

**ONEIDA COUNTY PLANNING AND DEVELOPMENT COMMITTEE**  
**January 23, 2013**  
**Committee Room #2, Oneida County Courthouse**  
**Rhineland WI 54501**

---

Members present: Chairman, Scott Holewinski  
Dave Hintz  
Jack Sorensen  
Mike Timmons  
Gary Baier

Department staff present: Karl Jennrich, Zoning Director  
Peter S Wegner, Assistant Zoning Director  
Lila Dumar, Secretary III

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: Bob Martini, County Board Supervisor  
Marcus Neleman, River News  
Dick Dvorak

---

Call to order.

Chairman Scott Holewinski called the meeting to order at approximately 12:30 P.M., in accordance with the Wisconsin Open Meeting Law.

Discussion/decision of the agenda.

**Motion by Dave Hintz, second by Mike Timmons to approve the agenda with the order of the agenda items at the discretion of the Chair. 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. A shooting range in the Town of Lake Tomahawk.

**12:31 pm - Motion by Jack Sorensen, second by Mike Timmons, to go into closed session. On roll call vote: Scott Holewinski: "aye", Mike Timmons: "aye", Dave Hintz: "aye", Jack Sorensen: "aye", Gary Baier: "aye."**

**12:45 pm - Motion by Dave Hintz, second by Mike Timmons, to go into open session. On roll call vote: Scott Holewinski: "aye", Mike Timmons: "aye", Dave Hintz: "aye", Jack Sorensen: "aye", Gary Baier: "aye."**

**12:46 pm – Recess**

**1:00 pm - Reconvene**

Scott Holewinski, Chairman, announced that one motion was made in closed session. The secretary read the motion into the record.

**Motion by Dave Hintz, second by Jack Sorensen to instruct staff to follow through with enforcement on the shooting range in Lake Tomahawk. The motion carried unanimously on a roll call vote.**

Public comments.

Steve Zoellner spoke of enforcement by zoning for the minimization of cell towers in Oneida County. The most recent letter from Mr. Zoellner is dated December 20, 2012 wherein Mr. Zoellner notes that at the last meeting (December 19, 2012), the Committee concluded that NRG Media was not in violation and the fees, costs or contractual provisions are reasonable. Mr. Zoellner pointed out that now CUP 12-773 no longer meets the requirements of 9.54 D (5) (e). This reverses the decision that the Committee made on October 16, 2013, when the Committee acknowledged that the fees, costs or contractual terms were unreasonable. That was a condition on issuing the Central States Tower permit. Mr. Zoellner commented on #6 of the standards for a CUP. "Where the use, value and enjoyment of neighboring properties....be substantially impaired or diminished by the CUP." Mr. Zoellner stated that his enjoyment of his property has been substantially impaired. Therefore, Section 6 is not met. Mr. Zoellner read into the record the petition that he submitted on October 16, 2012. Mr. Zoellner is requesting that CUP 12-773 be revoked. This will be discussed with Corporation Counsel and placed on the next meeting agenda.

Approve meeting minutes of September 19, 2012.

**Motion by Jack Sorensen, second by Dave Hintz to approve the meeting minutes of September 19, 2012 as presented. The motion carried unanimously.**

Approve meeting minutes of October 3, 2012.

**Motion by Mike Timmons, second by Dave Hintz to approve the meeting minutes of October 3, 2012 as presented. The motion carried unanimously.**

Preliminary Second Addendum to Woods & Waters Condominium (to move and reconstruct Unit 1 further from Big Stone Lake and to add unit space to Unit 4) on property legally described as part Lots 12, 13, 14 & 15 Big Stone Plat, Section 2, T38N, R11E, PIN TL 3046 and TL 3049, Town of Three Lakes.

Nadine Wilson, Land Use Specialist, reviewed the 2<sup>nd</sup> addendum with the Committee. The owner wishes to remove a portion of Unit 1 inside of 40 feet from the OHWM and add onto the landward side of the structure. Unit 4 would like to add 253 sq ft onto the landward side of the unit. Both requests are in compliance with the ordinance. Staff recommended approval with the following conditions:

1. Statement on Plat: "Approval of zoning permits is not implied or guaranteed with approval of this condominium plat. Zoning permits may be required for any improvements, expansions, and/or additions and shall comply with the current Oneida County Zoning and Shoreland Protection Ordinance.
2. Section 9.99 (D) (4) (a) (4) of the zoning ordinance is complied with in regards to the additions to Unit 1 and Unit 4.
3. Zoning permits to be applied for and approved prior to construction of additions.
4. Any amendments to Condominium Declarations must be reviewed and approved by this Department prior to recording.

**Motion by Mike Timmons, second by Gary Baier to approve the preliminary Second Addendum to Woods & Waters Condominium subject to recommendations of staff and Town concerns. With all members voting "aye", the motion carried.**

Preliminary two lot Certified Survey Map of Verhagen and Verstegen, owners to reconfigure lots and locate public landing on properties located on Big Lake Loop Rd; described as Lots 21 and 22 of Ed Kloes Big Lake Plat being part Gov't Lot 4, Section 22, T38N, R11E, PIN's TL 1970 and TL 1971, pursuant to a modification/appeal under Section 15.31(2) of the Oneida County Subdivision Control Ordinance.

