



- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order Thursday, November 29, 2012 by Chairperson John Holdridge at 5:30 p.m. in 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:

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

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

Holdridge I gave you a copy of an article from the November 27<sup>th</sup> (Arizona Republic). I was out in Phoenix and came back yesterday. I like to get a hold of these papers like that. We flew from Madison to Denver so I got a copy of the Denver Post and up in Albuquerque and Santa Fe I got a copy of theirs to find out what their issues are. This Arizona thing is a great concern because of planning that was done that probably wasn't the best planning. How many of you have been to Phoenix recently? It's like driving on those southern California freeways, 6 lanes, it's terrible. In this, they talk about the water issue but also the traffic. People live along there, there are real respiratory problems because of the air pollution. It's down in the valley and when you come in there, you see the haze. I saw this in Albuquerque too because that's right at the foot of a mountain. So that's a big issue. They discovered that the worst possible location to be, for a homeowner or a school, is right adjacent to an interstate. There's real serious health stuff coming out of there. There's this wonderful forest up there that's the largest one up from Flagstaff which is north of Phoenix. That forest is gradually disappearing and there's a lot they need to do... for the need to plan fires. So there's a whole series of issues. I find this Arizona Republic, which is a major newspaper in the Phoenix area, is a good newspaper. I've been impressed with it.

Somebody mentioned Reid Rocheleau, and here's the article Reid wrote in the Stevens Point Journal. This is currently being pursued by LaVerne, myself and our attorney. Reid came in and saw me and he's got great ideas but his idea that if you just get it out in the public, all of a sudden, something will change. Well we've done that before. Those aldermen turn around and look at you very politely as you talk and they turn around and vote and they vote against you. This is great public awareness but we're trying to see if there's really a legal basis for what should have been done and what wasn't done. So that's his article.

Then Patty's put together the final revisions of our Water Study Task Force report and you can see the executive summary, recommendations. The one in the back, second from the last, page 34, here's a description of where you park if you go to the University. For people who aren't familiar with that, that's not a small issue. Now you can park in Lot D and leave your flashers on and go in and get your water test. So that's there and that should be helpful.

I read about the Common Council more than I used to and I'm always surprised by the decisions they make sometimes. I don't like to go there. One of the problems is the setting. They've got the gate there and the audience is really out of it. It's not like when people come here and we face our citizens and face people when we make decisions. There, they all have their backs turned, except the mayor who is up where the judge sits. That's the judge chambers now used by the City Common Council. Al, you were there, saw that operation. Then they ask you to make your presentation. The aldermen turn around and look at you and they turn back around and make their own comments. Because of the five minute limitation, you can't get back on there so they can say virtually anything.

Next, there will be no meeting in December. The next meeting will be January 22, the fourth Tuesday.

Binder Please make a note that Shelley will be absent at that one. I'll be down in Naples.

**4. CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS. AGENDA ITEMS ARE FOR DISCUSSION AND POSSIBLE ACTION (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. PROPOSED PORTAGE COUNTY SHORELAND ORDINANCE CHANGES.**

Holdridge I had been sent back on September 5<sup>th</sup> this memo from Jeff Schuler about the Proposed Shoreland Ordinance Changes. I didn't get it. Somehow it got mislaid here and I heard about it at the Town's Association meeting. So we went back and discovered it was here. The page and a half that Jeff wrote up goes into setbacks. I didn't know this but that 5<sup>th</sup> paragraph, last statement says: "This was not changed in the new NR115. Portage County staff is recommending staying with our currently adopted minimum building setback of 100 feet from rivers, lakes and streams, whereas the State requirement is a minimum of 75 feet." Then there is discussion about legal non-conforming structures. My view on this is that it's all great stuff but the only time you look at it is when you have an issue. Otherwise to go through it and try to grasp the changes in the ordinance....some things are in red. That's fine for the moment but you really get into it when you face some real issues.

Bowen On page 4, what does it say in the second paragraph: DOT is exempt. Second paragraph, the last line, 7.7.2.4 and Municipalities and State Agencies Regulated. I got a little laugh out of this whole thing when I read it.

Binder Did you look up statute 30.12(4)(a) to see if they're talking about that?

Bowen No, I didn't. And if they aren't exempt, they've got Chapter 50.

Holdridge Chuck, do you have any comments about this?

Lucht No. I read it when it comes across my desk but I'm not the expert on it.

Holdridge Do you know what they did? Did they ever make a decision on this?

Lucht I believe it will go to public hearing in January at some point. I'm not sure how many changes they made to it. I do know they are still working on it.

Holdridge So if you would look this over. On page 5; Dimensions of Building Sites 7.7.3.1 Lots Not Served by Public Sanitary Sewer. There are some in here that may be of concern. The gentleman from the Town of Plover, a board member there, spoke at the Town's Association Meeting, not this last one, but the one before, and had some real concerns about it in the Town of Plover.

Binder Is 20,000 s.f. a half acre?

Bowen It's a little less than that, 23,000 s.f. (*is a half-acre*)

Holdridge So if you get a chance to look it over, if you have some questions, that would be a good time to ..... we could certainly respond to it. I am concerned about these exceptions to the ordinances.

Bowen 4D says...they changed the last word, they changed it and wrote in "insofar as practical". What does that mean?

Binder A weasel word, that's what that is.

Bowen We can work this out? What are they going to do?

Holdridge You get it on both sides. Somebody is trying to do something and they discover the regulation won't let them do it and it may be very reasonable to do. Then you have others where it's too flexible, it gives them too much leeway, too great a flexibility. Would this be one of the major ordinances that would impact the town?

Lucht Yes, any town that has .... It applies even to towns that don't have zoning. It applies to all towns whether they have zoning or not.

Bowen Who did all the highlighting? Patty did that? On all the copies, that's fantastic.

Binder You got one copy that was highlighted and you did all the rest?

Amman Their copy was in color and I wasn't going to print out color copies so I just highlighted what they had in color.

Holdridge Is that hard to do? Printing in color?

Amman Yes, it's time consuming.

Holdridge Well that's good. When this takes effect, this will be the County ordinance and that will be the law.

Bowen How much shoreline does the Town of Hull have?

Holdridge Boy, that's a good question.

Lucht It is a good question. I'm assuming quite a bit with the river.

