

**ONEIDA COUNTY PLANNING AND DEVELOPMENT COMMITTEE**

**November 6, 2013**

**12:30 p.m. Closed Session**

**1:00 p.m. Regular Meeting**

**2:00 pm Public Hearing**

**Committee Room #2, Oneida County Courthouse**

**Rhineland WI 54501**

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

Department staff present: Karl Jennrich, Zoning Director  
Lila Dumar, Secretary III

Other Staff: Brian Desmond, Corporation Counsel

Guests present: Bob Williams; Matt Seegert; Brenda Thompson;  
Denise Terbeest; Ron Skagen

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

Approve the agenda.

**Motion by Jack Sorensen, second by Dave Hintz to approve the amended agenda as posted. With all members 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. Filling and grading violations in the Town of Nokomis.

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

**12:40 pm - Motion by Jack Sorensen, 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."**

1:00 pm Reconvene

Announcement of any action taken in closed session.

**While in closed session there was discussion regarding a complaint in the Town of Nokomis for filling and grading. There was discussion only with no action being taken.**

Public Comments.

None.

Approve meeting minutes of September 18, 2013.

**Motion by Jack Sorensen, second by Dave Hintz, to approve the meeting minutes as presented. With all members voting "aye", the motion carried.**

Real Estate - For Sale Signs. The Committee will be discussing exemptions for off-premise Real Estate for Sale signs.

Karl Jennrich, Zoning Director, stated that Corporation Counsel has provided a written legal opinion regarding exemptions for real estate signs. (Copy of letter is attached to the minutes.) Mr. Desmond explained that there has to be a rational basis for the Committee to exempt real estate off premise signs and not exempt other similar (flea markets, etc.) off premise signs. Mr. Desmond advised the Committee not to go this route.

The Committee discussed off premise signs located in the right-of-way of Federal, State, County and Town roadways; and discussed jurisdiction issues. It is clear that the County cannot allow signs to be placed in the right-of-way of roads.

The Committee discussed allowing off premise signs to be located on private property. There would be issues regarding zoning districts that currently allow off premise signs; permission given by the property owner; size of the signs. The realtors noted that their signs are temporary signs.

Scott Holewinski suggested holding a public hearing to determine what the public wants. The Committee members had varying opinions (3 in favor; 2 opposed).

**Motion by Scott Holewinski, second by Mike Timmons, to hold a public hearing. Karl Jennrich will develop an ordinance amendment for the public hearing to exempt off premise signs for real estate for sale signs on private property. With all members voting "aye", the motion carried.**

Outdoor display at Home Expressions on property described as part NW SE, SM B6081, Section 23, T39N, R6E, 7967 Hwy 51, PIN MI 2339-1, Town of Minocqua.

Jim Rein, Wilderness Surveying, is present for Home Expressions. A CUP has been applied for to permit outdoor displays, which currently is a large bed. Zoning is looking at the display as a structure, which kicks in setback requirements to the road right-of-way.

It was the consensus of the Committee to schedule the public hearing for the CUP for the Committee to consider. The Committee will look at this issue as part of the CUP approval.

**Discussion only. No action was taken.**

Discuss replacement/reconfiguration of Piers at the Pointe Condominiums on property described as Section 14, T39N, and R6E. No statement of record was filed pursuant to Section 9.98, Piers, Other Berth Structures, Shoreland Bulk Requirements, of the Oneida County Zoning and Shoreland Protection Ordinance.

Jim Rein, Wilderness Surveying, is present for The Pointe Condominiums. The owners wish to replace the pier. There is no statement of record to grandfather the pier configuration. The proposed pier layout has been approved by the DNR with less depth and fewer piers.

Jim Rein provided the documentation of the original installation of the piers. The County has no verification of the existing pier layout other than aerial photography. If the Committee accepts the information being provided by Mr. Rein, a statement of record will be on file and the project can move forward.

**Motion by Dave Hintz, second by Jack Sorensen to accept the documentation as being sufficient. With all members voting "aye", the motion carried.**

2:00 PM – Conduct public hearing.

