

ONEIDA COUNTY PLANNING & ZONING
March 4, 2009
12:30 P.M. CLOSED SESSION – COMMITTEE ROOM #2
1:00 P.M. REGULAR MEETING – COMMITTEE ROOM #2
2ND FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

Members present: Scott Holewinski
Ted Cushing
Larry Greschner
Frank Greb
(Absent: Charles Wickman)

Department staff present: Karl Jennrich, Zoning Director
Pete Wegner, Assistant Zoning Director
Nadine Wilson, Land Use Specialist
Kim Gauthier, Secretary

Other County Staff: Mike Fugle, Assistant Corporation Counsel

Guests Present: Kevin Jenkins, Gene Uttech

Call to order

Chair, Scott Holewinski called the meeting to order at 12:00 p.m., in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda has been properly posted, the media notified and the courthouse is handicap accessible.

Discussion/decision to approve the agenda

Motion by Ted Cushing, second by Larry Greschner 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

Motion by Larry Greschner, second by Ted Cushing to enter into a closed session. Roll call vote: Scott Holewinski "aye", Ted Cushing "aye", Larry Greschner "aye", Frank Greb "aye". The motion carried. Frank Greb absent.

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

Motion by Ted Cushing, second by Larry Greschner to return to open session. Roll Call Vote: Larry Greschner "aye"; Ted Cushing "aye"; Frank Greb "aye"; Scott Holewinski "aye". The motion carried.

Approve regular meeting minutes of January 28, 2008 and February 3, 2009

Motion by Larry Greschner, second by Ted Cushing to approve the regular meeting minutes of January 28th and February 3, 2009, as printed. With all members present voting “aye”, the motion carried.

Approve public hearing meeting minutes of February 3, 2009

Motion by Ted Cushing, second by Larry Greschner to approve the public hearing minutes of February 3, 2009, as printed. With all members present voting “aye”, the motion carried.

Certified Survey Map V8 Page 2184, approved in 1999. The owner now desires to modify one condition of approval. The owner wishes to keep the boathouse and now have altered the lot line around it. Said property is described as part of Gov't Lot 4, Section 33, T39N, R11E, Town of Three Lakes

Mr. Osterman provided a map and report for the committee (Exhibit #1). Mr. Osterman noted the sheds on the property were there previously and do not require removal. Mr. Osterman indicated the department recommends approval with the following conditions:

1. Statement added again on final map: Outlot one is unbuildable and is to be attached and conveyed with Lot one of this CSM (same as original approval).
2. Maintenance agreement to be recorded amongst all road users who share the easement described in Vol. 743, Page 735 when easement was created.
3. Lot one existing driveway to terminate at south lot line.
4. Lot two to construct its own separate driveway with a deadline imposed to complete by 9/1/09.
5. Owner to pay “after the fact” fees for failing to comply with original terms of approval. Owner did pay \$200 and after the fact portion would mean an additional \$400. Surveyor has been made aware of staff’s concerns with non-compliance and will be present at the meeting.
6. Remove sheds from lot one by 9/1/09. (added)

Committee questioned if this map can be approved with the sheds on lot two. Committee added a condition (#6) to remove the sheds, but leave the boathouse.

Committee discussion that the department needs to keep track and follow up with requirements placed on certified survey maps.

Motion by Ted Cushing, second by Frank Greb to approve the certified survey map V8, page 2184, leaving the boathouse and add a condition that the sheds be removed. Larry Greschner “nay”, Scott Holewinski “aye”, Frank Greb “aye”, Ted Cushing “aye”. The motion carried.

Mr. Greschner asked why the boathouse is allowed when the department asked that it be removed ten years ago.

Mr. Jennrich indicated by zoning standards the boathouse can remain by moving the lot line.

Chapter 15, Subdivision Ordinance. The Planning and Zoning Committee is in the process of repealing and recreating Chapter 15

Mr. Jennrich referred to the memo, supporting documentation and draft ordinance supplied (Exhibit #2).

Mike Fugle, Assistant Corporation Counsel commented that he made punctuation corrections however; none of these changes changed the language. Mr. Fugle noted there was a concern of the "waters edge"; however, this does not apply to the definitions in the draft.

Motion by Ted Cushing, second by Frank Greb to forward Chapter 15, Subdivision Ordinance onto public hearing. With all members present voting "aye", the motion carried.

Chapter 13, Private Onsite Wastewater Treatment System (POWTS) Ordinance. Chapter 13 is being revised to require mandatory maintenance of all POWTS in Oneida County

Mr. Jennrich presented a memo dated February 26, 2009 to the committee (Exhibit #3) noting the major changes to Chapter 13 are maintenance requirements. Mr. Jennrich indicated the Invasive Species Committee is requesting the department include soil borings into the maintenance requirements.

Committee agrees the minimum requirements for maintenance are all that should be required at this time.

Motion by Larry Greschner, second by Ted Cushing to move forward with inventory of POWTS without doing mandatory borings. With all members present voting "aye", the motion carried.

Proposed Cellcom tower replacement projects

Mr. Jennrich noted no discussion is needed, as Cellcom did not receive their legal opinion and Chapter 9.55 changes may correct the issue.

Attendance to the 2009 WCCA Spring Conference

Mr. Jennrich presented an agenda of the conference as shown (Exhibit #4).

Motion by Larry Greschner, second by Frank Greb to authorize up to two staff attend the WCCA Spring Conference. With all members present voting "aye", the motion carried.

Resolution 2-2009 Amendments to Section 9.55, Sexually Oriented Business Ordinance. The Committee will be forwarding to the Oneida County Board of Supervisors

Mr. Jennrich presented a copy of Resolution #2-2009, pertaining to Section 9.55, Sexually Oriented Business Ordinance (Exhibit #5).

Motion by Frank Greb, second by Larry Greschner to forward resolution #2-2009 onto the County Board for approval. With all members present voting “aye”, the motion carried.

Resolution 4-2009 Amendments to Section 9.50, Legal Pre-Existing Structures and Uses in Non-Shoreland Areas and Section 9.99, Shoreland Structures and Uses. The Committee will be forwarding to the Oneida County Board of Supervisors

Mr. Jennrich presented ordinance amendment #4-2009, pertaining to Section 9.50, Legal Pre-Existing Structures (Exhibit #6).

Motion by Ted Cushing, second by Frank Greb to forward resolution #4-2009 onto the County Board for approval. With all members present voting “aye”, the motion carried.

Mr. Jennrich noted he will send a copy of the resolution to Attorney McEldowney even though he was present today. Mr. Jennrich noted he will forward the resolution onto the county board 3/17/09 meeting.

Line item transfers, refunds, purchase orders and bills

Mr. Jennrich noted there are line item transfers regarding the copy machine and mileage along with bills and purchase orders in the amount of \$2613.71 and \$573.10 (Exhibit #5 and #6).

Motion by Frank Greb, second by Ted Cushing to approve the bills and purchase orders as presented. With all members present voting “aye”, the motion carried.

Mr. Jennrich presented statistics through February 2009, as presented (Exhibit #7).

Approve future meeting dates: March 18 and April 1, 2009

Public comments

No public comment made.

Future agenda items

- Chapter 13, POWTS
- Ordinance Section 9.52 and 9.54
- Three Lakes and Minocqua Sign Revisions

Adjourn

Time: 1:35 p.m.

Motion by Scott Holewinski, second by Ted Cushing to adjourn. With all members present voting “aye”, the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director