

**ONEIDA COUNTY PLANNING & ZONING**  
**June 17, 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**

---

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

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

Other County Staff: (None)

Guests Present: Dennis Herman, Kevin Jenkins, Robert Winat, Rich and  
Brigit Nitschke

---

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.

Approve the agenda.

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

---

Approve regular meeting minutes of April 29, 2009.

Approve public hearing meeting minutes of April 29, 2009

**Motion by Larry Greschner, second by Ted Cushing to approve the regular and public hearing minutes of April 29, 2009 as presented. With all members present voting “aye”, the motion carried.**

Schedule site visit of Eagle Cove Camp and Conference Center on property described as identified as part of Gov't Lots 2, 3, 4 and part of the SW NW, Section 24, T36N, R7E, PIN#'s WB 354-12, 355-1, 356-3, 356-4, 356, 357, 357-5, 357-4, all in the Town of Woodboro. The general location of this project is on land situated between Squash Lake and Hwy 8.

Mr. Jennrich indicated the committee will conduct an on-site visit on 6/25/09 at 3:00 p.m. The committee decided to meet at the BP gas station at 3:00 p.m. and travel to the property.

**Motion by Larry Greschner, second by Ted Cushing to meet at BP gas station on Hwy 8 to travel to Eagle Cove Camp and Conference Center at 3:00 p.m. on June 25, 2009. With all members present voting “aye”, the motion carried.**

Mr. Greb indicated he will not be able to attend.

Reconsideration of conditions placed on Conditional Use Permit Application of Rynders Development, Dennis Herman, agent for a 22 duplex home (44 unit) development on property described as part of Gov't Lot 2 and NW SE, Parcel B of SM C1489, Section 10, T39N, R6E, Old Hwy 70 Road, PIN# MI 2166 (includes MI 2167), Town of Minocqua.

Kathy Ray, Land Use Specialist presented a letter from Mr. Herman (Exhibit #1) indicating the items he would like the committee to reconsider.

Mr. Jennrich commented that legal counsel advised the department Mr. Herman would need to appeal the decision made regarding his CUP if he does not agree with the conditions.

Mr. Holewinski noted a public hearing was already held on this conditional use permit and the committee has reviewed the proposal, set conditions, heard from the public and conducted an on-site inspection. The committee agreed they would not reconsider the conditions set forth and advised Mr. Herman that he would need to appeal to the Board of Adjustment if he disagrees with the decisions.

**Motion by Ted Cushing, second by Frank Greb to not reconsider the conditions of the CUP for Rynders Development, Dennis Herman agent. With all members present voting “aye”, the motion carried.**

Preliminary 2-unit AmericInn Condominium Plat of Goldin Minocqua LLC, owner of property Described as Lot 1 of certified Survey Map v16 P3696 being part of Gov't Lot 2, Section 14, T39N, R6E, PIN#'s MI 2205-4, MI 2205-13, Town of Minocqua.

---

Ms. Ray presented a map of the location and conditions established by the department (Exhibit #2). Ms. Ray indicated the town approved with no conditions.

**Motion by Ted Cushing, second by Larry Greschner to approve the preliminary two unit AmericInn Condominium plat of Goldin Minocqua LLC, Town of Minocqua with conditions as presented. With all members present voting “aye”, the motion carried.**

Preliminary 1-lot Certified Survey Map of Gerald Kozey, owner of property on Squaw Lake further described as part of Gov't Lot 6, Section 16, and part of the NE SE, Section 17, all in T39N, R4E, PIN# MI 2344-2, Town of Minocqua.

Ms. Ray noted the department received three different letters from the Town on this agenda item. A letter dated June 4, 2009 as read, letter dated June 9, 2009 commission and board approval, along with letter dated June 17, 2009 to clarify the request of a 60 foot cul de sac per town code.

Jim Rein, agent advised the committee that potential buyers will be made aware of the 75 foot set back as shown on the measurement data.

**Motion by Larry Greschner, second by Ted Cushing to approve the preliminary one lot CSM of Gerald Kozey owner of Squaw Lake, Town of Minocqua with staff and town conditions and the change of condition number three to read “filling”, along with waiving the town cul de sac radius. With all members present voting “aye”, the motion carried.**

Preliminary 6-lot plat of the Farb Subdivision for property described as part of Gov't Lot 2, Section 14, T38N, R7E, PIN# LT 172-14, Town of Lake Tomahawk.

Mr. Osterman described the Farb's proposed sub-division. There was a recent sale and Mr. Osterman indicated he would ensure the final plat has the Farb name recorded. Mr. Osterman noted the town waived the cul de sac radius down to 60 feet. Mr. Osterman also indicated the department has not yet received a formal approval letter; however, the town verbally indicated their approval.

