

**ONEIDA COUNTY PLANNING & ZONING**  
**April 1, 2009**  
**12:30 P.M. CLOSED SESSION – COMMITTEE ROOM #2**  
**1:00 P.M. REGULAR MEETING – COMMITTEE ROOM #2**  
**2<sup>ND</sup> FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501**

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

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

Other County Staff: (None)

Guests Present: Kevin Jenkins, WPEG, Bill Liebert, Joe Handrick, Robert Winat

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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 has been properly posted, the media notified and the courthouse is handicap accessible.

Discussion/decision to approve the agenda

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

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

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

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Mr. Holewinski announced that in closed session the following motion was made, as read by Ms. Gauthier:

Motion by Larry Greschner, second by Frank Greb to charge the \$500 CUP fee to Willows End Resort. The motion carried unanimously.

Approve regular meeting minutes of March 4, 2009

Approve public hearing meeting minutes of March 4, 2009

**Motion by Ted Cushing, second by Larry Greschner to approve the regular meeting and public hearing minutes of March 4, 2009, as printed. With all members present voting “aye”, the motion carried.**

Six-month time extension request to finalize and record Island Park Condominium, a 4-unit condominium on property described as part of the NW SE, Section 10, T39N, R6E at 9825 Old Hwy 70 Rd., Pin# MI 2167-16, Town of Minocqua.

Steve Osterman, Planning Manager indicated the condo declarations were sought; however a six month extension is needed.

**Motion by Larry Greschner, second by Charles Wickman to approve the six month time extension of Island Park Condominium, agenda item number seven. With all members present voting “aye”, the motion carried.**

Conditional Use Permit of Frederick J. Hegeman, owner, to add two (2) new apartments to an existing 3-unit apartment building at 6966 Winkler Road, located in part of the NW NE, Section 7, T38N, R11E, PIN# TL 448-5, Town of Three Lakes. A public hearing was held on May 7, 2008 at which time the Planning and Zoning Committee sent it back to the Town of Three Lakes for further review.

Nadine Wilson, Land Use Specialist indicated on January 7, 2009 the committee approved the conditional use permit.

Karl Jennrich indicated that condition number three from the approved CUP has concerns as described and noted in Exhibit #1.

The committee reviewed items number one through three on the memo provided (Exhibit #1). The committee agreed with number one, recommended denial of number two and requested that the department send a letter or discuss issue number three with the town.

**Motion by Ted Cushing, second by Larry Greschner to approve the change from “animal” to “dog” in the conditions. With all members present voting “aye”, the motion carried.**

**Motion by Larry Greschner, second by Ted Cushing to keep the condition as written (number two) and deny Mr. Hegeman’s request for an extension. With all members present voting “aye”, the motion carried.**

Ms. Wilson noted she has contacted DNR regarding the 100 year storm event and this is not required. Ms. Wilson agreed to contact the town regarding this matter and ask for their approval for a two year event.

**Motion by Ted Cushing, second by Charles Wickman to change the condition from a 100 year storm event to a 2 year event. Charles Wickman “aye”, Scott Holewinski “nay”, Frank Greb “nay”, Ted Cushing “nay”, Larry Greschner “nay”. The motion did not carry.**

The Committee agreed that the department must send this request back to the Town of Three Lakes for their approval of the two year event before approving at the Zoning Committee level. Ms. Wilson will follow up on corresponding with the town.

Section 9.26, Business B-1 and B-2 (Districts 6 & 7). The Town of Minocqua is requesting modifications to Section 9.26, specifically related to multi-tenant building.

Mr. Jennrich referred to the memo dated March 26, 2009 (Exhibit #2) with draft language of Section 9.26, pertaining to the Minocqua Planning Commission request.

Joe Handrick commented that the request will take care of multi-tenant buildings.