Holdridge The river and the creeks. We don't have any lakes like some of the towns do. You'll probably have to delegate that to staff too. If you look over it and see problems or issues with it, let us know and we can communicate it.

Bowen The only problem I had was that the DOT should live like the rest of us. Why should they have special privileges?

*A motion was made by Bob Bowen to accept the Proposed Shoreland Ordinance Changes as it stands now with the understanding that we might want to submit some revisions. Motion was seconded by LaVerne Syens. Motion passed by voice vote.*

## **6. REVIEW TOWN OF HULL COMPREHENSIVE PLAN.**

Holdridge The Comprehensive Plan, which was originally adopted in May of 2006, we haven't revised it since that time. We've got all new data from the 2010 census.

Lucht I've got the first 2 chapters right here.

Holdridge I had written to Chuck and then he came back with his memo on how we approach this. It says from his e-mail of October 11, 2012, the first bullet point: "Send a letter to Jeff Schuler officially requesting that the Portage County Planning & Zoning Dept. help the Town of Hull with an update of their Comprehensive Plan. Provide a scope of the project." What does that mean, "scope of the project"? The scope of the project would be to look at the plan right?

Lucht Right.

Holdridge So is that the first thing we should do?

Lucht That should be on file for us somewhere, that you have asked us. It allows Jeff to put you on our to-do list that we have to be keeping now. It's a housekeeping thing.

Binder A formal request.

Lucht Right.

Holdridge You wrote the memo, why don't you walk through the process.

Lucht Basically what I understood the question to be was: we want to look at our Comprehensive Plan because there have been a bunch of changes that have happened in the county and stuff like that lately. The shoreland zoning is being updated. If your town has agriculture, you at least have to think about what your agricultural chapter says. You have updated flood plains. You've had a new zoning district added which is the Rural Limited District that's supposed to go in your Natural Areas Limited land use category that I know you haven't applied to yet. More than likely you haven't looked at your zoning map to make sure it's consistent with your land-use map yet and that's supposed to have been done a year after you adopted your Comprehensive Plan. They're not hitting anybody over the head about it but those are all things that need to be looked at, housekeeping kind of stuff to make sure everything fits to go with your plan. So once you have that idea that that is the kind of stuff you want to look at, send that off in a letter to Jeff.

You said, "How much time is it going to take?" From my experience, it's not going to necessarily be a real quick process. Like numbers 1-4, it's going to take 4 months just to wade through your goals, objectives and policies and get an idea of what you think works and what you think doesn't work. If you want to remove something, if you identify a new issue to put in those chapters, and then you have a good idea of what actual changes need to be done in your Comprehensive Plan. Once you get that done, then what other mapping issues you have to take care of that...like the zoning, bringing your zoning map into compliance with your land-use map. You may have to juggle around some land-use definitions or add something to your Chapter 9, Table 9.1. Those are all little tweaks you look at as you go through in the right spot. During that process, whatever notes you make, I'll run back and I'll change your Comp. Plan.

I'll start a new file so anything that goes into your Comprehensive Plan, I'll do a strikethrough and underline and I'll bring it back and say, here are the changes that you made and you can either say, yes you like it, or no, go back and change it. All that back and forth takes a month or two each time you do a text revision like that and at the end you run it through just like you would any standard Comprehensive Plan change. So you'll have to run it through here, whether it's your Town Board or your Plan Commission that does it, you'll have to hold a public meeting. There should be nothing earth shattering so one wouldn't expect it to be contentious.

You can change your plan as much as you want or as little as you want based on what you find in your goals, objectives and policies. It's just a lot of small steps and it takes a number of months and I have that down as 12 to 16 months.

Bowen You stated in the second page regarding the subdivision ordinance that it's quite possible there would be no need for your own subdivision ordinance.

Lucht That's something that seems to have dropped off by the wayside but at the time we were talking about it, I had yet to hear something that the county subdivision ordinance didn't properly cover. So the question is: do you really need your own subdivision ordinance if the county subdivision ordinance is working properly?

Enright I thought that's what we decided too. We had done that review of it and after looking at it for a number of weeks, we decided there was no point in revising it.

Holdridge No, I think we were going to make some modifications, minor modifications. I think you've got to be careful with this dropping by the wayside stuff because one thing I find puzzling about people at the county level, they don't understand that most towns don't have any administrator. We have part-time boards and if we get into a struggle over trying to understand our water or annexation, struggles with Stevens Point and any number of other things come up, ...people downtown could say, well you've dropped it. Well we haven't dropped it. The reality out here on the land is much different for us who are trying to do this job in a very part-time way. So I would caution the concern about that. I didn't go to the meeting on your bicycle planning but I got some feedback from a person who was there and boy, there are some misconceptions about what Hull is trying to do on public safety issues. There has got to be a little more communication and a little more sensitivity at the county level.

Lucht We face the same issues with getting overwhelmed by projects occasionally. We also set stuff aside to get back to it later.

Holdridge I would say on the planning issue, there was a gun-ho effort back in 2001 or so. Chuck Kell was the director and we had big meetings on this. We decided to be one of the first counties in the state to have comprehensive planning. There was a lot of enthusiasm. Chuck Kell leaves and then we get these plans adopted and frankly, I don't know if I've ever heard about an in-service because planning commissions keep changing all the time. Trying to get people to understand what the comprehensive plan is. I suspect if we went around this table and you asked us questions, a number of us wouldn't know the answer to it. So that the thrust on this thing seems to me has sort of dropped off particularly at the central office level.

Lucht My observation from towns that are taking up comprehensive plan review is that they are noticing some of their goals, objectives and policies aren't necessary anymore so they're asking that those that are not necessary be struck. By and large, most of their plans are holding up pretty well as far as what they wanted for the future.

One of the maps that gets updated that has some changes in it is the utility map that shows the where the cell phone towers are. There are a lot more of those now than there were. Town boundaries change here around Stevens Point or Plover a little bit. So most of it is pretty minor. The Portage County Planning & Zoning Department just got the go ahead for our department to also start looking at the county comprehensive plan review so that's a project we'll be picking up in the next 12 months or so.

