

TOWN OF HULL
**PLAN COMMISSION
MEETING**

January 25, 2011

UNOFFICIAL

- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order on Tuesday, January 25, 2011, by Chairperson John Holdridge at 7:00 p.m. at the Town of Hull Municipal Building, 4550 Wojcik Memorial Dr., Stevens Point, WI 54482.

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

Also present: Chuck Lucht, Associate Planner of Portage County Planning & Zoning, Darren Krzanowski of Central Staking.

Citizens: Dan Hebbe, Tiffany Broecker, John Oberthaler, Dave Wilz, Dave Pederson.

- 2. APPROVAL OF MINUTES OF November 9, 2010 meeting:** *Motion to approve the minutes of the meeting of November 9, 2010 made by Al Stemen second by Jocelyn Reid. Motion carried by voice vote.*

Holdridge We had 31 pages of minutes and you really need to read the last 6 pages where you've got the motions. So I'm going to suggest in the future that we have a 1 page executive summary of the motions that were made in the meeting. If you want to read the details, you can go ahead and read the long version of the minutes.

On page 25 LaVerne made a motion that we not abandon the 33' of land that is owned by the Town of Hull. That motion is approved on page 27, the first motion we made, a roll call vote to approve that. Then on page 29, we had a motion that was to accept tentative to the agreement that we would go along with the 3 parties here but we need to deal with the modification and need to have a timeline for the blacktopping, that was my motion. Then on page 30 that was seconded and approved. Then the last motion is on page 30 and LaVerne says, "We had a lot of discussion on the funds collected on that 1/4th mile section and Mr. Konkol explained that the funds don't necessary need to be spent on that section. It's at the discretion of the Board where it's spent. We talked about contributing those funds to various things and had discussion on both sides as to how they should be used. I make a motion that the Town use the funds at their discretion." That passed 6 to 1 and I was the only dissenter. So those were the motions we made. We did one other thing that was important; Shelley on page 31 made a motion, "I move that the proposal would be brought forward to the Board and they can act on that proposal." That was seconded and that passed.

The last word on Firkus Road was really that the Town Board handle it. I also included in your packet an e-mail from Dave Glodowski. We had a proposal brought forward that at the end of Firkus Road we'd have those 4 landowners contribute to that effort to make a cul-de-sac there. Remember Jerry said the school bus couldn't come down there. So Dave Glodowski got Jerry

K., John Oberthaler and Gollon to make some commitment at the meeting and he's still waiting for confirmation. The last person, Ken Schuda, apparently he's out in New Jersey and Dave is trying to round these guys up. He's what Dave says: "I would not say anyone is dragging their feet. Assuming Hull gives me the okay, I would send out a detail map and ask all of them to sign off on the dedication. The next step would be to complete the survey and certified survey map for the dedication, get signatures and approval and get the document recorded with the County that would establish ownership and allow for the construction of the cul-de-sac by the Town of Hull." If anybody wants a copy of this, it's available, just let Patty know. So that's an update on that aspect.

3. ANNOUNCEMENTS; CHAIRPERSON AND PLAN COMMISSION MEMBERS.

Holdridge There is a memo from Jeff Schuler dated 1-24-11 and today LaVerne and I meet with the hierarchy of the Portage County Planning & Zoning Dept. and we went through this memo. What Jeff did was respond and I thought it was a particularly well-written memo. I just highlighted a couple of things and I thought I'd go through them. We're in a situation where we can't really take action on this because it's an open meeting law issue. It's got to be on the agenda, there has to be notice, etc. I thought we could just explain this the best we can. What I will do is the Hull Town Board meets on Monday night at 6:30 and I'll put this on the agenda and the Hull Town Board can react to it. On the paragraph above where it says requirement, it says "The Town has been in negotiation with the landowners/buyers and names them, regarding road location, installation cost and other responsibilities with many of the details settled to your mutual satisfaction." I think that's pretty accurate. Recently Portage County Planning & Zoning staff introduced the idea of dashed lines on the proposed survey map establishing the new Town road dedication. Those dashed lines have been a subject of concern by particularly the buyers. What do those lines mean? Under requirements he quotes the ordinance and then on the back part there is another section, 7.4.6.1 (D) and he goes into the question of the cul-de-sac. "The County subdivision ordinance states cul-de-sacs shall have a maximum length of 1,000 feet. In order for a dead end road longer than 1,000 feet to be approved, the modification of this ordinance section must be granted by Portage County Planning & Zoning Dept." So that's a step that has to be gone through. Then I think one of the most significant parts is the 3rd paragraph from the bottom of that page and there's a sentence in there that says "Planning & Zoning staff feels that the most appropriate justification for supporting approval of the new road segment is that it will be replacing an existing segment that was identified as a possible road for many years but never constructed. To that end, Planning & Zoning staff will only support the installation of the Chopper Farms/Oberthaler segment if the existing 33' strip of land along the eastern edge of the Chopper Farms/Oberthaler property is removed from consideration of ever developing as a closed end public road. That may include conveying the property to the adjacent property owners. This is an issue the Town of Hull will need to resolve prior to application of modification of the new road segment" So they're pretty firm there. This letter is really a good letter because we finally get right from their director their position. We've looked for that and there it is. Then there's the map. What I would say is that we will take this up as a formal agenda item on Monday night. We will get this out to Mr. Hebbe and Jerry and anybody else that should be notified. That's the latest word.

