

ONEIDA COUNTY PLANNING & ZONING

January 8, 2010

12:30 P.M. CLOSED SESSION

1:00 P.M. REGULAR SESSION

COMMITTEE ROOM #2

2ND FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

Members present: Scott Holewinski
Charles Wickman
Ted Cushing
Larry Greschner
Dave Hintz

Department staff present: Karl Jennrich, Zoning Director
Pete Wegner, Assistant Zoning Director
Steve Osterman, Planning Manager
Kathy Ray, Land Use Specialist
Kim Gauthier, Secretary

Other County Staff: Brian Desmond, Corporation Counsel

Guests Present: Joe Handrick

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION/DECISION.

Call to order.

Chair, Scott Holewinski called the meeting to order at 12:30 p.m., in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was properly posted and the media notified.

Approve the agenda.

Motion by Larry Greschner, second by Ted Cushing to approve the public hearing portion of the agenda with the notice properly published in the paper. 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. Concrete patio violation in the Town of Pelican.
- b. Appeal to the Court of Appeals in the Town of Hazelhurst.
- c. Sign violation in the Town of Sugar Camp.
- d. Excavation violation in the Town of Woodboro.
- e. Junkyard violation in the Town of Three Lakes.
- f. Home placed too close to lot line in the Town of Three Lakes.

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

Motion by Ted Cushing, second by Charles Wickman to go into open session. Ted Cushing “aye”, Larry Greschner “aye”, Dave Hintz “aye”, Charles Wickman “aye”, Scott Holewinski “aye”. The motion carried.

Mr. Holewinski asked that Secretary, Kim Gauthier read the motions made while in closed session.

Motion by Ted Cushing, second by Dave Hintz to direct corporation counsel to appeal the McCoy concrete patio violation in the Town of Pelican. Ted Cushing “aye”, Larry Greschner “aye”, Charles Wickman “aye”, Dave Hintz “aye”, Scott Holewinski “aye”. The motion carried. Motion by Larry Greschner, second by Ted Cushing to authorize staff and corporation counsel to proceed with the necessary lot line enforcement in the Shaw case, Town of Three Lakes. Ted Cushing “aye”, Larry Greschner “aye”, Charles Wickman “aye”, Dave Hintz “aye”, Scott Holewinski “aye”. The motion carried.

Conditional Use Permit application of Brit Bromann, agent to modify conditions of approval associated with Conditional Use Permit #07-172 for property described as the NE SE, Section 24, T37N, R6E, PIN# CA 366 located near the intersection of Lakewood Road and Rocky Run Road, Town of Cassian. The public hearing on this was December 16, 2009

Mr. Jennrich read the draft letter provided by the department with conditions (Exhibit #1).

Mr. Osterman noted the fencing will be taken care of when weather permits. The remaining event signs have been addressed and removed immediately. Mr. Broman indicated the signs were placed along Highway 51 by the snowmobile club.

Mr. Holewinski recommended condition number five read “Friday and Saturday...”

Motion by Ted Cushing, second by Larry Greschner to change the wording of condition number five to read “eight vintage races held on Friday and Saturdays”. With all members present voting “aye”, the motion carried.

Mr. Osterman noted the neighboring property owner expressed concern about the lawn mower race ending times in condition number nine.

Motion by Larry Greschner, second by Charles Wickman to change condition number fifteen from “southeast” to “southwest”. With all members present voting “aye”, the motion carried.

Mr. Holewinski asked if the Wrights (neighbor) were ok with the Saturday times for lawnmower races.

Motion by Ted Cushing, second by Larry Greschner to approve the final conditions on the CUP of Brit Browman with changes made at this January 8, 2010 meeting. With all members present voting “aye”, the motion carried.

Ninety-day time extension to finalize previously approved 2-lot Certified Survey Map of William E. Jensen, Rev. Trust owner, for property described as lots 1 and 2 Certified Survey Maps Volume 8, page 2184 being located in part of Gov’t Lot 4, Section 33,

T39N, R11E on Medicine Lake, Town of Three Lakes. Original Committee approval was March 3, 2009.

Mr. Osterman explained the reason for the extension due to the easement agreement needing to be signed.

Motion by Larry Greschner, second by Ted Cushing to extend the 90 day extension of the two lot certified survey map of William Jensen, Revocable Trust, Town of Three Lakes. With all members present voting “aye”, the motion carried.

Ninety-day time extension to finalize the First Addendum to Rustic Retreat Condominium located in part of Gov't Lot 2, Section 10, T39N, R5E on Shishebogama Lake, Town of Minocqua. The Committee approved this originally on July 1, 2009.

Mr. Osterman indicated the need for the extension is due to the owner needing to have the condo declarations signed. Mr. Osterman indicated there are many parties involved and those who need to sign are all over the country.

Motion by Ted Cushing, second by Charles Wickman to authorize a ninety day extension of the first addendum to Rustic Retreat Condominium, agenda item number seven. With all members present voting “aye”, the motion carried.

Possible revocation of Conditional Use Permit of Rynders Realty, Inc. for a 22-unit duplex development of property described as part of Gov't Lot 2 and NW SE, and Parcel 1 B of SM C1489, located in Section 10, T39N, R6E, PIN# MI 2166 and MI 2167, Town of Minocqua. The Planning and Zoning Committee conditionally approved this on May 20, 2009. Revisions to the Conditional Use Permit have not been completed. Said revisions required changes made to the site plan and required shifting some building locations and relocating an easement road. As a result Staff have not issued the permit to date. Schedule this matter for public hearing.