Holdridge This stuff kind of came to the forefront in this annexation business and as I recall there was very little....we never sat down with the City Plan Commission, even when we had a different mayor, on what was going to develop. So you get a situation in which the annexation statute allows a city to annex, what 800 acres, and whatever was the plan by any town there was sort of trumped by the annexation statute.

Lucht Right. There's nothing the county or anybody can do about that because it wasn't a forced annexation. Those people who owned the land said, "That's the way we want to go."

Holdridge Yes, but if we keep going in that direction, it seems to me we're going to end up at some point looking for farmland. If we continue this commercial development, they're still talking about commercial development way out to J, past Bob Enright's house there on the other side of the road. I'm wondering when are we going to have somebody start looking at planning for the whole area. Even though you may not have the authority, but start talking about it from a public perspective, do we really want this commercialization all over and the traffic problems and all the rest of it eventually?

Lucht I would like to say that would be a great idea but you have many people that believe any such type of action is way too far of a governmental reach and until that attitude changes it's not likely to happen.

Enright It's pretty obvious what I think about this but it was showed that we were required to put together this lengthy document and in the end, all of the land-use planning, inter-governmental relationships, that stuff basically had no influence on how this whole process came out.

Lucht In the very last cases where they wanted to put those gas stations on Hwy. 10, that's true. However, it helped when the Casimir interchange all of a sudden wanted to be annexed, it did help. I can think of other land-use changes that the Town of Hull has made. Specifically, that one gentleman up on the border with Dewey, he had some land that was in a Conservancy area and you switched it. It was buildable but it was a Conservancy area and you switched it to a 5 acre Ag-zone until you eventually tackled your Natural Areas Limited rezoning process. That worked exactly how it was supposed to because you had an idea what to zone that land, so that there was an equivalent zoning of what it was supposed to be. So in the instances of those gas stations annexing that land into the City of Stevens Point, your land use plan is working like it's supposed to.

Enright Well in those cases, it is.

Lucht Everything about planning is a case-by-case basis. Each parcel is a battle when it comes up to change it. That's what I was taught years ago in school. And that's what it is at every meeting when something like this comes up. I was told sometimes you win, sometimes you lose, you just don't take it too personally.

Holdridge Does this private land owner have the right to trump what is really in the public interest not to do? Now maybe the land owner has to be compensated in some fashion doing that. But do we really want to have all this sprawl that we currently are having? No in-fill at all or very little; and this thing just grows. I'm calling out for some leadership on this stuff. You're saying well, the county can't.....I would think we need some leadership that would say, look we really need to look at this are and figure out what kind of community.... I wonder if we had a vote of the citizens in the metropolitan area, that they would want to see two more gas stations on Highway 10 East. That's one issue. But would they really want to see 800 acres annexed for potential commercial development? I'm just talking about the citizens who don't have a financial interest in that topic.

Lucht Well then the question comes back that, to those people who don't have a financial interest, should they really be the ones telling those people what to do.

Enright The premise of planning is that people who do not own the land should have some say in how it's worked because there are community values that trump the narrow economic interest of the land owners. That's the whole premise here. What I'm saying is yes, we won an issue here; we won on Casimir Road and we are very happy....

Holdridge But that one was so obvious though.

Enright But that one was so far beyond the pale because of it being like a balloon on a stick, but I think that's what held sway there. Certainly we had a voice and I think that our plan could have had something to say on it but the fact is, that in all of the contentious issues, or most of them where we are bordered with the City of Stevens Point, it was made abundantly clear to us that the politics trumps the plan. What I would like to see in the plan is some mechanism, and I only have two ideas and neither one of them is very good, one is that our intergovernmental relations portion of the plan and the part that has to do with land-use planning and any of the other ones that have to do with the City of Stevens Point, that we have a direct reference to what the City is saying because these documents have never really been read in tandem except for one I guess the mayor did. And the land-use plan that probably....I haven't seen what the Town of Stockton has but we have a little bit of that land that we didn't contest in that 800 acres. What are we going to say when the state statute says that landowners can do this? That's one idea, so that's written out. The other idea is, we're probably not the only town in Wisconsin that faces this problem, and it should be made very clear that these documents are extremely weak in standing up to the state statutes that allow the city to do whatever they want.

Lucht Agreed. I don't know what you expect county or regional planning organizations to do that could trump state statutes that keep planning weak.

Enright That's what I'm saying. That we should see this for what it is because to a certain extent we are going through a bureaucratic exercise that is inconsequential in important matters.

Holdridge In some issues, it's inconsequential.

Lucht When it comes to annexation it is.

Enright Right.

Holdridge But why can't that become an issue by Portage County's leadership?

Lucht You'd have to have leadership that....

Holdridge Doesn't want to be a county employee for awhile.....



Lucht ....thinks in the same mold as that.

Enright In the county we need someone to say that, on the basis of the laws that mandated that this be done, that it's incumbent upon the city to meet with the towns when they are in border issues. Somebody needs to say that publicly.

Holdridge Somebody above the town-level.

Lucht The leadership you're looking for is political, it's not.....

Enright I think that Planning & Zoning, however that works, that if we're being guided through this process, we should understand, the first approach to write in here for intergovernmental relationship, we say, we're supposed to talk with the city. But the city ignores us. Somebody should say to the mayor, "This is what the statute says, this is what you're supposed to do."

Lucht I agree you have a very peculiar and thorny issue with your intergovernmental agreements, specifically with the city. I do not know the right answer for that one. I do agree with you that it's a thorny issue.

Stemen Why do we go through all the trouble if it's going to be null and void?

Holdridge On the big issues.

Stemen Yes.

Holdridge Take Mona Simons over there who has lived in that house 51 years. The owner of the property across the street made a deal with Kwik Trip but that Kwik Trip plan is the worst possible facility for that neighborhood. They could have put something in there with much less impact on that neighborhood than that. I didn't hear anybody speaking up on that who ought to be interested in good, comprehensive planning.

Bowen I think you are speaking of planning professionals. The ones who should have all the answers.

Holdridge Yes, planning professionals.

Binder But you had the city development directory saying this was a good idea. I'm kind of with Chuck on this in that it's a political issue. Until they change that annexation law, which Planning & Zoning have no control over that, it's a political thing. You have to get your assembly person in Madison to say we need to change the annexation law; you're picking on all the towns. That's what it is until you change the annexation law. They have to just follow the law that is written.

