

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
JANUARY 19, 2022
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Scott Holewinski, Jack Sorensen, Ted Cushing, Bob Almekinder,
Via Zoom: Mike Timmons

Members absent: None

Department staff present: Karl Jennrich, Director; Todd Troskey, Assistant Director; Carla
Blankenship, Land Use Specialist; Deanna Tushoski, Administrative
Support
Via Zoom: McKenzie Slack, Zoning Technician; Keith Cohrs, Zoning
Technician

Other county staff present: Michael Fugle, Corporation Counsel; Chad Lynch; Assistant
Corporation Counsel

Guests present: See sign in sheet.

Call to order.

Chair Holewinski called the meeting to order at 12:30 p.m. in accordance with the Wisconsin Open Meeting Law.

Approve the agenda. Motion by Jack Sorensen, second by Ted Cushing to approve the 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, §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.

- a. **Approve closed session minutes of January 5, 2022**
- b. **Tourist Rooming House Enforcement – Utilizing Granicus Information**

Motion by Jack Sorensen, second by Bob Almekinder to go into closed session. Aye: Unanimous.

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

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

Recess at 12:52 p.m.

Return from recess at 1:00 p.m.

Announcement of any action taken in closed session.

- a. Motion by Ted Cushing, second by Jack Sorensen to approve the closed session minutes of January 5, 2022. Aye; Unanimous.
- b. Discussion only, no action taken.

Public comments. None

Approve meeting minutes of January 5, 2022. Motion by Jack Sorensen, second by Ted Cushing to approve the meeting minutes of January 5, 2022. With all members present voting “aye”, the motion carried.

Discussion/decision concerning section 9.58, Tourist Rooming House. The committee will be discussing all aspects of the ordinance. Mr. Jennrich reached out to other counties and some are requiring a yearly renewal for their TRH licenses. Counsel advised that they do not believe a yearly renewal requirement could be retroactive and would only apply to licenses issued after an effective date. The committee discussed limiting the number of vehicles allowed to be 1.1 per licensed bedroom. Motion by Ted Cushing, second by Mike Timmons to instruct staff to develop an ordinance amendment creating a yearly renewal requirement and a limitation on parking allowed. With all members present voting “aye”, the motion carried.

Discussion/decision concerning extending a moratorium as specified in Chapter 9 the Oneida County Zoning and Shoreland Protection Ordinance, Section 9.57 Moratorium on Livestock Facilities Licensing. The moratorium ordinance amendment has been scheduled for public hearing February 2, 2022. The committee approves of conducting the public hearing. No action taken.

Discussion/decision concerning Chapter 25 of the Oneida County General Code. The committee will be discussing updated forfeitures that relate to the Planning and Zoning Department. Motion by Jack Sorensen, second by Bob Almekinder to send the proposed changes to Administration Committee for their review. With all members present voting “aye”, the motion carried.

Discussion/decision concerning the response from the Wisconsin Legislature regarding a letter dated March 12, 2021 from the Planning and Development Committee. The committee will be discussing 59.692(1 f)(b)(2) and Article 9 of the Oneida County Zoning and Shoreland Protection Ordinance. Mr. Jennrich read the letter received from legislators dated December 10, 2021. Chairman Holewinski would like an additional letter sent thanking the legislators for the proposed changes, but requesting action still be taken on the other items not addressed in the response. No action taken.

Discussion/decision concerning ordinance amendment 11-2021 and ordinance amendment 2-2022 of Chapter 9 Oneida County Zoning and Shoreland Protection Ordinance. The committee directed staff to revise ordinance amendment 11-2021 to include that staff can go on property without permission if a permit has been issued and bring back the requested changes before sending to public hearing.

Ordinance Amendment 2-2022: Motion by Ted Cushing, second by Jack Sorensen to send to public hearing at a future date. With all members voting “aye”, the motion carried.

Planning and Development

Discussion/decision concerning amendments to 9.74 Fences, Walls and Hedges of the Oneida County Zoning and Shoreland Protection Ordinance. Todd Troskey informed the committee that state language recently changed so Section 9.74 will need to be updated to accommodate the changes. Changes to allowed fence materials and snow fence requirements are also being proposed. Staff will revise the proposed language and bring back to committee before scheduling a public hearing. No action taken.

Recess at 1:57 p.m.

Return from recess at 2:00 p.m.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Michael Johnson, applicant, RLP/DMF 2 LLC, to construct a retail store and candy manufacturing facility with outdoor seating on the following described property: part SE NE, Section 34, T39N, R6E, 7501 and 7499 Highway 51, PIN MI 2493-1, Town of Minocqua. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on January 4 and 11, 2022. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on December 29, 2021. The Town of Minocqua approved the CUP application contingent on County and State approval.

Carla Blankenship read the report.

If the applicant has met or agrees to meet to all the requirements and condition of permit issuance, staff would suggest the following conditions be placed on the CUP:

1. The project to be substantially commenced within three (3) years of issuance date.
2. The nature and extent of the use shall not change from that described and approved in this Conditional Use Permit.
3. Proper permits to be obtained prior to construction. (Town/County/State)
4. Stormwater Management/Erosion Control Plan(s) as required and approved by Wisconsin Department of Natural Resources.
5. Subject to WDNR permits for land disturbance greater than one acre and be submitted to this department.
6. Highway access to comply with WisDOT requirements, permit(s) to be obtained.
7. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
8. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
9. Exterior lighting to be downcast and shielded from above.