Mr. Jennrich referred to the memo dated 12/28/09 addressed to the committee and minutes regarding previous discussions of the Rynders Realty CUP (Exhibit #2, #3, #4).

Kathy Ray presented a map of the proposed site (Exhibit #5) showing the changes made from the previous proposal.

Dennis Herman commented that unit number three can not be reconfigured any other way. Mr. Herman's other concern is that the large buffer next to units six, seven and nine cause the other units to be configured closer to the single-family zoning lot line and further away from multi-family zoning lot line.

Mr. Holewinski recommended the committee go through each motion made at the May 20th meeting, the June 3rd meeting and the June 17, 2009 meeting.

Upon committee discussion it was believed that the 50 foot lot line buffer was conditioned because the thought was that the lot line was abutting single-family zoning. The committee will bring this issue back to another meeting as the agenda item was for possible revocation.

Motion by Ted Cushing, second by Charles Wickman to not revoke the CUP of Rynders Realty, agenda item number eight, and direct staff to bring this back for revisions of the original conditions. The reason for not revoking this CUP is that all but one condition has been met and that one will be addressed at the next Zoning meeting. With all members present voting “aye”, the motion carried.

Chapter 15, The Oneida County Subdivision Ordinance. The Committee will be reviewing comments from the December 2, 2009 Planning and Zoning Public Hearing and providing staff with direction.

Mr. Jennrich referred to the memo and draft minutes of 12/2/09 provided (Exhibit #6) with the public comments made regarding Chapter 15.

The committee along with Mike Fugle, Assistant Corporation Counsel and Planning and Zoning staff read through the public comments from the previous public hearing on Chapter 15 and addressed each comment made. The committee made the following motions in response to the public comments:

Motion by Larry Greschner, second by Dave Hintz that under Chapter 15.23(2) (B) (1) (D) the maximum grade is 10%. With all members present voting “aye”, the motion carried.

Motion by Ted Cushing, second by Larry Greschner to approve Chapter 15, Subdivision dated 12/16/09, with one correction made today (motion) and bring the document back in resolution format. With all members present voting “aye”, the motion carried.

Section 9.93 D, Minimum Lot Area

Mr. Jennrich indicated at the public hearing regarding Section 9.93 D, there was question of dry land access from the public comment.

Mr. Holewinski indicated the committee will address all public comment made from the December 2, 2009 public hearing as was done with the previous agenda item. The committee, corporation counsel and zoning staff discussed the comments made as indicated in the minutes provided.

Motion by Larry Greschner, second by Charles Wickman to approve Section 9.93 D of the ordinance minimum lot area and forward onto the county board in resolution format. With all members present voting “aye”, the motion carried.

Planning and Zoning Long Range Plan for 2009-2010

Mr. Jennrich provided the committee with a copy of the department long range plan and 2009 accomplishments and new projects (Exhibit #7). The committee and Mr. Jennrich discussed prioritization of the 2010 projects.

Motion by Ted Cushing, second by Dave Hintz to accept the long-range plan as presented and forward to LRES. With all members present voting “aye”, the motion carried.

Ordinance Amendment #11-2009, a wetland rezone in the Town of Three Lakes. The Committee will be forwarding to the Oneida County Board of Supervisors.

Mr. Jennrich supplied the committee with a copy of ordinance amendment #11-2009 (Exhibit #8).

Motion by Larry Greschner, second by Dave Hintz to approve ordinance amendment #11-2009, Town of Three Lakes and forward to the Oneida County board. With all members present voting “aye”, the motion carried.

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Mr. Jennrich indicated at the last state meeting comment was received from county officials. Mr. Wegner is working on compiling staff questions and comments to be presented.

Assembly Bill 301.

Mr. Jennrich presented a copy of Assembly Bill 301 proposed by Senator Holprein (Exhibit #9). It is up to the committee to take a position on this matter. Mr. Jennrich indicated there is a public hearing scheduled for January 14th at an unknown location.

The committee commented that they disagree with number two and three of the requirements under section two (see exhibit). The committee directed Mr. Jennrich to fax a copy of the bill to all town chairs for their input and relay information to Mr. Holprein.

Line item transfers, refunds, purchase orders and bills.

Mr. Jennrich presented bills and vouchers in the amount of \$1582.79 and \$2048.85 (Exhibit #10, #11). In this amount is a refund for \$150 to Birch Builders.

Motion by Larry Greschner, second by Ted Cushing to approve the refund as presented. With all members present voting “aye”, the motion carried. Mr. Holewinski abstained.

Motion by Ted Cushing, second by Larry Greschner to approve the purchase orders, bills and vouchers as presented. With all members present voting “aye”, the motion carried. Mr. Holewinski abstained.

Mr. Jennrich also presented statistics for the year ending 2009 (Exhibit #12).

Approve future meeting dates.

January 20, 2010 (Mr. Holewinski will be absent)
February 3, 2010 and February 17, 2010

Motion by Ted Cushing, second by Dave Hintz approving meeting date of January 20th. With all members present voting “aye”, the motion carried.

Public comments.

None.

Future agenda items.

- Mr. Cushing recommended the committee look at a new Federal bill regarding green gas emissions and how it may relate to smart growth in the county. Mr. Jennrich will research this further.
- Update on Senate Bill 301.

Adjourn.

Time: 3:36 p.m.

Motion by Ted Cushing, second by Charles Wickman to adjourn. With all members present voting "aye", the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director