

ONEIDA COUNTY PLANNING & ZONING
May 5, 2010

1:00 P.M. REGULAR SESSION
2:00 P.M. PUBLIC HEARING

COMMITTEE ROOM #2, SECOND FLOOR COURTHOUSE
2ND FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

Members present: Scott Holewinski
Larry Greschner
Dave Hintz
Billy Fried
Gary Baier

Department staff present: Karl Jennrich, Zoning Director
Pete Wegner, Assistant Zoning Director
Kathy Ray, Land Use Specialist
Kim Gauthier, Typist

Other County Staff: Ted Cushing, County Board Chair

Guests Who Signed In: Barbara Fabianski, Barbara Lowe, Duane Belling Sr., Don Sidlowski

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION/DECISION.

Call to order.

Scott Holewinski, Chair called the meeting to order at 1:00 p.m., in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was properly posted.

Approve the agenda.

Motion by Dave Hintz, second by Gary Baier to approve the amended agenda. With all members present voting "aye", the motion carried.

Approve meeting minutes of April 7, 2010.

Motion by Larry Greschner, second by Scott Holewinski to approve the regular and public hearing minutes of April 7, 2010 as presented. With all members present voting "aye", the motion carried.

Forward resolution to change the fee schedule regarding on-site inspection fees to the Oneida County Board of Supervisors.

Mr. Jennrich indicated this resolution was previously approved by the committee and just needed their signatures.

Non-metallic Mine and Registration and Reclamation Plan for property owned by Frank Klaver, located in the fractional SW ¼ of the NW ¼ of Section 4, T36N, R8E, PI# CR 54, Town of Crescent.

Mr. Jennrich provided a memo to the committee dated April 28, 2010 (Exhibit #1). Mr. Jennrich indicated Mr. Belling is present and is requesting the cash bond date be moved to May 31, 2010.

Motion by Gary Baier, second by Dave Hintz to move the bond date to May 31, 2010 for Mr. Klaver's mine reclamation. All members present voted "aye", the motion carried.

Reconfiguration of lot lines for Verstegen / Verhagen, owners, being described as lots 21 & 22 of Plat of Ed Kloe's Big Lake Lot, part of Gov't Lot 4, Section 22, T38N, R11E, PI# TL 1970 and TL 1971, Town of Three Lakes.

Mr. Jennrich indicated this agenda item needs to be tabled due to technical issues being worked out with the town.

Motion by Larry Greschner, second by Dave Hintz to table agenda item number six. With all members present voting "aye", the motion carried.

Section 9.78, Sign Regulations. The Committee will review a request from the Town of Three Lakes to not enforce banner violations.

Mr. Jennrich described the history of this issue and referred to the letters previously issued by the department to the Town of Three Lakes (Exhibit #2).

Mr. Sidlowski, Town of Three Lakes, commented that the town was told by legal counsel on October 22, 2009 that they could adopt their own ordinance language. Mr. Sidlowski commented that the town's attorney and corporation counsel have corresponded (Exhibit #3, #4) and was told the legal opinion is privileged, however the county board may waive this and release that information. Mr. Sidlowski noted the Town of Three Lakes would like to enact an ordinance that may be less restrictive.

Mr. Baier recommended the county be least restrictive and let the towns be more restrictive if they desire.

Mr. Hintz agreed there needs to be a legal opinion released and recommended the committee request the waiver from the full county board.

Motion by Dave Hintz, second by Larry Greschner to request a waiver of attorney client privilege regarding the sign recommendation and bring this before the full county board at the May board meeting. With all members present voting "aye", the motion carried.

NR 115.

Mr. Jennrich noted he spoke with Mr. Greg Breese regarding the department's NR115 questions and he believes he will have answers by May 19th or May 26th.

The Planning and Zoning Committee will discuss and act upon a plan to adopt standards set forth in NR 115, Wisconsin Shorelands Protection Program. This will include a time table to amend Chapter 9, The Oneida County Zoning and Shoreland Protection Ordinance.

Mr. Jennrich read a letter issued to the County Board Chair from the Planning and Zoning Committee Chair regarding how the committee will respond to the affects of NR115 changes related to our ordinance (Exhibit #5).

Mr. Holewinski asked for the committee to comment on the letter.

Mr. Baier agreed with having the public involved and the timeline set forth.

Mr. Hintz agreed with the letter and progression recommended.

Mr. Holewinski commented he agrees that department staff should move forward.

Mr. Greschner asked that the County Board Chair, Ted Cushing comment as he was in the audience.

