

TOWN OF HULL
**PLAN COMMISSION
MEETING**

April 24, 2012

5:30 p.m.

- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order on Tuesday, April 24, 2012 by Chairperson John Holdridge at **5:30 p.m.** at the Town of Hull Municipal Building, 4550 Wojcik Memorial Dr., Stevens Point, WI 54482.

Present: John Holdridge, 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 and Zoning and Citizens: Jerry Koziczkowski, Kelly Callaway of Callaway Land Surveying, Dave Wilz.

- 2. APPROVAL OF MINUTES OF the February 28, 2012 meeting:** *Motion to approve the minutes of the meeting of February 28, 2012 by Al Stemen, seconded by LaVerne Syens. Motion carried by voice vote.*

- 3. ANNOUNCEMENTS; CHAIRPERSON AND PLAN COMMISSION MEMBERS.**

Holdridge I just got this in the mail, dated April 20th, it's from Jeff Stuart the project manager. The letter is directed to American Asphalt. He says, "In accordance with Section....., you are hereby notified to begin work with your contract on the subject project on Monday, May 7th, 2012 or within 9 calendar days thereof. The contract starting date will be the date construction operation as stated or Wednesday, May 16, whichever is earlier." This pertains to, the subject "State Hwy. 54 to North Second Drive, I-39". So if you ever drive that section from Plover up to Casimir Road, particularly in the winter, it's boom, boom, boom, boom. They're going to repair it finally. Anybody notice that?

Binder Oh yes, the inside lane is washboard.

Holdridge The Bike Federation will be looking at some in-services for bikers in this community. I talked with a person at DOT that is head of that. They are going to do this around the state, probably sometime this summer.

This is of interest to you Al: I talked with Tom Schroeder of Portage County Parks Dept. and apparently they had some cameras over there in Bukolt Park. They nailed a couple of high school students throwing out trash. Tom indicates they're going to have a meeting with the principal and police department. I encouraged them to invite the Sheriff's Department. I'll be there and I'll want you to be.

Stemen They were in my garage for a week. The police were. They had the motion going and had cars on both ends getting them. It was fine for about 4-5 days, then the next week, it was the same thing all over again. But they had a ball.

Holdridge What Tom said was they cleaned up the act at Bukolt but now they're throwing stuff along the way. SPASH kids pick up along there in the fall and spring, from North Point to Old Wausau to Bukolt. So one group is throwing it out and the other group is picking it up.

Rustic Roads: we had a public hearing the other night at SPASH on Rustic Roads. They've got around 111 in Wisconsin. It's a process to apply for it, but if you become a Rustic Road, you don't get any money for it. It doesn't do anything for the road other than to be designated as a Rustic Road. What they do is to advertise that state-wide. They have a booklet on it and that goes to the welcome centers as you come into the state, in conjunction with the visitor's bureau. In addition to that, they promote it among the motorcycle clubs. So if you are a motorcyclist and you ride on a Rustic Road, you've got to film it because each Rustic Road has a number. Then when you get 10, you get a badge. If you get 25, you get a badge plus a certificate. Now what's the problem with this? When we planned that area over there of I-39 West, we wanted low growth and the citizens wanted low traffic too. So to make a long story short, over about an hour with 22 people there from that area, after they heard the discussion, they voted. Bud Flood was there, you might know him, he's on the County Board. He's the state chairperson of the Rustic Road's Board. I was glad he was there. At the end, they voted 22 to 0 not to turn it into a Rustic Road. Some stood up and said that basically we'd planned this area to be low growth and low traffic and now what would we be doing, advertising all over Wisconsin. Bud said that there's no question if you do that, you'll have more traffic. You don't have to put a sign up on the Interstate but you have to have one as you get off the Interstate. Out of that, I think we decided we've got to develop some guidelines for public hearings because what happened was a couple of people had an ax to grind on something completely unrelated to what we were talking about. On our agenda, there's a section that says anybody can address the Board on non-agenda items. I think we need to put that on the ones for the public hearing. If somebody wants to come and gripe, we'll listen to them and if it's an issue, we'll put it on an agenda in the future, then get on the topic and stay on the topic and not let it wander off.

Then the annual meeting, special meetings, we're going to develop some guidelines for that. That goes back to the old New England town meetings as a form of direct democracy. You could have a situation where you could have 15 people at an annual meeting and they could vote on something that would affect 5,400 people. That to me is not democracy. That's an interest group. We just have to make sure that when people want to do something, it's all advisory to the Board anyway. Except when you set salaries. That seems to be a different situation. You've got 15 and I know we've got 4,100 eligible voters that are 18 or over in the Town of Hull and I think we've got 3,100 that are registered voters. As much as we can, we need 1 more than 50% of the electorate if we're going to do anything. But you're never going to get that. But you certainly get a decent sampling of people out of the situation.

We're working on a 5-year budget plan. The subdivision ordinance is still in process. We've got a couple of other things that came up. I think the experience with John Oberthaler who sat here a number of times, simply not knowing where to go. Where does it start and where does it end? All of that finally got through and approved by the County Board. So John and his situation is set. But there's confusion about that. We have layers of government and sometimes those of us involved in it don't understand it. So how is John Q Citizen going to understand it unless we help him?

Finally I don't know if you knew that the State has passed a law now that requires, when you have non-contiguous annexation (*requests*), the Town can challenge it. We talked about that before. So that's part of the law. That really grew out of our experience with Casimir and I-39.

4. CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS. AGENDA ITEMS ARE FOR DISCUSSION AND POSSIBLE ACTION (Modern Wisconsin law requires that no government action can be taken until a topic is placed on the agenda and published 24 hours in advance of the meeting). None.

5. PETE & KERRY KLISMITH REQUEST TO UN-PLAT TIMBER CREEK SUBDIVISION/LAND DIVISION – IN THE VICINITY OF I-39 AND CASIMIR ROAD.

This agenda item was withdrawn due to Mr. Klismith asking to have it withdrawn from this particular meeting. Call from Mr. Klismith to remove it from the agenda was received the morning of this meeting, 4/24/12.

Holdridge We had a call this morning from Pete Klismith and they have withdrawn their request to un-plat that Timber Creek Subdivision. I don't know if you read Konkol's opinion but they would need to go to court to do that. So he notified us, Barb took it off the recorder when she got in this morning. He just kind of tabled it at this point. There's quite a bit to it. If you go to court, you need to get a lawyer and make the arguments.

So let me substitute in that agenda slot the addendum item.

AGENDA ADDENDUM ITEM: Certified survey map for Lori Marten and Matthew Weiland, land in section 7, Town 24 N, Range 8 East, abutting North Second Drive and Casimir Road.

Holdridge There's a memo from Phil because the roads have been dedicated so there's not an issue there. The one issue that's outstanding, there is a letter from Ray Schmidt to Matthew Weiland and Lori Marten. They have to come in with a check and then Ray will send somebody out to check the water. That is still outstanding, is that the way you understand it?

