



TOWN OF HULL  
**PLAN COMMISSION  
MEETING**

May 15, 2018  
TIME: 5:30 p.m.

- 1. CALL THE MEETING TO ORDER:** The Town of Hull Plan Commission Meeting was called to order on Tuesday, May 15, 2018 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, Paul Kubowski, Jan Way, Bob Enright, Bob Bowen, Dennis Ferriter and Plan Commission Secretary Patty Amman.

Excused: Jocelyn Reid

Also present: Tracy Pelky of Portage County P&Z, Audrey Doescher, John Koshnick, Kent Worzalla, Tom Trzinski

- 2. APPROVAL OF MINUTES OF THE APRIL 24, 2018 Hull Plan Commission meeting:**  
*Motion to approve the minutes of the meeting of April 24, 2018 was made by Jan Way, seconded by Dennis Ferriter. Motion carried by voice vote.*
- 3. CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS MAY BRING THEM UP AT THIS TIME. CITIZENS WISHING TO ADDRESS AGENDA ITEMS CAN DO SO WHEN THE AGENDA ITEM IS UNDER DISCUSSION.** *None.*
- 4. ANNOUNCEMENTS; CHAIRPERSON AND PLAN COMMISSION MEMBERS.**
  - JH updated Plan Commission on the Buck property review at yesterday's Hull Board meeting. After discussion, the Board voted 4 to 1 to approve the zoning change from R2 to A4 and also approved the combining of 4 lots into 1 lot.
  - JH announced Bob Enright will assist Kristen Johnson, JH and Patty A. with the continuing Hull Comprehensive Plan review process.
  - JH – May 22<sup>nd</sup> workshop at the County for Comprehensive Plan information. In addition to Hull Board members who have expressed a desire to go, Bob Enright also said he would attend.
  - JH said the County Planning & Zoning Committee meeting that involves the Kluck proposed development will be on May 29<sup>th</sup> at 7:00 p.m. JH is trying to pursue information on that development with the new County Executive, Chris Holman.
  - JH – The term renewals for the 3 Hull Plan Commission members was approved at the 5-14-18 Hull Board meeting (Bob Enright, Paul Kubowski and Jocelyn Reid).

**5. VARIANCE PETITION REQUEST FROM AUDREY DOESCHER AT 420 HELEN LANE TO KEEP A 20'X26' DETACHED GARAGE IN CURRENT LOCATION.**

- JH and Pete Kaminski visited this site today (5/15/18).
- Tracy P. said the map shows the setbacks, the road, where the buildings and the shed are located. Tracy handed out another map where he shaded in red/pink the vision triangle area. The setback from the road right of way for a town road is 30 feet. Not the center of the road, but 30 feet from the edge of the right of way. The shed sits about 6 feet off the right of way from Helen Lane and 13.5' off Bobby Lane right of way. Both of those sides should be at least 30 feet from the right of way instead of the existing 6 feet and 13.5 feet.
- Bob Bowen asked how the shed got situation where it is in the first place.
- Audrey D. explained it's a steel carport purchased through a local vendor in town and when she asked the vendor if she needed a permit for it, Audrey said the vendor indicated no, she didn't. This was in 2017. That was Kent's down on Second Street.
- Tracy shared some photos that Chris Mrdutt took of the property with the shed on it. Tracy said even if it's a 'portable' building, it is still subject to setback restrictions. The vision clearance triangle, which Tracy indicated in red on his map, is not supposed to be obstructed by the homeowner.
- The County Board of Adjustment would look at the set back from the road, which is supposed to be 30 feet from the right of way. The BOA would also look at the issue with the vision triangle. That is another standard that needs to be met. Most of the shed is within that vision triangle. The vision triangle is set up for safety purposes. If the builder said no permit was needed, that was incorrect information.
- It was clarified that the 30 feet is from the edge of the right of way. If you include the 33 feet from the center of the road, the setback would be 33' plus 30' totaling 63' from the road center.
- Audrey D. said she thought the setback was 15'. She thought that is what Chris Mrdutt had told her. Audrey thought 15' would be allowed (one corner of the shed is 15.3' from the right of way).
- JH asked how mobile is the shed. AD said it's anchored down and would be difficult for her to take it up. It's not anchored in concrete but into road mat. It is anchored with 15 or 20 foot big steel anchor poles. The shed is made by American Steel and they installed it. AD said there is no other place on the lot she could put the shed due to the gas line on the other side of the driveway, the well and septic on the side and back of the house. Her back yard is completely surrounded by the tall fence. There are also tall trees and a pool. There is no other place the shed would fall within the setback dimensions.
- Tracy asked how close the shed would be to the gas line if the shed was put on the other side of the driveway. The BOA would be looking at alternatives. It would be out of the vision triangle but still not within the setback requirements. AD said there are mature trees on that side of the driveway.
- Tracy said there is a safety concern with the vision triangle and that is something the town needs to consider. With a building in the way, that does create a liability.
- Jan Way was concerned about precedence and the decision on this would affect similar situations.