Oberthaler Are we done with this discussion then or is it open?

Holdridge You can ask questions.

Oberthaler One of the paragraphs that seems to be critical or important to me is the second to the last one where it says "We apologize for any confusion we inadvertently may have caused by adding the dashed line idea to the conversation. There's no Portage County subdivision ordinance requiring any references to a future road beyond the Firkus and Gawlik parcels. However, while not required, we find these types of notes on CSM's helpful." So my concern is where these hypothetical inadvertent dashed lines have been drawn through the property. In particular in the northwest corner of lot #1 there is one buildable site on that 5 acre chunk. If they put that dotted line on a map where they have it indicated, I cannot build on that 5 acre site. That dotted line, even though it doesn't look too wide, is 66' plus 40' on each side. It turns into a significant strip of property. All I'm asking is, if they're going to put this dotted line inadvertently someplace that can be arbitrarily moved in the future, I'd rather see it go down the lot line so I can sell that parcel of property. Otherwise it makes that parcel worthless. So if it's arbitrary and needs to be evaluated in the future, if I'm the owner of that land, I'm not selling it to put a road there. So why would we put dotted lines across a piece of property that I'm not selling to put a road there? It's kind of foolish. So if we're going to put some dotted lines, I would be in agreement with this arbitrary and surveying necessity and all the other things they stated in this letter. Why don't you put it down the property lot line like the ones showing on lot 1 and lot 2? Even though the County doesn't require it, if we're putting it there just because somebody wants dotted lines to be there, I guess that's fine. But it should indicate something that would potentially happen in the future. I'm not selling that piece of property to put a road there.

Holdridge Chuck has heard it and that will be a subject of discussion on Monday night.

Oberthaler The other thing that was not addressed was who will pay for these future roads.

Holdridge That's another thing we will talk about Monday night. I'm giving you what we have now. We're handicapped because this is an open meeting. We really need Jerry here, obviously, of course to make any decisions. And anybody that's affected including the Gawliks' and Firkus'. But we hear what you're saying John.

Enright On that road on the eastern boundary, I think it was on the minutes on page 29 and 30 that were on a separate page, that issue had come up when we talked about...

Holdridge I think what happened is that we/they basically agreed with most of your position.

Enright Yes except that I suggested the addition to the motion that we're not going to abandon this, so then it was judged that was redundant and an unnecessary part of the motion, but the judgment of Planning & Zoning was that it would have to

Holdridge They've given their position and we really wanted it. Now we know what their position is so we're going to have a meeting Monday night and we're going to listen to these folks and ourselves to see if we agree with that, modify it or what.

Lucht I see that I'm going to be here next Monday night.

Broecker Are we all expected to be here next Monday night to represent this?

Holdridge Yes, I think you should be here.

Hebbe What time in the meeting?

Holdridge 6:30 p.m.

Broecker At that time, we're going to discuss abandonment of one of the roads?

Holdridge We're going to discuss the proposal including the dotted line, the suggestion for abandoning this, who pays for the road.

Broecker So who has jurisdiction over whether or not the abandonment of one is necessary?

Holdridge It's a hyphenated system. They don't want to do what we recommended against and yet they've got to go to the Portage County Planning & Zoning Committee and that has to approve some of it, so it's a shared power.

Oberthaler How will we get the answer about the future cost of the road so that we are not held responsible?

Holdridge That's what we'll talk about then. One of the things I'm going to put on the agenda up front, I'm going to want the Town Board to reaffirm the notion that when we have a development, that the developer pays. We have an ordinance on that. That's what we've said all along. This is a little different situation. It's not a subdivision being created. Your situation is close to a subdivision, okay.

Oberthaler I have to agree.

Holdridge The dashed road along here is kind of an oddball situation. What does that really mean? The position of the Hull Town Board has been that ever since I can remember, when you put in a new road, those who benefit from it, pay.

Hebbe Define benefit.

