have needed to have 33' more feet to get a 66' road. As we made clear, we will construct a road to Hull specifications and it will be a good road. But we just didn't feel there was any way we could work with you on land that was dedicated for road for 33' in 1991. That's what's happened here.

Jerry K. If I could have had a chance to be in their proposal, which according to you and according to me and call me whatever you want, but I wasn't. We had a good civil discussion out here and I never once got loud or non-civil with any of these people and I would be happy, and I said this before, to have them as neighbors.

Syens On the north end of the Firkus property, is this piece here not owned by the Town of Hull?

Holdridge Yes, that is supposedly owned by the Town of Hull but it doesn't seem to go anywhere.

Syens Do we know the width of that?

Glodowski 24'

Holdridge I don't know what to do with that.

Lucht It belongs to the Town of Hull. This leads into a good question that's going to come up. Can the Town vacate the road? The County is only going to support one road. Whichever one it is, it doesn't matter to us, but we're only supporting one.

Holdridge We understand that.

Lucht If you go with group A's proposal, to vacate the 33' here that was dedicated as a road, you need to have a simple majority. From our council today, also if Mr. Kozickowski gets a lawyer and disputes whether the road should be abandoned, the Town will need $\frac{3}{4}$ of the Town Board's vote.

Holdridge Isn't it $\frac{2}{3}$ rd Bob?

Konkol I think it's $\frac{2}{3}$ rd.

Holdridge We've been though that, he's a lawyer too.

Bowen If as you say, some day a development takes place out there, you might be interested in seeing a road from the cul-de-sac over to North Reserve.

Lucht It wouldn't be a cul-de-sac, it would be a looped road over to North Reserve.

Bowen Okay, you're answering my question before I asked it. What happens to the cul-de-sac? It's no longer a cul-de-sac. Couldn't you then run an extension of that road over to a cul-de-sac to Jerry's land?

Lucht Sure, 1,000 feet, no more.

Bowen How far is that across there?

Tiffany B. 669'

Bowen So that would be one way to unlock your land as I see it because it's no longer a cul-de-sac once you do the loop, so I see extending to the east. That's why I'd like to see the dotted line in there so a cul-de-sac could occur on your land or at where it touches your land.

Jerry K. I still have 80 acres there that can be developed. Can I develop that 80 acres with 1,000 feet?

Bowen I don't know where the roads will go after that but it would get it to your land anyway.

Holdridge Bob raises a good point. Let's go to Tiffany.

Tiffany B. I have a question for Chuck. Regarding where you said if we set aside the 33' and it would be a modification vs. a variance, would it be easier to get approval for what would be a modification?

Lucht Much harder. The only reason we're supporting either one of these roads is the fact that there is question if a road exists in the first place. If it runs up the present north elbow of Firkus Road called Firkus Road Drive, then one of those 2 properties still has to work out private access. If with what your group has proposed works out, then we're willing to support that because there's no reason that road has to be on either side of one of those 20's. It doesn't matter if it's on Mr. Oberthalers, splits his two 20's or if it's on Mr. Koziczowski's and over on that 20. It doesn't really make a difference but one provides better access than the other, I'm sure that the parties could still work it out though it creates weird lots.

Tiffany B. Just a clarification: a modification is more difficult to seek and be approved than a variance?

Lucht Correct. If it were a variance, you would have a legitimate request to seek a variance because both of those It was believed, as I understand, people at these meetings originally thought they had access to the back of those lots. When access was denied where they thought they had it, they were allowed to go over what was Chopper Farms and now that's gone away so all of a sudden the access to the back properties now doesn't exist. So zoning code and subdivision code changed over time. Accessibility changed over time through the change of ownership and so that gives you the possibility of seeking a variance.

Holdridge Let's understand how the process works. The Portage County Planning and Zoning Committee, which is 5 elected county board supervisors, make the decision on this. The staff makes recommendations. I used to serve on the Planning and Zoning Committee and we looked at these things and made rational decisions. Chuck and the planners have looked at it and what they're proposing is probably reasonable. So don't assume that what Chuck says is the final answer. That is made by 5 elected county board supervisors on the Portage County Planning and Zoning Committee; they are the ones that make the decision.

Bowen I want to get at the money issue again.

Holdridge We'll come back to that. Let's get through the proposal itself.

Enright I want to get this straight. I am concerned with laws that say that cul-de-sacs shouldn't be any longer than 1,000 feet. I think that we should pay attention to that and know the risks because I think the purpose of those kinds of laws are to protect citizens who may do things that they may not recognize as in their interest. I've seen places with long cul-de-sacs where it was disastrous in terms of natural disasters of fire, flood and other sorts of things of that

type. Can you give us these dimensions again? How long is it from North Reserve Drive to the proposed cul-de-sac construction that goes north off of Firkus Road?

Glodowski It's 1,320' plus 660'. 1,320' north.

Holdridge So the distance from Firkus Road to the end of the cul-de-sac is how far?

Glodowski Just shy of 2,000 feet. You're talking about Firkus Road to the end of the cul-de-sac right?

Enright I want to know first of all from North Reserve Drive going along Firkus Road, how far do we go along there before your proposed cul-de-sac going north? That's 1,980'. Then so presumably the dotted road that you are talking about is 1,980 because this is a rectangle. Then how far is it from Firkus Road heading north to the cul-de-sac before the cul-de-sac ends?

Glodowski Around 1,320'.

Holdridge So that is 300 some feet more than what it should be, is that right?

Enright Cul-de-sacs are only supposed to be 1,000 feet and it looks like we've got 2,300.

Holdridge No, it's the regulation from Firkus Road to the cul-de-sac. What's the 1,000 feet? What does the 1,000 feet apply to?

Lucht The 1,000 feet applies from the corner of North Reserve and Firkus Road. Outside of the safety reason that has been cited and dealt with in the past modifications, we had the same question. What's the distance? It's a valid question and I've racked my brains for a couple of days to make sure that the opinion you are hearing out of me is not necessarily my own in any way, shape or form. I'm speaking from the combined expertise of the department.