Callaway Yes.

Holdridge So other than that, it's a split of a lot. It doesn't change anything except you're going from about 6 acres to one that will be about 2 acres and the other about 3 ½ acres.

Callaway 3.7 for lot 1. Basically there's no planned development on it. All the structures are existing. At this time, no one is planning on developing anything else or building anything else. They're not asking for any zoning changes so it's not a commercial issue. They just do not live in the area. The house now is being occupied by the people that are going to purchase it. So that's basically what this land division is about. They're not occupying the house so instead of having a house that is a rental or being unoccupied, they decided to go with this land division and sell the house and keep the remainder of the property.

Holdridge Are you familiar with the history of that intersection?

Callaway I'm not real familiar with it but I can imagine there's something there based on...

Holdridge We have in our Comprehensive Plan that there be no commercial development there. When that came up within the last 6 months, some of the people really active on that live along North Second Drive, plus the people to the west. So it's got some notoriety. But they're not changing this, they're just splitting a lot.

Callaway I knew there was a little bit of history there based on some of the questions I was asked by a few individuals when we started talking about this land division. But there's no planned development, not even a new structure is planned.

Holdridge This will have to go from us to the Town Board. I think the Town Board meets on the 14th of May. The first Tuesday in May is that election. Normally we'd meet the first Monday of the month but that's the night before the election. They rearrange this whole room then the election starts early in the morning. So they moved the meeting to Monday, May 14th.

Reid Is this close to you (*Bob Bowen*)?

Bowen This is down on the corner of Casimir and North Second Drive. It's a little over a mile and a half.

Reid So the present owners are going to retain the rest of the land? Separate off a lot with just the house?

Callaway Correct.

Holdridge Just to the east of I-39 is the Firkus junkyard.

Bowen What is the relationship of Ray Schmidt's report to approving this?

Holdridge Under the County subdivision ordinance, they want to get a water test on the property. There's a letter Ray sent to the owners of that property so that they test the water. I thought maybe the owners would take a bottle (*of their water*) to the University but no, the owners go in to the County, make a payment and depending upon what needs to be tested, it could be as much as \$74. Then Ray sends somebody out to test one of the neighboring properties. That's part of the subdivision ordinance that the County has.

Callaway Every time you do a division of land, they look at the records for any water quality tests that have been done in the area. I can't remember, but I think it's a 1,000 feet or a little different radius from the subject property, if nothing has been tested in that area, then they require it.

Bowen I imagine the people who just bought the place want it or the bank may require them to have the water tested.

Callaway There was the water quality test performed, but they test for so many different things and not all of the things were included on that test that the County requires. So there are 3 other things. It passed the test for the other stuff in the private water test that was performed. The County wanted to test for a couple of other things, then it'll be good to go. Their subdivision ordinance allows for them to require the water test and also this map has to go to the County for their signature.

Holdridge The question there is where does it stop at the County? Do land divisions like this have to go to the County Board?

Callaway No. Planning and Zoning has the authority to make the decision. In this instance I've been talking with Tracy Pelky.

Holdridge Ray sent them a letter on April 13th laying out the process they have to use. I think she may have gone in today.

Callaway Correct. If the water test doesn't come back favorable, I know they will not allow the division to take place, until the well is replaced or whatever the case may be. I don't know if they could treat it with something. I'm sure they have to take steps to make sure the water quality is up to par with the County before they would allow the land division to take place.

Bowen Is there a well on the property now?

Callaway Yes.

Bowen On the part with the house. But not with the other part?

Callaway No.

Holdridge We have a preliminary report looking at the water in the Town of Hull. I think we would pass this conditionally on the water test coming back showing that it's safe. Water is a giant issue.

Callaway Certainly. Since this has to come back to the Town Board, I believe the water quality test will be performed and analyzed before the Town Board meeting so we would have those results by then.

Holdridge In Ray's letter, it says if you want to speed that up (*processing*), you can pay double and they'll get it going faster. Did you read his letter? I think it (*water sample*) goes to the University.

Callaway I guess that's kind of good thing that they have that in there if somebody is really under the gun to get it taken care of. I think the time span that we have right now, I don't think there would be any reason to expedite it at this time.

Holdridge I don't know that somebody would want to double \$74.

Callaway I did get a copy of that letter.

Holdridge That's a standard letter, I've seen it before.

A motion was made by Bob Bowen to approve the request contingent upon the report by Portage County environmental health officer Ray Schmidt. Seconded by LaVerne Syens. Motion passed.

Callaway This is the official map. Should I hang onto it until the Board meeting?

Holdridge Yes. If you would bring it that night, we'll sign it. Thanks for coming.

6. HULL WATER STUDY TASK FORCE DRAFT COPY OF REPORT.

Holdridge This effort is pretty novel among towns in Wisconsin. I don't know of another town that is trying to educate, understand and analyze their water. The reason is that we've got 2,020 wells. That's a real challenge. There's nothing in the law that says you as a homeowner have to have your water checked. Or if it's full of contaminants, have to do anything about it. There's nothing. Now there is in municipal wells. That's highly regulated. But not in private wells.

What brought this about was Municipal Well #11 that is under construction along Hwy. 66, that's a City of Stevens Point well. I would get people coming in, usually when there was a drought, less rain, and they'd ask me, they had checked their well for their sprinkler and it was down and they'd ask if they were going to run out of water. I didn't have any data on this and didn't know anybody that did. Only in fits and starts but nothing that ended up.... So we appointed a Water Study Task Force. Melvin Bembenek is the co-chair and I'm on it. We got great assistance from Paul McGinley of the College of Natural Resources, Bill DeVita who lives in Hull and runs the lab (*at the University*) and then Ray Schmidt (*of Portage County*). They were really great and were with us all the way through, came to all the meetings. Then we hired a graduate student, Amy Nitka, who is a graduate of SPASH and has a master's degree. She did the Draft. This is not a finished project.

We had one person resign from the Task Force. He resigned basically because it wasn't scientific enough. From the records at the University, Portage County used to do this too, but basically it's all University stuff, they have clusters of data. If you look at the report, we broke it down into 4 sections or zones in trying to manage it. Those clusters, they've got great records on this stuff. That might occur over 10 years. Actually Melvin, in the early 1980's, went around and collected some of that data. They were able to use some of that. It's really been fits and starts. When people get the bottle of water and bring it back to the University, that goes into their database. That's what we've got. One person said that we need to be more scientific at that. Now maybe going forward, we can be more scientific. But right now, that's not possible because that's not the way the data was collected. So trying to straighten that out. In this report right up front I'm going to try to write something so there's no mistake. It's not a scientific, academic study. It's an empirical study of what we have in the Town of Hull. No more, no less.

