

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
OCTOBER 7, 2015
COMMITTEE ROOM #2, 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Billy Fried; Jack Sorensen; Mike Timmons; and Dave Hintz

Members absent: Scott Holewinski

Department staff present: Karl Jennrich, Zoning Director and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: See sign in sheet.

Call to order.

Vice-Chairman Billy Fried called the meeting to order at 1:00 P.M., in accordance with the Wisconsin Open Meeting Law.

Approve the agenda. Motion by Jack Sorensen, second by Mike Timmons to approve the agenda. With all members present voting “aye”, the motion carried.

It is anticipated that the committee may meet in closed session pursuant to Wisconsin Statutes, Section 19.85 (1) (g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. A roll call vote will be taken to go into closed session.

- a. Dilapidated structure in Town of Nokomis.
- b. Placement of a structure without the benefit of permits that exceeds 2 stories and maximum 35ft height in the Town of Little Rice.
- c. Discuss appeal 15-008 of David and Judith Richardson. The property is located at 2245 County Hwy G, being part NW SE, Section 27, T36N, R9E, PIN PE 381, Town of Pelican.
- d. Discuss possible pier violations, Town of Lake Tomahawk.
- e. Placement of accessory structures less than 75 feet from the ordinary high water mark in the Town of Cassian.

Motion by Jack Sorensen, second by Mike Timmons to go into closed session. On roll call vote: Jack Sorensen, “aye”; Billy Fried, “aye”; and Mike Timmons, “aye”.

A roll call vote will be taken to return to open session.

Motion by Mike Timmons, second by Jack Sorensen to return into open session. On roll call vote: Mike Timmons, “aye”; Billy Fried, “aye”; and Jack Sorensen, “aye”.

Announcement of any action taken in closed session.

- a. Motion by Jack Sorensen, second by Mike Timmons to send a letter to the Town asking them to declare the property condemned. Aye: Unanimous.
- b. No action taken.
- c. Motion by Mike Timmons, second by Dave Hintz not to appeal the decision made by the Board of Adjustment amending the Committee's decision on the Richardson/Bergman CUP, based on Counsel's opinion. Aye: Unanimous
- d. No action taken.
- e. Motion by Jack Sorensen, second by Mike Timmons to follow up with enforcement.
Aye: 2
Nay: 1

Public comments. None

Approve meeting minutes of August 19, 2015, September 2, 2015 and September 17, 2015.

Motion by Mike Timmons, second by Jack Sorensen to approve the meeting minutes of August 19, September 2, and September 17, 2015 as submitted. With all members present voting, “aye” the motion carried.

The committee will be reviewing a modification pursuant to 15.31 (2) of the Oneida County Subdivision Ordinance, Lots 5 & 6 in the Plat of 1965 Addition to Squash Lake Acres located in Government Lot 2, Section 19, T36N, R8E, Town of Crescent, Oneida County, Wisconsin.

The lots are owned by one person who is looking to make a lot line modification so the existing home would meet the required setback to the lot line.

Motion by Mike Timmons, second by Jack Sorensen to approve the modification pursuant to Section 15.31(2) of the Oneida County Subdivision Ordinance. With all members present voting “aye”, the motion carried.

Discuss brochure “Protecting Your Waterfront Investment.” Tabled on motion by Jack Sorensen, second by Mike Timmons. With all members present voting “aye”, the motion carried.

Status of Act 55 questions. Discuss revisions to Chapter 9 of the Oneida County Zoning and Shoreland Protection Ordinance as a result of Act 55. Tabled on motion by Billy

Fried, second by Mike Timmons. With all members present voting “aye”, the motion carried.

Line item transfers, purchase orders, and bills. **Motion by Jack Sorensen, second by Billy Fried to approve the purchase orders and bills. With all members present voting “aye”, the motion carried.**

Refunds. There are two refunds. **Motion by Mike Timmons, second by Jack Sorensen to approve the refunds as submitted. With all members present voting “aye”, the motion carried.**

Approve future meeting dates. **October 21, 2015 and November 4, 2015.**

Public comments. **None**

Future agenda items. **Act 55.**

Rezone Petition #11-2015 Arlin and Sandy Jolin, owner, and Ed Choinski, agent, to change the zoning designation from District #02-Single Family to District #15-Rural Residential for property described as SW NW, Section 7, T38N, R8E, PIN LT 563, Town of Lake Tomahawk, Oneida County, Wisconsin.

Mr. Jennrich read the notice of public hearing into the record. The notice was published in the Northwoods River News on September 22 and September 29, 2015 and was posted on the Oneida County Courthouse Bulletin Board on September 17, 2015. The proof of publication is contained in the file.