**Motion by Larry Greschner, second by Ted Cushing to approve the revisions to Section 9.26, Business B-1 and B-2, as recommended by staff and forward on to a public hearing. With all members present voting “aye”, the motion carried.**

Section 9.98, Piers, Other Berth Structures. The Committee will be discussing correspondence from the Northwood’s Association of Realtors requesting Section 9.98 be eliminated from the Oneida County Zoning and Shoreland Protection Ordinance.

Mr. Jennrich referred to the memo dated March 25, 2009 (Exhibit #3) regarding Section 9.98 regulating piers as requested by Kevin Jenkins.

Kevin Jenkins, Northwood’s Association of Realtors, Inc. commented that an issue recently came up in Minocqua that would not allow expansion of piers. Mr. Jenkins indicated Wisconsin Legislative Council did not have an answer to the question raised. Mr. Jenkins discussed pier legislation and recommended the county adopt the State Statute regarding piers.

The Committee commented on what was previously discussed and questioned what changed their minds in the past.

Mr. Jennrich commented that the Committee has the right to decide how Oneida County will control piers. Mr. Jennrich noted the committee previously discussed the affect of marinas.

The Committee agreed they would like the department to research what was previously discussed and provide the pros and cons of eliminating Section 9.98.

**Motion by Larry Greschner, second by Ted Cushing to instruct staff to work with Mr. Jenkins and Corporation Counsel on the possible elimination of Section 9.98**

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**along with reviewing past minutes when the committee had discussed this issue. With all members present voting “aye”, the motion carried.**

Mr. Greb indicated he would like to also see the difference between the DNR regulations and the County's.

Ms. Connie Anderson asked to speak from the audience. Ms. Anderson asked why the realtors are the ones bringing this before the committee when there are others who would like to be involved in this matter such as the Oneida County Lakes and Rivers Association.

Mr. Holewinski commented that if there are changes to the ordinance there will be a public hearing where Ms. Anderson may speak. Mr. Holewinski indicated Mr. Jenkins asked that this be put on the agenda.

Ms. Anderson asked if she could be a part of this discussion.

Mr. Greschner noted the motion made was for Mr. Jenkins, the Zoning Department and Corporation Counsel to work on this. Mr. Jenkins brought this request before the committee and that is why he is involved.

Planning and Zoning Department Policy on combining parcels as one.

Mr. Jennrich commented on the current procedures for combining parcels and indicated he needs to discuss this further with legal counsel. Mr. Jennrich indicated a property owner is requesting a signed contract in lieu of a certified survey map to expedite the process. Mr. Jennrich asked if the committee would like the department to research this request.

The committee agreed things should remain the way they are at this time, as this issue is not a high priority.

Bill Liebert asked to speak from the audience. Mr. Liebert commented that this will become a larger issue in the future and asked that this not become a policy, but an ordinance if changed. Mr. Liebert commented that he agrees with the way combining parcels is handled at this time.

No action taken by the committee.

Line item transfers, refunds, purchase orders and bills

Mr. Jennrich presented bills and purchase orders in the amount of \$348.78 and \$41,100.95 (Exhibit #4 and #5), along with a refund in the amount of \$150 for Mr. Dunham.

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

**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.**

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Approve future meeting dates: April 15 and April 29, 2009

April 15<sup>th</sup>

April 29<sup>th</sup> (regular meeting, 2:00 p.m. public hearing and 5:30 p.m. Jaros public hearing)

Mr. Greb will be absent on April 29<sup>th</sup>.

Public comments

Mr. Liebert commented on Section 9.98, piers and noted when he attended an NR115 meeting it was brought to his attention that all of NR300 are emergency rules. Mr. Liebert indicated a representative from the DNR told him that anything from the ordinary high water mark down is regulated by the DNR and anything from the ordinary high water mark up is regulated by the county.

Future agenda items

As previously discussed.

Adjourn

Time: 1:38 p.m.

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

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Scott Holewinski, Chair

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Karl Jennrich, Zoning Director