Holdridge I've done the best I can tonight. I opened this up. Come to the meeting and we can discuss it. Again, we have an open meeting question here and some of the people that are needed aren't here. That's the purpose of the open meeting law, to advertise, send notices and get them here.

Broecker So if at Monday's meeting they're not in attendance?

Holdridge We'll take it up. We'll notify them. They'll have every opportunity to come, they could choose not to. We'll make a decision Monday at 6:30 p.m.

Enright There wouldn't be any dead end road constructed there but the dotted lines going east and west go to the point where those 2 roads were intersecting so why wouldn't it be that this non-road, now a dotted line, assuming it would connect with the dotted lines going east and west?

Holdridge I think if you take the abandonment of the road, the 33', if you look at it for the long term basis, it seems self defeating.

Enright Abandoning the road is self defeating?

Holdridge Yes. Potentially, you have 33' of public road, you get 33 more feet, you'd have a road. Then you'd have a loop.

Holdridge We'll talk about it and take a position. They've given us what their thoughts are. I was happy to get that because we got it right from the director. I think he understands and he read the minutes.

Broecker With regards to Monday, is there anything else from the 3 or 5 of us that you need?

Holdridge If we resolve this to the people's satisfaction, then we have to work on that agreement between you folks and the Town. We need to push that modification because we still have more than 1,000 feet; that has to be approved by the Portage County Planning & Zoning Dept. Then the basic agreement, I think most of that we are pretty much in agreement on. After the November discussion, we pretty well agreed that the blacktop is going to be put in at some time; it's not going to be double seal coated and you folks are going to pay for it. Am I wrong on that?

Oberthaler No, there wasn't too much negotiation on that as I remember.

Holdridge That's because we've been consistent in our position over the years on that.

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

(This opportunity for citizens to ask questions and express opinions is a 21st century version of the opportunity citizens had in historic New England town meetings.)

Modern Wisconsin law requires that no government action can be taken until a topic is placed on the Town Board agenda and published 24 hours in advance of the meeting.

Holdridge We go back to the 21st century version for citizens to comment or address their government. *(At this point, all the citizens had left and only the Commission members plus Dave Wilz & Dave Pederson were left so no further comments.)*

5. 2011 HULL BUDGET AND THE OUT YEARS (15-20 YEARS) BUILDING PROJECT, CAPITAL PURCHASES, ROAD RECONSTRUCTION AND TAX RATE.

Holdridge For the last couple of years there's been a group working on looking into the possibility of building a new building here, maintaining this one, doing some modifications here and basically building a new fire station. But the big question comes up; how does a \$3 million project budget affect the Town of Hull budget? Particularly the tax rate for 2,020 households. One of the arguments I made, and there's been some support by the Board is we need some long-term projections of what that is going to do. We know that it's probably going to add about \$150 a year to a \$200,000 house. If you look at this on the left hand column, there's a section called fire equipment. There's a section called road equipment and there's a section called road reconstruction. We don't have those costs, those are not on here. But what we've got is our current indebtedness which is very low. That indebtedness expires in 2017. I ran this for 20 years, it could be done for 15 years, 20 years is from 2012 to 2032. We need to put in this what our road foreman and that group are going to need for equipment for 20 years. Now they can't say they're not going to need anything because they have. Currently Pete Kaminski is doing some research on what equipment they've bought going back to 1992 and we're going to run that out. That will have an impact on what you pay. If you go to the fire equipment section, it's the same thing. Road reconstruction is the same thing. We're not going to suggest that over a 20 year period we're not going to reconstruct some roads. You're all familiar with Wilshire. That was a half million dollar project. So what we're going to insist on are some numbers here so we know what the impact will be. You as a taxpayer in Hull ought to want to know that. If you look at the bottom section with the famous pie chart, we're talking about 14% of what you pay in household taxes. Remember the schools are about 47% and Portage County is 29% so it's a small part of the total budget you pay but it's important because it provides all your local services. Those are paid for by that system. The part that we can control is that 14%. I wish we could control more. Maybe you can in a political sense. That's what we're looking at. I'll share that with the Hull Town Board, this kind of matrix situation and we'll get down to where we can make some assumptions, because \$3 million is a pretty significant amount. We have some real pressure from people saying why don't we build this. But you've got to look at the big picture. I took a look at the tax rate and that to me is always important. In 2009 your tax rate was \$2.50 for Hull services; in 2010 it was \$2.54 and for 2011 it's \$2.55. Our goal is to keep that fairly in that range. Then we are responsible. You'll see more of this as we go down the road. This is the kind of matrix we've got to take a look at.

Bowen I've got a question on the proximity of Hull and the City of Stevens Point. What is the potential for annexation pressure around this place that we're sitting in right now?

