

**ONEIDA COUNTY PLANNING & ZONING**  
**August 19, 2009 2:00 P.M.**  
**PUBLIC HEARING – COMMITTEE ROOM #2**  
**ONEIDA COUNTY COURTHOUSE**  
**RHINELANDER, WI 54501**

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

Department staff present: Steve Osterman, Planning Manager  
Kim Gauthier, Secretary

Other County Staff: (None)

Guests present: (See sign-in sheet)

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Call To Order:

Chair, Scott Holewinski called the meeting to order at 2:00 p.m., in Committee Room #2, 2<sup>nd</sup> Floor Oneida County Courthouse, Rhineland, Wisconsin in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was properly posted, the media notified.

Approve the agenda

**Motion by Frank Greb, second by Ted Cushing to approve the agenda. With all members present voting “aye”, the motion carried.**

Conditional Use Permit application of United Methodist Church of the Pines for a 4838 square foot addition to the existing church on property described as being part of the Village of Minocqua, Block 6, S25' of Lots 1 & 2, Lots 3, 4, 17, 18 & 19, Section 14, T39N, R6E, properties known as 321 and 325 Milwaukee Street E, 415 Chippewa Street and 312 Chicago Ave. E, PIN#'s MI 3290-1, 3292, 3293, 3306, 3307 and 3308, Town of Minocqua.

Steve Osterman, Planning Manager read the notice of public hearing into the record. Mr. Osterman offered proof of publication from the Rhineland Daily News, published on August 4, 2009 and August 11, 2009, along with the Lakeland Times the week of August 3, 2009. The notice was posted on the Oneida County courthouse bulletin board July 30, 2009. The certified and first class mailing list was read into the record. Mr. Osterman noted the notice recipient list was part of the record and available for review.

Mr. Wickman indicated he has a conflict of interest due to being a member of the church indicated and will excuse himself from the committee.

Mr. Osterman indicated the following correspondence was received:

- Letter from the Town of Minocqua approving of the conditional use permit application.
- Letter from the Town of Minocqua dated August 19, 2009 waiving the on-site parking.

Kathy Ray, Land Use Specialist read the report provided (PH Exhibit #1) and described the proposed expansion.

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Loran Susor, United Methodist Church of the Pines, commented on the easement agreement the church has with Trigs.

Ms. Ray indicated the general standards have been supplied and the following conditions are recommended upon approval:

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 permits to be obtained prior to construction (Town/County/State).
4. CSM combining the lots for the purposes of zoning must be recorded prior to CUP approval.
5. Site spoils from basement to be disposed of properly.
6. If additional exterior lighting is installed it must be downcast and shielded from above.

Mr. Holewinski asked if there was any public comment for or against this issue.

Joe Handrick, Town of Minocqua, commented that the church parking lot is adjacent to a three-hour parking lot, which is not in affect on Sunday.

Bob Belane, commented that he is part of the church and this is good for outreach.

Gary Cole, commented he is for approval.

Sue Claflin, commented she is a member of the church and very much in favor of the proposal.

Bob L. McKinder, commented he is a member and the builder and in favor of the proposal.

Paul Kuhn, commented in favor of the proposal.

Dave Claflin commented as a member and a board member in favor of the proposal.

Ron Capacio commented in favor of the proposal.

No other comments were made. Public comment portion of the hearing was closed.

**Motion by Ted Cushing, second by Larry Greschner to approve the conditional use permit of Church of the Pines in Minocqua with the general standards having been supplied and the conditions by staff including waiving the parking by the town. With all members present voting "aye", the motion carried. Mr. Wickman abstained from voting.**

Conditional Use Permit application and preliminary Condominium Plat to be known as Bayview Condominium, submittal of William Fricke, co-owner to establish a 6-unit Condominium allowing short term rentals for property described as part of Gov't Lot 2, Section 3, T38N, R7E, PIN# LT 34 at 7305 Hwy 47, Town of Lake Tomahawk.

Steve Osterman, Planning Manager read the notice of public hearing into the record. Mr. Osterman offered proof of publication from the Rhinelander Daily News, published on August 4, 2009 and August 11, 2009, along with the Lakeland Times the week of August 3, 2009. The notice was posted on the Oneida County courthouse bulletin board July 30, 2009. The certified

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and first class mailing list was read into the record. Mr. Osterman noted the notice recipient list was part of the record and available for review.

Mr. Osterman indicated the following correspondence was received:

- Email from the Town of Lake Tomahawk approving of the 7/8/09 conditional use permit.

Mr. Osterman presented pictures from an on-site inspection conducted by the department. Mr. Osterman read the report provided (PH Exhibit #2) describing the permit application. Mr. Osterman noted there is pending enforcement action with unit one and Mr. Gallela the owner. The general standards have been supplied and the following conditions were recommended:

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the CUP.
2. All state and local licensing to be obtained prior to operation.
3. Placement of any exterior lighting shall be downcast and shielded from above.
4. Limited common element to unit one not to be converted to living quarters.
5. Shoreland mitigation completed by 10/15/09.
6. Zoning permits to be obtained on units #1 and #2 by 10/15/09.
7. Condo declarations to be reviewed and approved by the department.
8. The well for unit #6 required or connected to the existing well.

