

ONEIDA COUNTY PLANNING & ZONING

January 19, 2011

12:30 pm – Closed Session

1:00 pm - Regular Session

COMMITTEE ROOM #2

ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

Members present: Gary Baier, Vice-Chair
Dave Hintz
Billy Fried
Mike Timmons

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

Guests: Bob Martini
Norris Ross
Bill Liebert
Ben Loma

Call to order.

Gary Baier, Vice Chairman, called the meeting to order at 12:30 p.m. in accordance with the Wisconsin Open Meeting Law. Mr. Baier noted the agenda was properly posted. All members are present, with the exception of Chairman Scott Holewinski, who is excused.

Approve the agenda.

Motion by Mike Timmons, 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. Conditional Use Permit violation in the Town of Cassian.

12:31 pm - Motion by Mike Timmons, second by Billy Fried, to go into closed session. Roll call vote: Billy Fried “aye”, Gary Baier “aye”, Dave Hintz “aye”, Mike Timmons “aye.” The motion carried.

12:46 pm – Motion by Dave Hintz, second by Gary Baier, to go into open session. Roll call vote: Billy Fried “aye”, Gary Baier “aye”, Dave Hintz “aye”, Mike Timmons “aye.” The motion carried.

Gary Baier, Vice-Chairman, stated that while in closed session, the Committee discussed a complaint filed against Brit Bromann pertaining to a conditional use permit for snowmobile racing. There was a motion made while in closed session. The secretary read the motion into the record:

Motion by Mike Timmons, second by Dave Hintz, for the Zoning Director to write a strong warning letter to Brit Bromann regarding the recent violation of CUP #07-172 by hosting a snowmobile racing event on a holiday (January 1, 2011). Roll call vote: Billy Fried "aye", Gary Baier "aye", Dave Hintz "aye", Mike Timmons "aye." The motion carried.

12:47 PM – The Committee recessed.

1:00 PM – The Committee reconvened with all members present, with the exemption of Scott Holewinski, who is excused.

Public Comments.

There was a question on the resolution to support the repeal of the re-write of NR 115 to be sent to the State Legislators. This will be discussed at the January 25, 2011 Planning and Zoning Committee Meeting.

Discuss conducting a meeting with local contractors, builders and landscapers.

Vice Chairman Gary Baier placed this item on the agenda. The meeting is intended to inform builders, landscapers, plumbers, surveyors and others of recent and upcoming changes to the County Zoning Ordinance and State Regulations. It will be a posted meeting, to be held before the building season begins this spring. The location will be determined at a later date.

Motion by Billy Fried, second by Mike Timmons to host an informational meeting in the near future for landscapers, plumbers, builders and surveyors as discussed by the Committee. With all members voting "aye" the motion carried.

Review changes to the Oneida County Zoning Permit and Shoreland Alteration Permit applications.

Karl Jennrich, Zoning Director, stated that there are a few minor changes and also disclaimers involving State Legislation on wetlands. Mr. Jennrich will also review the form(s) with Corporation Counsel.

There was discussion on the possibility of online permit applications that the public can complete online. Mr. Jennrich will follow-up with Lynn Grube, ITS Director.

Motion by Dave Hintz, second by Mike Timmons to approve the Oneida County Zoning Permit and Shoreland Alteration Permit applications as presented. With all members voting “aye” the motion carried.

Assembly Bill 543. The Committee will be reviewing proposed legislation concerning Ordinary High Water Mark determinations.

Karl Jennrich, Zoning Director, reviewed Assembly Bill 543 with the Committee. This bill was defeated in 2007. A new bill is being proposed that closely mirrors Assembly Bill 543. The bill provides that if there is a discrepancy between the County and the DNR on an ordinary high water mark (OHWM) determination, the County’s determination would prevail. However, the OHWM determination could be challenged. A challenge could come through a lake association, neighboring property owner or WALL. This bill was supported by Oneida County in 2007.

Motion by Billy Fried, second by Gary Baier, to support the language in Assembly Bill 543 (2007), to be submitted to the State Legislature in the future as a new assembly bill. With all members voting “aye” the motion carried.