Correspondence in file: A letter from the Town of Lake Tomahawk stating that this matter was heard at the monthly town meeting on September 9, 2015. The Town Board did not oppose the Rezone Petition for the Arlin and Sandra Jolin property. There is also a letter from Richard Eggleston in support of the Rezone Petition.

Mr. Jennrich stated that the District #2, Single Family Residential is the most restrictive zoning district and District #15, Rural Residential could be considered more restrictive as far as the uses. Rural Residential does allow animals for personal use.

Ed Choinski, Four Star Realty, spoke on behalf of the buyers who are requesting the rezone petition so they can have horses on the property.

Carolyn Schultz, buyer, spoke.

There was no one present against the rezone petition. There were five (5) people present in favor of the rezone petition.

Mr. Fried closed the public portion of the public hearing at this time.

Motion by Jack Sorensen, second by Mike Timmons to approve the rezone petition. With all members present voting “aye”, the motion carried.

Ordinance Amendment #12-2015 authored by the Oneida County Planning and Development Committee to add Section 9.57, Moratorium on Livestock Facilities Licensing, to the Oneida County Zoning and Shoreland Protection Ordinance.

Additions noted by underline; Deletions noted by strikethrough.

9.57 MORATORIUM ON LIVESTOCK FACILITIES LICENSING

A. Purpose and Intent

The purpose of this ordinance is to allow Oneida County to impose a moratorium providing adequate time to study, review, consider, and determine whether amendments to the Oneida County Zoning and Shoreland Protection Ordinance or creation of a Livestock Facilities Zoning Ordinance is required to protect public health or safety in Oneida County. Further, the imposition of a moratorium will allow Oneida County to determine whether it has adequate resources to enforce any new or existing livestock facility ordinance.

B. Authority

The Oneida County Board has the specific authority under Wisconsin Statutes including but not limited to §59.02(2) and §59.68 Wis. Stats.

C. Adoption

This ordinance, adopted by a majority vote of the Oneida County Board of Supervisors with a quorum present and proper notice having been given, provides for the imposition of a moratorium on the licensing of new livestock facilities that will have 500 or more animal units, and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be 500 or more, provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance.

D. Definitions

1. Livestock Facility - A feedlot, dairy farm, or other operation where livestock are or will be fed, confined, maintained, or stabled for a total of 45 days or more in any twelve (12) month period. A “livestock facility” includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single “livestock facility” for purposes of this chapter, except that an operator may elect to treat a separate species facility as a separate “livestock facility.”

2. Related Livestock Facilities - Livestock facilities that are owned or managed by the same person, and related to each other in at least one of the following ways:

- a. They are located on the same tax parcel or adjacent tax parcels of land.
- b. They use one or more of the same livestock structures to collect or store manure.
- c. At least a portion of their manure is applied to the same landspreading acreage.

3. Animal Unit - Has the meaning that was given in s. NR 243.03(3) as of April 27, 2004.

E. Moratorium Imposed

The Oneida County Board of Supervisors hereby imposes a moratorium on the licensing of new livestock facilities that will have 500 or more animal units and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be 500 or more, provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance.

F. Duration of Moratorium

This moratorium shall be in effect for a period of twelve (12) months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date. This moratorium may be extended for up to six (6) more months by a majority vote of the Oneida County Board of Supervisors.

Mr. Jennrich read the notice of public hearing into the record. The notice was published in the Northwoods River News on September 22 and September 29, 2015 and was posted on the Oneida County Courthouse Bulletin Board on September 17, 2015. The proof of publication is contained in the file.

Mr. Jennrich stated that the addition of Section 9.57 would put a moratorium in affect for twelve (12) months. The moratorium will allow Oneida County to review, consider and study whether amendments to the Oneida County Zoning and Shoreland Protection Ordinance or the creation of a Livestock Facility Zoning Ordinance is required to protect the public health, safety of Oneida County. The moratorium is on the licensing of new livestock facilities that will have five-hundred (500) or more animal units and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be five-hundred (500) or more provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance.

Mr. Jennrich stated that there are no livestock facilities of that size in Oneida County and none are proposed at this time.

There was nobody from the public present to speak for or against the moratorium. There were two people in the audience for the moratorium. There were no people in the audience against the moratorium.

Mr. Fried closed the public portion of the public hearing.

Motion by Billy Fried, second by Mike Timmons to approve Ordinance Amendment 12-2015 for Staff to bring back in resolution format to forward to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.

2:26 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons second by Jack Sorensen to adjourn the meeting. With all members present voting “aye”, the motion carried.

Vice Chairman, Billy Fried

Karl Jennrich
Planning & Zoning Director