Enright What do they say about having 3,300' from a point of another road to the end of the cul-de-sac? It sounds to me like that is over 3 times the recommended distance you should have for such a road. Is that right?

Lucht The only reason the department is willing to entertain the notion of a cul-de-sac on one side or the other of the east Oberthaler 20 is because of extenuating circumstances for those 2 lots in the back and how access has changed over time and the fact that that road has been shown in the plat books since at least 1948 to the present day on every single map you look at in the Town of Hull. I don't know how long the Town of Hull has been collecting aid on that road.

Holdridge So if we didn't have the middle cul-de-sac and went to the end, we'd be much further out of compliance, wouldn't we?

Glodowski Another 660'.

Holdridge We'd be going north. How could we ever construct a road there?

Lucht We'll make sure our opinion is accurate after we receive yours. If you come to a conclusion on this, all our department is willing to say is we're willing to entertain a cul-de-sac in one of those two places depending upon how you state it should be.

Enright How far is it from the part where the cul-de-sac attaches on the north off of Firkus Road to Jerry's?

Glodowski 660'. I want to make one point with Jerry's corner. From a public road standpoint, he is landlocked because he does not have 66' of connection. You'd have to get a triangle from John Oberthaler to really make a public road come into his 80. He's there with 33' but not the remaining 33' to make it. You'd have to get some property from Bill Gollon or John to truly make a Town road come in there.

Holdridge We'd want a 66' road.

Glodowski There's a pinch point right at the corner. He does not have the full 66'. If you put all 66' on his property he still couldn't cross that corner.

Bowen It seems to me that this whole thing is driven by development. Jerry is concerned about development. John is concerned about access if more development takes place and his is more likely to take off. It seems weird that you would not extend that dotted line 660' to the east of that cul-de-sac. Then if a development takes place with a road built from the cul-de-sac over to North Reserve, then there would no longer be a cul-de-sac there and you could extend it east.

Lucht Should they decide to do that on their own, we wouldn't object.

Bowen Okay.

Holdridge We have a handout from Jerry and here's what he's come up with. We can decide if we want to accept this. We said October 5th at 3:00 p.m. He's been at all the meetings. We asked for proposals and we got one and now his. We need to decide first of all as a Plan Commission whether we want to look at this.

Stemen Is there a reason we wouldn't want to look at it?

Holdridge There might be. He didn't get it in on time for one thing. He was at all the meetings. Now if we want an open discussion to look at all the options, it's probably a good idea to look at this thing. So what are your thoughts?

Reid I think he put the time into writing it up so we should at least look at it.

Enright I think the Town should make this decision on what's best for the Town. And so exploring all the options, I know you didn't want to talk about cost but...

Holdridge No, we're going to get into costs. Let's look at it as a plan first of all. The costs will come into that for sure.

Enright I think we should look at all the options.

Syens I agree with him.

Holdridge This is from Jerry Koziczowski (*John read proposal*). So what you two would do would split the dedication right? (*more reading*) There's a map attached. Any questions for Jerry?

Oberthaler First off I would like to clarify something here. I have no intention of providing 1,000 tons of gravel for this proposal and I also have no intention of giving my land as a dedication to the Town. I just want to make that clear. I have no intention of clearing and grubbing and I have no intention of doing the other things that were stated in that other proposal for this proposal. This is not my problem. It's somebody else's problem. At the last meeting and at all the meetings, we heard a bunch of conversations that people want it, people don't want it, people want a road here, people don't want a road here. Fine. You asked us to come up with a solution. I came up with the proposal we offered to you, the first one we discussed, last week or the last meeting because it benefits me the most. That's why I'm willing to give gravel and I'm willing to give road and I'm willing to cooperate. So that's what the whole thing is about, the value of that stuff. I'm not saying that I wouldn't cooperate if the Town of Hull needs to figure out where the road belongs. That's not for me to say. But you did ask what my opinion was and that's what I gave you, my opinion as to where it would best serve the people that have been at these meetings.

Holdridge That is fundamentally a planning issue. It's a cost issue, but it's really a planning issue, where that cul-de-sac goes?

Oberthaler Right, that's a planning issue. Costs will be associated with that.

Holdridge Costs is a second level issue.

Oberthaler Yes, cost should be a secondary issue. Where does the road belong? Please know that some of the things that I've offered on the one proposal do not pertain to the second proposal and I'm not even certain that I will just dedicate the road without some kind of...I need to be convinced that the road should be in the other place. I know that legally you could find a way to get 33' from me. There's some way, in a year or two. But right now, that land belongs to me.

Holdridge Other comments from others?

Marie Gawlik I have a comment. Dan Hebbe had called me and Tiffany and they said we were meeting at her office and Jerry K. was invited to the meeting and John Oberthaler was also but he couldn't make it. Jerry K. called Dan at his office and said he would not make it to the meeting on that Friday.

D. Hebbe Jerry, you didn't call me.

Jerry K. No, I didn't call him. That's a false statement. I was never offered an opportunity to get together with these people after our talk in the parking lot. How long ago was that Firkus land split to make it landlocked? With my 33', let's call it a right-of-way and the Town owns it and they can get back there. By them splitting that 20, they landlocked themselves. I had nothing to do with that. So now we're taking care of 20 acres that was landlocked by an owner but you're not taking care of me. My opinion right now is that if you want that to be a road, then let's develop it. Let's figure out how we can develop it. Let's take our time. Let Planning and Zoning say this is all the land we have to develop and let's figure out how to do it the best way. The best way isn't to come to these meetings and rush it through. John is in my position right now as I was 3 meetings ago because I got broadsided about somebody wanting to put a road in there. My position is, if you want to say that dedication is a dedication, then it's a dedication that's the best place to put a road, that's where the Town wanted it, that's what Chuck said has been a road since the 1940's. I had to take my stance to protect my interests. Now, John is taking his to protect his.

Holdridge I think we've heard the various positions so let's let the Plan Commission talk about this. Any comments at this point?

