

ONEIDA COUNTY PLANNING & ZONING

March 17, 2010

12:30 P.M. CLOSED SESSION

1:00 P.M. REGULAR SESSION

2:00 P.M. PUBLIC HEARING

COMMITTEE ROOM #2

2ND FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

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

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

Other County Staff: (None)

Guests Who Signed In: Terry and Sandi Kostka, Jim Steuerwald, Carole Nelson,
Barbara Fabianski, Randall Johnson, Tracy Congleton,
Heidi Schwenger, Joe Struck, Michael Hawley, Joe
Handrick

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION/DECISION.

Call to order.

Scott Holewinski, Chair 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 courthouse is handicap accessible.

Approve the agenda.

Motion by Ted Cushing, second by Larry Greschner to approve the agenda as posted. 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. Eagle Cove Camp and Conference Center.

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

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

Motion by Larry Greschner, second by Ted Cushing to return to open session. With all members present voting “aye”, the motion carried.

Mr. Holewinski announced that no motions were made while in closed session and the committee conferred with legal counsel concerning strategy to be adopted.

Approve meeting minutes of February 3, 2010.

Approve meeting minutes of February 17, 2010.

Motion by Larry Greschner, second by Ted Cushing to approve the regular and public hearing minutes of February 3rd and February 17, 2010 as presented. With all members present voting “aye”, the motion carried.

90-day time extension request involving the preliminary 5-lot County Plat of Quincy's Acres, David Schmitz, owner for property described as part of the SE SE, Section 16, T37N, R8E, PIN# NE 144-3, Town of Newbold.

Mr. Osterman indicated the owner of the property and the surveyor are requesting additional time to meet with the town on the above item.

Motion by Ted Cushing, second by Charles Wickman to grant a 90 day extension regarding the preliminary five lot plat of Quincy's Acres, David Schmitz owner, Town of Newbold. With all members present voting “aye”, the motion carried.

Additional 60-day time extension request to finalize a 2-lot Certified Survey Map of William E. Jensen, Rev. Trust Section 33, T39N, R11E, now known as Lot 2 Certified Survey Map Volume 8 Page 2184, PIN# TL 1302-4, Town of Three Lakes.

Mr. Osterman indicated the owner is requesting an extension to March 15, 2010 to allow time to obtain a maintenance agreement.

Motion by Larry Greschner, second by Dave Hintz to grant additional time extension of sixty days to finalize a two lot certified survey map of William Jensen, Rev. Trust. With all members present voting “aye”, the motion carried.

Balsam Prairie Condominium located on property described as NW NW, Section 14, T37N, R9E, PIN# PL 374, Town of Pine Lake. This project was denied by the Planning and Zoning committee on March 3, 20010.

Mr. Jennrich indicated at the last zoning meeting that the department recommended denial due to incompliance with the ordinance. However, since that time Mr. Jim and Jack Steuerwald presented additional information relating to compliance with the ordinance. A new map was submitted showing changes to the septic systems with a

proposed alternate system. Density calculations would meet the parking regulation for a condo form of ownership. The only issue not taken care of is how corrections will be recorded. Mr. Jennrich commented that legal counsel recommends an addendum to the plat. Mr. Jennrich indicated the Town of Pine Lake has not approved the plat due to the requirement of an adequate water supply and an additional cul-de-sac for fire truck turnaround. Mr. Jennrich noted the water supply issue is an issue but not to the extent that zoning can address but more of a DNR issue.

The committee questioned the town's position on this matter.

Jim Steuerwald indicated the town tabled it at their meeting.

Mr. Osterman noted the first step is to go before the plan commission and then obtain town approval. This was before the plan commission but not the town yet.

Jim Steuerwald commented that he believes each owner should be allowed to make their own decision on installing a new water supply, as some think their water taste just fine. The cost would be between \$10,000 and \$12,000 for each owner to replace their system. Mr. Steuerwald commented he did what was legal by requesting the condo form of ownership and it's too expensive to put in a public water supply. Mr. Steuerwald commented that there is not much difference between the original map and the new map and believes an affidavit of correction is sufficient.

Mr. Holewinski indicated the committee needs to hear from legal counsel on this issue and the recommendation of the town.

Motion by Larry Greschner, second by Ted Cushing to refer Balsam Prairie Condominium back to the Pine Lake town board for a formal review and reason for approval or disapproval and bring back to the county for legal counsel opinion and department review. With all members present voting "aye", the motion carried.

