

**ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE  
NOVEMBER 15, 2017  
COUNTY BOARD ROOM – 2<sup>ND</sup> FLOOR  
ONEIDA COUNTY COURTHOUSE  
RHINELANDER, WI 54501**

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Members present: Scott Holewinski, Billy Fried, Mike Timmons, Dave Hintz, and Jack Sorensen

Members excused: None

Department staff present: Karl Jennrich, Zoning Director; Pete Wegner, Assistant Director; Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: See sign in sheet.

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Call to order.

**Chairman Scott Holewinski called the meeting to order at 12:30 p.m., in accordance with the Wisconsin Open Meeting Law.**

Approve the agenda.

**Motion by Jack Sorensen, second by Dave Hintz 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. Private Onsite Wastewater Treatment System Ordinance (POWTS).
- b. Failing POWTS, Town of Newbold.
- c. Approve closed session minutes of September 20, 2017 and October 18, 2017.

**Motion by Jack Sorensen, second by Mike Timmons to go into closed session. With all member voting “aye” on roll call vote, the motion carried.**

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

**Motion by Mike Timmons, second by Jack Sorensen to return to open session. With all members voting “aye” on roll call vote, the motion carried.**

Announcement of any action taken in closed session.

- a. Dismissed from the agenda, as it was a misprint.

- b. **Motion by Dave Hintz, second by Jack Sorensen to allow Staff to initiate a long form complaint if compliance is not gained by July 30, 2018. Aye: Unanimous.**
- c. **Motion by Mike Timmons, second by Jack Sorensen to approve the closed session minutes of September 20 and October 18, 2017. Aye: Unanimous.**

Public comments. None.

Approve meeting minutes of October 24, 2017. Motion by Jack Sorensen, second by Dave Hintz to approve the meeting minutes of October 24, 2017 as submitted. With all members present voting “aye”, the motion carried.

Preliminary 4-lot minor subdivision survey map of Walter Wendt Devolution Trust, owner and Wilderness Surveying, Inc., James Rein, surveyor for property located at 6298 Wendy Road and further described as part of Gov’t Lot 2, Section 20, T38N, R8E, PIN NE 674, Town of Newbold.

Mr. Jennrich stated that he has this before the committee because the Attorney for the Trust has asked for permission to remove cabins three and five prior to the subdivision being recorded.

**Motion by Billy Fried, second by Mike Timmons to deny the request. With all members present voting “aye”, the motion carried.**

Preliminary Certified Survey Map being a reconfiguration of existing parcels, 3 Lake Development, LLC, owner, and Eagle Landmark Surveying, Tom Boettcher, surveyor for the following described property: Part of Government Lot 4, Section 29, T39N, R11E, located at 7668 Wheeler Island Road, PIN TL 1269 & TL 1269-5, Town of Three Lakes.

This is just a reconfiguration of existing lots.

**Motion by Mike Timmons, second by Jack Sorensen to direct Karl to sign the CSM upon removal of the cottage. With all members present voting “aye”, the motion carried.**

Resolution #13-2017, a rezone in the Town of Schoepke. The committee will be reviewing Resolution #13-2017 to forward to the Oneida County Board of Supervisors.

**Motion by Mike Timmons, second by Billy Fried to approve Resolution #13-2017 and forward to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.**

Discussion/decision on creating a conditional use permit process or other method to allow horses on five (5) acres for property zoned single family.

This came about due to a request in the Town of Pine Lake.

**Motion by Jack Sorensen, second by Dave Hintz to direct Staff to research the options of creating a process to allow horses on five (5) acres or less in District #2, Single Family Residential, and get feedback from the Town’s on this. With all members present voting “aye”, the motion carried.**

Discussion/decision regarding dwelling unit/guest cottage and the placement of recreational vehicles on property. Staff is seeking direction for the placement of recreational vehicles where a principal structure may exist.

**Motion by Mike Timmons, second by Jack Sorensen to direct Staff to do some research and bring back to committee. With all members present voting “aye”, the motion carried.**

Discussion/decision on Senate Bill 387 and Assembly Bill 479 legislation commonly referred to as the Homeowner's Bill of Rights.

**Informational only.**

Discussion/decision on a policy to require a surveyor to document structures closer than 75' to the ordinary high water mark or for teardown and rebuild and the relocation or reconstruction of impervious surfaces. General discussion of surveys for issuance of zoning permits.