Reid I'm somewhat confused because when I got this proposal and read it, I thought you would be happy, Jerry. I thought you didn't want any part of a road and this takes you out of the equation and I just thought you would be happy about it. The last I remember, you were threatening to get a attorney if we tried to take that 33' of land that you said you owned. I'm just kind of confused as to where you're coming from.

Jerry K. You're confused. John Oberthaler gets to sell his 33' to somebody for \$4,000 for the road, he's not going to dedicate it. He never said he was going to dedicate it. Whether I buy it to put a road in, or if he even lets me or ... he's getting his money for his road, I'm not getting anything. I am at a point in my life where, do I want a road or don't I want a road. If these people want to build back there, I'm not against them building back there, I'm not. If the Plan Commission wants to put a road back there and they want to put it on that 33' and get 33' from John, that's fine. I'm not against that. I was originally, yes. Because why? Really, for \$4,000. Is that stupid, maybe. But we still haven't decided if that is a road or not. Are we going to put a 33' road? I was afraid of that. My liability on that road, I have to protect my liability. These people wanted to go down that road and look at that land and I let them the first time. Then John, they even asked John. Dan asked John and me the very first one, if the owners can go down that road to look at that property and he said, well not at this time, we don't really know what we've got.

Holdridge No, my concern was that you ran them off once and we don't need any kind of threats out there so in order to avoid that, just stay out of it until it gets cleared. That's where I'd be coming from. Let's come back to your comment about John Oberthaler. You're talking about the proposal you submitted tonight. As I read it, he was going to dedicate the 66', right?

Oberthaler Yes, to the Town of Hull.

Holdridge Now you're saying John's not interested in dedicating the 33'.

Jerry K. When John and I talked about this road right next to mine where mine was dedicated and I'm not saying is isn't dedicated, it is dedicated. John told me he will not dedicate that land. He wants his money.

Holdridge He said that at every public meeting. He's not interested in giving us 33'. Somebody would have to buy it.

Oberthaler Somebody has to pay to me what I paid for it.

Holdridge So that's clear, isn't it?

Oberthaler Yes.

Holdridge We don't need to keep going back and back. I think we know where the parties stand on it.

Enright At the last meeting, at that time, you said you were willing to sell the strip of land next to Jerry's road.

Oberthaler I've had reconsideration. The proposal that I proposed was based upon all the prior meetings and your request of us to come up with a solution. So I gave the old one away and focused hours and hours and hours and meetings with contractors and doing all the cost analysis in saying, how can we fix this problem. Well, how we can fix the problem is my proposal. It serves my interest, absolutely. And I'm here laying it out. The reason I want it there is because it's better for me.

Lance B. It's also better for the purchasers and the sellers.

Enright At that time you were willing to sell that strip of land for \$4,000.

Oberthaler For \$4,000 and we had talked about that at the meeting and ultimately it does come down to the Town figuring out where the road should be. I believe that you're going to have increased costs to put it on the east side of my property, to the tune of \$12,000-\$15,000 versus where our proposal is. If that doesn't mean anything, then I think you can shake the dice and throw it wherever you want to. I'm not going to give gravel and I'm not going to give up my land. That's the first part. Also, I'm not going to take the stumps out and give you unobstructed territory. It won't be flat field when you get started so there are some...it may cost \$20,000 more to put it over there. I'm just trying to come up with the best cost solution keeping the people who want to purchase the property in mind. I can't speak for them but they want the road to be where we suggested it. Knowing that it doesn't meet Jerry's long-term goals or needs or wants but this is all a balancing act here.

Glodowski Is there a possibility of a future road along this south line to loop it out to North Reserve?

D. Firkus It's in a conservation program and they don't allow roads.

Glodowski Other than back taxes and you'd have to take it out. There's a spot you could cross without going through wetlands and tie back into North Reserve.

Oberthaler I don't think so. I walked on it. That's incorrect. The Army Corp. and DNR would require....and even what Chuck had said, in order to come off North Reserve, it would have to be an Army Corp. of Engineers and DNR possible crossing in order to go east and west from our proposed cul-de-sac over to

Glodowski We could get the permits. Are you saying you don't think you could get the permits?

Oberthaler It's possible to get permits. I've worked with the Army Corp. and DNR so nothing is cemented.

Glodowski If we could loop it, a lot of this stuff would go away.

Oberthaler Right.

Glodowski I don't know how much money it would take to go that far, but looping it would solve both Jerry's and your problem. Because I need to run cul-de-sacs off of the loop.

Bowen That's what I wanted to hear.

Tiffany B. I just wanted to say that we did have a conversation initially in the parking lot right after the meeting and the group has tried to very civilly work together and through much research and piggybacking on what John said, almost every single day we were doing something, getting some cost estimates for something and we have looked at the proposed road going down the dedicated strip but there are so many more costs involved, also for us as purchasers, involved with getting houses back there. We are strongly in favor of the proposal we presented tonight because we've gone that path and we were also looking at taking more trees out. It's not the best option as we see it for the environment, for the number of people involved from a cost standpoint and from the Hebbe and our perspectives, this is long process. Building in general is a long process. We don't want to have anything tied up in litigation if we can avoid it. We don't want to have to seek extra permits from the Army Corp. of Engineers or timing for people to delineate what land we know can be developed. So that's what we tried to do, factor in everything and look at what would be the least invasive on all of those things and also recognizing that Jerry wanted his privacy and throughout, he has maintained at least to our parties, that he has been willing to contribute absolutely nothing of value when it comes to land or money and the rest of us are all giving something. We're all contributing. We have made this work and that's why we looked at the proposal and modified it from the parking lot conversation. It was not to exclude him. It just seemed like he wasn't cooperating with the group and everybody else was willing to

give. Even the conversation I had with him 2 days ago, I kept asking, if you want this road to be over by you so that you can get some benefit, it seems that you're just trying to work to your advantage off of something you feel you can benefit from off of this project but you're not offering anything of value. And he did maintain, at this time, "I'm not willing to give anything. I'm not willing to give anything." That's how the conversation took place at Tuesday night at 8:00. So even at that point, he was conceding nothing towards this proposal and at that point, I just felt like we can't really work with a person who's not going to cooperate with the project.