Note conditions four through eight were added as read by Mr. Osterman.

Bill Fricke, owner present and supplied pictures of potential parking arrangements. Mr. Fricke indicated the steps on the East side of the building are due to the building inspector requiring two exists and the reason he did not obtain a permit. Mr. Fricke agreed to obtain a permit for the landing.

Mr. Greschner questioned a condition on the parking.

Mr. Osterman indicated there is no solution and this will be up to the committee to consider. Mr. Osterman indicated Mr. Fricke may swap land with the adjoining owner.

Mr. Fricke indicated the owner did not comply with this request.

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

Lisa Terzinski commented she is for approval as this is a good project that will take away an eyesore.

Mr. Fricke is for approval as mentioned.

There was no other public comment.

**Motion by Ted Cushing, second by Larry Greschner to add condition number seven that condo declarations be reviewed and approved by the department. With all members present voting "aye", the motion carried.**

Discussion on parking requirements. Mr. Fricke indicated the road is not an easement and a portion is his property.

Mr. Holewinski if there are only two spaces allowed per unit, the committee may lower the parking restriction, as the garage allows for two vehicles.

Mr. Fricke indicated 12 parking spaces are easily available.

**Motion by Larry Greschner, second by Ted Cushing to waive the required three spaces per lot of parking to two spaces per unit. The condo declarations must reflect this also. With all members present voting "aye", the motion carried.**

Mr. Holewinski asked about the pending enforcement. Mr. Osterman indicated the enforcement is a separate issue.

Mr. Cushing questioned the well situation.

Mr. Fricke indicated the well to be piped between the units and hooked together.

Ms. Wilson noted the department has not allowed this in a condominium situation.

Mr. Holewinski recommended the septic be discontinued so that all units own their own well.

Mr. Fricke commented that he can not get into the existing well and would have to put in another side-by-side well.

Mr. Holewinski indicated this is a condo project and a separate well is required.

Mr. Cushing commented that the house isn't part of the condo and the house owns the well.

Mr. Fricke asked if the house could share the condo well. The committee all agreed no and that this should be part of the conditions.

Mr. Fricke suggested he have an agreement between unit number six and the house that if the well failed they would split the cost. The committee disagreed with this recommendation and wanted the issue settled at this time.

**Motion by Ted Cushing, second by Larry Greschner to add a condition that a new well must be put in for unit six or connect to the existing well to supply the other units. With all members present voting "aye", the motion carried.**

**Motion by Larry Greschner, second by Ted Cushing to approve the conditional use permit of Bayview Condominium, town of Lake Tomahawk agenda item four with town and staff concerns, general standards having been met along with conditions. With all members present voting "aye", the motion carried.**

Mr. Holewinski questioned when the well will go in.

Mr. Fricke agreed within the two year building permit time frame.

Mr. Holewinski recommended the well be in before the permit expires.

**Motion by Larry Greschner, second by Ted Cushing that the well required are in before the building permit expires. With all members present voting "aye", the motion carried.**

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After-the-Fact Conditional Use Permit application of Jenifer Erickson, owner and Gregory Cummings, agent for outdoor power equipment sales, service and rentals with outdoor displays, U-Haul trucks and trailers at Greg's Small Engine Repair, an existing business located at 4755 County P, further described as part of the SW SE, Section 4, T36N, R9E, PIN# PE 52-6, Town of Pelican

Steve Osterman, Planning Manager read the notice of public hearing into the record. Mr. Osterman offered proof of publication from the Rhinelander Daily News, published on August 4, 2009 and August 11, 2009, along with the Lakeland Times the week of August 3, 2009. The notice was posted on the Oneida County courthouse bulletin board July 30, 2009. The certified and first class mailing list was read into the record. Mr. Osterman noted the notice recipient list was part of the record and available for review.

Mr. Osterman indicated the following correspondence was received:

- Email from Ken Gardner, Pelican Town Clerk approving the after the fact CUP.
- Phone call from John Hoffman who was unable to attend, but is in support of the business.

Ms. Wilson indicated the owner was told any outdoor use required a CUP. The department issued letters to the owner and triple after the fact fees were obtained. Ms. Wilson presented a report (PH Exhibit #3) describing the proposal. The general standards have been supplied and the following conditions apply:

1. The nature and extent of the conditional use shall not change from that described in the application and approved in the CUP.
2. Outside storage of U-Haul trucks and trailers, new power equipment, and power equipment waiting for repairs to be in designated areas as indicated on plat.
3. Care to be taken not to block off building/shop areas of ingress and egress with U-Hauls, vehicles or power equipment from emergency vehicles.
4. Conditions of Administrative Review Permit #07-1262 incorporated herein: (see report)
5. Town of Pelican concerns, if any.

Mr. Holewinski questioned the buffers, footages and definition of the buffers.

Mr. Holewinski asked if there was any public comment. No public comment was made.

**Motion by Ted Cushing, second by Frank Greb to approve the after the fact CUP of Jennifer Erickson owner and Gregory Cummings, agent, town of Pelican with the general standards having been met and the conditions as presented. With all members present voting "aye", the motion carried.**

Adjourn Time: 2:55 p.m.

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