Chair Holewinski opened the public portion of the public hearing.

Nobody spoke for or against the CUP application.

Chair Holewinski closed the public portion of the public hearing.

Planning and Development

Motion by Ted Cushing, second by Bob Almekinder to approve the CUP application by Michael Johnson with the 9 conditions presented. With all members present voting “aye”, the motion carried.

Conditional Use Permit application by Mark & Sherry Roffers to multi-tenant the existing building and property for office rental spaces, moving rental business, public transit operations that include outdoor storage of vehicles and equipment, expansion to the existing structure, and a future storage facility on the following described property: part NW NW, Section 1, and part NE NE, Section 2, T36N, R8E, PIN CR 6-A, 3611 Highway 47, Town of Crescent. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on January 4 and 11, 2022. The proof of publication is contained in the file. It was posted on the Courthouse bulletin board on December 29, 2021. The Town of Crescent approved the CUP application. Mr. Jennrich read the report to the committee.

If the applicant has met or agrees to meet to all the requirements and condition of permit issuance, staff would suggest the following conditions be placed on the CUP:

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.
2. UHaul vehicles and trailers to be kept with designated storage area as indicated.
3. Subject to a WPDES grading permit from the Wisconsin Department of Natural Resources if land disturbance is greater than one (1) acre.
4. Proper permits be obtained prior to construction of structures (Town/County/State). State plans as required.
5. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
6. Parking to comply with 9.77 Off-Street Parking & Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
7. Lighting if installed, be downcast and shielded from above.
8. Dumpster(s) if used, must be screened from view and recycle waste materials as required.
9. Future tenants/applicants subject ARP/CUP as needed.

Chair Holewinski opened the public portion of the public hearing.

Jo Anne Rajek spoke about concerns of runoff from vehicle maintenance and a tree buffer.

Chair Holewinski closed the public portion of the public hearing.

Sherry Roffers clarified that vehicle maintenance is done on the property inside of a building, but it is minor repair like light replacement, they don't change vehicle oil on the property.

Motion by Scott Holewinski, second by Bob Almekinder to add condition #10 Maintain a 10' tree buffer along the south property line. With all members present voting “aye”, the motion carried.

Motion by Jack Sorensen, second by Ted Cushing to approve the CUP application by Mark and Sherry Roffers with the 10 conditions presented. With all members present voting “aye”, the motion carried.

Planning and Development

Discussion/decision concerning a definition of vegetation, revegetation of an access and viewing corridor and the vegetative buffer 35' from the ordinary high water mark. The committee will be discussing multiple portions of Article 9 of the Oneida County Zoning and Shoreland Protection Ordinance. Motion by Bob Almekinder, second by Ted Cushing to move item #14 to the next meeting. With all members present voting “aye”, the motion carried.

Discussion/decision concerning a proposed boathouse apron policy. Staff will create a policy regarding boathouse aprons. Motion by Ted Cushing, second by Bob Almekinder to have staff create an ordinance amendment to remove the current apron language from Chapter 9. With all members present voting “aye”, the motion carried.

Discussion/decision concerning Relief Funding Program request for Floodplain Map Modernization. Mike Romportl informed the committee that the LiDar data/project was approved and will have new data in 2023. Funding for floodplain map modernization was rated a low priority, but an RFP could still be submitted, although it would be very time consuming and there is a chance the project may not be completed before the end of 2024 deadline. The committee agreed that the standard budget process would be better to fund this project. Writing letters to local legislators letting them know that LiDar is being updated and requesting they encourage the WDNR to move Oneida County up the list may also be helpful. No action taken.

Discussion/decision concerning staffing request from the Town of Three Lakes. Mr. Jennrich read the letter received. The committee asked Mr. Jennrich to reach out and have the Town of Three Lakes clarify what exactly they are requesting. No action taken.

Discussion/decision concerning refund request for after-the-fact fees for conditional use permit on property described as part NW NE, Section 22, T36N, R6E, PIN NO 328-1, Town of Nokomis. Did not discuss.

Discussion/decision concerning refund request for after-the-fact fees for zoning permit on property described as part NW NE, Section 36, T36N, R5E, PIN LR 1214-C, Town of Little Rice. Did not discuss.

Discussion/decision – Planning & Zoning Department permit activity/revenue. Informational only, no action taken.

Discuss/decision/prioritization of 2022 Oneida County Planning and Zoning Department projects. Did not discuss.

Refunds. There are five requests. Motion by Ted Cushing, second by Jack Sorensen to approve the refunds as requested. With all members present voting “aye”, the motion carried.

Purchase orders, line item transfers, and bills. Motion by Ted Cushing, second by Jack Sorensen to approve the line item transfers as submitted. With all members present voting “aye”, the motion carried.

Motion by Mike Timmons, second by Ted Cushing to approve the bills as submitted. With all members present voting “aye”, the motion carried.

Planning and Development

Approve future meeting dates. February 2 and 16

Public comments. None

Future agenda items. As discussed.

Adjourn.

3:12 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

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