Jerry K. As Tiffany stated, we did talk out here in the parking lot. We did agree that John was thinking about giving up the 66' on the other side of the fence line and he stated that. At the next meeting I was going to offer to buy 33' of that in replacement for the dedicated land because it would have been cheaper to put that road on that side in the pine trees instead of taking out all those oak trees on that fence line. So that was decided. We decided where the road could go. We were all going to get together and we never all got together. They took it upon themselves to go ahead and write this proposal but because it was the best for them. At this time I am stating that the best place for that road is where that land was dedicated for the last 20 years by me. She said I did not give anything. I didn't see a proposal yet for final costs. I don't know how much the Hebbe's and the Nobody's going to give other than what John's going to provide. There's really nothing broke down but yet they want me to give them a number. How can I give them a number when I can't see their numbers? The land owners are going to reduce the price of the land and I don't know where that money is going. Are they getting cheaper land so John and I can put in a road? Or John put in a road? I don't have any of that information. I'm sitting here trying to make a decision. Do I want to have that road, does there have to be a road there? Yes. I want the road. Am I willing to put some money towards that road? After I see all the breakdowns, who's giving what and what's going on. I was left totally in the dark. I was shanghaied so that it would be best for them. I was willing to operate and cooperate with them. That's a wrong statement. Yes, did I come in here kind of upset? I had a piece of property for 20 years. I'm on a dead-end road and it's quite and all of a sudden there's going to be a road there. Do I get time to even think and digest this? No, I don't.

Holdridge I sort of agree with Chuck. Whatever decision is made about where the road, whether it's the middle route or the end route, we don't need 2 roads there. I think the Planning and Zoning Committee would say you can have one or the other. Bob in his legal opinion said that as it currently existed, Jerry's got a barrier across there and we can order that taken down as the Town Board. We can have the sheriff's department out there to assist us. That may be something we want to order, but we're not at that stage. We have almost 6,000 people in the Town of Hull and 2,020 households. Our interest in all those citizens is some sense of equity and fair trade in dealing with them. We separated out I-39 and did some things different there than from the rest of Hull because of the unique situation over there. But our interest is a public interest and sometimes the most difficult thing in this business is finding out what the public interest is. We have all kinds of special interests and they're here wanting things and we're trading ideas. If we went back to 1992 and said how much state aid have we've accumulated over the years for 25% or 1/4 of a mile, it's probably about \$6,000 because the aid in 2011 will be \$2,117 per mile. So if you did it next year, 25% of that is around \$550. The reason why I think the Town of Hull has some obligation here, probably in the law, there's right, but sometimes right isn't in the law. Because the Town took state aid on that portion all these years,

if I'd known that road was not being developed, I would not have taken state aid. But we did. What that state aid amounts to is probably about \$6,000. That ought to be, if we make any contribution to any road, that's what we should come up with. The Board, which makes financial decisions and the Plan Commission can recommend something else and they can recommend no money. How does development occur in the Town of Hull? I'm going to let Dave talk a little bit about that because he's been involved in subdivision development and development of cul-de-sacs.

Glodowski We've done 3 of them in the past couple of years in the Town of Hull. Hawk Haven, Prairie Estates and Whispering Fields all of them requiring new roads and all of them being paid 100% by the owner.

Holdridge You have an estimate of what costs, excluding what these folks are contributing.

Glodowski Right.

Holdridge In kind, you put a cost on in kind. We haven't talked costs yet but we ought to look at that as to where we're coming from.

Glodowski Basically this is based on a contractor doing the work after the owners have done what they are contributing factoring in that they are clearing and grubbing, we still need to do the excavation and culvert work, factoring in the base course that's being donated, factoring in the paving of the cul-de-sac that Pete wants done and double seal coating the rest. The total price is around \$68,000 that includes a little bit of fluff and the engineering costs.

Oberthaler Wouldn't you deduct the \$4,500 that was contributed by me on line item #6?

Glodowski That's been considered, yes. See the different unit price? That cost is just to haul it and place it. So 1,000 tons from you at \$4.50 a ton is....

Oberthaler Okay, I understand.

Holdridge This is contracted. If our road crew did it, remember our road crew is union and I think they get \$20 an hour plus benefits but still, if our road crew did it, it would be cheaper, but there's still a cost there that would have to be taken into account. Typically, those other developments have all been done by contractors. So there's real cost to this. That's why as a Town, when somebody wants to put in a subdivision or develop, that cost is thrown right back to them. What is the plus? There's clearly some development possibilities and I think John has admitted it and agreed to it and others. If you buy 20 acres back there, would you keep all 20 acres or would you decide to do some land division? So there are real costs and if we contributed \$6,000 or so, those other costs, it seems to me, need to come from those people that want to divide the land. The other aspect of this, you have no public access road to those parcels. John does but the ones in the back don't. That's unique because most of the Even the cul-de-sac on Hawk Haven had access to a public road. So that's a unique situation and that puts you in a different thing. From a cost stand point we have those real costs. You've contributed a lot, but when you look at it, you can massage these, what do we have in contingencies, \$3,000 or so and

some other costs in here that wouldn't... but generally Dave does this for any number of developments, not only in this area but elsewhere Gremmer operates and so he has a pretty good idea of the real costs of these.

Glodowski There's also a schedule issue. To go out to a contractor, this would have to be advertised and bid through the process so it would be really tight to get something in yet this year. It's possible, but Pete couldn't do it yet this year. To get it designed and get a contractor would be very tight.

Lance B. Keep in mind this proposal was done by non-Plan Commission people that really don't deal with these kinds of issues. These are our ideas that we came to the table with.