Holdridge But let's go back to the origin of planning and how this stuff got started because I was there. Chuck Kell came to a group of town people and said we've got this new planning law

in Wisconsin and he wanted to be right out in front and got strong support for that. So we had this committee; there was an urban committee and a rural committee so each town and municipality went through this comprehensive planning process. That was inspired by Portage County to do that. There was a state law that said by 2010 you had to have it done or you would lose the ability to plan or something.

Binder            It was called smart growth.

Holdridge        Yes, it was called smart growth. So the legislature passed that and the county got involved in it and they were the professionals. The county planners were the professionals on this thing. All I'm saying is we've got nobody who sees really major issues with all this commercial development and Mona Simons is just an example of that; putting a Kwik Trip there and the impact on the road system. Because we had that intergovernmental thing in there, that whole chapter on intergovernmental cooperation.

Lucht            Our office thought we were lucky just be able to change the site plan some to make the circulation inside of the site and how the site was accessed safer.

Holdridge        The issue that was never taken up was the impact on that neighborhood on Old Hwy. 18. Where you put the pumps and all that was talked about but nobody looked down Old Hwy. 18 and understood that people are going to start turning there as they go on Brilowski and go right up Old Hwy. 18 to get to Kwik Trip. Kwik Trip is a convenience store as much as a gas station for people and the impact of traffic on that sort of thing.

Stemen            If you remember, John, at the meeting, the Kwik Trip representative said that was not a problem. Traffic was definitely not a problem. It's basically a money issue, that's what it amounts to.

Holdridge        For the mayor, I think it was even mentioned, how much tax revenue they'd get off there a year and I think it was \$20,000. I'm not saying you folks have got legal authority to do it but if we look for planning from the county level, that's what we're all talking about. You've got all these towns under the Planning & Zoning Committee on zoning and planning. You've got maybe one or two that aren't but of the 17 towns and villages you must have 15 or 16 towns that are subject to Portage County Planning & Zoning, right?

Lucht            Fifteen, I believe. Grant has their own zoning and Pine Grove has none.

Holdridge        So we've got to get some strong leadership out of you folks on these kinds of issues. You say, "Well, we don't have any authority." I don't know what we have a Planning & Zoning for then. I can imagine because I have seen this happen when Kell was director and the city, under Scott Schultz, wanted to put a Menard's where Jung Seed is. It had to do with sewer extension but there was no question that was Scott Schultz and that was their goal, that was on the table and everything. Chuck Kell stood up and said, "There has been no planning for this. There's no traffic planning. It's just something the mayor would like to do." And it got voted down. So where is Menard's today? It's in Plover. Now for those people who live around there, think of a Menard's in that area. It probably would have been a big Menard's.

I don't know how you get action on this but I think we've got to get some more strong central planning to give direction and to be a spokesperson for the towns and villages because the city has got the mayor. They've got a community development director, he's even got an assistant. You look at what they produce and it's pretty high-powered stuff. They've done their homework. As we go through this planning thing, I think there's got to be more support for good planning in this area. I don't know what is good planning. To me, it's not good planning to have sprawl everywhere and to talk about commercial development clear out to (*County Road*) J. Those people who live along there, it may affect their pocketbook but people buy land and home sites and I think most of us don't expect to make a lot of money. Where I live, I'll sell my house and I'll make a little money on selling the house but this is commercial development we're talking about. I keep thinking what we need in Wisconsin or I believe the option is to have more direct democracy on this stuff because it's clear the city aldermen and the mayor, that's their interest to do that. It's not in our interest, in terms of our neighborhoods, to have that stuff. But maybe we need a method in which the public can speak up on this issue and tell those elected officials, "Here's what's good for the area."

Enright                    I recognize that Chuck is not in complete control of these things so you're not the person responsible. I think we are genuinely identifying the problem here and the city demonstrated that it has no consideration for any land-use plan.

Lucht                    It's very pro-growth.

Enright                    Right, it just trumped absolutely everything. What I'm bringing up here and which a couple of you are bringing up is that I'm fully willing to work on this thing, but I'd like to have some hope that this has something to do with an influence on important decisions. Maybe you're right, Shelley, that we should be saying to our representatives, look at this case because it's obviously in direct contradiction to what competent planning is all about because it came in response to more rapidly growing areas that we're creating, unplanned sprawling development. It's exactly the idea why we're doing this. I can't think of anything more sprawling than the largest annexation in the history of the state. It's past the Town of Hull in terms of where the city limits are going and the best that we can hope for is in this....we can't even protect our own water. We're dependent upon a statement from Planning & Zoning that says, "We're sure that the mayor has our interests for water at heart", or something like that followed by aldermen who were saying that, "If the water goes bad, you can annex to the city." So in a sense, we're powerless on the basis of these documents to have any legal say-so about the decisions that affect the lives of people who live in the town.

Holdridge                I think when this document was developed, it was to be a cooperative metropolitan area. When Halvorson got in, it was no longer cooperative at all. It was just direct, mandated development where they never even asked us. We find out about this development ..... we almost had to force it. We didn't know gas stations were going in and all those questions, to say nothing about the 800 acres. According to the aldermen, they didn't know about it. Well that, to me, is almost misconduct in office. These aldermen who are elected to know this stuff, if they don't know it, they ought to get some new aldermen. That's what they said to us. Some of the aldermen said that they didn't know any more about it that we did.

Enright                    Right. The idea of piecemeal decision making of annexation; the first step is, you've got the planned development, the second one is that it's concealed, the third one is you annex and then the fourth one is you change the land-use plan. I think our plan should say that our land-use plan is in direct contradiction to what the city's plan is, because it is.

Lucht                    You can say that in there if you want.

Enright                    That's what I'm suggesting: that our plan in the intergovernmental relation part says that we stand ready to meet with the City Plan Commission and that it's incumbent upon them to hold up their end. I think that should be drawn to the attention of the legislature. Otherwise I think what we are going through is a relatively meaningless exercise. I think there are some small issues that do matter to the people that we may solve and I wouldn't put Casimir Road in a small category....