Holdridge Pretty low.

Bowen It isn't like you'd build a building here and then..

Holdridge Borski wrote a letter about that, if you built a building here and they'd annex it. Well we won't build any building until we're pretty clear that we're not going to get annexed. The annexation business, those were battles of the late 1980's and early 1990's. That has dropped off dramatically. Why? Because most people in the Town of Hull don't want to be part

of Stevens Point. You might have some pressure based on a septic problem or a water problem, but it's pretty low.

Binder It's not someone from the Town of Hull wanting to get into the City, it's the City wanting to take something from us.

Holdridge Annexation is not just a one way deal.

Binder It seemed that way in the '80's and '90's.

Holdridge If you don't want to be annexed and you've got a critical bias, you're not going to get annexed. Stevens Point has discovered that some of this annexation isn't all it's cracked up to be. They've got this mobile home park over here and I know the former mayor said that was the dumbest thing they ever did, to annex that, because they have to provide all those services. The police have to come out here and the whole thing. But I would say annexation around the state has just dropped off dramatically. Sometimes they have boundary agreements. If we went back 10 years and looked at annexation, there'd be hardly anything. Over by Kwik Trip they had some water problems, that may have been the most recent one but that was quite a while ago.

Stemen They annexed my next door neighbor because of that (water). When they built Sentry and SPASH, they had to drain that swamp and they put my neighbor in the City. That was a long time ago. So my lot line is the City limits. He doesn't have City water or City sewer; he doesn't have anything but garbage pickup, but pays City taxes.

Holdridge I live out in a subdivision and right across the street there are 3 houses that are in Stevens Point but don't have City water or anything. The only thing they get is on Friday, I hear that garbage truck backing down the street. That's all they get. If you look at their tax situation, they're probably 25 – 33% higher with the City.

Wilz With the City it's 4 times as high.

Holdridge I'm thinking of a comparable property. Maybe you've got different data, but I saw it as being 25-33% more for comparable properties. Then you've got the water and septic question which is no longer cheap.

Wilz If I recall, we're at \$2.50 or \$2.55 per mil and Stevens Point is about \$9.35 or \$9.40 so it's about 3 ½ times what ours is per thousand.

Holdridge I think Plover is at \$6 something.

Wilz The mayor told us his budget is at 29% of his total. His pie chart is 29% and ours is 14%.

Binder John, I wanted to make a remark on your item #5 about the building project. I was disappointed to see that the Hull Town Board, looking at their finances, wasn't able to go

ahead at this time with a new building for the Town. I just thought it's probably still a good time to build with companies looking for work and bids coming in lower. So I was disappointed.

Holdridge How do you match that with the uncertainty?

Binder There's always uncertainty.

Holdridge If you go with the \$3 million budget and add \$150 to the taxes of a \$200,000 house, how do you do it if you've got to plug in, within that time period, major capital costs whether it be fire dept., road equipment or road reconstruction? It's not just the fact that you're building a building, that's great, but if you look at the long-term, how are you paying for this thing, it's a whole different ball game.

Binder I'm just saying I'm disappointed that we're weren't going to go ahead with it.

Holdridge I think there were people disappointed.

Pederson I think we were too but the uncertainty is state aids at this point and road aids. Once we have that settled, then we're probably in a position to look forward.

Holdridge Once we have a sense of what are the other things are we'll need to buy and fit them into some kind of financing. We didn't say we weren't going to build. What we said was that we debated to put it on hold or not. But we clearly put it on hold. We didn't say no, we simply put it on hold. I think that's a responsible way to look at this thing.

Wilz Shelley, I proposed to put it on hold. All the stuff John's talking about, one of the things we know is happening in the state, we were at 3.8 billion in the hole and it's a mess. Wisconsin hasn't balanced their budget since Tommy Thompson's 3rd year. They've been patching it, well they're out of money and they can't patch it anymore. We were at a Wisconsin Town's Association meeting last night where a lot of the towns get together and talk about this stuff and the thinking coming from the WTA was that if the governor cuts state shared aids, we get some of our revenue from the state in the form of shared revenue and road aids and one way he can balance that budget is just to cut it back. Some of those are significant to our overall budget and if we lose that, how do we deal with that. So we decided to put this thing on hold until some of those things clear up a little bit.

Bowen I think you sent the right message to the people because people I've talked to are ecstatic over the fact that you decided to delay.

Wilz And try to learn more.

Bowen That's right. Under these circumstances, that was the very best decision you could have made.

Holdridge The shared revenue is about 1/4th of our revenue and if those get cut, we've got big problems. We need to pick up the garbage and plow the streets and that becomes a real challenge.