**Staff will develop a policy and bring it back to committee.**

**Motion by Mike Timmons, second by Billy Fried to table agenda items #15 and 16. With all members present voting "aye", the motion carried.**

Discussion/decision on the fee schedule for staff review for all types of permits; including but not limited to zoning, septic, and land division.

**Tabled.**

Discussion/decision on Assembly Bill 547 related to wetland permitting requirements.

**Tabled.**

Refunds. There are three refunds. **Motion by Billy Fried, second by Dave Hintz to approve the refunds as submitted. With all members present voting "aye", the motion carried.**

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

Approve future meeting dates: **December 6 and December 20, 2017.**

Public comments. **None.**

Future agenda items. **As discussed.**

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

**Motion by Jack Sorensen, second by Mike Timmons to suspend the rules to take item #23 of the agenda out of order. With all members present voting "aye", the motion carried.**

**Ordinance Amendment #1-2017** authored by the Oneida County Planning and Development Committee to amend Chapter 20, the Oneida County Floodplain Ordinance, of the General Code of Oneida County. The ordinance amendment would add the 100-year Dam Failure Study downstream of the Maple Lake Dam located in Section 6, T38N, R11E, located in the Town of Three Lakes, dated February 13, 2014 prepared by MSA Professional Services. Approved by DNR February 25, 2014.

Mr. Jennrich read the Notice of Public Hearing into the record. It was published in the Northwoods River News on October 31 and November 7, 2017. It was posted on the Courthouse bulletin board on October 27, 2017. There is one letter in the file.

Mr. Jennrich stated there was a Dam Break analysis done to see what structures, if any would be affected by the Dam.

Chairman Holewinski opened the public portion of the public hearing.  
There was no one present to speak.

**No action was taken.**

Revocation of Conditional Use Permits #02-410 and #04-230 authored by the Planning and Development committee to consider amending, suspending, or revoking conditional use permit #02-410 and conditional use permit #04-230 on property described as Minocqua Lake Condo 1<sup>st</sup> Addendum being part of Government Lot 8 & 9, Section 14, T39N, R6E, Town of Minocqua.

Pursuant to Section 9.82 (D): The Committee shall retain continuing jurisdiction over all activities authorized by the permit for the purpose of assuring compliance with this ordinance and other ordinances and the terms of the permit. Such authority shall be in addition to the enforcement authority of the Zoning Administrator. Upon notice to the Committee of an alleged violation of any permit, in its sole discretion, the Committee may hold a public hearing to consider amending, suspending or revoking the permit. Notice of the hearing and alleged violation shall be served upon the property owner and permit holder either in person or via certified mail to the address provided on the permit application form or otherwise provided to the Department a minimum of 72 hours prior to conducting the public hearing. The notice shall contain the date, time and place of the hearing, a description of the property, a description of the activity authorized by the permit, and a statement of the alleged violation(s). Notice shall also be published as a class 2 notice. Any person may appear at such hearing and testify in person or be represented by an agent or attorney. The Committee at its sole discretion may hold additional public hearings. If the Committee finds after the hearing that the permit holder is not in compliance with the terms of the permit, it may amend, suspend or revoke the permit. The decision of the Committee shall be furnished to the permit holder in writing, stating the reasons therefore.

Mr. Jennrich read the Notice of Public Hearing into the record. It was published in the Northwoods River News on October 31 and November 7, 2017. It was posted on the Courthouse bulletin board on October 27, 2017. There is no correspondence in the file.

Pete Wegner presented the timeline of permits and complaints on the property.  
Attorney John Hogan was present representing the Condominium Association.

Chairman Holewinski opened the public portion of the public hearing.  
Tom Handrick spoke.  
Jesse Turner spoke.

Chairman Holewinski closed the public portion of the public hearing.

**Motion by Mike Timmons, second by Jack Sorensen to direct Staff to work with a representative of the Condominium Association to bring the piers back into compliance with the original Conditional Use Permit conditions. With all members present voting “aye”, the motion carried.**

Adjourn.

**3:28 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons, second by Billy Fried to adjourn the meeting. With all members present voting “aye”, the motion carried.**

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Chairman Scott Holewinski

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Karl Jennrich  
Planning & Zoning Director