**Motion by Ted Cushing, second by Charles Wickman to approve the preliminary six lot plat of the Farb subdivision, Town of Lake Tomahawk with town and staff conditions and formal approval. With all members present voting “aye”, the motion carried.**

#### Section 9.98, Piers Other Berth Structures

Mr. Wegner indicated when discussing this with the DNR they had concerns of the extension (8X20) of the pier.

Tom Blake, DNR present and provided a handout of the DNR recommendations in red to the ordinance (Exhibit #4). Mr. Blake indicated his department would recommend the length be clarified. Mr. Blake discussed ASNRI (Areas of Special Natural Resource Interest) locations and indicated when a DNR permit is required. Mr. Blake described this area as an exemption.

The committee agreed an applicant needs to go to the DNR for construction of a pier greater than 6 feet. Committee recommended drawings in the ordinance as examples. Committee agreed to leave this ordinance language as it is and include the "DNR requirements".

Mr. Wegner agreed that the department must obtain a list of the ASNRI lakes from the DNR.

**Motion by Ted Cushing, second by Larry Greschner to have the department obtain a list of the ASNRI lakes and provide drawings as examples in the current ordinance. With all members present voting "aye", the motion carried.**

**Time: 1:55 p.m. The committee took a five minute break prior to the public hearing.**

**Time: 2:23 p.m. The committee reconvened with the regular meeting.**

Section 9.33, Exceptions to Zoning Permit Requirement. The Committee will be considering requiring permits for remodeling.

Mr. Wegner provided a memo (Exhibit #5) pertaining to the legal opinion against this requirement.

**Motion by Frank Greb, second by Ted Cushing to eliminate the consideration of requiring a permit for remodeling. With all members present voting "aye", the motion carried.**

Placement of white sales tents in Oneida County

Mr. Jennrich indicated the committee and department will be discussing whether sale tents are a violation as they may be considered outside sales and require a permit.

Discussion that tents are not allowed unless they are part of the CUP or ARP process. The issue involves safety concerning traffic and parking.

Mr. Wegner indicated the department will send letter to these businesses and include the ordinance language.

The Committee will be acting on a resolution to go before the Oneida County Board of Supervisors to support AB243, a bill to extend the timeframe to erect a Comprehensive Plan.

Mr. Jennrich indicated a two year extension may be granted under Mr. Holpren's efforts. A resolution will be drafted and brought before the committee as a future agenda item.

Ordinance Amendment #1-2009, changes to Chapter 13, The Oneida County Private Onsite Wastewater Treatment System (POWTS) Ordinance. The committee will be reviewing and approving a resolution to go to the Oneida County Board of Supervisors

---

Mr. Jennrich indicated this will be on a future agenda as comments have not come into the department yet.

Scheduling of back-to-back Planning and Zoning Committee meetings

Mr. Jennrich discussed with the committee the possibility of skipping the third meeting in the month when applicable.

**Motion by Frank Greb, second by Ted Cushing to skip the third PZ Committee meeting in a month and only have two regular meetings affective August 1, 2009. With all members present voting “aye”, the motion carried.**

Revision to NR 115, Wisconsin Shoreland Protection Program

Mr. Jennrich noted the next meeting is scheduled for June in New Richmond. Mr. Jennrich recommended staff attend as this proposal will have a big affect on counties due to impervious surface and permits may be needed. Mr. Jennrich indicated averaging is calculated different than how it is proposed in NR115 regarding principle structures. A copy of NR115 was distributed (Exhibit #6).

**Motion by Frank Greb, second by Larry Greschner directing both Pete and Karl to attend the June 24<sup>th</sup> DNR meeting regarding NR115. With all members present voting “aye”, the motion carried.**

**Motion by Ted Cushing, second by Frank Greb directing Mr. Wegner and Mr. Jennrich to outline for the PZ Committee and Finance Committee how this will affect Oneida County including the cost affects. With all members present voting “aye”, the motion carried.**

Line item transfers, refunds, purchase orders and bills.

Mr. Jennrich indicated there is one refund in the amount of \$500 for Gaber. Mr. Jennrich presented bills and purchase orders in the amount of \$763.39 and \$1248.00 (Exhibit #7 & #8).

**Motion by Ted Cushing, second by Larry Greschner to approve the refund in the amount of \$500 for Mr. Gaber. With all members present voting “aye”, the motion carried.**

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

Approve future meeting dates: June 1 and July 15 and July 22, 2009.

June 25, 2009 the committee will conduct an onsite inspection of the Jaros property at 3:00 p.m.

---

July 1, July 15 regular meetings are scheduled. July 22 closed session meeting with outside legal counsel at 1:00 p.m. July 29 regular meeting with the Jaros CUP on the agenda.

Public comments.

There was no public comment made.

Future agenda items.

- Participation in metallic mining over site committee.
- Resolutions as discussed.

Adjourn.

Time: 3:02 p.m.

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

---

Scott Holewinski, Chair

---

Karl Jennrich, Zoning Director