Stemen What does that amount to in dollars, John? The shared revenue that we receive?

Holdridge Collectively the road aids are \$270,000 and I think the shared revenue is something like \$225,000.

Wilz And our total budget is like 1.4 or 1.6 so it's like if we would lose a third of our income. It's not like we're making money.

Syens It's not like it's a matter of will we be replacing fire trucks or road equipment. In the term of that loan for that building, count on it, we'll be doing that. To the degree we'll be doing it is yet to be determined but it's going to have to be done.

Holdridge We want to get the data and the numbers and see where the governor is going and go from there. So you want to make a motion to accept that finance report?

Bowen made a motion to accept the finance report as given under #. Motion was seconded by Syens. Motion passed.

6. CERTIFIED SURVEY MAP FOR JEROLD FAHRNER; SECTION 1, TOWN 24N, RANGE 7E IN TOWN OF HULL. LOCATED AT PINWOOD DR. N & HWY 10.

Holdridge (*John showed Commission members where the road and CSM were located on a map.*) This used to be a through road but it's cut off right there. The disputed part is when the DOT did this. They never notified us so they never really abandoned that road between the cul-de-sac and Hwy. 10 on both the north and south side so that has to be vacated by us and divided between the landowners. That has not been done. We have not been party to that. Those Town roads are our roads. Those roads are our roads so that shows it pretty clear the situation we have up there and that's the part we're talking about. What Mr. Fahrner wants to do.... the house is pretty well known in that area. That's the house that was bought by a person that wasn't told that Hwy. 10 was going across there. He was a researcher at Marshfield, loved the location, he got a lawyer and the guy who sold the house had to buy it back. Then that gentleman sold it to Fahrner. So all our maps indicate a cul-de-sac and this road is no longer a road, it's all grown over but it's still a road from our standpoint because we have never vacated it. What we agreed to do is to adopt this CSM and move the process along. I've got a good review by Mr. Roberts of Gremmer and Associates. What we want to do is cut out this lot here. This is all grown over and this is true on the south side. What we need to do is to vacate this road through a formal process and these people who live on each side will get it. It will be put back on the tax roll.

Bowen Did Tim Gagas ever submit his proposal?

Holdridge Yes. We were up there and he was at a meeting.

Krzanowski It a 2 acre parcel.

Holdridge I assume what he's selling is 2 acres.

Enright So how do you get to this place?

Holdridge You can go across the bridge by St. Casimir Church, go right and follow that road right up and Pinewood goes off of that.

Enright Where is the house?

Holdridge The house is right here (*shown on map*). You can see the house in relation to Hwy.10 and when he bought this. The realtor never informed him that Hwy. 10 was going to go across there even though it was out there. He withheld it and the house got purchased back by the former owner.

A motion was made by Syens to accept the CSM and seconded by Enright. Motion passed.

7. LETTER FROM RAY SCHMIDT, WATER QUALITY SPECIALIST WITH PORTAGE COUNTY PLANNING & ZONING DATED 12-15-10 REGARDING WATER TEST FOR JENTEX GROUP PROPERTY.

Holdridge We've got a letter from Ray Schmidt and there was a write up that talked about the water problem up there. In a letter of Dec. 15th they require that particular parcel to have a water test. The water test is being done at that house. That's part of the subdivision ordinance as I understand it. I saw that and I wanted to know about the water test and what Ray wrote back through e-mail. He talks about that we could approve that, this could be approved contingent upon the water test. We took action but remember the final action will be taken by the Hull Town Board because we recommend to the Town Board. Here's what Ray said, (*John read from the letter/e-mail.*) If the Town Board wants to wait for the water test to come back, I understand that it's going to be back shortly. But that's the water issue there. That came up because I think Tracy Pelky or somebody said the water was fine. So I leave that and we can defer that to the Hull Town Board. Maybe by the time it gets on the Hull Town Board agenda, the water test results will be in. Apparently it's been taken and I don't know why the water wouldn't be alright, it's household water. That's where the testing will be done.

Lucht They'll test for nitrates and

Holdridge I know but still it's the household water that the people have been drinking.

Lucht It depends if there's a plume that's moving through the groundwater.

Holdridge So maybe the best approach for this thing is to table it and we'll make the Hull Town Board aware of it.

A motion was made by Syens to table the discussion on the information from the Ray Schmidt water test for Jentex property and make the Hull Town Board aware of it. Seconded by Reid. Motion passed.

8. CERTIFIED SURVEY MAP FOR JEAN FOX; SECTION 12, TOWN 24N, RANGE 8E IN VILLAGE OF JORDAN PLAT. LOCATED AT BRILOWSKI & HWY 66.