Mr. Cushing commented that he had asked the committee of jurisdiction (Planning and Zoning) for a proposed timeline. Mr. Cushing indicated he does not believe a separate committee is needed to address NR115, as this would create added cost to the county. Mr. Cushing agreed with the public hearings to keep the towns involved and recommended a resolution be brought to the County Board to proceed as described.

Motion by Gary Baier, second by Dave Hintz to adopt the plan as read for the Planning and Zoning Committee to move forward with complying with the newly written NR115 ordinance. With all members present voting “aye”, the motion carried.

Resolution to the Oneida County Board of Supervisors concerning Planning and Zoning Committees plan to oversee the revisions to Chapter 9, The Oneida County Zoning and Shoreland Protection Ordinance as a result of revision to NR 115, Wisconsin Shorelands Protection Program.

Mr. Jennrich read the resolution related to the above issue (Exhibit #6).

The committee discussed grammar changes and the changing the county board chair name.

Motion by Larry Greschner, second by Gary Baier to approve the resolution as presented with corrections and forward to the full county board. With all members present voting “aye”, the motion carried.

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

Mr. Jennrich indicated the refunds requested include \$50 to A1 Septic and \$400 to Mr. Schepper.

Motion by Dave Hintz, second by Billy Fried to refund A1 Septic and Mr. Schepper, as presented. With all members present voting “aye”, the motion carried.

Mr. Jennrich presented the bills and vouchers in the amounts of \$41,475.49 and \$1104.08 (Exhibit #7 and #8) along with statistics (Exhibit #9).

The committee agreed to withhold payment to North Central WI Regional Planning Commission in the amount of \$30,000 until further questions are answered on the amounts paid to NCWRPC.

Motion by Larry Greschner, second by Dave Hintz to approve bills as presented excluding the North Central WI Regional Planning Commission bill. With all members present voting “aye”, the motion carried.

Approve future meeting dates: May 19 and June 2, 2010.

Motion by Dave Hintz, second by Gary Baier to approve the meeting dates. With all members present voting “aye”, the motion carried.

Public comments.

Barbara Fabianski asked if there was any progress on the Balsam Prairie condo request and if the park is closing as she was told there was a second water sample taken.

Mr. Jennrich indicated the town formally denied the project and the department will comment on the issue at the May 19th Planning and Zoning Committee meeting.

Gary Baier presented a draft letter regarding WCCA (Exhibit #10) for committee review.

Future agenda items.

- NR115.
- WCCA letter response.
- NCWRPC refund and expenses.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application of David Pucci to open a canoe, kayak, rafting and tubing rental business on property owned by Glenn Bean and further described as part of the SE NE and NE SE, Lot 1 CSM V8 P2071, Section 3, T38N, R7E, Pl# LT 41-3 (includes LT 33-4), 7162 Bradley Street, Town of Lake Tomahawk.

Mr. Jennrich read the notice of public hearing for the conditional use permit application indicated. The notice was published in the Rhinelander Daily News on April 20, 2010 and April 27, 2010. Along with the Lakeland Times the week of April 19, 2010 and posted on the Oneida County Courthouse bulletin board on April 15, 2010. The mailing list was also read into the record.

The following correspondence was received:

- E-mail from the Town of Lake Tomahawk dated April 14, 2010 approving of the CUP, as read.

Ms. Ray, Land Use Specialist described the proposed business and read the report provided (Exhibit #11). The general standards of approval were supplied and the department recommends approval with the following conditions:

1. The project is commenced within 3 years from date of issuance.
2. The nature and extent of the conditional use shall not change from that described in the application and approved in the CUP.
3. Subject to Town approval as stated above.
4. Parking is limited and the five spaces on site are to be used for employees and customer inquiries. All other customers to park in public parking areas or at drop off areas.
5. Outdoor display/storage limited to the kayak rack and canoe trailer as described in the application.
6. Sign permits to be obtained, as required, prior to placement.
7. May be subject to DOT requirements.
8. Dumpster(s), if used, to be screened from view (applicant to recycle waste material as required).

Mr. Holewinski asked if there was public comment for or against the issue at hand (two times).

Mr. Pucci described the drop off points and shuttle service along Highway 47 and noted he is in favor of approval.

There were no other public comments made.

Motion by Larry Greschner, second by Billy Fried to approve the conditional use permit of Mr. Pucci, Town of Lake Tomahawk, agenda item number fifteen, with staff conditions and the general standards having been met. With all members present voting “aye”, the motion carried.

Adjourn

Time: 2:15 p.m.

Motion by Larry Greschner, second by Gary Baier to adjourn. With all members present voting “aye”, the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director