The big question is after we got through with this, and you'll note we don't have a summary yet for this, what did we learn through all of this. We went down and met with Kim Halvorson. We've met with different people, Patrick Planton who's the engineer the City hired for Well #11 who's been helpful. Patty, I suppose, has been the most helpful of all. She's the one that's kept the records and followed through. But the question was: what's the quantity and what's the quantity of Hull water? What can we say about quantity, what can we say about quality. The best information on the quantity question is what Stevens Point has, because they have monitoring wells. They're a little bit reluctant....when we sat down with the director of the water department, it was almost like CIA stuff. "Here, we'll give you this, but you can't use it." I don't understand that, Melvin didn't understand that. So I think we'll probably go back to them and say look, you've got some test wells around, because their water is our water. All of it

comes out of the ground. So they need to open up and let us share the information. I used to walk on the well fields and once they had 9/11, they closed all that up. There's some concern there. So the question is, as we summarize this, what are we going to do in the future? We have a start and know generally what the situation is. I think generally, it's pretty good. There are a few nitrates in some areas but generally the quality of water in the Town of Hull is good. How do we design something as we go beyond what we've done here? Do it on an annual basis so when somebody says, "Those 2,020 wells you've got, what can you say about the whole water situation in Hull?" That would be nice to answer that.

One of the things being put together is a glossary, because people ought to be able to read this and get through the scientific chemistry stuff and understand what it says. Paul agrees with that so we'll have a glossary.

I'll just go through it and point out a few highlights. On the first paragraph, last sentence, "The purpose of the Water Study Task Force was to review the existing data of water quantity and quality in the Town of Hull and make recommendations to the Town Board for future action." That'll be the last step; what we'd like the Town Board to do.

Stemen John, has the Task Force disbanded now?

Holdridge They're kind of on hold. We don't have another meeting. The way we left it was, we've got to do some work shaping this up, clarifying things. We will communicate that with them. We could call them in but basically we got pretty far on this. That was a great group. I was impressed. They came to the meetings and they really had an interest. One of the members is on the groundwater advisory committee representing Hull. Just a good group.

I think when we put this in final form, we need to have it so you can read it and understand it. That might be a little hurdle to get there.

On page 4, "The addition of water from precipitation, also known as recharge, and the loss of water by draining to streams result in the groundwater flow system in the Town where the groundwater is always moving." That's something I learned. This groundwater is moving just like a stream. That's why you might take a (*water*) test one day and have real problems, come back the next day and take another test and it may be great. That's just a stream running down there, I didn't know that. Did you know that Bob?

Enright No.

Holdridge I didn't know that. I think a lot of people don't know that. They think it's kind of static. What we're trying to do here is set the stage by providing some information. On page 5 it says, "Regular measurements of the groundwater at several wells show the variation in water table surface." That's where the quantity issue is important, it fluctuates, if it rains it goes up, if it's a drought, it goes down. If you don't have the perspective over time, when it goes down, it scares people. But when you look at it over time, you see that these dips happen and it comes back up.

On page 6 it talks about the recharge. It says, "The average person uses 55 gallons of water per day. The average household in the Town of Hull has 3.1 people, so the average use is 170.5 gallons of water per household per day." I can't believe that. You think you use 55 gallons of water a day?

Stemen It depends upon how many daughters you have in the shower.

Holdridge Well that's a factor, yes.

Enright It also goes on the lawn and down the toilet.

Amman That did not include sprinkling your lawn but it did include your laundry and laundry takes quite a bit.

Holdridge That's a lot of water to me. That's based on DNR studies, etc.

Bowen How much does the Stevens Point swimming pool hold? They announce that once in awhile to get some perspective on how much.

Stemen Just evaporation can be that much, 170 gallons per day.

Holdridge Then on the next page, "the associated treatment facility is only designed to accommodate 5 mgd (*million gallons per day*). Water levels were monitored at Well 11, as well as 5 on-site observation wells, and 3 City of Stevens Point monitoring wells." This is not real clear but that shows the Well #11 (*area*). We'll have to clarify and clear that up.

On page 9, "Understanding water quality requires an understanding of both what is in the water and the associated health effects. Some of these compounds may be beneficial, even essential, at the right concentration, but may pose a health effect at higher concentrations." One of the big ones we've got here, the water coming out of that water cooler there is high in uranium. It's really high. Apparently it could affect your kidneys, but you'd have to drink a lot of it. We had it tested and it's way over the recommended level.

Bowen Uranium!

Amman We have a very deep well here and that's part of it.

Bowen Isn't that radioactive?

Amman That's what they test for, yes. That's part of what the test is.

Bowen If you drink enough of it, you'll glow!

Amman That's the reason I quit drinking it.

Binder Is that one of the reasons the City is raising their water rates? Because they have to take uranium out of their water at the well?

Holdridge We can treat that, I think it's called reverse osmosis. I don't know what that means, but it's one of the ways to treat it or correct it. I think it (*the system*) costs about \$300. Our guys out in back have a water cooler (*water that's brought in*).

On the next paragraph, it talks about the Environment Protection Agency, “have established drinking water standards for many compounds. Primary drinking water standards are health-based.” That’s the big one. The primary standards are health based. The secondary standards might be like iron in the water or the water smells, those are not health related, those are appearance.

On page 10, “Water can be treated to remove contaminants, though the treatment is specific to the type of contaminant.” That’s so crucial. You find out what you’ve got. If you’ve got nitrates or uranium. Then you treat for that and that becomes a real challenge because if you’ve got more problems, you may need to have more treatments or different treatments. On #2 it says, “Arsenic and uranium may come from geologic sources. Landfills are an example of human-source pollution.” We have a picture of some old landfills. Ray put that in there but I want to be sure we qualify the fact that there’s no evidence of contamination. They are old landfills.

On page 12, “Comprehensive water quality information for the Town of Hull is limited. Little regular monitoring has been conducted.” That’s the challenge.

On page 13, figure 10, “Number of Town of Hull homeowners who submitted water samples for analysis to the WEAL (*Water Environmental & Analysis Lab*).” You can see this terrific spike in 1985. I can remember those days when I was on the County Board and there was great concern about pesticides so people were getting their wells tested. You can see how that has dropped off substantially from that time.

Page 14 it says, “Water quality data is also available for small public water systems in the Town of Hull.” The parks, mobile homes, those are considered small public water systems and those are reported. That’s all public information that the DNR puts out. The University collects that. That becomes part of the data source.

On page 15 they list them: Church of Christ, Knotty Pines, Lakeside Bar, St. Casimir Catholic Church, etc. Under law, those are considered small public water supplies.

Stemen It’s strange though, that Jordan Park is all zeros. Does it mean that water has never been tested?

Holdridge I don’t know, do you know Patty?