**Conditional Use Permit Application** of Scott Rowe, owner and Kevin Cronin, purchaser, to manufacture custom wooden shipping crates in the existing buildings at 1992 County Road L legally described as part SE NE and NE SE, Section 34, T36N, R6E (Lot 1 CSM Vol. 16, P 3703) PIN NO 513-11, Town of Nokomis.

Karl Jennrich, Zoning Director, read the notice of public hearing for the conditional use permit application of Scott Rowe, owner and Kevin Cronin, purchaser, to manufacture custom wooden shipping crates in the existing buildings at 1992 County Road L, Town of Nokomis.

The notice was published in the Northwoods River News on October 22 & October 29, 2013. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on October 17, 2013. The mailing list was also read into the record.

Correspondence in file: Email correspondence from the Town of Nokomis, in support of the Conditional Use Permit application.

Nadine Wilson, Land Use Specialist, reviewed the conditional permit application with the committee. The purchaser wishes to remodel the existing pole building (located closer to Old Rd) by adding

insulation, heat, small office and restroom. A new septic system will be installed and it will not only service this building but also the small house on the property. Currently the front pole garage is used by "Ray's Auto" under CUP #09-517 and still has 1 year left on the lease. Purchaser will allow Ray's Auto to stay in the front building for the duration of their lease and while they are remodeling the back pole building to accommodate the shipping crate business. The shipping crates are custom ordered for a specific item. There will be little customer traffic as most orders come in over the phone. Purchaser anticipates 2 full-time employees to be working on site.

The parking will be along the north property line and in front of building service door. Parking for the service station to remain the same. Space 20' to right of way in front of service station to be utilized for Rays Auto also. A new sanitary system will be installed to serve remodeled pole building and small house. The front pole/garage is on the septic system authorized by sanitary permit #93-696.

Garbage and sawdust will be disposed of by a licensed hauler. There will be a small area next to the rear pole garage reserved to store lumber and/or storage of crates. The hours of operation are 7 am to 5 pm Monday – Friday, but may fluctuate to accommodate customer orders and deadlines. There will be lumber deliveries once a week. Pick-up of custom crates could be daily. Oneida County Highway Commissioner has approved usage of existing driveway on Hwy L for ingress and egress.

The applicant submitted the "General Standards for Approval of the CUP" and the Committee was supplied a copy. If the Committee finds the standards have been met, and recommends approval of this application, staff would suggest the following conditions be placed on the CUP.

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. Code compliant sanitary system to be installed.
3. Sawdust and any hazardous materials/chemicals shall be used, stored and/or disposed of in accordance with the State and Federal regulations.
4. Zoning Permit required changing the use of and remodeling pole building for light manufacturing usage.
5. Parking and storage of materials not to block driveway.
6. Outdoor lighting to be directed downward and shielded from above.
7. Conditions of Conditional Use Permit #09-517 (Ray's Auto and Repair) to remain in effect.
8. Any signage will need appropriate permits.

2:05 pm – Chairman Scott Holewinski asked if there was anyone present that wished to speak for or against this project.

Dennis Penkalski, 2031 Faust Road, expressed concern regarding noise with compressors, saws, air guns and so on.

Robert Seubert, 2027 Indian Pine Pt Road, asked what the hours of operation would be. And also expressed concern on the noise and access to the property.

Mr. Cronin stated that vehicles will access on County L and exit on Old Road.

Mr. Cronin stated that he has installed 6 inches of insulation to buffer any noise and that there will be no outside work. Mr. Cronin does not anticipate a problem with noise. Mr. Holewinski stated that if there is a noise problem, it will be brought back to the Committee to be addressed.

Ms. Wilson clarified that the hours of operation are 7 am – 5 pm (Monday-Friday). There was discussion held on this issue. The hours of operation are 7 am – 5 pm Monday – Saturday, except for holidays. This will also be added as a condition of approval.

2:06 pm – Chairman Scott Holewinski closed the public hearing from further public comment.