Holdridge                It's awfully difficult for the city to annex built up areas because nobody wants to go in the city. So they can go out and get all this vacant land that farmers have got, 180 acres, and they'll tell you that's your retirement. They can take that because one farmer or one person who owns this land can choose to annex to the city. All that does, though, is sort of corrupt any planning process.

Lucht                    Our common experience right now as we're talking to the various towns that have predominantly agricultural uses, we're finding out that as soon as land becomes available, especially if it's a size and it's already cleared for farming, that land is not sitting on the market any time at all. In fact it's usually snapped up by other ag people before anybody even knows it's on the market. So the state of ag is, as they said, a complete 180 from what it was 10 years ago. People are seeing a future in it. The price per acre to get ag land is now competitive as to what many times they can get for it if they sell it off into small lots. It's going to other ag people. They're projecting the future of ag to be so much more intense that ...because the population of the world is supposed to nearly double in the next 30 years. So what we are finding is there seems to be a self-brake on the types of ag....

Holdridge                That wasn't true of the 800 acres.

Binder                    That's kind of a contradiction to the 800 acres that got snapped up.

Enright                    Those people didn't seem to know that.

Lucht                    Yes but that 800 acres is going to stay in ag until there's an actual use for it.

Stemen                    The state put a hold on that didn't they?

Lucht                    Not as far as I know.

Holdridge                They had some problems with that subdivision out in the Town of Plover. But grabbing all that land.....I read Halvorson's press release. He's talking about getting factories from Germany. He said this would be world-wide. But we aren't going to get that kind of

development, we all know that. Any development around here is slow, very slow. But those farmers who did that, obviously they saw long-term real commercial potential for that.

Stemen                    Basically they saw dollar signs.

Holdridge            Yes, they saw dollar signs.

Binder                So now you have that and the land next to it which is ag, further to the east, those farmers....I mean, it's just going to sprawl. They'll think, you know...

Lucht                 It's going to take a long time to fill up that much annexed land.

Holdridge            You know looking at this article about Phoenix and what they thought three or four decades ago and what they've got now, you know these things gradually develop. I think the farmer who feels that about the value of their land, they're probably right. Because if you look at the growth in the population, not necessarily in this country, but over .... I mean land and production of agricultural products is going to be huge.

Lucht                 That's good for urban areas too because it'll force them to become more dense. If it's harder to get a hold of ag land, it'll force them to become more dense and make them more efficient.

Holdridge            Well if you look at our area, 800 acres, wow, that's a biggie. Why don't we go back though this. But I would really like to see the planning department come up with some positions on development and be very vocal because as Bob (*Enright*) mentioned, we have nobody from a professional standpoint. When Kell was there, he was a real offset to John Gardner. I saw this in the Crossroads Commons development. What the Village of Plover wanted, for example, or what the City of Stevens Point wanted. There was always somebody in the middle of that to come from a planning perspective and that was Chuck Kell. He and Gardner would go head to head on this stuff. I don't know where that comes from now. I haven't seen that sort of verbal professional leadership. Unless the planners don't really have a good scheme for this either.

Lucht                 I think it happens, just in a different way.

Enright                Do planners in our county here see any good reason to try to in-fill as you were talking about before, that it's environmentally sound to keep spreading out?

Lucht                 We have the same issue you do. We don't have any jurisdiction inside the City of Stevens Point. On top of that, we have an economic system that doesn't incentivize in-fills so much as it does green-field development. Look at the mall: we had a dead, horrible whale sitting in the middle of downtown Stevens Point and when they did decide they were going to do something with it, because it was never going to come back and it served no economic purpose but let people walk around in it in the morning because that was their exercise, it was always going to be a dead whale in the middle of downtown. They said, "We're going to tear most of it down and put different stuff in" and day after day there was save the mall stuff on the inside of

the Stevens Point Journal. Same way with Green Bay. I can give you stories. Green Bay and Ashwaubanon are almost exactly the same as Stevens Point and Plover and Stevens Point might as well just be a smaller version of Green Bay. That is, any kind of development is good and it doesn't matter where we put it, and that's the way those cities are. Now Green Bay is my home town but at least they finally decided to rip down that horrible dead whale of a mall and they got Shriver Cheese to put up a headquarters there as well as a factory in the middle of downtown. Yeah! We got rid of that horrible mall. I'm sure there were lots of people saying, "Why do we have to do that?" The same thing here in Stevens Point. We don't have a system where we can direct where in-fill goes. Once it's in the hands of a private interest, it's up to them what to do with that business or that land. We know, outside of zoning controls that say you have to have set-backs and the exterior can't be corrugated metal, you can do pretty much whatever is allowed in that zone and you can't force them to do it or not do it. It would be neat to put some restrictions on some places. You know what, you've got a dead Wal-Mart building. If you don't fill it within 12 months, do just like you do for mine reclamation sites; you've got to pull it down and cart it away. But they don't make them do that. So outside of those kinds of development issues, you are asking the system to do things that it's not designed to do at all. Nor can it do by the legal system.

Enright                      How about a publicly noticed environmental impact? That's a political issue right?

Lucht                      That is. Then right away you hear, "It's too much red tape to do business." We all know those people exist and it's too much red tape to force a water test because they might be putting phosphorus in the ground or it's too much red tape to tell them, "Hey, maybe you're using too much water in a hi-cap well." Way too much government interference. And you'll find those people living next door to all of us. So I mean it is a political question and those of us on the professional side have to work within the parameters that we're given. Because otherwise you hear, "Well, it's unelected bureaucrats that's making everybody's life hell." Well that's not always the case.

Holdridge                If you're going to ebb and flow with what this person says and what that person says, you'll probably sit around and won't do anything. Somewhere there's got to be values.

Lucht                      We work this stuff to the best of our ability within our parameters. When we have the ability to give input on development, we do so. We do the best we can to say, "Oh, we've got this problem here." We could have waited an extra year to start working on shoreland development but we started it now. Coming from the comprehensive plan, we started to look at density based development and got lot averaging out of it. We looked at two-tiered zoning; we got a strict conservancy zoning district and more like a rural zoning district, rural, not ag, zoning district where you can put up a house and have your pole barns and you don't need to ask, if you need a third or fourth shed, but at the same time you're not going to start new ag issues in there. We worked on the things coming out of the comprehensive plan that were identified as to be worked on. So we've been very proactive about doing that but as I laid out in the e-mail here, it takes awhile to work on it. Each one of those that you do takes between 12 to 18 months from start to finish because you have to get authorization, you have to get committees together, you have to write drafts, you've got to endlessly hash over those drafts because every time you think

you've got it, somebody comes along and pokes a big old hole in your idea and you've got to start again. That sets off more waves of changes. Then you've got to have public input which is always a great thing. All of that takes time and it's a good thing it takes that time because it gives you a chance to really think it over. We're as proactive as we can possibly be within the parameters we're given.

