

**ONEIDA COUNTY PLANNING & ZONING**

**April 7, 2010**

**12:30 P.M. CLOSED SESSION**

**1:00 P.M. REGULAR SESSION**

**2:00 P.M. PUBLIC HEARING**

**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  
Dave Hintz  
(Absent: Charles Wickman)

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

Other County Staff: (None)

Guests Who Signed In: Penny Lewandowski, Thomas Lewandowski, Joanne Ahlborn, Dennis Loos, Terry Towers, Glenda Zimmerman

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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 Dave Hintz 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.

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**Motion by Larry Greschner, second by Ted Cushing to go into closed session. Roll call vote Dave Hintz “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 Ted Cushing, second by Dave Hintz to return to open session. With all members present voting “aye”, the motion carried.**

Mr. Holewinski announced that while in closed session the committee took no action.

Preliminary 2-lot Certified Survey Map of Robert Richardson, owner for property on Blumenstein Rd., described as part SW SW, Section 2, T39N, R6E, PIN WR 15, Town of Woodruff. The Committee is to review this preliminary survey map under Section 15.17 of the Oneida County Subdivision Ordinance for modification of lot sizes.

Karl Jennrich, Zoning Director indicated that under Chapter 15.17, the modification of lot sizes would be allowed as requested by the owner. (Exhibit #1)

Nadine Wilson, Land Use Specialist described the history of the attempted conversion and new request for subdividing. Mr. Richardson attempted to purchase surrounding land, however the neighboring owners would not sell. Ms. Wilson also indicated the subdivision has not been approved by the town yet due to the need for approving the modification first. Ms. Wilson indicated the department recommends approval of the modifications with the conditions that the septic system on lot two be put on the maintenance system and the town approves the certified survey map with modifications of the lot sizes.

Jim Rein and Mr. Richardson were both present during the review by this committee.

**Motion by Larry Greschner, second by Ted Cushing to approve the modification as indicated in the language of Chapter 15.17. With all members present voting “aye”, the motion carried.**

**Motion by Larry Greschner, second by Ted Cushing to approve the preliminary two lot certified survey map of Robert Richardson, Town of Woodruff, Blumenstein Road based on approval of the modification and town board approval. With all members present voting “aye”, the motion carried.**

Six-month time extension to finalize and record a lot Certified Survey Map of Michael Miller for property located in the N ½ NW ¼, Section 23, T38N, R11E, PIN# TL 662-5, Town of Three Lakes. The original approval date of the Planning and Zoning Committee was October 2, 2009.

Steve Osterman, Planning Manager indicated the surveyor submitted a letter requesting an extension due to a domestic situation. The department would recommend the six month extension.

**Motion by Ted Cushing, second by Dave Hintz to grant the six month time extension to finalize and record a certified survey map of Michael Miller, Town of**

**Three Lakes, agenda item number six. With all members present voting “aye”, the motion carried.**

Ordinance Amendment #1-2010, a rezone in the Town of Nokomis. The Committee will be forwarding to the Oneida County Board of Supervisors.

Mr. Jennrich presented ordinance amendment #1-2010 (Exhibit #2) for approval.

**Motion by Ted Cushing, second by Dave Hintz to approve ordinance amendment #1-2010, rezone in the Town of Nokomis and forward onto the County Board for approval. With all members present voting “aye”, the motion carried.**

Ordinance Amendment #2-2010, a rezone in the Town of Schoepke. The Committee will be forwarding to the Oneida County Board of Supervisors.

Mr. Jennrich presented ordinance amendment #2-2010 (Exhibit #3) for approval.

**Motion by Larry Greschner, second by Ted Cushing to approve ordinance amendment #2-2010, Town of Schoepke and forward onto the County Board for approval. With all members present voting “aye”, the motion carried.**

NR 115 Grants. The Planning and Zoning Committee will be forwarding a Resolution to the Oneida County Board of Supervisors.

Mr. Jennrich presented a resolution regarding applying for an NR115 grant (Exhibit #4). Mr. Jennrich indicated this grant is for those counties willing to meet the minimum requirements. There are still a lot of unknowns and questions posed to the DNR that have not been answered, however there is a deadline for applying for this grant and the department does not want to miss that opportunity.

The committee agreed to submit the resolution due to the May 1<sup>st</sup> grant application deadline, with an explanation to the county board that the DNR has not answered all our questions pertaining to NR115 rules.

**Motion by Ted Cushing, second by Dave Hintz to forward the resolution applying for the grant from the DNR regarding NR115 to the County Board for their consideration. With all members present voting “aye”, the motion carried.**

The committee asked that Mr. Jennrich research further with the DNR what strings are attached to the grant.

