

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
JANUARY 6, 2021
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Scott Holewinski, Mike Timmons, Ted Cushing, Jack Sorenson, and Bob Almekinder

Members absent: None

Department staff present: Karl Jennrich, Zoning Director; Pete Wegner, Assistant Zoning Director; Scott Ridderbusch, Land Use Specialist; Deanna Tushoski, Administrative Support; and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel via ZOOM

Guests present: See sign in sheet.

Call to order.

Chair Holewinski called the meeting to order at 1:00 p.m. in accordance with the Wisconsin Open Meeting Law.

Approve the agenda. Motion by Jack Sorenson, second by Ted Cushing to approve the agenda. With all members present voting “aye”, the motion carried.

Public comments. None.

Approve meeting minutes of December 16, 2020. Motion by Ted Cushing, second by Jack Sorenson to approve the meeting minutes of December 16, 2020. With all members present voting “aye”, the motion carried.

Conditional Use Permit application by One Energy Development, applicant, Eric Udelhofen, agent and the Dorothy Kopp Living Trust, owner to install and operate a seven and half (7.5) megawatt solar photovoltaic facility on the following vacant parcels further described as being: Parts of Government Lots 1, 2, 3 and part of the SW ¼ of the NW ¼, Section 13, T36N, R8E, PIN’s CR 175-11, CR 176, CR 177, and CR 178, Town of Crescent.

Mr. Jennrich summarized an email received from One Energy on December 22, 2020 regarding concerns presented at the December 16, 2020. Mr. Jennrich stated that the report, including suggested conditions has been updated. If the applicant has met or agrees to meet all the requirements and conditions of permit issuance, staff would suggest the following conditions be placed on the CUP:

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1. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit (including the revisions listed above).
2. Subject to WDNR permits for land disturbance greater than one acre and be submitted to this department.
3. Subject to 9.92 Shoreland-Wetland Restrictions of the Oneida County Zoning and Shoreland Protection Ordinance.
4. Signage if proposed, to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
5. Subject to the regulations and requirements under Wisconsin Statutes 66.0401.
6. Vegetative screening be established and maintained over the life of the project as indicated in the permit applications (including all revisions listed above). Replacement of trees or bushes that do not take after the first year of planting.
 - a. Subject to additional trees, plantings, and vegetative screening may be added within the leased area and adjoining property of CR-179 and CR-179-7, and will permit their additions to the extent that it will not impair the efficient operation of the project. Reasonable requests shall not be denied. A minimum setback of approximately 25 feet from the solar panel fence will be maintained with all plantings. This allows a planting depth for screening of approximately 67 feet between the property line and panel fence. All trees, plantings and other vegetative screening within the lease area boundary will be selected such that the maximum expected height at maturity is no greater than 25 feet.
7. Proper permits be obtained prior to construction (Town/County/State).
8. All structures must meet all applicable setbacks pursuant to Chapter 9 Oneida County Zoning & Shoreland Protection Ordinance (including all revisions listed above for residences).
 - a. Maintain a one hundred fifty foot setback (150') from solar panels to current adjacent residences.
9. A Certified Survey Map is required to combine tax parcels to comply with zoning setbacks for the placement of solar panel structures.
10. Subject to Wisconsin DOT requirements for Highway 17 access for the construction phase of the project.
 - a. In the event that DOT access from Highway 17 is denied, access from Boyce Drive is permitted with the condition that construction traffic shall enter and exit utilizing the southernmost route of Boyce Drive to Highway 17.
11. Subject to Town of Crescent driveway permits for access off of Boyce Drive.
12. Zoning permit required for physical placement of panels. Staff recommends a fee of \$600.00.
13. Panels and supporting facility equipment be removed within one year of ceasing operations.

Mr. Jennrich stated that Mr. Grunst is not happy because he was not aware of the project when purchasing his property, but he said that the updated conditions are fair.

Eric Udelhofen, One Energy Development, LLC, was present and provided an update on the Grunst property: they have removed the three (3) closest rows to their home and added additional buffer to the area as well. One Energy received copy of the conditions prior to meeting and don't have any

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questions. One Energy is in agreeance with conditions stated. They submitted their application to the WI DOT on December 23, 2020 and are waiting for approval or denial.

Attorney Schiek was present and stated that their concerns have been handled and conditions have been agreed upon between One Energy and his clients, Jake and Joanne Bishop. The agreed upon conditions have been included in the staff suggested conditions previously stated.

Motion by Jack Sorenson, second by Ted Cushing to approve the CUP with conditions suggested by staff. With all members present voting “aye”, the motion carried.

Discussion/decision on Ordinance #5-2020 Chapter 9, Article 3-Section 9.33 - Exceptions to Zoning Permit Requirement and Article 10 Definitions.

Mr. Jennrich and Mr. Wegner explained the proposed changes.

Motion by Ted Cushing, second by Jack Sorenson to send OA #5-2020 to public hearing. With all members present voting “aye”, the motion carried.

Discussion/decision – Planning & Zoning Department permit activity/revenue (first meeting of the month) **Discussion only. No action was taken.**

Discuss/decision/prioritization of 2021 Oneida County Planning and Zoning Department projects. **Discussion only. No action was taken.**

Refunds. **There are two (2) requests. Motion by Mike Timmons, second by Ted Cushing to approve the refunds as requested. With all members present voting “aye”, the motion carried.**

Line item transfers, purchase orders, and bills. **Motion by Jack Sorenson, second by Mike Timmons to approve the bills as submitted. With all members present voting “aye”, the motion carried.**

Approve future meeting dates: **January 20, February 3 and February 17, 2021.**

Public comments. **None.**

Future agenda items. **As discussed.**

It is anticipated that the committee may meet in closed session pursuant to Wisconsin Statutes, §19.85 (1) (c), for purposes of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. A roll call vote will be taken to go into closed session.

- a. Conservation/Planning and Zoning Director Annual Performance Review.
- b. Approve closed session minutes of December 16, 2020.

Motion by Ted Cushing, second by Jack Sorenson to go into closed session. Aye: Unanimous.

A roll call vote will be taken to return to open session.

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Motion by Ted Cushing, second by Jack Sorenson to return to open session. Aye: Unanimous.

Announcement of any action taken in closed session.

- a. No action taken.**
- b. Motion by Mike Timmons, second by Jack Sorenson to approve the closed session meeting minutes of December 16, 2020 as submitted. Aye: Unanimous.**

Adjourn.

2:15 p.m. There being no further matters to lawfully come before the committee, Chair Holewinski adjourned the meeting.

Chair, Scott Holewinski

Planning & Zoning Director, Karl Jennrich