Amman I think it’s been tested. (*See further up in paragraph of page 15 of report where testing showed results for Jordan Park below the limit of detection.*) Maybe because they have so much water flowing through there, it might have some affect on that. I don’t know.

Holdridge On page 16, there are monitoring wells throughout Portage County. Testing began in 1988 and continues to the present. I would like us to be able to tap into some of those test wells so we don’t have to go out and recreate the same thing.

On page 18 it says, “Figure 5 shows the changes in depth to water over time.” That’s an important question about the quantity issue. Down at the bottom, “To compare results of testing, the Town of Hull was divided into 4 zones or quadrants. The zones reflect differences in geography, geology and land use.” Some of them do and some of them don’t.

On page 19, those are the quadrants we identified. The reason they got identified was because they had all the data in them. These are areas where considerable testing had been done and you could sort it out so we had something to look at. Then it talks a little bit about those

quadrants. I think we need to look at water flow. The water flows to the Plover River and it flows to Hay Meadow Creek then it goes to the Wisconsin River.

On page 22, “Nitrate nitrogen is a health-based contaminant with a federal and state drinking water standard of 10 parts per million. It is of particular concern for infants and young children as it can interfere with oxygen transport through the circulatory system.” My understanding is that there is some new data that has come out that says that it not only has an impact on young kids, it also has an impact on older adults. We’ve got to run that down. Then I hope we can put in there something about how to get rid of nitrates, because that seems to be one of the big issues. Then it shows some breakdowns (*in the different quadrants*).

On page 23, “All new wells in Wisconsin are required to be tested for bacteriological quality and annual testing is recommended.”

On page 25, “Uranium can occur naturally in granite rocks. Consuming water with elevated levels of uranium over time can have adverse effects on the kidneys. Testing in the 1990’s showed high levels of uranium at a mobile home park well in the Town, and subsequently the well was no longer used. Recent testing at the Town of Hull building found uranium concentrations that exceed the drinking water standard.”

The next section of this includes a reference section back here that Amy did. A section that will be summarizing what we found. The last section would be recommendations to the Hull Board on what should happen going forward.

Bowen What is the depth of your well here?

Holdridge Pretty deep I think; do you know Patty?

Amman About 300 feet, into bedrock.

Holdridge You can see when you come in the front, we’ve got a little iron in our water. Just look at the sidewalk in front.

Stemen Quite a little iron.

Amman You can smell it in the water. It has an odor.

Holdridge Questions about that or this report?

Stemen It looks like it’s a good start, John.

Holdridge It has a lot of data.

Bowen What are you going to do with the recommendations?

Holdridge We’re prepared to put some money behind it if we have to. There’s one area that both Paul McGinley and Bill DeVita agree show higher nitrates. One of the things that got this kicked off was Jim K. came in one day and said he had his water tested. So I asked if he would be willing to share that. He said, “Oh yes.” So maybe one of the things we do is pick out that

section, identify people and maybe subsidize to some extent their water testing. I'm just brainstorming.

Bowen The reason I asked the question is, we're talking about private water supplies, not public water supplies.

Holdridge What would happen in the Town of Hull if all of a sudden our private water supply became contaminated? Can you imagine how you would deal with that?

Bowen We would have tankers hauling water and people coming with their containers to get water.

Stemen What quadrant does Jim live in?

Holdridge He lives off Old Hwy. 18. But I'm saying that's an example. If we found an area where we want to get data on a consistent basis, if we got the word out saying maybe they test it once a year, I think that would make some sense. There isn't a more valuable resource, unless it's air, than water. You look all over the country; Waukesha, doesn't have good well water. They're trying to contract to get Lake Michigan water. It's happened up in Green Bay. Over in Abbotsford, they had bad water and they seriously considered running a pipeline to Wausau. It used to be that this was never an issue. When I grew up, we had all these fountains downtown with water just running.

Stemen But they never tested water 50 -70 years ago either.

Holdridge That's true. It was just taken for granted.

Bowen Will your data show water quality in relationship to population density?

Holdridge That came up. Some of the nitrate may well be related to septic systems. As you look at this, there may be some direction as to where these septic systems go. Lot sizes are important. Yes. What goes on the lawn is important.

Bowen It could also suggest to us a ban on subdivisions and stay with our 2 acre lot size.

Wilz I'd like to add on to that, that was one of the things that anything less than 2 acres, we're contaminating ourselves. On a family of 4 with a well and a septic system, we need at least 2 acres to be able to get that to work. The other thing is we know some things we didn't know before, why would you put your septic upstream of your well? When if you knew that and you were building, you'd just decide to change it around. Just things like that. Portage County does a lot of monitoring too. Most of the water over by Jim that affects that area is coming from Stockton. We're being warned. It's just flowing through with the heavy ag over there and the nitrates. Portage County is trying to keep an eye on it.

Holdridge It seems to me if you're going to deal with that stuff, you've got to have data.

Wilz You do, absolutely.

Holdridge It has to make sense. Then you can start fighting the battle, if you've got to fight a battle. Right now, the data that is collected that is in this report is not comprehensive, it's not systematic. But it does show some problem areas. What happened in the mid-1980's, they started doing some of this, but then they just dropped it. Nothing happened. The issue was there. As you see the number of tests that were given, you could see the issues. But water wasn't a front-burner issue like it is now. We used to think about out west, the Colorado River, west Texas and all those places, now all of a sudden, here it is. There's the Great Lakes compact which any community that's around the Great Lakes, all these states have to approve that, to use Great Lakes water or Lake Michigan water. That's coming up in a lot of these urban areas now.

Bowen In agricultural areas too. These mega-farms use a lot of water.

Enright John, the data that is in here, is this just from the data they had back when people voluntarily tested their water?

Holdridge Yes, back when people brought in their container of water and had it tested. They have what is called a homeowner's package which is about \$49. They test about 6 different elements. The big ones are bacteria, nitrates, chloride (like from salt on roads).

Enright I think what might help would be sharing some of this information with residents of the Town. Also interpretation, like for example that pesticides are common in the water here and all the health effects they mention here. I'm doubtful that very many residents of Hull recognize that could be a health risk to use this on your lawns. In addition to that, interpretation of that homeowner's package, if you don't understand the chemistry of your water....it's really very difficult to understand it and asking somebody to explain it to you often doesn't help either.

Holdridge Well if you're a chemist, it's easy.

Enright My son is. But as we've done here, for example, areas that are prone to uranium, it might be advisable for people in that area to get that test added on to their water test.

Holdridge We need to go forward with this and I think we need a system to monitor it, that makes sense, a logical system, and see what happens. Ray Schmidt at our last meeting said the City is trying to expand the wellhead protection area and to permit more things (uses) in there. The wellhead protection area is about 3 miles out. You can't have a gas station, for instance. That's to protect the City's wells. Well I'm interested in protecting 2,020 private wells in Hull. So this was proposed, Ray brought it up. The City would move it out and it would permit....where are they, they're in Hull. That's where the wellhead protection area is. Then they start permitting some uses there. If there's a leak, it's our wells that would get hit.