#### NR 115

Mr. Jennrich indicated the letter of questions submitted to Greg Breese, DNR was forwarded onto their technical staff for interpretation. Correspondence was received from the Town of Little Rice (Exhibit #5) and will be discussed at the next committee meeting.

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

Mr. Jennrich presented a refund in the amounts of \$50 A1 Septic, \$75 Mr. Rutkowski, \$73.91 Mr. Kincaid.

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

Mr. Jennrich presented purchase orders and vouchers in the amount of \$5286.07 and \$255.27 (Exhibit #6, #7). Statistics through March 2010 were also supplied (Exhibit #8).

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

Approve future meeting dates.

The dates set are April 21, 2010; May 5, 2010 and May 19, 2010.

Public comments.

There was no public present for comments at this time.

Future agenda items.

- NR115 Correspondence.

**CONDUCT PUBLIC HEARING ON THE FOLLOWING:**

Conditional Use Permit Application of Thomas and Penny Lewandowski to open a dog boarding / horse boarding facility on property described as SE NE, Parcel A SM A1017, Section 8, T38N, R6E 10352 Lowe Dr, PIN # HA 85-1, Town of Hazelhurst.

Mr. Jennrich read the notice of public hearing for the above agenda item. The notice was published in the Rhinelander Daily News on March 23, 2010 and March 30, 2010 along with the Lakeland Times the week of March 22, 2010. The notice was posted on the Courthouse bulletin board on March 18, 2010. The mailing list was noted and located in the file for review.

The following correspondence was received:

- Letter from the Town of Hazelhurst dated March 9, 2010 approving of the permit with conditions as read.
- Letter from Mr. Differt expressing concern of dog barking.
- Letter from Ms. Ahlburn in support of the permit.
- Letter from Mr. Wexler in support of the permit.

Kathy Ray, Land Use Specialist read the report provided (Exhibit #9) and distributed maps of the property. Ms. Ray indicated the town concerns were noted and addressed

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by the owner. 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. Proper permit(s) to be obtained, as needed, prior to construction.
4. No accumulation of junk or debris allowed.

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

Terry Towers, Woodcock Lane, commented on concerns about the noise from the dogs can at times get intense and very annoying. Mr. Towers explained that when the weather is good the noise gets louder. This area is unique in that it is a quiet neighborhood and additional animals may create more noise. Mr. Towers asked what will be done to keep the noise at bay and what recourse the neighbors have if the noise gets out of hand. Mr. Towers also spoke of his concern of his property value having a kennel next door. Mr. Towers indicated he does not object to the business, but wonders how the increase in noise will be remedied.

Denis Loos, Woodcock Lane, commented that he has the same concerns as Mr. Towers of the increase in noise.

Brenda Zimmerman, Woodcock Lane, commented there is a lot of noise when the dogs are all out at once.

Joann Ahlborn, commented for the approval as she believes this will create a good business. Ms. Ahlborn indicated the owner has several hunting dogs who bark due to the bear, coyotes, wolf, etc. in the area. Ms. Ahlborn indicated both owners work full-time outside the home and if this is approved Penny will be home more and able to keep the noise at bay.

Penny and Thomas Lewandowski indicated they are for approval.

No other comments were made.

Mr. Jennrich noted the property is zoned residential and farming and this is an allowed use.

Mr. Holewinski asked how long the owners have had hound dogs and if there were any town complaints.

Ms. Lewandowski indicated they have had the hound dogs for thirteen years.

Mr. Cushing indicated there have been no town complaints as long as he has been on the board.

Ms. Lewandowski indicated the runs are enclosed and open only in the front.

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Mr. Lewandowski indicated the new kennels would be built further away from the residence to the south of the property.

Mr. Holewinski asked if this is approved and the noise becomes an issue what could be done.

Mr. Jennrich indicated additional conditions could be imposed, the CUP could be revoked. Mr. Jennrich commented that it is probably the hounds that are the noisiest, not those kenneled and it is hard to define excessive noise.

Mr. Holewinski commented that if the owners wanted to have more hounds that are their own personal dogs they can. It's the boarding and breeding that cause the need for a conditional use permit.

**Motion by Larry Greschner, second by Ted Cushing to approve the conditional use permit of Thomas and Penny Lewandowski, Town of Hazelhurst with staff concerns and conditions and the general standards having been met. With all members present voting "aye", the motion carried.**

Adjourn

**Time: 2:33 p.m.**

**Motion by Larry Greschner, second by Ted Cushing 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