- There was considerable discussion about possible alternative locations for the shed and what obstructions were in the way to relocating the shed.
- JH asked about notification of neighbors and Tracy said for the Board of Adjustment meeting, the County will notify everyone within 300' of the property.
- Bob E. asked if the installer has any responsibility for property siting the building. Tracy said the County deals with the landowner and the landowner deals with the contractor. Tracy doesn't know why the builder put the shed where it is. Audrey said she was told since no permit was required, she just selected a spot.
- Tracy said there is the application/petition AD submitted to the County BOA. The County wants to know what the town's take is on this since it affects town roads. The County needs the reaction/input from the Town Board.
- Dennis F. asked about how access is gained to the shed, whether it is off Bobby Lane. AD said usually access to anything in the shed is from their driveway. The shed is open on both ends but the openings are covered with tarp during the winter. There is no major ditch off Bobby Lane. AD keeps a boat, trailers, kayaks, lawn tractor, snow blowers in the shed. All that stuff would be sitting outside if it wasn't for the shed. The idea was to get those items under shelter.
- Bob B. asked if there was enough room on the lot to pivot the shed 90 degrees and put it parallel with the driveway. AD said a tree would have to come down. Bob couldn't see the BOA approving the shed the way it is because of the vision triangle. JH said that might be a sensible alternative.
- Tracy said the County ordinance requires any structure 100 s.f. or larger requires a permit and even if it's less than 100 s.f., it would still need to adhere to setback requirements.
- Kent W. said he sells for the dealer and the property owners need to get their own permits, waivers. He does not give advice on that and the owners need to check for themselves and need to comply with town, city, county ordinances. He personally does not install them. He's a dealer for American Steel who send their own installers and do the delivery. Where the homeowner want's the structure put is where the installers put it.
- Bob E. asked if the lawn is in the right of way and Tracy explained it's not in the right of way but in the setback area. Most set back areas include homeowner lawn area. That's not uncommon. Of the 63' from the center of the road, a portion of that is usually lawn within the setback area (33' feet of right-of-way and additional 30' of setback area). Bob E. asked given where the road really is, does this structure cause a safety hazard.
- Bob B. said the fact there is an arterial road there mitigates the risk considerably because the traffic has to stop at the stop sign and they have plenty of visual sightlines to see Bobby Lane traffic. The safety aspect is minimized because of the arterial with the stop sign. Bob B. said that changes his view a little bit on the safety issue. If someone should run the stop sign, that would have nothing to do with the shed structure. They could go through the stop sign whether the shed is there or not.
- Bob E. asked what role the Town plays in this to the Board of Adjustment and Tracy said the Town makes recommendations that are taken into consideration by the BOA. This involves the Town road and Town right-of-way. It gives the Town an opportunity to comment and the BOA will consider those comments.
- Jan Way said she wished she knew what the neighbors thought. Audrey said the neighbors that live around her property have told her they don't see an issue with the shed. There had been some neighborhood reaction to a variety of vehicles that had been

there. AD said the County came out to check and told her she was well within her rights with only one vehicle that was unregistered. JH said there was neighbor reaction that notified the Town via Barb B. Audrey said she knows who that was who would have notified the Town and said that person lives beyond the 300' (notification area). Audrey explained one of the reasons they got the carport was to put their various vehicles under wraps because of previous complaints.

*Bob Bowen moved to recommend to send this (VARIANCE PETITION REQUEST FROM AUDREY DOESCHER AT 420 HELEN LANE) on to the Town Board and for the Town Board to take into consideration the fact there is an arterial road at the intersection of Helen Lane and Bobby Lane and secondly, the possibility of pivoting the structure to maximize the distance of the structure from the property line to open up the vision triangle. Motion was seconded by Bob Enright. Motion passed.*

- There was additional discussion (prior to the vote on the motion) about even with the pivoting, the structure would still be in violation of set backs.
- JH asked Tracy when the next County Board of Adjustment meeting is. Usually it's the third Monday of the month, so that would be June 18<sup>th</sup>. But Tracy said since the building is already in place, there isn't any pressing time frame that requires it be at the next County BOA meeting.
- JH said although the Town has a Board meeting on May 23, it's during the day and you can't get many citizens out during the day. The next regular Hull Board meeting would be June 11<sup>th</sup>.
- JH suggested putting this on the regularly scheduled June Town Board meeting agenda and send out notices to the neighborhood to invite people to come and express their opinion at the Town Board meeting.
- JH said Hull will send Audrey D. a notice of the Hull Board meeting in June when this gets put on the agenda.