Enright A lot of the gas stations on Hwy. 10 backup to Hull subdivisions. And that's the direction the water flows from.

Holdridge I'm saying by modifying the distance of the wellhead protection area, moving it out further, then permitting more uses in there, that becomes a real problem. This is a challenge to figure out how you go forward with collecting data.

Enright Well some people might do it voluntarily. If you put it in the newsletter, encourage people to get it tested once a year.

Holdridge How frequently do you have to do it, etc.

Reid Would there be a correlation between uranium in the water and radon? I know people have concerns about that as well.

Holdridge Anybody know that?

Amman Sort of. The radon is really more of a gas in the ground.

Reid But it's coming from the granite, bedrock.

Amman Radon is more something you might have as an air problem in the basement whereas uranium would be more something you would find as a problem in the water.

Reid But would they go hand in hand?

Enright If you're above granite, it might be causing both problems.

Amman There can be certain locations and areas that can have radon problems but other people might be living in a different area, have deep wells and have uranium but they don't necessarily have radon problems. So it's not always directly related.

Enright When are the results, recommendations going to be done (*on the report*)?

Holdridge We need to go back through and make sure it can be read by a layman and understand it. That's always a problem. Any profession has its jargon. Lawyers have got it, engineers have got it. We need to make that plain talk analysis. Then we need to figure out how to summarize this. At our last meeting I said it looks like Hull have both good quality and quantity. Both Paul McGinley and Bill DeVita said, "Except in one area". One of those sections shows more nitrates. That's probably the area where we look at. Then with Stevens Point we need to identify their test wells. We shouldn't have to re-invent the wheel. They have to do it by law. They have a big, huge public system. Tap into that and see how we can collect the data. I don't get a lot of reaction from the experts on this thing. They all think we should do it, but how do you do it? Maybe somebody at the DNR or somebody knows, here would be a good system to set up to get a handle on 2,020 private wells. Give you some real feedback on what's going on with the groundwater. I haven't talked to Patrick Planton who is the water engineer working with Well #11. He may have some ideas.

Enright John, just a suggestion: it says in here that some already exceed the recommended levels. It would help to know what those are. Presumably the highest one is over the standard.

Holdridge If you look at this report and there are things you don't understand, give us a call. This needs to be a document that we can give to a citizen and they can have a reasonable chance of understanding it.

Stemen Can't you get that from the college, the Water Lab up there, and make copies of it? Seems like the last water test I had, they gave me all that.

Holdridge Yes, that's where a lot of this stuff comes from. The problem is, how do you set up a system in the future to get a handle on this? Nobody throws those suggestions out. They all agree that you really ought to do it. But how do you do it?

Stemen Ray doesn't have any suggestions?

Holdridge Not yet he doesn't. Ray knows a lot about well construction. Every time somebody digs a well, they've got to complete the documents and give it to Ray. The testing of water is kind of the University data. Chuck, you have anything to add to the water study, going forward, how Hull would test the water? Get indications of what the quality and quantity is?

Lucht No I don't because I believe testing is voluntary. Some people really don't want to test their well water in case they find out there's something wrong with it. So there's incentive to not test your water.

Syens It would seem that there's not a need to test, 2,200 wells to determine the information required. But it also appears to me there is a number, and I don't know what that number is, in each quadrant that's been set up, that should be tested, that would provide the necessary information as to water quality within each quadrant. I would guess, and I'm guessing, I don't know that for fact, within each quadrant there may be enough citizens that would voluntarily test their water on a regular on-going basis. Perhaps if that number is not too large, through the Town Board, maybe we could set up some type of reimbursement program or subsidizing to continue with the testing on a regular basis. Testing is great and the results of that test is great and something we should know. But if we find levels above the acceptable level, what is the corrective procedure to take? We don't want to address the corrective measures to be taken, but can we point the individuals to the proper entities, businesses, whatever to determine what corrective measures should be taken? In other words, point them to the experts who will tell them what they can do.

Holdridge I was thinking, we've got 4 quadrants. One (*quadrant*) that is of greater concern than the others. Maybe the 3 that aren't affected would have a testing program of every 2 or 3 years and the one that is of concern might be every year. Now what happens if we discover these nitrate levels continue to go up, or there's a bacteria problem? Somewhere I was reading today, it's not just bacteria but viruses are getting into the water. In fact, I think it was up in Door County. A virus got in and whole bunch of people got sick. Anyway, once you've done that

testing, and get a lot of information on it and say it goes up, we've either got a political problem or we've got a legal problem or a good neighbor problem, something. It's coming from somewhere. So then you'd have to push it through the Town, I would assume. That would be a Town Board thing. I don't see the Task Force as doing that. This is a government body and we're responsible to the citizens. If that should occur, it would seem to me that it's got to be addressed.

Enright It would seem to me that since the study has been done and shows evidence that the people who did it know how to conduct it, the next step would be to conduct a larger study because it identifies problem areas. Then the question is how to fund it. It's a possibility that there could be grant money available for this and therefore sample surveys and samples of water in the areas to identify it and then whatever. I don't know that we need to identify what the solution is. We don't know if there's a problem yet. But obviously the first step would be to alert citizens to a potential health hazard here and then we can decide as a Town what the steps would be necessary to rectify the situation. Whether it's don't drink the water or some kind of cleanup effort or find out where it's coming from.

Holdridge If we get the data and it's articulated and it shows a problem, then it seems....

Enright Who paid for this report to be done?

Holdridge We had some money in the budget, about \$2,000 or \$2,500. The only cost was for Amy Nitka who wrote it.

Enright The homeowner's package costs \$49 but if you're testing for a specific thing, it may not cost that much. If you were just doing nitrates.....

Stemen If we are going to do a test, it would be good to do a uniform test, a homeowner's package not for just 1 or 2 samples.

Holdridge That's an open question. Think of all the urban towns we've got, all of them have private wells. They're around LaCrosse, Fond du Lac and Eau Claire. Like the public safety issue, they're going to have some issues with water quality. It would be nice to have somebody do this stuff that you could tap into and find out what they did and didn't do. There's just been a fairly massive study done on the weight limits and the damage that can be done to roads by heavy trucks. This was done over in Minnesota. The guy that did it was out of U.W. Green Bay. That demonstrates that when these heavy trucks go on the roads, they tear them up. We all kind of know that, particularly town roads that aren't made to the standard of a country trunk road, or a state or federal highway. Now all of a sudden there's some data that's out there. Patty, do you remember if Paul McGinley was submitting a grant or something?