Krzanowski What happened is we worked quite a while on this project. It started it in 2009. As far as how you're going to take a plat from 1856 and try to apply it to today's rules and regulations. Over the course of going back and forth, we had gotten it to the point where the County was going to consider these existing parcels. They weren't going to take any approval over it. Then what we had proposed to you was basically what we're doing which is combining the original lots that were out there making them bigger than what they are. You had approved it and when we had gone to the Hull Town Board meeting for the signature, the neighbor had shown up with some concerns over groundwater. At that point, the Hull Town Board decided to table it until they could figure out what was going on with the groundwater.

Holdridge I thought Mrs. Fox pulled that. Didn't Mrs. Fox back out then when they got to the Hull Town Board?

Krzanowski It was kind of simultaneous. After the Hull Town Board decided to table it, she had called me and told me to hold off on recording it and I said we have to wait for the Hull Town Board anyway. So in the meantime, talking with Tracy Pelky, he didn't think in his opinion that there would be any issues. I believe the neighbor to the south, he said something about there being bedrock out there and that any water issues from creating these parcels would hit that bedrock and go right into his basement. After talking with Tracy, he didn't think there were any issues and some time ago, Jean had had some preliminary work done out there. The person she had out there supposedly had no issues.

Holdridge There were 7 lots of record and once they are lots of record, you could buy that and build on it as long as setbacks are met and septic had room. I think they were about ¼ of an acre.

Krzanowski Here's a copy of the original plat; they were about 82 ½' x 148 ½'.

Holdridge What you want to do is take the 7 lots and make 4 lots out of them.

Krzanowski Correct.

Holdridge Is she committed to this now?

Krzanowski Last I heard. I believe so. She's also talking about moving forward with that land to the east that belongs to her sister. Her sister has 10 lots there and that falls into the same scenario as these. They are the same size lots.

Binder Is that lot #1, the large one there, is that owned by someone else? We're looking at these 4 here as being created?

Krzanowski Yes.

Binder Is this her property too?

Krzanowski No, that's the neighbor to the south.

Holdridge Which one isn't hers?

Binder The large one, lot #1.

Krzanowski That's lot #1, CSM to the south.

Enright So which lots are being combined? *(He was shown the original 7 that are now being combined into 4 on the map.)*

Krzanowski The stuff in pink is what she currently owns on the original plat and that's what we're combining. I've got 1857 on it.

Holdridge We've got a lot of paper on this thing.

Bowen Is the water issue resolved with the property owner to the south?

Krzanowski After talking with the County, Tracy Pelky didn't see any water issues.

Bowen Is that in writing?

Holdridge Ray Schmidt in that one memo, he address that. But I think what we'll do is when we bring this before the Hull Town Board, we will notify those people so if they have some concerns, they can express them. If the County can't address it, I don't know how we can address it because they have the water expertise.

Krzanowski When they do a current soil testing, that would determine what type of system they would have to put in.

Holdridge Ray does talk about that it's got to be a drilled well because they're going through some rock there.

Syens John, the groundwater problem: if it exists, would be there if there are 7 lots or if there are 5 lots, right?

Holdridge Actually in going from 7 to 4, they'll be better off, it will reduce it. Because people could have built on those 7 lots as long as they could meet setbacks.

Enright So those other 10 lots owned by the sister, we're not acting on that?

Holdridge No.

Krzanowski I was just giving a heads up in that e-mail or that letter because there's issues again there with a Hull Town road. Dedicated Town roads that were never built.

Holdridge We're just talking about the 4.

Binder Where is Mason Street?

Holdridge You know where that is? Because I don't know where that is. That would come in with the 10 lots?

Krzanowski *(He showed on the map where it would be over on the east side of the 10 lots running north and south.)* The south part of Mason was vacated but the north part was never vacated.

Binder We only have to deal with that when they come back with the east lots.

A motion was made by Shelley Binder to accept the CSM for Jean Fox, the Village of Jordan Plat, seconded by Al Stemen. Motion passed.

9. APPROVAL OF I-39 PLAN BY PORTAGE COUNTY BOARD ON 12-21-10 AND REMOVAL OF MORATORIUM ON LOT SPLITS IN I-39 PLANNING AREA.

Holdridge This is the conclusion of the approval process for the I-39 West area. The Portage County Planning & Zoning Committee approved it on 11/17/10 and the County Board approved it on 12/21/10. It's a culmination of considerable effort and I would point out to you the last 2 pages. There's 2 significant parts of this plan. One is the 20 acres. That if you have a 20 acre parcel, it would have to be a 5 acre lot split. The other one is the non-commercial development particularly at the Casimir interchange. That's been tested so we know there is a precedent for that. We had a meeting at SPASH and we resolved a challenge to that. We're going to A-3 zoning which is 5 acres for parcels of 20 acres or more. What we've said on page 7 D is "The Hull Plan Commission will review development in the I-39 West area for the purpose of monitoring growth and evaluating preservation efforts in the area. This review will occur 3 years from the date the Portage County Board of Supervisors approves the zoning changes." So they have acted on that so we will target 3 years hence and go back and look at this. But it was a long effort and I would say a fairly major accomplishment. Chuck has a map here, are these the 20 acres?