Enright I get your point and I accept it to a large degree but I will have to say from a non-professional planner viewpoint here, there is something that seems pretty remarkable about designating places as wellhead protection areas, which implies that you need to be caring about the water, and then to have the Planning & Zoning publicly say it's okay to build 2 gas stations in there. It just doesn't make sense that if someone develops a wellhead protection area, that they won't stand up and say, "You should be real careful about what you're doing." And maybe just that sentence publicly would make a whole lot of difference than saying, "I'm sure that the mayor is looking out for the water." That's where I'm coming from.

Holdridge You know the regulation thing, we hear all this talk about we have too many regulations. Well, maybe we do. But when you start changing the regulations, you better understand what the impact of the changes are. Because I hear a lot about that. When you start looking at real issues where you want to change regulations, then you find out.... There was a great one in the Phoenix paper, the Food and Drug Administration has taken control of .... A specific example, peanut butter. There's a company in Arizona that makes organic peanut butter. Trader Joe's sell this peanut butter. They discovered there was all kinds of salmonella. It was made by this company. Previously, the Food and Drug Administration, for whatever reason, didn't regulate it. Now, it's regulated and there's an article where they literally shut down the company. Now there's a regulation that's protecting the public interest very thoroughly. There was an article about it that I thought was really interesting. But it was clear, there were all kinds of documentation that this stuff had salmonella in it and it wasn't regulated.

Chuck, why don't you go through these last bullet points you have under: "Plan Commissioners must read the chapters to be discussed beforehand." Then you've got how the Planning & Zoning Department can assist us.

Lucht You break it down into a couple of chapters at a time so that you're not trying to digest the whole thing at one time. Then as you're reading through, you make some notes. If you see anything of interest that you've got to tinker with, you come to the meetings and make comments and pay special attention to the goals, objectives and policies because that is where you're saying, "This is our goal and the objective is to get this outcome and the policy to do that is this." Then you make changes to the Comprehensive Plan.

Holdridge But you listed specific things there. You say, "We will provide updated US Census Data and changes to the charts in your Comprehensive Plan."

Lucht The census data, I already have them in chart formats. I can insert them into the document when it comes time. If there have been boundary changes, each one of your maps in the Comprehensive Plan will have to be updated. We'll handle that and make sure that cell towers are added and highway shields are changed and road names are changed.

Bowen           Speed limits?

Lucht            You want to have a map of speed limits, we can include that if you want it. All those kinds of things we can do for you that make the support easy so you basically read the chapters and make any changes. We'll do the rest by inserting it into the document and making sure maps are updated, charts are updated and help you pull it all together.

Holdridge       When I look at the failures of the past, it's really been a lack of intergovernmental communication. That is the whole problem we had with the city. So to me, that's the major issue. They could have a plan and we could disagree. But there is absolutely no outreach at all with the Town of Hull and I would say the Town of Plover is the same thing.

Lucht            When it comes time to deal with the intergovernmental agreement chapter, maybe we could sit down and try to help you talk to the city the best we can. No promises there of course, but it doesn't hurt to try.

Stemen                 Is it even worth all the effort?

Lucht            I don't have an answer for that, I wish I had a good answer for that, but I don't. I think there are some areas that are worth it like the I-39 West area where you want it to be primarily residential and you put five acre zoning. You know those areas you zoned ag, maybe it's a good idea to switch those areas that you have in light green now to Rural Limited because it turns it into more residential but it allows people to have their extra buildings. It's still rural land but it's more oriented towards residential units than it is ag uses but people can still have chickens and what not.

Holdridge       I would say that was a very successful planning for the whole series of challenges coming in between.

Lucht            And there were some other changes like that you were intending to make in other places like Natural Areas Limited, that's a land use that goes with the Rural Limited. That's the zoning district, it's a one-to-one thing so it's not too confusing. Natural Area Limited is paired with the Rural Limited zoning district.

Holdridge       There is that page with that matrix and this land use here is what zoning permitted.

Lucht            Yes and I made that little chart which I'm getting pretty good at.

Holdridge       So I think there has to be some education effort in terms of basic understanding on zoning and land use, but it is confusing.

Lucht            I could be, yes.

Holdridge       I'm saying for the lay person for sure. Other comments on that? I'm hoping we could do this more rapidly than what you are suggesting Chuck.



Lucht Well I'm open to it.

Holdridge We can just move through this and hope for the best.

Lucht It all depends on how big of a chunk you want to take at a time.

Holdridge Well we finished the Water Study so we need to implement that.

Lucht Yes, you can implement findings and information from that into the Comprehensive Plan. It's not a bad place to put it because the Comprehensive Plan is one document that everybody asks about and uses for figures so if it has information about your Water Study in there, it's an appropriate place to put it and then the Water Study doesn't just sit on the shelf.

Holdridge There was a section in here that we put in, Chapter 9 Finance and Budget Chapter. Looking at Hull because our view is you don't do anything out here that doesn't involve money so you've got to have a budget and you've got to have public support to pay the property tax otherwise nothing happens. So that chapter, I don't think there's anything in the state required comprehensive plan....you know they had all those outlines that talked about budget and financing from a local standpoint. We've got a budget and finance committee that's looking at that pretty closely. How we get through five years. We want to develop a five-year plan on that. That would probably be a good addition to this chapter. That's not land-use planning, but that's incredible planning. Maybe this document ought to be more comprehensive than just land-use planning. Who else is doing a water study on a section of Hull?

Lucht The Water Study would work well inside of Chapter 5, Ag Natural and Cultural Resources.

Holdridge Or the other one we've looked at but it sort of got waylaid is the Public Safety, safety on our roads for walkers, bikers and all the rest of it. Those are major concerns that haven't gone away at all. In fact they've gotten bigger. Comments? Bob, do you have anything? Jocelyn?