Holdridge We'd have a road there that would be well constructed and well laid out. Then it's our responsibility. What happens is you dedicated the road to us. This is a process that is all in writing. Everybody would know what it is and we're all signing off on it. This verbal stuff, we want no part of that. We've got \$1,000 into Bob Konkols' services, Dave doesn't work for nothing so the Town has some costs here. We want to make sure that we get a road there whether it's way on the end or in the middle that is a quality road. Because down the line, people are talking about buses, garbage trucks, snow plows, etc. down there.

Bowen Do you think that the Town would put \$6,000 into this? Based on the cost that Dave came up with of \$68,000 - \$18,000, that's \$50,000 - \$6,000 so that's about \$44,000 that's not accounted for here.

Glodowski You wouldn't subtract the \$18,000 as that's already been factored in.

Bowen Oh, it was, oh, well then it's up to \$62,000.

Holdridge I'm suggesting that. If the Town Board wants to say, we want to go more, that's up to them, but I'm going back in retrospect and looking at some notion of what we've collected in state aid over the years for a road that was never 66' wide but was dedicated and we claimed state aid on it.

Oberthaler In our proposal, it was clearly stated and I want to state it again, we talked about subdivisions. When subdivisions come in and they had access to a Town road, you've required them to pay for the road. These are all unique parcels of property. There is no subdivision that is actually going on here. All the properties that are touched by our proposal is not a subdivision. There's no request of the County for subdivision or from the Town so there's no subdivision. This is access to landlocked property, that's it. My point is that how much is the Town willing to cooperate to give landlocked property access?

Jerry K. All money that the Town collected on that road tax for the dedicated land in my opinion, should go to that road that was dedicated, or to the Town as they see fit, not any new roads other than the dedicated road.

Holdridge John, you're correct in a formal sense but does anybody doubt, if that road goes in that there will be some subdividing going to happen.

Oberthaler When? Who? Current market conditions are pretty crummy.

Holdridge Somebody is going to potentially make money off of that.

Oberthaler Unless they go bankrupt in between.

Holdridge Unless the economy doesn't improve or they can't get a loan.

Jerry K. John Oberthaler said we're building this road for a landlocked land. In the process, we're landlocking a lot of my land. That land was split from a 40 to two 20's, the family landlocked it. So it we're going to take care of this 40, these two 20's, and I don't know how that happened or who let it happen, the Town or anybody else, but can I do that same thing because my land is landlocked, I don't think so.

Bowen I'm starting to sense that the cart is gotten in front of the horse and folks have purchased land and planned to build without any idea of how you were going to get from your house to the public road. Now we're in a position to see whether we can solve this problem for you and I was not thinking about the check book throughout all this discussion. I was kind of thinking the Town is going to put \$50,000 into this, but it sounds now like the Town isn't going to put \$50,000 into it.

Holdridge We can put into it as much as we want. We have to answer to all the other kinds of people in this Town who have done some development. They had to pay 100%. Dave can verify that because he's been the engineer. It would be nice to give you \$40,000 or \$30,000 but that's not the consistent way in which we've handled other development issues and this after all is development.

Jim Koziczowski My neighbor is Steven Tuszka and I live on Jordan Road. He wanted to put in a road and he came to you. Steven Tuszka's land is right across the road from me. He's got it cleared out and ready to go with a road but it's \$45,000 to put the road in. He's that far but he's not going to spend the \$45,000 until he sells some lots. Now he's got to pay for his road, correct? Because that's what he was told, that he's go to pay \$45,000 to have it paved and get it up to the Town of Hull specs. In between Wilshire and North Point Drive.

Holdridge You are accurate. The reason why we would consider, or at least I would recommend considering, it is because we took state aid all these years on a road that was never built. That's the only reason I would say we would contribute something if we can figure out a figure. There may be some people that say we shouldn't even do that. But we did take the state aid. I don't think we have any legal obligation to contribute anything whether we took the state aid or not.

Konkol If I could just remind the Commission that in my first letter that I sent, I did talk about the statute that does give recourse to people that own property that's landlocked if they

don't have access to a public road. The whole philosophy behind that statue is when those people petitioned the town to put in road, that those costs of developing that road got shifted to the owners that are landlocked, so that is somewhat consistent with what you are seeing how the Town has tried to treat these new roads in the past.

Holdridge Some people mentioned the special assessment. Any other thoughts?

Enright So I would like clarification. What is it that we're doing with this now?

Holdridge I'm looking at suggestions from the Plan Commission on this on how we handle this or what we do. I've said \$6,000 and we haven't decided if we want to go central or far end. We have a proposal here on some of the costs but it doesn't share, from our judgment, enough to make this a road that meets our standards and state standards. It's conceivable that we don't have an answer.

Syens I fear that if we pay for a road going in there, we'll be faced with other requests to pay for opening up properties every year.

Holdridge To pay the \$6,000? You're against that?

Syens I'm just saying if we pay for the cost of the road, I didn't say anything about the \$6,000 but if we pay for the balance, we'll be having requests for roads every year.

Holdridge That would set a precedent.

Syens That would be a precedent and I'm not sure we want to do that. They do have recourse. As Bob pointed out, there is an avenue that they could pursue. There's a vehicle arranged for that and they can pursue that for landlocked property or they can agree to put in a ---
- (*couldn't hear him*).

Enright This is what the Plan Commission does. In addition to making land use plans, which we have already done, there often would be considering proposals from developers who want to make a subdivision. Then we would be asking questions like, "Is this a good idea? Is this consistent with the plan?" But this is not a subdivision in law because it doesn't divide those lots up yet. But obviously, unless people have such a great interest in these particular parcels of land that they would pay that large cost shared between 2 buyers to put a road of this size in here, obviously it's for expected return on this in terms of subdivision in the future. So if you take the time element out of this, it really is a subdivision sort of idea. I think we have issues like where do we have development? What density should it be? Those issues haven't even been addressed and we're talking about what road we'll get and we don't really have any money for either one of them.

Holdridge I'm pretty sure it would be 2 acre minimum lot size. The other questions we don't have answers for.