Lucht Yes, the dark orange areas.

Holdridge Do you have any idea how many there are of that? Some of it's in wetland and wouldn't be buildable?

Lucht Right.

Holdridge But those are the 20 acre parcels and are limited to 5 acre splits. The other issue there is the Hull Town Board put a moratorium based on the recommendation of the Hull Plan Commission in Feb. 2007 saying we're going to have lot splits and we said once we have the plan developed, we'd take the moratorium off. So that's what I would encourage you to do tonight and we can take it to the Hull Town Board and they will formally end the moratorium on lot splits over there. But any future lot splits are 5 acres if you have 20 acres or more, or 2 acre lots in other areas. Did you go to the County Board meeting? Was there any discussion there?

Lucht I did not go to the County Board.

Holdridge There were some good comments at the Portage County Planning & Zoning Committee. I thought very helpful.

A motion was made by Syens to lift the moratorium and was seconded by Bowen. Motion passed.

10. THE I-39 WEST A-3 LOW DENSITY AGRICULTURE DISTRICT ELABORATED BY CHUCK LUCHT OF PORTAGE COUNTY PLANNING & ZONING. LETTER DATED 11-15-10 (REPLY TO HOLDRIDGE LETTER OF 10-11-10.)

Holdridge I thought Chuck wrote a good letter to us. We wrote a letter to him and one of the questions that came up was that if somebody has got 20 acres and they want to divide it into 10 acres so that there are at least 5 acres, then what prohibits them from going from 10 acres to 2 acre parcels?

Lucht That's the beauty of using a zoning district. It doesn't matter. If it's not below 5 acres now, you can't get it below 5 acres no matter what kind of gimmicks you use. It's cut and dried. We don't have to notify anyone. It already is what it is and if you've got 21 acres, you're not getting 5 lot splits, you're getting exactly 4 and we'll give you that, subject to a few other rules but you can't divide it into 2 and then get 4 more out of it.

Holdridge You've got to change the zoning if you want to get it lower, right?

Lucht Yes and you don't have to mess around with record keeping or have someone around that remembers it.

Holdridge I appreciate this letter, Chuck. It's pretty clear.

A motion was made by Enright to accept the letter as presented. Seconded by Syens. Motion passed.

11. NEW LANGUAGE FOR THE DEFINITION OF A SOLID WASTE DISPOSAL SITE AND OTHER TEXT CHANGES. (COMMUNICATION FROM CHRISTOPHER MRDUTT, ZONING TECHNICIAN AT PORTAGE COUNTY PLANNING & ZONING DATED 12-28-10.)

Holdridge Does anybody have any comments on Chris' textual changes here? I think our next task is to develop that subdivision ordinance and I'm not so sure that after our session today, LaVerne, that maybe the best thing to do is to take the County's zoning ordinance because that's what we're under to some extent. Take that as the base document, go through that and say what do we want to do in Hull that's different than that and modify it. These guys are the ones that are going to enforce it. There won't be separate people hired to enforce the zoning ordinance. The changes that we see that would be appropriate and use that as a template. It looks like Chris Mrdott is going to do that in February 4th.

Lucht He's going to try.

Holdridge We can look this over as we get into our own subdivision ordinances.

A motion was made by Syens to table the discussion of the new language for the definition of a solid waste disposal site. Seconded by Reid. Motion passed.

12. TWO TIER CONSERVANCY ZONING DISTRICT (MEMO FROM CHUCK LUCHT OF PORTAGE COUNTY PLANNING & ZONING DATED 11-29-10.)

Holdridge Do you want to elaborate on this Chuck?

Lucht Yes. That will be going to the Portage County Planning & Zoning Committee in February. If that gets recommended for approval forward, it will be going to the County Board in March. If it's adopted at the County Board, it would be available somewhere in May. In the last year, you've had 2 rezonings out of what you have right now for natural areas limited and natural areas protected. You had 2 zoned out of natural areas limited into ag use. Both of them up on the County line. So once this is passed, it will be good for the Town of Hull to say, "we really looked at it but we should look at it again," and have a couple of meetings where you revisit it to see if your comprehensive plan matches the goals of the new zoning, which is hopefully what you were doing when you read it now and say okay, do we need to tweak anything or not.