Zoning Director’s request to participate in a meeting with septic pumpers in Langlade County on February 24, 2011.

Karl Jennrich, Zoning Director, has been asked to participate in the meeting with septic pumpers, plumbers and CST’s in Langlade County on February 24, 2011. Mr. Jennrich may need to also include another staff member.

Motion by Mike Timmons, second by Dave Hintz, for the Zoning Director and other staff to attend the septic pumpers/plumbers and CST’s meeting in Langlade County on February 24, 2011. With all members voting “aye” the motion carried.

Line item transfers, purchase orders and bills.

Bills submitted for approval are \$105.00.

Purchase Orders submitted for approval are \$380.57.

Motion by Dave Hintz, second by Billy Fried to pay the bills. With all members voting “aye” the motion carried.

Refunds.

Daniel Moeller has requested a refund. He submitted a permit application. An onsite inspection was done. The fee paid was \$139.00. Mr. Moeller requested the permit be withdrawn due to financial hardship as he cannot go forward with the project.

Mr. Jennrich requested that no refund be given, because the onsite inspection was conducted and there was staff review time as well. Mr. Jennrich stated that the charge for an onsite inspection is \$125.00.

Motion by Billy Fried, second by Gary Baier to refund \$14.00 to Mr. Moeller. (\$139.00 less the \$125.00 onsite inspection fee). With all members voting "aye" the motion carried.

Approve future meeting dates: February 2 and February 16, 2011.

The Committee confirmed meeting dates for February 2, 2011 and February 16, 2011. For the record, Billy Fried will not attend the February 2, 2011 meeting; Gary Baier will be late for the February 2, 2011 meeting and Mike Timmons will not attend the February 16, 2011 meeting.

Public comments.

There were no public comments.

Future agenda items.

1. Dave Hintz asked that a discussion on the Committee's progress on the revision of the Zoning Ordinance due to the NR 115 re-write be placed on a future meeting agenda.

This will be placed on the January 25, 2010 meeting agenda.

2. Billy Fried asked that a discussion on the sign ordinance/ banners be placed on a future meeting agenda.

This will be placed on the February 16, 2011 meeting agenda.

The Committee recessed at 1:51 PM and will reconvene at 2:00 PM for the public hearing on today's agenda.

2:00 PM – Conduct Public Hearing.

Rezone Petition #8-2010 authored by Clearwater Camp, owner James Rein, Agent to rezone land from District 1A Forestry to District 2 Single Family Residential on property described as Lot 1 of Oneida County Certified Survey Map No. 3811 recorded in Volume 17 Page 3811, located in part of Gov't Lot 3, Section 26, T38N, R6E, Town of Hazelhurst.

Karl Jennrich, Zoning Director, read the notice of public hearing for Rezone Petition #08-2010. The notice was published in the Northwoods River News on January 4 & 11, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida

County Courthouse bulletin board on December 30, 2010. The mailing list was also read into the record.

The correspondence in the file consists of an approval letter from the Town of Hazelhurst; and a transcript of a phone call from Mark Hilgeman, a neighboring landowner, stating he has no objection so long as the property is not subdivided.

Mr. Jennrich stated that the purpose of the rezone is to correct the single family use of a residence in the Forestry District. The property surrounding the rezone area is all zoned Forestry and will remain Forestry and is a private camp for girls.

2:05 PM – Vice Chairman Gary Baier opened the public hearing. There was no one in the audience.

2:06 PM – Vice Chairman Gary Baier closed the public hearing.

Motion by Billy Fried, second by Mike Timmons to approve Rezone Petition #08-2010 authored by Clearwater Camp, owner and James Rein, Agent to rezone land from District 1A Forestry to District 2 Single Family Residential as recommended by staff with all general standards being met. With all members voting “aye” the motion carried.

2:15 pm – Motion by Dave Hintz, second by Mike Timmons to adjourn the meeting. The motion carried unanimously.

Gary Baier, Vice Chairman

Karl Jennrich, Zoning Director