Amman Yes, he was submitting a proposal for a grant to do a study. It would be a 2-year study and they would be taking samples sort of like what LaVerne was talking about, a certain number of wells in each section. They would do it so many times per year over this 2-year period. I think about 2 or 3 times a year because they're trying to see how levels are fluctuating of these different things they are looking for. This grant would be for around \$60,000 and would

cover the cost of the water testing, the analysis and the people putting it together. He thought he had a pretty good shot at getting that and the Town of Hull would probably be the area they would work with. So there is that possibility. He was going to find out this spring whether or not he got the grant and it might not start until summer or fall.

Holdridge I think this is sort of hot stuff. These municipal systems, what Stevens Point is doing and trying to do. But all of us out here with the private wells, that could be a catastrophe if Hull all of a sudden couldn't drink their water. So I suspect there's going to be stuff coming down. It's getting more and more attention. So what we will do between now and the next meeting is we'll try to come back and clean this up, get a glossary. I figure if I can understand it, anybody can understand it. So we'll clean it up, get a summary and get some recommendations. Once it goes through the Plan Commission, then it goes to the Town Board. Our next meeting is May 22. That will be a target.

Stemen Can you do that, John, in a month?

Holdridge Yes, I think so. I would suggest that you look at this (*report*) and if you've got things you don't understand, needs clarification or things to add, just call. If Patty or I aren't there, leave a message or give it to Barb.

Amman If you find words you don't think people would understand, then let me know. I've given a list to Amy Nitka, she's working on it and is about 2/3rds of the way through the list of defining words. If you give me a word I haven't already put on there, then that's another word we can include.

A motion was made by Al Stemen to table this until next month's Plan Commission meeting when more facts will be available along with some direction. Motion was seconded by Bob Enright. Motion passed.

7. COMMUNICATION FROM JERRY & TERI KOZICZKOWSKI REGARDING ACCESS TO THEIR PROPERTY AT 3013 FIRKUS ROAD.

Holdridge We have a letter from Jerry. Jerry, why don't you explain your concerns.

Koziczkowski My main concern is to get access. Also, I've been living there and owned property since the early 1990's. I assumed that eventually there would be a road there. The way it looks, there won't be a road there. I need the proper procedure to get that dedication back.

Holdridge Right now, there's 33 feet?

Koziczkowski Correct.

Holdridge Going from Firkus Road a quarter mile north. That has been designated as a public path. It's clearly a public path, right? You agree with that?

Koziczkowski No, I don't. That's not what I'm here for. To find out what that is. I don't want to....

Holdridge We need to put this into some kind of context. Oberthaler came in and that all got done. We haven't discussed your issues up there, Jerry, for quite a while. As I recall, we had 33' that was public. You had put a sort of gate across it.

Koziczkowski Correct. I was told by the Town of Hull way back in the 1990's....

Holdridge But that is still, as far as I know, 33' of public path. It's never been turned back to you right?

Koziczkowski Correct.

Holdridge Then we get Legacy Lane, that middle road that John Oberthaler ran up with a cul-de-sac at the end of it. Then you've got the Hebbe property and the Broecker property off that cul-de-sac. That went through all the steps including the County Board. That is in place. John has done a re-zoning of a little parcel there. That's what we've got. As part of that, there was a map and this map, did you get the information? We sent you something.

Koziczkowski No, I don't believe so?

Amman Yes, I mailed it to him, unless he didn't get it yet.

Holdridge That's the recent certified survey map that shows Firkus Road and as it goes east, it runs down the cul-de-sac and then your 33' comes up (*north*). Right?

Koziczkowski Correct.

Holdridge There's Legacy Lane that goes up and there's a cul-de-sac. Right here on Legacy Lane as you look to the east, there's a dotted line. It says 66' reserved for future road right-of-way. That's on the certified survey map. Right now, that's owned by Hebbe and Oberthaler. But that's on there. Now what happens to that is, you've got to negotiate with those people if you want to get access in there. This is what I've learned from our attorney. It was put on the map. It shows clearly that there's an access there. But the mechanics of that is that those people have to be willing to sell you that 66'. Now on the other hand on this other one down here, John Oberthaler wanted no part in selling you 33'. We had those discussions a number of times. So you've got 33' there. There's going to be a temptation by the Town of Hull to say, "There's no way we're going to leave 33' of public access and have a gate over it or some way to stop people from using it. That's public property." So it seems to me that's going to be confronted here one of these days. How do you get 33'? You've either got to get it from Oberthaler, or you've got to give it yourself, right?

Koziczkowski Correct John and I know all that. I know if I need to get access in that reserved area, I need to purchase that. I realize that, there's no question there. Also there's no

question if I need to put a road next to my property, I'm going to need 33' more. I agree with you. Right now, John (*Oberthaler*) will not sell that to me.

Bowen Jerry, what is the set-back from the boundary line of the 33' to your house?

Koziczkowski The set-back is plenty from my house but my spare garage is about 30' off that road.

Bowen So there isn't 33'?

Koziczkowski Correct. That was built to all the planning and zoning (*codes*). I was under the assumption when I bought this property that I have a certified survey....I don't know if it was certified because it wasn't approved. The reason why it wasn't approved was because when it came to the Town Board, they wanted that 33' in there. So I already own that land. I owned what I assumed was all of it. So then the Town Board said, "We want to keep that 33' for a future road and to get the road tax." So it sat that way until John (*Oberthaler*) purchased that. Part of the reason why Legacy Lane was put in was to get access to the Hebbe's (*land*) and the Broecker's. But it took away my opportunity that was a road there and was designated as a road there for all these years, until the early 1940's and now that's gone.

Bowen It did take into consideration your need for access and that's why the dotted lines were put on the map.

Koz. Correct, at whatever cost they want to sell that property.

Bowen It's 39,000 s.f. so it's less than an acre.

Holdridge Have you talked with them?

Koz. I haven't talked with either one of them. I would be willing to pay, if you say it's less than an acre, I would be willing to pay them \$4,000 for that and dedicate that to the township.

Bowen If somebody has a calculator, it's 595' x 66' and I get 39,270'.

Enright It's only half of that because there's already 33'.

Holdridge No, he's talking about the one going east from the (*new*) cul-de-sac (*off Legacy Lane*).

Enright Oh, that way. That's the one that you want? You don't want the north/south one?

Bowen No, that's the only one that's feasible. The cul-de-sac over to his land.

Holdridge Because Oberthaler probably won't sell you 33'. You're saying you can't use 33' to your property because you have a building there, right?

Koz. Correct. The reason I came here, #1 is because in part of that process with the Hebbe's and Oberthaler and Broecker was the fact that that road was going to be turned back to me and eliminated with that 33' with whatever you want to call it. That was in part of that negotiation. In fact, the realtor that's selling that land that has their advertisement out for that land, if you look at the paperwork, has that 33' abandoned.

Holdridge You're talking about the 33' going north.

Koz. Correct.