Holdridge Does this take the place of natural areas?

Lucht What it will do is actually split it into 2 for the first time. Right now you have a dark green and light green in your natural area categories. Both of them are zoned conservancy because that's what we have for zoning. This will bring in 2 zoning districts. One that's really very harsh and basically designed for areas that are inches above water most of the time. Basically they're always wet or too steep or part land or some version of wet or steep. That will be natural areas protected. Then you'll have the light green that will match exactly rural areas for

rural limited zoning district. That allows a full-time house to be constructed because one of the things the dept. was adamant about was how do you really decide...are you going to stake out somebody's house for a year to catch them if they've been there 2 days past 6 months. That's not practical so we got rid of the seasonal home requirement and a home is a home whether you spend 8 hours there or you spend every day there. It allows seasonal homes and the Town of Hull stated 5 acres minimum is large enough or the right size lot to not disturb the natural character of your community. Because you have it stated in your Comprehensive Plan, that's your default. The default for the County is 10 acres but because you've already got it stated in your Comprehensive Plan it's ... we look at it and say no, it's actually 5 acres. It's one of the few places where I can remember town zoning requests that actually trumps the County zoning default. So in that sense, it's good. We took towns that said that we think our natural areas should be this minimum lot size and we were able to create a zoning district that allowed them to have what they thought did that. So in that sense, it's very responsive to the town. It changes between different towns depending upon what they feel their wishes are. It's not just some towns. We found a way for all the towns that felt like using it to get what they need.

Holdridge We'll be revisiting this when we get into subdivision revision.

Lucht I would suggest that with farmland preservation coming online within the next year to 18 months, actually it's 18 months to 2 years because we're trying to finalize a grant from the State of Wisconsin, they would help us pay for the planning process. But almost all towns will have to look at their agriculture whether they need to be part of the farmland preservation process or not. During that time, since you need to look at your farmland zoning or whatever it is, you should probably piggy back that with your 5 year Comprehensive Plan review and any other zoning or land use review you do. That way the 2 lots that you rezoned temporarily from natural areas limited to agriculture, put them back into limited again.

Holdridge You're talking pretty specific and somewhat technical. For most of this I don't quite get it, but I will get it when we get more intense into subdivision ordinance and any comprehensive planning. That's where this will get a lot of attention and also Chris' letter. You've got to get into this stuff.

Lucht The rural limited is not designed for even expansion of existing farms. You're doing it now, you're still good to go to keep doing what you're doing if you presently aren't farming it and you want to do it in the future, you have to go through the Board of Zoning Adjustment.

Holdridge I think we have 5 farms? Dave Pederson, do you know how many farms we have in Hull? Working farms?

Pederson I would guess right around ½ dozen.

Bowen Chuck, how does CRP fit into this? That's what CRP is all about, to hold it in reserve until such time as you want to use it.

Lucht The towns have the ability to have their own zoning. I guess I don't know the specifics you're looking at.

Bowen It's a federal program that provides preservation of farmland.

Lucht The rural area limited is designed not for what you normally think farmland is designed for like primarily wooded or non row crop land and usually, as we went through the whole program, you have the farm fields that look like fingers. The farm equipment could get in there and out and so they could get 2 machines wide of hay, it's really marginal farmland. You might put some of that in rural areas limited and still farm it. But as I've had other towns tell me, you know those type of farm fields drop off as farm machines got too big to get back in those areas.

Holdridge Bob's question, do we know where those parcels are? The assessor would probably know because it would have some relation to the whole assessment and tax.

Lucht At this moment, no, we do not know where those are.

A motion was made by Bowen to table the discussion of the 2-tier Conservancy Zoning District until Portage County Planning & Zoning revisit it and we need to act on it. Seconded by Al Stemen. Motion passed.

13. FUTURE MEETING DATES AND TIMES.

The next Plan Commission meeting will be held on Tuesday, February 22, 2011 at 6:30 p.m.

Holdridge Does anybody have an objection to moving these meetings from what is now the 3rd Tuesday of the month to the 4th Tuesday of each month for the meeting times? Does that create any problems? What about meeting at 6:30 p.m. instead of 7:00 p.m.? Does that create any problem? What we did at the Hull Town Board level is we moved it to 6:30 p.m. and that didn't seem to be any problem.

A motion was made by Al Stemen to move the Plan Commission meetings to 6:30 p.m. on the 4th Tuesday of each month. Seconded by LaVerne Syens. Motion passed.

14. ADJOURNMENT: *Motion made by Binder to adjourn meeting, seconded by Syens. Motion passed. Meeting closed at 8:17 p.m.*

Respectfully submitted,

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