Reid I'm hoping when Mayor Halvorson is no longer mayor, I don't know how much longer his term in, but maybe then we'll have somebody that will have a little bit more cooperative attitude.

Holdridge A metropolitan approach, it seems to me would be useful.

Reid As opposed to any growth is good growth.

Bowen Maybe that's what we need, a metropolitan body that oversees municipalities.

Holdridge Shelley mentioned that a lot of this is state law changes. But I don't know, I think there could be a broader perspective. Broader than even Hull's perspective because we may not

always be right on this. I think of that area down there across from the US Bank that concerns you (*Bob Enright*). We have to be careful, we stonewall on this and the next thing is we'll get another gas station.

Enright                      Well we could get it now. I don't see anything that would make it any different. In fact, it's even easier because that was a natural area that was changed and that's residential and it's adjacent to business. We're just sitting there waiting for a buyer to come along, the seller to annex the property and for the developer to ask for a land use change, zoning change. I don't see how it would be any different. Actually that's the one I thought was going to occur first, it surprised me.

Binder                      I don't think the acreage is there for that one right now. Anything too big...

Enright                      Well it's actually close to six acres and that's more than it is for the gas station.

Holdridge                  Just east of the bank there on Hwy. 10.

Enright                      Obviously that's inappropriate but that isn't any different than how close the gas station is on Old Hwy. 18. I know you were talking about it, it's probably very expensive and not practical for us to have village powers, right? Did you look into that?

Holdridge                  We have village powers.

Syens                        To incorporate as a village.

Holdridge                  Oh, to incorporate as a village, that's a different thing.

Enright                      Yes, to incorporate as a village. You said that would influence the taxes that we collect and we'd have to provide services that we don't now.

Holdridge                  I don't know if that's true. LaVerne, we talked about that.

Enright                      How is Park Ridge a village?

Holdridge                  They've been a village historically.

Syens                        I guess he explained that when we started, the statutes on incorporation of a village is like looking at the U.S. tax code. You have to look at so many places then when you start getting into the first referral and that refers you and refers you and refers you then you're wondering about the original thing you were looking for. I'm not going to say it's impossible for the Town of Hull to incorporate into a village but it's probably impractical.

Holdridge                  I think you've got to have a central area.

Syens                        You've got to have a central business area.

Enright                    So Park Ridge has that because of the area around Walgreens.

Holdridge                Historically, my wife grew up in Park Ridge and it's been a village forever.

Syens                    I can't give you dates on when those requirements were put into the statutes. Park Ridge may have been a village before those requirements were put into the statutes so it was grandfathered.

Holdridge                The Village of Whiting is another one.

Enright                    Yes, and we're bigger than both of them put together.

Syens                    Yes.

Holdridge                LaVerne, any other comments about that?

Syens                    Perhaps some of the things we have to do in this whole planning situation is to get our representatives at the state level involved in it. I'm not sure that Amy Sue or Julie have any idea that this went on.

Holdridge                I think you have to call Julie Lassa on the carpet for this stuff. The more competitive the elections are up here for her position, the more she's going to start listening. Remember her husband is the city clerk, she lives right down here in that city subdivision.

Syens                    She knows where her votes are.

Holdridge                But now there are much more competitive elections that are happening. There was a period when Portage County was 70% democrat. If you look at the vote count in these areas, you discover that if there is opposition, people with different ideas, they may be from the republican party. It's not like it used to be. That's probably a good thing because we need more diversity of opinion.

Bowen                    Thanks to the governor, the Town of Hull is a more dangerous place to live, and the DNR, by putting this digital map out on Managed Forest Crop Land and the rules that make it a free-for-all for people to use it. You know I have land in Forest Managed Crop and the day after that was publicized, a guy from Minnesota and a guy from Wausau wanted to hunt on some land. I didn't even know that my land on the east side of the road was open. My son handled it.

Holdridge                It was open for hunting?

Bowen                    Well open to the public, yes.

Holdridge                If it's a Managed Forest Land and it's your property?

Bowen Yes. They can come in and they don't have to ask, they simply can go onto it. It's inside and they have no way of getting to it unless they cross private property. But I am concerned about my family going out to the woods hunting and there are several of them that hunt and you would have no idea who is out there. You could have 25 people in an acre of land. I called the gal that sent the letter from the DNR and I told her its absolute insanity what you are doing. If they had to talk to the landowner, that would be different. I never refuse anybody to hunt on my land. I just want to know who is there, when they are there, what kind of hunting they are doing, where they're going to park their car so that I can inform all the other 10 or 12 people that want to hunt there. But now, it's a free-for-all.

Holdridge We've got some Managed Forest Land over by the river there, and his is on a road, so you're saying they've changed something so somebody can go over there?

Bowen It probably hasn't changed but the identification of it now is easier. All you have to do is go on your computer and show this land. But the failure in it is that if people don't make the second click to identify the specific public land within the forest crop....because 20% is supposed to be devoted to that. So if you had 100 acres, 20 acres could be public. But now, the serious hunters, and I've had a few of them contact me, they have looked at the specific areas and because of that, I'm very cordial about letting them come and hunt and parking and so forth. But we get a lot of out-of-state people that .....

Holdridge So you could always do that, but now they've highlighted it.

Enright So they would have to get your permission to cross the private land in order to get to your land.

Bowen They should but you know that they're not going to. These guys just wanted to squirrel hunt before hunting season.

Binder The Milwaukee Journal ran a series of articles on the land about that a couple of months back. That there are all these millions of acres of land and a lot of it can't be accessed without crossing private land. But the reason it's open, and I don't know, is that they are supposed to be able to access it because of the tax breaks they get for putting it down as....

Bowen Right. There are three categories of taxes.

Binder It's always been there but now they realized that the people didn't even know it was there so the DNR put a map out there on the order of the governor.

Bowen The serious hunters did know and they would ask. They're the people that will come and ask you but people that have never hunted there before might get excited about it and my experience of that second day was an example of that because they were 2 Hmong fellows and they wanted to hunt squirrels.

Binder Do you post anything on your private land saying it's private land?