**6. PETE KLISMITH REQUEST FOR CSM APPROVAL OF LAND DIVISION OFF NORTH RESERVE DRIVE. TOM TRZINSKI SURVEYOR FROM LAMPERT-LEE.**

- Pete K. was not there but Tom Trzinski was in attendance to represent the Klismith request.
- A letter was sent out to inform the surrounding neighbors about this agenda item.
- A new Lot Split Checklist was done by Tracy P. at the County on 5/8/18.
- Currently the CSM shows a single 5-acre lot off North Reserve Drive.
- The wetlands on this property have been delineated by the Corp of Engineers.
- Pete K. owns 40 acres in this area and this 5-acre lot would be the first lot to be separated out for potential sale to a potential buyer Pete has. There are wetland issues across the whole 40 acres.
- Only the wetlands from North Reserve west to the ditch (stream) were delineated. Not west of the ditch. If there are wetlands on the west side of the ditch, those were not delineated.

- Tracy P. did some testing out in that area and indicated a mound system for septic would need to be used.
- JH asked of these 5 acres, how much of it is buildable. Tom T. said anything west of the ditch is not useable. Maybe 60% of what is east of the ditch would be buildable.
- There was considerable discussion about the hydric soils initial map versus the more specific CSM map. The initial hydric soils map shows a larger degree of wetlands but Tracy said that was only an initial guide and the CSM map shows the specific wetlands that have now been delineated by the Corp of Engineers, Eric Norton. Tracy emphasized the initial hydric soils map is only used as a guide.
- JH asked if a buyer would be made aware of the specifics of the wetland areas on the Lot and Tracy said it shows it clearly on the CSM map which they buyer would see.
- Neither Tracy nor Tom T. knew where a potential house would be build, other than it needs to be on the high ground and not on the wetlands. Tom said it would be at least 30 feet off the road and there is an additional setback requirement from the ditch (stream) of 75 feet.
- The ditch is a natural ditch, running into Hay Meadow Creek.
- Kent W. said after the 75' setback from the ditch, there is minimal high ground available for building, maybe enough for a 1,300 s.f. house.
- Tom said this lot is 400' from the road back to the ditch so they'd have around 300 feet they could still build on.
- The Lot is indicated as Lot 2 because of various preliminary and previous mapping ideas that got changed. Tom said statutorily, they can start with any lot number they want as long as they're consecutive on a given map.
- Tracy said the lot is zoned A4 – Agricultural. That is a 2-acre minimum requirement.
- JH asked about access for a driveway and any issues about going across wetlands. This current lot proposal allows for space for a driveway without going across any wetlands.
- Kent W. asked what happened to Lot 1 from a previous preliminary plan and Tom T. said that is still part of the remaining 35 acres Pete K. has.
- Dennis F. asked if they could build a home with a basement with the groundwater being so close. Tom said the houses built across North Reserve have all been built up higher to allow for a basement.
- Tracy said the reason the County opposed the initial Lot 1 that was proposed previously was because there was so much wetland on that Lot 1 that after you bring in fill to jack up the house and septic area and try to make room for storm water runoff, there might not be enough room for all that.
- JH asked Tracy if there is anything that is permitted in the A4 category that Tracy would not want to see put in this wetland area. Tracy said as long as they don't impact the wetlands and it's a permitted use and they meet the requirements, the County would have to allow it.
- Bob E. asked if there is a risk to the wetlands by building that close with storm water runoff and septic. Tracy said they need to demonstrate on their site plan whether or not they are impacting wetlands. In theory, they could build right up to the wetlands but in practicality you can't because who is going to put in a foundation without putting fill around it. One thing the County looks at is to keep the storm water runoff out of the wetlands. The more you jack up a house, the wider you need to be from the wetlands to slope it off. As that water runs off, they need to come up with a plan to keep it out of the

wetlands. A basin of some sort to contain storm water where it does not discharge into the wetland. The County looks at that on the site plan when they come in for any type of development, whether it's a garage, house, driveway or anything that is an impervious surface. They need to account for the storm water runoff.