Enright Aside from that, I still see the issue of violating County ordinances on roads or cul-de-sacs that are that long. Are you prepared to spend \$60,000?

Tiffany B. My comment is that I was going to tell you that as one of two landowners for those northern parcels, absolutely not. As you all know in the room without being real estate savvy whatsoever, there's other pieces of property in Portage County that we could buy for far less money than paying \$35,000 each for a road and then the land, absolutely cost prohibitive. It also makes it not saleable for Mr. Firkus and the Gawliks. I don't want to state the obvious but there's no way that any of us can afford to spend that for a road.

Holdridge You understand our position though? As we've developed over the years?

Tiffany B. I think it's one perspective but I think it's such a unique situation that you have to be willing to look outside of the box for a solution because of what has occurred. That's what our proposal tried to do, to accommodate everybody, accommodate Jerry's need for privacy and his wishes and look at the least costly solution for all parties involved including the Town. I really feel you do have some responsibility here, more than perhaps just the unused state road aid.

Bowen If we had known on Sept. 17th what we know now, I think the way we proceeded would have been different but we were focused on a road that we thought we owned.

Holdridge Bob we tried to do that. We were prepared to use those 33' that were dedicated but frankly, Jerry you gave us no hope. You stood in here and said you were going to sue us and all of that, so what else is there. These people in good faith went back and worked together and came up with a plan. Now the problem with their plan is we haven't met the cost problem. It's a problem for us from the budget consistency standpoint. We can't say to somebody on Jordan Road, we'll pay for your cul-de-sac to go in. If we gave that amount that LaVerne says we shouldn't get involved in to pay for that cul-de-sac, we're going to have all these people saying, why not us. That's a huge problem.

Jerry K. Thank you John. After this meeting, we still won't know what we're going to do with that 33'. We know it's dedicated. That's an issue we still need to take up. Me as a property owner, I have the liability issue. I came into this meeting, I know how much roads cost. I wasn't at this time willing to put any cost in towards that road.

Holdridge You had every chance to put in a proposal and we didn't get anything. You called me today and so forth so it wasn't there. You brought it in tonight and that's fine and we took it up and listened to what you had to say. We've got a situation now where who's going to pay is the big question. Where are we going to put the road? That's a planning question.

Jerry K. And 33' is still not a road.

Holdridge Jerry, to put in a road, it's got to be 66'. We've said that, it's in our ordinance and Pete has emphasized that and we're going to build a road that meets our standards.

Jerry K. Correct and you should.

Holdridge We will. Are there any other thoughts from the Plan Commission? We should probably formalize any action tonight. Does anybody oppose some kind of contribution? Any Plan Commission member? This would ultimately be reviewed by the Town Board.

Bowen Well if your calculations are legitimate, I would have no problem with the \$6,000.

Holdridge That would be reasonable?

Bowen Right. Any location, it just a matter of the \$6,000 could be applied to either one of these places.

Holdridge Is there any thought on which option you would prefer as a Plan Commission? My assumption is, and I'll go to Bob Konkol on this, we can put a road in there. We've got some issues maybe with Planning and Zoning but there's nothing that prohibits the Town Board as a legitimate Board from laying out a road there, getting the dedication and that's where we go, is there Bob? I'm talking about the middle one. We've already got one over there that has a dedication. This middle one. If the Plan Commission says that is the one that to us, makes the most sense, the most accessible to the homeowners and it just has more merit. The other one has a cul-de-sac way on the end off of where the development is going to be. I want to know if we can legally do that.

Konkol Yes, it's certainly within the Town Board's authority to do that. But they have to do it consistent with what the County ordinances are as well.

Enright I see no reason to bring any question about a road to the Town. There's nobody interested in a \$67,000 road so we're not going to build a road to nowhere. The Town is not going to pay this money for a road and the buyers are not interested in it. If someone came in with a proposal to build a road and a proposed subdivision, we'd have a question to answer. At this point, I don't see why we should be designing a road if we don't see any purpose for a road.

Stemen But if we took the middle one, John Oberthaler's route, it wouldn't be that much because he's going to supply part of that cost.

Bowen It's still going to be \$60,000.

Holdridge But you're saying, Bob, that's going to be a decision that we don't have to make because we don't have anyone here that wants to pay for it.

Enright There's no reason to build a road. Why would you build a road?

Holdridge I'm just saying, as a planning issue, would it be better to have it in the middle or would it be better to have it at the end?

Enright I say, that because we have no proposal of any use to put to that road, unless you're saying that you are, on behalf of the citizens that want a road, going to ask the Town Board if they'd be willing to pay \$60,000 to build a road so they can build 2 houses there, I guess you would put that question to the Town Board. As a citizen, I couldn't support an idea like that.

Holdridge But you don't think, even at this point, we should take one road over the other?

Enright I don't think at this point we have a proposal that anybody says, I want a road here and I am willing to pay for it.

Holdridge They've said they want a road but they don't want to pay for it.

Bowen From a planning perspective I'd like to compliment you on all the research you did. I feel that the proposal you people put together is the best option as long as the loop situation allows the cul-de-sac to go to North Reserve and would allow an extension over to Jerry's land serving all of the people involved. I think that's the best option because of the physical layout of it and the number of properties it serves so I support that proposal.

Stemen It goes across the wetland?

Bowen No, not the initial road, it would only go on the 1,320 foot extension into the 2 properties and have a cul-de-sac. Then eventually with the dotted line in there would go over to North Reserve and if that would be built because of development, this is all hypothetical, we would no longer have a cul-de-sac and we could extend over to Jerry's land if he's got lots sold and have a cul-de-sac there and then everybody would be happy. But we need \$60,000 to do it.

Holdridge So I think we just defer the one notion over the other. I do agree with Bob on the preferred route. I would support what Bob is talking about. Others may too. The fact is that we can't do anything because we don't have the money. So maybe what we should be doing is make it very clear on that position of the money. The Plan Commission would recommend to the Town Board that we would see a need to come up with some finances and to come up with a way to build it.