Bowen I can but I generally don't. At one time I did. I hadn't had any pressure and as I said, I let everybody who wants to hunt there hunt. It's just that we need to have some kind of plan if we're going to do this otherwise we'll have everybody out there shooting each other.

Holdridge Al, any comment?

Stemen It seems to me we're spinning our wheels without cooperation. Until we get cooperation, it means nothing.

Holdridge On the important issues.

Stemen Right.

Bowen A citizen can get something done if they are really serious about it and of course if they are well positioned in government. We had a gentleman from the Town of Dewey that was..... the Town of Hull changed the speed limit signs on North Second Drive and you know something, this guy has gained 45 seconds in his commuting time for that mile and a quarter.

Stemen Look at the citizens that came on the filling station thing.

Bowen Yes, that was because of dollar signs.

Stemen Look at the new street we got when they cut the mall in half.

Holdridge Some of that stuff has to be made public. Maybe what we need is a far more active civic..... We need some people out there providing some vision, with credibility. Some people have vision but they get categorized as a left-wing nut or a right-wing nut but some of this is good public policy.

Bowen When citizens get snubbed, like I felt they were snubbed at the City Council meeting and City Plan Commission meeting, they become apathetic saying, "What's the use?"

Enright Can I ask you now, the Town asked for freedom on information or requested information relating to the dedication of the land for park land. So I guess everybody knows that the city accepted the dedication of the land for park land, all except for a triangle.

Holdridge Bob, I don't think you can just read Reid Rocheleau and assume that this...or Kathy Duggan, the point is, you can make all kinds of statements that people make on this stuff, but we want to know what is the legal issue here. If you've got a legal issue, you've got something.

Enright My question was just, is the town going to take the perspective that since it's not Town of Hull land anymore.....

Holdridge No, we're not taking any perspective. We just got the final report from the city clerk. But it takes time to go through all that stuff. This knee jerk stuff we get, I've seen enough

of this stuff, that you're accusing them of this or accusing them of that, let's see what we've got. If we have a legal standing, we've got real power and the city will respond to that. I don't know if we've got that.

Enright                      That was what my question was.

Syens                      Bob, I haven't read page one yet. It came during deer season and there's one thing you don't do in Wisconsin during deer season, you don't schedule anything else. So I haven't read it yet. I'm going to start reading it tomorrow.

Holdridge                We'll have a meeting with Gary Dreier who's going to also read it and say, "What do we have?" So unless you get the documents, because that's what the law is based on. Here's the document. Here's what happened. And we've got Kathy Duggan.....Reid Rocheleau dropped it off, somebody gave it to you and I don't know what all this stuff means.

Enright                      But you probably have more stuff now.

Holdridge                We've got this! It's like this Bob.

Syens                      When we get into it, I'm quite sure some interesting discussions will get going. We'll have some interesting discussions about legality. If we have legal standing, we'll go forward. If we don't have legal standing, it might be necessary.....

Holdridge                What you might determine is that you've got a legal standing but it's going to cost you \$1,000 and you may not have anything.

Enright                      That was part of what my question was. We're just not far enough along on that.

Holdridge                We don't know what we've got. We know on the surface what we've got because we've read everything that Reid Rocheleau has got.

Binder                    Just to back up a little bit, we got a big packet on what?

Holdridge                The park land issue down there at Badger Ave. and Hwy. 10.

Binder                    So what did you get? The City Council meeting minutes?

Holdridge                We got all kinds of stuff. I haven't looked through it, LaVerne hasn't either but it's like this.

Binder                    What did you specifically ask for on that thing?

Holdridge                We asked for everything related to that. That was done by Gary Dreier.

Bowen                    John, did you want to discuss the Koziczowski letter?

Holdridge They'll be there at the next meeting, in January. They did send me that and they'll send me that back and you'll get a copy of that. All of you who went through that with the Koziczkowski's, we seemed to have had two Planning & Zoning meetings with the county, we had at least four Plan Commission meetings and a couple of Board meetings and my problem with them was they would come to a meeting and it seemed like they wanted something, then often times the husband and wife didn't agree or it just dropped off. So I wrote them a certified letter saying that I want it in writing just want you want to do. They want that 33', from a public standpoint, to go back to them.

Stemen At no charge?

Bowen At market value.

Holdridge Well I don't know how that gets worked out. I'm saying that is an anomaly up there. Why that was ever there, I don't understand. They never made it 66' so it could never become a road. In my letter I indicated there may be some cost there and we're not going to be spending \$140 for Konkol to review that stuff. They've got some responsibility.

Stemen Will that need to be resurvey too, John?

Holdridge I don't know, it might because it's an anomaly. Usually when you vacate a road of 66', half goes to one property owner and half goes to the other. Now we've got 33'. Does that mean that half of that 33' goes to Oberthaler and half goes to them? They haven't considered that I'm sure.

Bowen Have you copied John (*Oberthaler*) on this correspondence?

Holdridge No, I haven't. I haven't sent it to Konkol yet either.

Syens It's their responsibility. We've got to get them to agree to it.

Holdridge It's clear to me from what they sent me that they would like to have that 33' go back to them so we know their intention, finally, and they signed it. Now they could come to a meeting here and all of a sudden they shift gears, because they've done that a number of times. I'm sure they're mad at me for asking them to be more formal but every time they come to our meeting, it's been chaotic.

Bowen I think you should tell them that has been the best offer we've had to date.

Holdridge I've never understood why you should have a public path that they put a gate across.

The other thing is, I've got in the budget a slight compensation for Plan Commission members and Park Commission members, non-elected. What that would be is a travel stipend and we'd probably get it to you sometime in December. We would consider it a travel stipend. We don't want to make it so it's an income so that you would have to claim it. We've got it in

the budget (2013) but I've got to firm that up with the Board, but it's in the budget. We talked about it didn't we?

Syens            Yes we did.

Holdridge      We'll get that to you, for all your services, you might get a little money for traveling. We don't want to make it too complex.

**7.      DATE OF NEXT MEETING:** *The next Hull Plan Commission meeting will be held on Tuesday, January 22, 2013.*

**8.      ADJOURNMENT:** *Motion made by Al Stemen to adjourn meeting, seconded by Bob Bowen. Motion carried by voice vote. Meeting closed at 7:10 p.m.*

Respectfully submitted,

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