Holdridge From our standpoint, it's awful difficult to have a public path, our roads are 66' wide, this is 33', and have that be a public road off the tax rolls and have somebody put a barricade across there. How do we justify that kind of stuff to our citizens? So what's the alternative? Probably the alternative is if you want a road there, you've got to get 33 more feet or maybe there's some way to get a variance that's 30 feet. Chuck, do you know anything about that? Because of your building, you know people have moved buildings to accommodate the situation. Or you get Oberthaler to give you 33' because to make a road there, it's going to have to be 66'. As you go back, I don't know how many acres you have back there, at some point that would be developed. We have emergency vehicles, buses going in there and everything else, you've got to have a decent road.

Koz. Basically, what are the limitations on a private drive in the Town of Hull? That's what I'm looking at John. I'm looking at getting that land back so that I have an access to my property.

Holdridge You mean running a driveway to your house?

Koz. No. Running a driveway down that 33' to a new dwelling.

Holdridge That's private? You're saying that 33' becomes yours.

Koz. The 33' becomes mine.

Holdridge I don't know of anything off hand. Do you know of anything Chuck from the County standpoint?

Lucht Chris or Tracy handles driveways. I know there are some long driveways. The problem with the long or extended series of private ways is they eventually get turned over to the town, city or village.

Holdridge If you think about 20 years from now if you take this back, you've got 33' of private road. Pretty soon, you start developing back there, if you try to plat a subdivision,

somebody is going to look and see about access and access is by that private 33' driveway. That probably isn't going to fly.

Koz. John, I understand. I'm looking to get proper access around my property for myself. If I wanted to sell my house right now, I would have to get it re-surveyed. I'd have to do 2 things to that piece of property: I've got 5 acres surveyed out for a house and that includes that 33' but...so then you'd have to deduct that 33' back out of that 5 acre survey.

Holdridge We haven't done anything yet.

Koz. Yes, I know.

Holdridge I think it's in your ballpark.

Koz. My ballpark is I want to get that 33'. I would prefer that the township return that back to me because the situation....it's going to give me some options in my land.

Holdridge I would suggest you write a letter to us, signed by both you and Teri, requesting that (33') be turned back over to you, from public to private. But we need something in writing.

Koz. I believe that letter did state that, didn't it?

Bowen That was one of your 3 requests. But John, when you say turn it over, give it to him? It's worth \$4,000. This one here.

Holdridge I need to know your intentions because this is not the first time we've meet with you on these issues. We think we've got a deal and we walk out and everything kind of collapses. So you need to state to us that you want to purchase it from us. Our advantage is that it goes back onto the tax roll and Phil D. calculated what that was. It wasn't much in terms of property tax. But we need something with clear direction from you to us. I was looking at legal costs for the Town of Hull to deal with some of these issues. We spend a lot of money on dealing with these issues that are created, often, by citizens. I'm beginning to think that the Town ought to have some system where people..... I'm thinking, why isn't that cost, the citizen's cost? They're the ones that want to do that. In this case, you're the ones that want to do that. If you want to do that, you don't want that to be a public path anymore, then you should put that clearly in a letter to us, signed by both you and your wife. Then we will take a look at that. On the other hand, if you want to do something on that east road, the dotted lines from the cul-de-sac at the end of Legacy Lane, you need to talk with the landowners.

Koz. I understand that John and I would like to get that. In the 3rd paragraph here it says, "We request during this survey either 33 feet next to the Kozickowski property and original roadway needs to be dedicated", okay, 4th paragraph, "The original dedication on the Kozickowski property needs to be returned to us as the rightful owners and if a road needs to be put in, we will complete this on our own. Abandonment must be completed by the Town of Hull so this can be completed." So I guess on the 4th paragraph of this letter, if you need me to put my signature on it, that original dedication, I would like to have returned.

Holdridge Can you make that as a simple paragraph and that's the focus of the letter and both of you sign it?

Koz. Yes, we can do that.

Holdridge Why don't you do that.

Binder I have a question. See if I understand this right, you'd like this 33' back but you're saying that even if you took 33 more feet of your lot to the right or east of it, you still can't do that because you have a building within 30 feet. So how does this giving you 33' back..... you say you can only go 30 more feet to the east then you're going to hit your shed. You're still not going to be able to put a road there.

Koz. This is the option that it gives me; I have 135 acres back there. I assumed one day there would be a road there and I assumed the township and planning and zoning, and there was some confusion there, that when that road went to the north, when the new buyers bought it, we would have 33' dedicated. Somehow, that was missed. We went over that. We don't need to go over that anymore. I don't need to. So now I'm stuck with a half a road. I actually own the property. I bought the property and I actually owned the property before the survey was done. Then I had the survey done. Then I came to the township without that 33'. Then the township said they want that 33' dedicated back in there. So I had the surveyor re-write that and they specifically did that to collect the road tax.

Binder Jerry, I think I've been to every meeting that there has been. But my question was, am I not understanding this right? That even if you got this 33' back, and you took 33' of your own to the east of that to make it 66', you couldn't do that because you've got a shed there.

Bowen He could move it.

Binder Okay, but he could move the shed anytime.

Koz. Yes, I could move the shed anytime. I do not plan on moving the shed.

Binder But am I right, you don't have 66'?

Koz. Correct, I don't need 66'. If I have 33'....

Binder But if you want to develop that area, you're going to have to put an acceptable road for the County which would be 66'.

Koz. Correct, I understand that. If I go that way...what I'm looking at is not developing a road. I'm looking at a private drive. I'm looking to get access to my property. If I want to sell that house, I have 5 acres, so I could cut that survey down and survey that 33' out and put a private drive to get back to my property.

Binder You get to you house now, right? You've got a driveway, private drive.

Koz. Let's say I sell it and if I want to survey out another 5 acres behind my house and I want to get to that, I'm going to need that 33' for a private drive that I would put in, that I would pave and then I would build.

Lucht I believe there are a limit on the number of lots you can have access to with a single driveway.

Koz. So I can have one at least.

Lucht Yes, but then that causes a further issue with access for even further back.

Binder Then if you're landlocked with that one, you can't get back to that one.

Lucht Have you talked to Tracy or Chris about...not the road issues, but about what you really want to do with that back property as far as access? You're best step might be before you write any letters or request something from Hull, to sit down with Chris or Tracy at the County because they're our zoning administrators. Those are the guys that deal with driveway access, separation and private roads day in and day out. So when you ask Hull, you have a fully informed situation. You have that right, you can ask that question every single month. You can throw different ideas at them (*Portage County Planning & Zoning*) until you get the right idea. Because it's your property, you have the right to ask about whatever you want to do with it. They can tell you whether the actual idea fits or not. Right now it doesn't sound like you've talked to Chris or Tracy so no one quite has a handle on what you can do if you run a private drive up there. If you ask and have the action taken on it before you find that out, you could find yourself in a further jam.