Oberthaler I request you to make a choice, because you heard from Tiffany that she was not interested. I may be. I'm part of this proposal that was offered to you and I see the prices that are listed here and I absolutely disagree with them but I have the opportunity to disagree. I am very familiar with the road building business and have a bunch of customers and friends who build roads. I think I can get it done cheaper than this. What my question to you is where does the road go so that I can plan for the future? Do I clear the land for where I think the road should go on my property and get the sub-base to an appropriate place and put in a culvert and sometime in the future come back to you and say can I dedicate this road to you as long as we meet the Town of Hull's road standards? That's my question. How do I develop this piece of property if I don't know where the cul-de-sac should go?

Holdridge Are you thinking to have the cul-de-sac and all of that in place, is that what you are saying?

Oberthaler It leaves me the option of developing my property.

Glodowski That's the process that gets used to develop land. Build a road and then turn it over to the Town.

Oberthaler Right. Our proposal is a request for where would the Town like to see the road.

Glodowski But it's also not paying for all the road. If you want to put the road in and it's up to the Town's specs, that's just like all the other guys that have done it over the years.

Oberthaler But it's not clear cut in this case. If Jerry wants a road over by him, that's not where I want it. If I'm going to put a road in, I'm not going to put it where Jerry wants it. Where does the Town want the road?

Bowen John, I have a recommendation to move things along that you have a roll call vote here from the members on the proposal and location as we've discussed here. *(End of tape/turn.)* In terms of planning for the long distance future, I recommend that the Plan Commission at least give the land owners some indication of where we think the most feasible place for a road would be or a cul-de-sac would be and you call for roll call on that.

Holdridge That is the proposal submitted.

Bowen We could name one Oberthaler and the other one Koziczkowski. One or the other, I think that's what he's asking us to give him some indication. I'm making a motion that the chairman make a roll call.

Holdridge You have to make the motion and then there has to be a second.

Enright He's making a motion that we have a roll call vote.

Holdridge We need a motion first of all to have the roll call vote.

Bowen Okay. I move that the chairman ask the Plan Commission whether we favor the Oberthaler or the Koziczkowski placement of a future road.

Holdridge You want to start with the Oberthaler first, then we can nail it down.

Bowen Okay, let me change the motion. I move that we support the party of 8 proposal *(Oberthaler)*.

Holdridge Is there a second to that?

Reid Could you repeat the proposal?

Holdridge Maybe it's a sense of the Plan Commission that we support the middle route, the plan that was submitted earlier signed by the 8 people.

Bowen And this is strictly conjecture, there's nothing official about this, we just want to get our feelings out so these people have some idea where we think it should be.

Syens I'll second that so we can have a discussion on it.

Holdridge So we have a motion that's been made and a second. Is there any discussion on the motion?

Enright I'm not going to support this motion and I urge the rest of you not to either. I would not want the Plan Commission going on record with the amount of time we've had to study this proposal to construct a 3,000 foot cul-de-sac. Or our alternative plan would be to solve that construction by allowing it to go across wetlands. I think that by making that suggestion we endorse this proposal, we are conveying the image that this is a good idea. I don't think that we have enough evidence that we should go on as a Plan Commission thinking that it's a good idea.

Holdridge What else would we need?

Enright The 2 things that I said already. One; that this is 3,300' which is three and a third times longer than the County recommends any cul-de-sac be. The way of remedying that problem is to build an east-west road that goes through wetlands. I don't want to be on record saying that is our only out.

Bowen That might be 40 years from now.

Syens Where are you getting the 3,300 feet?

Enright That was from North Reserve Road along Firkus Road heading east until you get to the point where the cul-de-sac is going to head north so it's 1,980 feet already and you're going to be adding 1,330 feet onto that with no alternative way out of those properties.

Bowen All we have Bob, is a citizen asking for a straw vote on how this Plan Commission views these proposals that have come to us. I'm willing to give him and the rest of them that information with nothing official attached to it. We wouldn't spend a penny on this without the kind of research you are talking about.

Holdridge Your concern Bob has got to be, Chuck has indicated that there's flexibility in that and there should be, but that would all have to be cleared before any spade is turned. We've got the cost issue, but I think what they're asking for, are we, as a Plan Commission, generally supportive of this?

Bowen I think he has a great idea, but we're not doing anything with it and if he wants to pursue his idea because we would support a road there someday if there is enough justification for it, but we're disclaiming anything official.

Oberthaler A 66' road with a culvert and a cul-de-sac at the end of it. Which place would you want it?

Bowen Right, that's all that he's asking.

Enright How about the possibility that we wouldn't want either one of them?

Holdridge We still have people that are landlocked and we still have that issue.

Enright There are a lot of people that own land that doesn't have access to it. Alaska is loaded with land like that. That doesn't mean that everybody that has a landlocked piece of property is entitled to have a road to it. In fact, some people want the land because there's no access to it. As I said 1 ½ hours ago, we ought to make this decision based on the best interest of the Town of Hull and so far, I haven't heard any discussion at all on that.

Holdridge That's not right Bob. The best interest of the Town of Hull is that these people pay for the large bulk of the cost of that. I've said that \$6,000 may be a figure that we want to contribute because we took money on a road that was never built. That's all I've said. If John Oberthaler comes up with a plan to do it, it has to be okayed by our engineer and has to be laid out and if he wants to do that, we want to know who's going to pay for it. That's got to be up front. All we're saying is, we've talked about this and this is our 3rd meeting and I think we have everything we need. We have some loose ends because of the County and we finally got some commitment from them but I think we're down to what these people want to do and we have some obligation to tell them or suggest at least from our standpoint until we see more details. The middle route to me would make the most sense.

Bowen Call the question.

Holdridge Anybody else want to comment?

Stemen It sound to me like the only affordable road for these young people is John Oberthalers' way. If you go with Jerry's way, they can't afford it anyway. That is the way I see it, so it's a closed issue that way.

Bowen I call the question, whether we want to do this roll call or not. I'm just asking if you want to do a roll call.