**Motion by Jack Sorensen, second by Gary Baier, to approve the conditional use permit of Kevin Cronin to manufacture custom wooden shipping crates in the existing buildings at 1992 County Road L legally described as part SE NE and NE SE, Section 34, T36N, R6E (Lot 1 CSM Vol. 16, P 3703) PIN NO 513-11, Town of Nokomis, subject to the general standards having been met and conditions of staff. With all members voting “aye”, the motion carried.**

**Conditional Use Permit Application** by Kristen Olinske to amend Conditional Use Permit #06-1190 to revise Condition #8 to allow storage containers in specific locations on property described as part of the NW NE, N/K/A Lot 1 CSM V16 P3655, Section 10, T39N, R6E, 8760 Northridge Way, PIN MI 2155-2, Town of Minocqua.

Karl Jennrich, Zoning Director, read the notice of public hearing for the conditional use permit application of Kristen Olinske to amend Conditional Use Permit #06-1190 to revise Condition #8 to allow storage containers in specific locations on property described as part of the NW NE, N/K/A Lot 1 CSM V16 P3655, Section 10, T39N, R6E, 8760 Northridge Way, PIN MI 2155-2, Town of Minocqua.

The notice was published in the Northwoods River News on October 1 & October 8, 2013. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on October 17, 2013. The mailing list was also read into the record.

Correspondence in file: Letter from Town of Minocqua, opposed to the Conditional Use Permit application.

Karl Jennrich reviewed the conditional use permit application with the Committee. This is a request by Kirsten Olinske, Store Manager of Walmart in Minocqua, to modify CUP 06-1190 to revise condition #8 to allow four storage containers in specific locations on the property during the months of September – January annually. This will satisfy the holiday season build-up and ensure the shelves are stocked properly to provide for customer demand.

The Minocqua Plan Commission recommended approval of Location B provided the fence is extended to completely screen the view from Blumenstein Road. The Minocqua Town Board recommended denial.

This is a modification to condition #8 of the original CUP to allow storage containers in specific locations during specific months of the year on an annual basis. If the Committee decides to approve, staff would suggest the following conditions be placed on the CUP.

1. Storage containers allowed during the months of September- January on an annual basis.
2. Only 4 storage containers are permitted.
3. Storage containers to be placed in Location "B" only
4. Subject to all previous conditions of CUP (#06-1190).

There was no one in room to provide public comment.

2:29 pm – The public hearing was closed from further public comment.

**Motion by Scott Holewinski, second by Gary Baier to approve the modification to condition #8 of the original CUP to allow storage containers in specific locations during September – January on an annual basis, subject to the conditions outlined by staff. The motion carried on a majority vote of 4:1.**

Attendance at the Northern Lakes Chapter of Wisconsin Society of Land Surveyors seminar on Friday, December 6, 2013 at The Waters in Minocqua, WI.

**Motion by Jack Sorensen, second by Dave Hintz to approve training for (2) P&Z staff members at the Northern Lakes Chapter of Wisconsin Society of Land Surveyors. With all members voting “aye”, the motion carried.**

Attendance at the NEWCCA meeting in Oconto County, 2013-2014.

**Motion by Gary Baier, second by Mike Timmons, to approve attendance at the NEWCCA meeting in Oconto County, 2013-2014. With all members voting “aye”, the motion carried.**

Line item transfers, purchase orders and bills.

Bills - \$1,722.00

Purchase Orders – \$702.74

Wisconsin Fund Grants - \$16,879.00. These are funds that are received from the State and are disbursed to grant recipients.

**Motion by Jack Sorensen, second by Dave Hintz to pay the bills & purchase orders. With all members voting “aye”, the motion carried.**

Refunds.

Norbert Kluck - \$161.00 – applied for two permits for the same project.

Island City Dray -\$50.00 - paid fee twice.

**Motion by Jack Sorensen, second by Dave Hintz to approve the refunds as presented. With all members voting “aye”, the motion carried.**

Approve future meeting dates: November 20 and December 4, 2013.

The Committee confirmed the meeting dates of November 20 & December 4, 2013.

Public comments.

None.

Future agenda items.

Piers, Boathouses.

**2:40 pm. Motion by Mike Timmons, second by Dave Hintz, to adjourn. With all members voting “aye”, the motion carried.**

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Scott Holewinski, Chair

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Karl Jennrich, Zoning Director