

ONEIDA COUNTY PLANNING & ZONING  
August 18, 2010

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

COMMITTEE ROOM #2, SECOND FLOOR COURTHOUSE  
2<sup>ND</sup> FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

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Members present: Scott Holewinski  
Dave Hintz  
Billy Fried  
Gary Baier

Department staff present: Karl Jennrich, Zoning Director  
Nadine Wilson, Land Use Specialist  
Kathy Ray, Land Use Specialist  
Kim Gauthier, Typist

Other County Staff: (None)

Guests Who Signed In: See sign in sheet

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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 agenda. With all members present voting "aye", the motion carried.**

Public comments.

There was no public comment.

Preliminary two-lot subdivision of John Schroeder on property described as part Gov't Lot 3, Section 29, T37N, R9E, PIN PL 600-3, Town of Pine Lake.

Ms. Wilson presented map of the property and described the division. The department has requested a maintenance agreement on the easement.

**Motion by Billy Fried, second by Gary Baier to approve the preliminary two lot subdivision for John Schroeder with conditions set by the Planning and Zoning Department. With all members present voting "aye", the motion carried.**

At-Risk Facilities – High Strength Waste. The Committee will be reviewing a fee to have the County participation in At-Risk Facilities.

Mr. Jennrich referred to memo dated August 12, 2010 (Exhibit #1) regarding raising the fee for at-risk systems due to the increase in staff monitoring.

**Motion by Scott Holewinski, second by Dave Hintz directing staff to present a fee schedule putting at risk facilities at a fee of \$410, and put into resolution form. With all members present voting “aye”, the motion carried.**

Election of Vice-Chairperson.

**Billy Fried nominated Gary Baier as Vice Chairperson, Scott Holewinski seconded the motion and all members voted “aye”. The motion carried.**

2010 Budget for Planning and Zoning

Denise Hoppe, Office Manager presented the detail budget worksheet and memo (Exhibit #2) regarding the 2010/2011 budget. Changes were made to account number 493074 as noted on the document (Exhibit #2). Department statistics were also distributed (Exhibit #3).

The committee discussed the possibility of reducing publication expenses by making the extra publication (excluding Rhinelander Daily News) briefer with a reference to RDN or the department website and/or phone number.

**Motion by Gary Baier, second by Scott Holewinski to approve the budget for 2011 along with one change made and forward onto finance. With all members present voting “aye”, the motion carried.**

#### **CONDUCT PUBLIC HEARING ON THE FOLLOWING:**

Conditional Use Permit application of Scott Negri to relocate Scott’s Northwood’s Diesel currently at 7714 Hwy 51 South to property described as NE NE, n/k/a Lots 6-8 CSM V16 P3573, Section 8, T39N, R6E, Red Tail Loop, PIN’s MI 2123-7, MI 2123-8 and MI 2123-9, Town of Minocqua.

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 August 3, 2010 and August 10, 2010. Along with the Lakeland Times the week of August 3, 2010 and posted on the Oneida County Courthouse bulletin board on July 29, 2010. The mailing list was also read into the record.

The following correspondence was received:

- Letter from the Town of Minocqua dated August 17, 2010 approving the CUP with conditions as read.
- Packet of correspondence received from the public (Exhibit #4).
- Brief synopsis of correspondence (Exhibit #5).

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Kathy Ray, Land Use Specialist referred to the report provided (Exhibit #6) noting the general standards were supplied and the following conditions were set forth by the department:

1. This project is commenced within 3 yrs 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 Conditional Use Permit.
3. Subject to Town review and recommendations :
  - a. To enhance screening to the south & east, the applicant will supply and plant a minimum of 2 evergreen trees at least six feet in height at the specific location designated by the Town and County Zoning staff;
  - b. The county to place a 6-month time frame on vehicles or other pieces of equipment stored outside at this location;
  - c. The owner to create, within the 50 buffer zone, a vision barrier created by the planting of evergreen trees of size and quantity necessary to create an adequate barrier;
  - d. Any lighting on the building to be shielded and down-facing;
  - e. Any dumpsters to be completely screened from view;
  - f. The town would like any outdoor operations that create excessive noise to be restricted after 6 pm.
4. Proper permits to be obtained prior to the start of construction (Town/County/State).
5. No salvage material/items/inventory or non-operable/non-repairable items to be stored on the property. The permanent storage and abandonment of any type of vehicle or machinery at this location is prohibited for a time longer than 6 months.
6. Lots to be joined by Certified Survey Map (CSM) if building is to be constructed over lot line.
7. Subject to maintaining the 50' vegetative sound & buffering strip along the east lot line.
8. Sign permit(s) to be obtained as required prior to placement. Existing sign at current location to be removed or covered within 30 days of relocating to new location.
9. If exterior lighting is installed, it must be downcast and shielded from above.
10. Dumpsters, if used, must be screened from view. Applicant to recycle waste material as required. No accumulation of junk or debris on the outside of building allowed.

Mr. Negri, owner, explained the current business and primary foreign sales involved. Mr. Negri noted the new location is off Highway 51, which will be more economical.

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

John Margitan, Minocqua commented he does not believe the people here understand the process.

Mr. Holewinski explained the process for applying and approving a conditional use permit.

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Mr. Margitan commented there was an oversight made at the town meeting. Diesel trucks will come in and out with possible leakage. Mr. Margitan recommended groundwater monitoring wells to monitor seepage and prevent spills.