Nadine Wilson, Land Use Specialist, reviewed the two lot Certified Survey Map of Verhagen and Verstegen, to reconfigure lots and locate a public landing on properties located on Big Lake Loop Rd, Town of Three Lakes.

Ms Wilson noted that this was originally a lot line modification to ensure the home on Lot 2 was on Lot 2. During the process, it was discovered that the boat landing as shown on the survey map was platted between Lot 21 & 22 and not shown where it was built. The Town has now discontinued the platted boat landing. The CSM now shows Lots 1 & 2 allowing the home on Lot 2 to meet setback and also shows the public landing as built. Staff recommended approval subject to (1) Town of Three Lakes sign the certified survey map indicating their approval with the new lots and location of the public boat landing. (Town may also wish to obtain a deed from Verstegen and/or Verhagen for the landing.)

**Motion by Dave Hintz, second by Jack Sorensen to approve the modified 1-lot survey map as presented, subject to staff concerns and Town concerns. With all members voting "aye", the motion carried.**

Section 9.98, Piers and Other Berth Structures.

Karl Jennrich, Zoning Director, noted the request to not regulate piers failed during the public hearing and now the Committee is making some changes to the existing language. Another public hearing will have to be held because what is being considered is beyond the scope of the previous public hearing.

Peter S Wegner, Assistant Zoning Director, reviewed the draft dated January 23, 2013 (attached to the minutes and part of the file). The Committee discussed updating the statements of record and wiping the

slate clean, the existing statements of record would be null and void. The County will also be developing its own pier planner in the future, rather than using the DNR's version.

Mr. Wegner reviewed the comments from Dick Dvorak regarding pier revisions. Mr. Dvorak stressed that the zoning ordinance ignores recreational structures (piers); which is why he has suggested new language to be added to recognize the recreational uses of a pier or dock and not in conjunction with boating. This is the theme throughout Mr. Dvorak's suggestions. Mr. Wegner will review this further and bring it back to the Committee.

Mr. Wegner discussed benches, swivel seats, ladders or water stairs being permitted on a pier/dock. The Committee does not want to be too specific but to explain it as broadly as possible. Mr. Wegner will look at Mr. Dvorak's language and tweak it a little bit, look at the width of the water stairs; remove language that requires a CUP for a hand railing for handicapped. Mr. Wegner reviewed John Mott's email regarding pier revisions. The email is attached to the minutes of this meeting; and is part of the record. Mr. Wegner will discuss further with Mr. Mott to clarify. The Committee discussed dilapidated piers and regulating their removal through enforcement. It was the consensus of the Committee not to regulate dilapidated piers. Peter Wegner will bring the revised language back to the Committee.

Decks on principal structures closer than 75' from the Ordinary High Water Mark.

Peter Wegner, Assistant Zoning Director, reviewed the issue with the Committee. Mr. Wegner reviewed the examples he has prepared for the meeting, which are attached to the minutes in part of the record. Mr. Wegner described the Gard Bill and its impact on decks less than 75 feet from the OHWM. The Gard Bill allows 200 sq ft of deck and/or patio between 35-75 feet from the OHWM.

**Motion by Jack Sorensen, second by Dave Hintz, to authorize staff to work up the language for decks/patios attached to principal structures less than 75 feet from the OHWM. With all members voting "aye", the motion carried.**

Planning and Development Committee Prioritization of Ordinance Amendments.

Karl Jennrich, Zoning Director, reviewed the prioritization of ordinance amendments with the Committee. The list is attached to the minutes and part of the record of today's meeting. It was the consensus of the Committee to accept the prioritization as discussed. Discussion only.

Zoning Directors attendance at the NR 135 Roundtable in Chippewa Falls, WI on February 12, 2013.

**Motion by Jack Sorensen, second by Gary Baier, to authorize the Zoning Director to attend the roundtable in Chippewa Falls, WI. With all members voting "aye", the motion carried.**

Line item transfers, purchase orders and bills.

Bills - \$1,114.61  
Purchase Orders - \$528.73  
Sanitary Permits – Submittal to DSPS \$5,300,00

**Motion by Scott Holewinski, second by Jack Sorensen, to pay the bills as identified above. With all members voting "aye", the motion carried.**

Refunds.

Northern Advantage Builders - \$150.00  
Equity Builders \$85.00

**Motion by Mike Timmons, second by Scott Holewinski to approve the refunds as presented. With all members voting "aye", the motion carried.**

Approve future meeting dates: February 6 and February 20, 2013.

The Committee approved meeting minutes of February 6 & 20, 2013.

Public comments.

None

Future agenda items.

None

**3:08 pm – Motion by Dave Hintz, second by Gary Baier to adjourn the meeting. With all members voting "aye", the motion carried.**

---

Chairman Scott Holewinski

---

Karl Jennrich, Planning & Zoning Director