Koz. I understand that and before I would do any plotting off of my land...right now, if I wanted to put my house up for sale, I couldn't put my house up for sale because I'd have to do some re-surveying so I can get access to my property.

Bowen You could sell your house, but you'd be landlocked.

Koz. Correct and that's actually the problem we solved with Legacy Lane. I'm not going to do that. This is the #1 step. If I get that 33' back, now I...there's no reason why I can't put a private drive in there with surveying that piece of property to the next piece of property. Am I jamming myself up? Do I need to find how many houses I can put back there? Yes, I would. But that's something I can do. I also want access to my property to the east. On that side of the house. I'm going to have to protect myself to get a roadcontinue Firkus road to the east. But the 33' isn't doing the township any good. If you designate it back to me and you say...payment, I guess I'd have to talk with my wife on that.

Enright It seems that you're saying that your #1 choice here is you feel that a private drive to get access to the land to the north, right?

Koz. Correct.

Enright If that's the case, then I think this is right, you should find out if it's permissible for you to have a driveway to this new house that would be that long. If it is, it seems that you ought to be able to do that. If you want a road, we decided when we handled this whole subdivision thing with the road, it would be this east/west road that goes off of Legacy Lane. So it seems to me as if it's one of those. One other thing is, I think you are actually right about this. I think the idea here was when Legacy Lane was going to come in, we said there would only be 1 north/south road and so the other part of this was going to be that the Town was going to abandon this road. I think you are actually right there, that it was your land, you dedicated it for the purpose of a road and the Town never built a road. It makes sense to me that the land should go back to you. But you're not going to be able to build a road on there unless you either buy more land, which Oberthaler seems unwilling to do, or take it out of your own land and move your shed. If you want just a drive and if that's permissible, then it looks like that's the choice. If you want a legal road to it, it's the one at the north end.

Koz. Right now, I'm looking to get that dedication back so I can put a private drive in there.

Enright I'm just suggesting that this is good advice here. That if you're going to use it as a private drive, you better find out if it's legal to build a house at the end of a drive that is that long. I think we dealt with this issue once before. There was another property where it had a very, very long driveway. Do you remember that one, about a year or 2 ago?

Koz. I'm not looking to ever build a road there because it's not feasible.

Enright The Town already decided, although this wasn't my opinion, but we decided we're not going to build a road there.

Koz. That's over with. I don't have a problem with that.

Holdridge If we go way back to when this started, there was support to use that Firkus Road, that 33', widen it, put a cul-de-sac and then access those other lots up there. I think where it stumbled, for whatever reason, John Oberthaler wasn't prepared to sell 33'. But it clearly made a lot of sense to us. That somebody had to come up with 33'. For whatever reason Jerry. Then that's how we got back and Bob has said, if you really want to have good access to those 135 acres back there, those dots on there (*the certified survey map*) are already there. But you'd have to buy that land from both the landowners. Then you'd have good access.

Koz. Correct John. I agree.

Enright It seems that also if this was put in there as a road, that it was decided that there would be a road here if there was further development of this land, it seems that land should be available to you at a fair market price.

Bowen It's clearly the best of your 3 options.

Koz. I'm with you 100% and I'm willing to do that. I can talk to those land owners about that, but even if I get that back there, I'm not looking right at this time, and that could change in the future and I don't want to sell myself short, but I'm not looking to throw in a whole subdivision back there. I'm not. But I would like to, when I retire, build another house at least to start with and downsize my house. Right now, I don't even have that option. I won't use my east easement off of Firkus Road to keep it going straight. I won't use that up because I have enough room there even if the neighbor doesn't want to, I could shift that road over. That could give me some access. In the future, if I ever wanted to move out of this area, then I could run that road all the way to Legacy Lane and develop that. That would be the best thing. Still, that 5 acres right behind the house, that won't be affected by that plan because I would have to shoot another road off to get there. There would be one more question I would like answered and maybe Chuck you can help me with it: and I don't want to go this route, I would prefer to have the dedication back to me and then I could put a private drive in, is, when you re-survey that, that 20 acres that John has there, and if he sells that, that's when the Township can do the same thing as they did to me 20 years ago and say, well we've got half a road and we need 33', when they re-survey that smaller part. I don't know if that's the Township or that's Planning & Zoning.

Lucht What will happen if you make this request to have the land vacated and returned back to you, any new consequent subdividing of that land will not be under that same restriction because there is no record of a public way anymore. So there would be no requirement to put in a 33' strip on John's side because there is none corresponding on the other side.

Koz. Correct, I understand that.

Lucht So you're starting to run into issues. There's only a certain length you can go from...I believe a private drive can only extend generally the length of a 40. They're not all perfect because the way surveying works and where you are at in the plan. However, there's a certain limit as well as there's a certain limit a cul-de-sac can go. The Planning & Zoning Committee and the County Board have already dealt with the length of road. This is already an extended length of road that is on a cul-de-sac. You would need to have, for anything going back there that would lengthen that trip, you're going to need to provide one really good excuse as to why they need to allow a longer cul-de-sac than what already exists.

Koz. Like to survey out another 5 acres for a house.

Holdridge Let me close this off. I need to leave before dark. Jerry, what you need to do is to communicate in writing, with you and your wife signing it, what you would like. Propose it to us. Then it seems to me you need to talk to some people at Planning & Zoning. Anything else anybody wants to add?

Bowen I would add this advice to the Board, the Planning Commission and Jerry, I don't think the Town is in any position to give away land so I think when he writes a letter, he better make an offer for something purchased rather than asking for it to be rededicated. We'll end up having to spend money on flip-flopping the dedication. I think the Board 20 years ago was in error by giving it to you.

Holdridge I wasn't on the Board. The only one that I know of was probably Melvin Bembenek. What happened there, it's not clear. You had a lawyer up here twice, from Madison on this issue or similar issues. So I think we need some clear direction from you, Jerry, in writing and tell us exactly what you'd like to do and we will look forward to the path with that.

Koz. What would be the township's...I don't know if you can give me this, a ballpark figure on.....

Holdridge Jerry, give us a letter. I'm not going to quote any figures.

A motion was made by Jocelyn Reid that Jerry Koziczkowski submit a letter to the Town of Hull, signed by both he and his wife, with clear goals of what he wants to do and expectations of what he wants Hull to do. Seconded by Shelly Binder. Motion passed.

8. CONTINUE UPDATE ON SUBDIVISION ORDINANCE FOR THE TOWN OF HULL. *Due to the meeting length, by the time this item came up, the Commission decided to hold it for the next meeting.*

9. NEXT MEETING DATE: Tuesday, May 22, 2012.

10. ADJOURNMENT: *Motion made by Bob Enright to adjourn meeting, seconded by Bob Bowen. Motion passed. Meeting closed at 7:20 p.m.*

Respectfully submitted,

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