- Bob E. said presumably the potential buyer has checked this out before they buy this lot to see if it's even possible. Tracy said he has not received any contact on the proposal yet. JH said the CSM Lot 2 has not been approved as yet.
- Bob B. asked what are the restrictions for excavating because the practice is when they dig a pond, they need fill.
- Tracy said the county does require a permit to dig a pond and based upon the distance that pond would be from the ditch, he thinks the DNR looks at either 300' or 500' from a stream and the DNR would have to look at that and approve it. It's not that you can't do it, it is just that a permit is required.
- JH asked if there is any caution that should go to the neighbors on what goes on this property, particular for neighbors to the south. Tracy could not think of anything.
- The builders will need a permit from the Town to get access off North Reserve for a driveway. It needs to avoid the wetland.
- JH asked if the certified survey map has to go to the Town and Tracy said yes, and Tom said in the Town of Hull it has to. However, some towns have different requirements and policies. Tracy said with the subdivision ordinance, any time you create a new lot 20 acres or less requires a certified survey map that must be signed by the town's designated official. Once the town signs off on the map, the County can sign it and the City will also review it since it falls within the City's 3-mile extraterritorial review area. The County does the review internally with their staff.
- Kent W. said he is the neighbor on the south and asked why there is the extra acre of land for this Lot 2 that extends west of the ditch. Tom didn't know why they have that. Kent said since it doesn't add any buildable land to the lot, it seems to be wasted land and there are already obstructions to the wetlands with a driveway being put in. Kent felt it will keep pushing out and the house being built may sink 10-12 inches in 5 years because of the muck. He said you can clearly see how wet that area is. Kent has 65 acres next to this 40 acres Pete K. has and Kent's land is just as wet and non-buildable. There are very few areas that could be buildable on Kent's 65 acres. Kent said adding additional houses will cause everything to push out, taking away from and possibly ruining the wetlands that are designated to be wetlands. Kent has his own home on the highest spot of his 65 acres.
- The proposed Lot 2 is 330 feet wide and 627 feet deep.
- JH asked if there were any other comments or questions.

*Bob Bowen made a motion to approve this request, to be passed on to the Hull Town Board, within the stringent restrictions set by the County Planning & Zoning Dept. The motion was seconded by Paul Kubowski. (See further discussion below) Motion passed after discussion noted below.*

- Bob E. asked about the marshy soil that is difficult to do construction on. Tracy said the area on the CSM that shows the wetlands has been delineated by the Army Corp of Engineers so they know the southern part of the property is wet. They made the contact

with Eric Norton from the Corp who is the person the County sends the landowner to for wetland delineation.

- Bob B. asked Tracy what the life of a mound system is. Tracy said it depends on how it's taken care of but they can last 30 years or more. They can be reconstructed on the same location if they need to be. They dig out the gravel and dig down into the sand base to the bio mat/scum layer which doesn't let water go through. They get a permit and do what is called core it out/ dig it out. Whatever sand they remove, they elevate it back up and rebuild the mound in the same location.
- Jan Way asked about the role the Town Board plays in reviewing the request and what happens then. Tracy said if the Town does not sign off on (approve) the CSM map, the County can't approve it. The Town has the authority to reject the approval request.

#### **7. HULL ANNUAL MEETING OF 4-17-18 CITIZEN SURVEY RESULTS.**

- JH talked with other town chairpersons, Stockton, Sharon, Plover and Grant. Some had only two people show up for their annual meeting. Grant had 19 because of an issue regarding ATV's and some of those 19 were not from the town.
- Hull had 47 citizens at their annual meeting which did not include the Hull officials and staff members.
- At the annual meeting, they handed out a 1-page survey and asked the citizens to fill it out, anonymously, and turn it in when they left.
- There were the survey questions and then the actual responses to those questions on the summary shared with the Plan Commission. It included both the likes and dislikes about Hull. JH read through the brief summary.
- The original handwritten survey responses are available if anyone would like to look at those. Barb Brilowski has those originals.
- JH said in talking with other towns, they indicated they would like a copy of Hull's survey as more towns would like to do something like that.
- JH said it's important to find out what Hull citizens think.
- Dennis F. felt the attendance at our annual meeting was outstanding and mentioned the Town is very open and willing to listen and John and the Hull staff does a good job.
- Bob E. felt the comments overall were very positive and he felt the citizens appreciated an opportunity to do the survey.
- Bob B. asked if the cable company was going to come back and clean up the driveways that were disturbed when Amherst Telephone expanded the broadband. When that is found, Amherst Telephone is contacted to rectify that. Bob B. said when they dug out the driveway, they took the granite and buried it and put the dirt on top so he needs the granite replaced. JH said Amherst Telephone subcontracted that work out but Amherst has been very responsive. Bob B. would like Amherst Telephone to have their contractor come back and fix the end of his driveway that their contractor tore up.

**8. DATE OF NEXT MEETING:** *The next Plan Commission meeting is rescheduled for Sept. 18, 2018.*

**9. ADJOURNMENT:** *Motion made by Jan Way to adjourn meeting, seconded by Bob Bowen. Motion carried by voice vote. Meeting closed at 6:50 p.m.*

Respectfully submitted,

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