Holdridge Let's make a decision. Another question?

Tiffany B. With all due respect to all of you, I appreciate all the time that you took. You gathered experts in the room and had people come from outside, legal consultation, road engineers, we have spent a lot of time on this. I just want to say that it's based on the direction

we received from you and forethought that we thought you wanted to see what we were willing to contribute. We did the best we could to put this together. I think if we don't get some direction, some participation from the Town, I feel that we were lead to believe the entire time something different than what is being said here today. The direction that I'm hearing amongst the discussion I'm hearing from you guys is we're almost nowhere from the very first meeting we presented this problem and I'd like to know that we have people in charge who are interested in providing solutions and helping citizens and helping us to work together to provide solutions for the community. That's all I wanted to say in closing. I thank everyone for their time.

Bowen But it was necessary to have all of this discussion and debate to come up with the bottom line which is what we are faced with now.

Tiffany B. But we all knew there was money involved.

Bowen But we didn't know how much we had to

Tiffany B. This isn't really much different than what Pete originally submitted for a cost for a road. It's really not that far off, and we all knew the costs we were talking about. We knew there was a question of ownership with the 33' strip. What's the Town's obligation to develop something out there because of what the circumstance is. I just want you to consider that in considering this proposal. There is a proposal here, we are asking for something to be done. So to send us back to the drawing board to get more information, I don't think is fair.

Holdridge Now let's be clear what we going to do. We're suggesting that would be our preferred alternative in the middle. The cost is still out there and somebody would have to come up with that cost. It's probably not going to be the Town of Hull other than what we've suggested. That is perfectly consistent with all other developments we've had in the last 20 years.

Bowen I think what the man sitting next to you had to say a few minutes ago is something you should embrace. That's my advice.

Hebbe We're just looking for a green light. If we work together and put the road in, we don't want to put the road in and you end up not taking it.

Oberthaler If the Town says: "We want the cul-de-sac at the end"oh really, after I spent \$65,000? "No we don't want that one there, we want it over there." So we're looking for direction.

Holdridge Okay let's have a roll call and see where the....so what we're doing is sending a sense here of where we think that cul-de-sac should be, where that road should be and on the table is the Oberthaler/Broecker/Hebbe/Gawlik/Firkus proposal. Let's go to A1, how do you vote, yes or no?

Stemen I would say yes based on cost.

Syens Yes.

Bowen Yes

Enright No.

Reid Yes

Holdridge And I'll vote yes. So that's 5 to one. That gives you a sense of what the Plan Commission wants. Now this is not the Town Board. But I think we all understand that costs are the big issue. Maybe you have a reasonable way to work through that John.

Jerry K. My land will be landlocked unless there is a road put in from that cul-de-sac to North Reserve. By doing this proposal, you would be landlocking me. I suggest that if you go with this proposal, we would have to leave another 33' on that dedication for a future road to unlock my property.

Holdridge We'll have to see what happens in this development. This board should make some decision about that 33'. Do we just let it sit there, or do we abandon it and send it back to you.

Jerry K. Basically I'm concerned about the fact that I have 80 developable acres and it's landlocked because of this proposal. The only way I can unlock it is by somebody putting a road over wetlands from that cul-de-sac to the west and then I can add on only 1,000 feet to the east and then have a cul-de-sac. So by unlocking two 20 acre parcels, you're landlocking up to 80 acres of developable land.

Holdridge You understand what's happening?

Jerry K. I do. They were here first and that's what is happening.

Holdridge I think we were perfectly willing to work on that proposal of yours Jerry. From my standpoint as I sat up here, I didn't get any support from you. And these people didn't get any support and they expressed it tonight. So they took a different alternative.

Jerry K. I was concerned about the money because in all reality everybody knows there wasn't money there to put in that road. Yes, maybe it costs \$10,000 - \$15,000 more, to look at this whole piece of property and figure out the best option, or do we just plug a road in?

Holdridge You're dealing with the facts you've got. These people have a right to get some decisions from us and I don't think what we've decided is unreasonable. We made it clear that cost is going to be an issue.

Jerry K. I thank you for your time and I knew that this was going to be an issue someday. Actually I thought it would have been an issue 10 or 15 years ago and I'll take blame but the Town didn't plow it. With the dedication, the money was taken and nothing against the Town, I

don't have any bad feelings against the Town at all, none. I still don't have any bad feelings for these people. They're just trying to develop their property for what's best for them and I also have to watch for my interest. At this time, am I ready to put a road in, no. A year from now, maybe yes.

Tiffany B. Is there some amount of money you want contributed to the road? I know you've thrown out \$6,000 but I didn't hear any votes on \$6,000. Can we count on \$6,000?

Holdridge We can make a recommendation to the Town Board because they control the finances.

Tiffany B. If we were to go with John, I guess that's what I'm looking for, some clear direction. I don't want to walk out of here and have us all saying, what do we do next.

Bowen If he gets serious and gets back with a proposal, I'm sure the Plan Commission and Town Board will give him some indication where they stand. We'd need to have that first.

Holdridge I think what we're doing here, because of the circumstance, it's probably unprecedented in any other development. The reason we're doing it is because we took state road aid and so we have some obligation. Not everybody is going to agree with that because what we have there is a development. It's not a strict subdivision but we have a development and the people that own that land at some point will make money off of it.

Enright Do we know how many property taxes we've lost?

Holdridge That's a good question. Because of Jerry's barricade across there, nobody can use it. It's off the tax roll. He hasn't paid any taxes on it. We could find that out. Who's responsible for that is a good question.

Enright So the net cost to the Town, or the net gain to the Town was \$6,000 in state aid minus the loss we had in property taxes.

Holdridge Only 13% of your property tax goes to the Town of Hull. Relatively speaking it's a small amount.

5. Adjournment

*Motion made by **Bowen** to adjourn meeting, seconded by **Syens**. Motion passed. Meeting closed at 9:40 p.m.*

Respectfully submitted,

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