Mr. Jennrich agreed to send a letter to the town and also discuss further at a town meeting along with discussing with legal counsel.

NR 115 Grant opportunities.

Mr. Jennrich referred to the memo dated March 11, 2010 (Exhibit #1). Mr. Jennrich indicated the department recommends applying for the grant to at least meet the minimum requirements of NR115.

Mr. Cushing and Mr. Hintz commented that they agree with applying for the \$5000 grant.

Motion by Ted Cushing, second by Larry Greschner direct staff to develop a resolution to go before the county board in April requesting the department apply for \$5000 grant money from the DNR. Ted Cushing "aye", Larry Greschner "aye", Charles Wickman "aye", Dave Hintz "aye", Scott Holewinski "nay". The motion carried.

NR 115

Mr. Jennrich distributed a memo from the Town of Sugar Camp dated March 15, 2010 regarding NR115, NR150 and NR151 affects (Exhibit #2). Mr. Jennrich will discuss this further with legal counsel. Mr. Jennrich indicated he and Mr. Wegner are working with the County Code of Administrators to massage the NR115 model ordinance so to give other counties guidance.

Permitted/Administrative and Conditional Use Permits. The Committee will have a discussion concerning the above as it relates to outdoor activities and operations.

Mr. Jennrich indicated there was a request to discuss the definition of "outdoor activities". Mr. Jennrich distributed a copy of Section 9.26(A)(B), (Exhibit #3) and noted it is up to the committee to revise this language if felt necessary.

Committee discussion to leave the conditional use permit and administrative review permit language as is. Mr. Holewinski noted the outdoor smoking ban may create a need for outdoor structures which would require a CUP.

Zoning enforcement policy.

Mr. Jennrich indicated this issue arose due to notices not getting to the right people.

The committee agreed that letters should be issued to all owners of a property.

Line items, transfers, refunds, purchase orders and bills.

Mr. Jennrich provided purchase orders and vouchers in the amount of \$403.00 and \$292.26 (Exhibit #4, #5). Statistics through February 2010 were also supplied (Exhibit #6).

Motion by Ted Cushing, second by Dave Hintz to approve the bills and purchase orders as presented. With all members present voting "aye", the motion carried.

Approve future meeting dates: April 7 and April 21, 2010.

The committee agreed to the dates indicated.

Public comments.

There was no public present for comments at this time.

Future agenda items.

(As previously discussed under each agenda item)

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit Application of RAR Holdings to change an existing building into a 3-unit multi-tenant use on property described as part of Lots 19 and 20 Ranchwood Acres, n/k/a Lot 1 CSM V16 P3726, Section 8, T39N, R6E, 10322 Hwy 70 West, PIN# MI 5786, Town of Minocqua.

Mr. Jennrich read the notice of public hearing for the above agenda item. The notice was published in the Rhinelander Daily News on March 2, 2010 and March 9, 2010 along with the Lakeland Times the week of March 1, 2010. The notice was posted on the Courthouse bulletin board on February 25, 2010. The mailing list was noted and located in the file for review.

The following correspondence was received:

- Letter from the Town of Minocqua dated February 24, 2010 approving of the conditional use permit.

Kathy Ray, Land Use Specialist indicated the owner is reducing the building to three units to clarify what the town letter indicated. Ms. Ray explained the CUP is needed due to outdoor operations of vehicles waiting to be serviced. A survey map was supplied along with the department report (Exhibit #7, #8). Ms. Ray indicated the general standards were supplied and conditions recommended as follows:

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the CUP.
2. Subject to Town review and recommendations.
3. No salvage material/items/inventory or non-operable/non-repairable items (including vehicles) to be stored on the property.
4. Sign permit(s) to be obtained prior to placement.
5. Additional tenants to apply for ARP/CUP as required prior to occupancy.
6. The storage and abandonment of any type of vehicle or machinery at this place of business is prohibited for a time no longer than six months.

Joe Handrick, Town of Minocqua commented that the town does not want this to become a salvage yard of equipment. The town is in support of the CUP, it's a great business and would recommend that storage of equipment to only be seasonal.

Mr. Holewinski asked if there was any public comment for or against the issue at hand.

John Sharp indicated he is for approval.

No other comments were made.

Motion by Ted Cushing, second by Charles Wickman to approve the conditional use permit of RAR Holdings , Town of Minocqua, agenda item number eighteen with the general standards and conditions having been met along with town and staff concerns. With all members present voting "aye", the motion carried.

Adjourn

Time: 2:13 p.m.

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