Shawn Linchert commented he is against approval, as he resides across the street from the proposal. Mr. Linchert provided a picture presentation of trucks currently utilized (Exhibit #7) and concern for contamination to the ground and area lakes. Mr. Linchert also recommended a designated tank storage area and more details on the CUP.

Mr. Holewinski clarified that the new storage plan was presented after last night's town meeting.

Mr. Linchert expressed concern that a diesel engine will be running next to his home every day of the week. Mr. Linchert expressed the following concerns for noise and diesel smoke at his property, the lot size may not allow for overflow storage, water tables should be monitored, loading docks more defined; the application is inadequate and needs to be cleaned up with a better site evaluation and clarification. Mr. Linchert recommended the committee deny the application due to the impact on the surrounding residence and affect on property value.

Russell Huizinga, 1025 Little Creek, commented on his concern of power wash runoff and contamination due to oil, gasoline, etc.

Tim McMann, Ranchwood Circle, asked that the committee consider the concerns submitted in writing by the surrounding property owners.

Paul Schulz, Ranchwood Circle, commented on his opposition to the proposal due to an atypical business operation that is close to being a salvage yard. Mr. Schulz does not believe this is a good business so close to a residential area and disagrees with the previous re-zone that took place. Mr. Schulz does not believe general standard number two can be met with only a few trees planted for a buffer.

Susan Loos, Norway Court, commented that she objects to the proposal.

Sally Litcher, commented on her objection to the proposal and agreement with the other comments made by the public.

John Zuliger, Appleton, commented that he owns vacation property near the proposed site and disagrees with the proposal due to the noise this business will create. Mr. Zuliger commented that he would not have bought his property had he known this was a possibility. This business does not fit.

Kirsten Margitan, Minocqua, described her understanding of the salvage that takes place and noted this does not fit the surrounding area. Ms. Margitan commented that she is frustrated with the loss of a possible berm as was discussed at the town meeting. Ms. Margitan submitted a highlighted map of the area and photos on disc (Exhibit #8, #9). Ms. Margitan suggested postponing the committee decision and has the committee do a site visit. Ms. Margitan commented that the CUP given from the town is different than what is presented today. Ms. Margitan indicated she has young children and walk this area daily and is concerned of the health hazard this proposal will create.

Bonnie Margitan, Mercer Lake Road, commented that the zoning has changed three times and it's difficult to believe a salvage yard could be approved in this area.

Kris Dobinski, commented that it's her understanding that the committee needs to look at the land use plans and if this is a right fit. Ms. Dobinski asked if this is a compatible use. Ms. Dobinski commented that a tree buffer will be on her land and she does not want to be responsible for the buffer.

Gary Robinson, Hill Lake, commented he is opposed to the proposal due to the clutter and what will take place on the property. Mr. Robinson commented this business has a trashy look with parts outside and may be possible to keep up if inside but not outside. Mr. Robinson asked who will enforce the CUP requirements and what if the tree buffer dies.

Denis Lawrence, Agent, commented the south end of Hill Lake is all business and diesel trucks come in and out of this area. Mr. Lawrence noted the property has been zoned since 2007 and there have been different CUP applications, but was zoned commercial after the town did away with rural farming. There are businesses up and down Ranchwood Circle. Mr. Lawrence noted he understands the concerns and Mr. Negri is trying to accommodate property owners by routing traffic. The buffer is located about 50 feet and 60 feet on the right away. Trees will be planted on the town right away not on private property. Mr. Lawrence noted the town conditions were favorable last night at the meeting. Also, weight restrictions were discussed but residence did not like this on their road. There are already CUP permits for the businesses on Ranchwood. The town recommended tree planting rather than building a berm and destroy what's already there.

Mr. Negri, Owner, submitted pictures of the vegetation (Exhibit #10). Mr. Negri commented that a new building will be placed on the property and kept clean. The pictures shown by the public were behind the view area. Mr. Negri agreed he will work to be a good neighbor.

Mr. Holewinski commented that he would like the committee to view the property before setting conditions.

Mr. Jennrich indicated the meeting following the onsite could take place in Minocqua either on September 1<sup>st</sup> or September 15<sup>th</sup>.

**Motion by Dave Hintz, second by Gary Baier that no decision will be made today, with an on-site on September 1, 2010 and deliberation after the on-site. With all members present voting "aye", the motion carried.**

Staff attendance at Nicolet College to participate in a Sustainability Conference on September 25, 2010

Mr. Jennrich noted that Bob Martini asked that staff attend a meeting on September 25, 2010 regarding sustainability. The committee agreed that if staff has time to attend they should.

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Line item transfers, purchase orders and bills.

Mr. Jennrich presented bills and purchase orders in the amounts of \$314.98 and \$430.00 (Exhibit #11 & #12).

**Motion by Scott Holewinski, second by Dave Hintz to approve the purchase orders and bills as presented. With all members present voting “aye”, the motion carried.**

Approve future meeting dates: September 1 and September 15, 2010.

The committee will meet in Minocqua on September 1, 2010.

Public comments.

There was no public comment.

Future agenda items.

- Campsites with a twenty acre minimum and density calculations.
- Off-premise sign in Minocqua.
- NR115

Adjourn.

Time: 3:32 p.m.

**Motion by Gary Baier, second by Billy Fried 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