

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
FEBRUARY 17, 2021
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

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

Members absent: None

Department staff present: Karl Jennrich, Director; Pete Wegner, Assistant Director; Scott Ridderbusch, Land Use Specialist; Carla Blankenship, Land Use Specialist; Deanna Tushoski, Administrative Support
Via Zoom: Keith Cohrs, Zoning Technician

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

Public comments. Dan Butkus (via Zoom) spoke in favor of changes related to Item# 6 on today’s agenda and in opposition to Item# 8 on today’s agenda.

Approve meeting minutes of February 3, 2021. Motion by Ted Cushing, second by Jack Sorensen to approve the meeting minutes of February 3, 2021. With all members present voting “aye”, the motion carried.

Preliminary State Plat of McNutt Lake II, Wingfoot LLC, owner, submitted by Secluded Land Co. and Raymond Surveying, LLC., Gregory J. Raymond, surveyor, for the following vacant property described as; Part of SW ¼ of the SE ¼, Section 22, T39N, R6E, PIN MI 2325-1, Town of Minocqua. Scott Ridderbusch, Land Use Specialist read the report into the record. If the Committee recommends approval of this preliminary land division, staff would suggest the following conditions:

- 1) Addressing and 911 Information must be approved by Oneida County Land Information Department and/or Town of Minocqua prior to the construction of a habitable structure.
- 2) Subject to the recording of the Road Maintenance Agreement document.

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- 3) Subject to the road design standards set forth in 15.23 (2) of the Oneida County Subdivision Control Ordinance for the private road known as McNutt Lake Lane.
- 4) Subject to WDNR grading and stormwater plans for land disturbance greater than one acre due to road construction. A copy of permits and plans be submitted to the department.
- 5) All taxes due must be paid prior to the recording of this Plat.
- 6) Title discrepancies be resolved with the Land Information Office prior to the recording of the plat.
- 7) Subject to State Plat review, requirements, and conditions.
- 8) Subject to proper signatures for final recording.
- 9) Subject to the Town of Minocqua recommendations.

Motion by Ted Cushing, second by Mike Timmons to approve the preliminary state plat of McNutt Lake II, Wingfoot LLC., with the nine (9) conditions presented. With all members present voting “aye”, the motion carried.

Discussion/decision concerning amendments to Chapter 9, Article 9, Section 9 and 10 of the Oneida County Zoning and Shoreland Protection Ordinance. The changes relate to 9.95 Vegetation, Access and Viewing Corridors, Land Disturbance, Select Cutting, Buffers and Definitions

Motion by Scott Holewinski, second by Mike Timmons to instruct staff to send a letter to Representative Callahan, Representative Swearingen, and Senator Felzkowski explaining the May 9, 2018 email from Kay Lutz to the Wisconsin County Code Administrators board and ask them to:

Modify the language to be consistent with the interpretation as Representative Jarchow confirmed was the intent of the statutory amendment,

Set a date to attend a P&D meeting to discuss matters,

Clarify any other inconsistencies between WI Act 55 (2015) and WI Stat. 59.692 as they relate to WINR 115,

And have each representative respond to the request if they are able to do this and the timeframe needed to accomplish it.

With all members present voting “aye”, the motion carried.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by James L. Rein, applicant, Bayview Motel, LLC, owner, to construct an eight unit multi-family dwelling on the following described properties; Part of Government Lot 6, Section 11, T39N R6E, PINs# MI 2179-32 and MI 2179-33, Town of Minocqua. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on February 2 and February 9, 2021. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on January 28, 2021.

Correspondence in the file includes the following, which Mr. Jennrich read into the record:

Town of Minocqua (Town Board approved, conditions listed under#12)

Carla Blankenship, Land Use Specialist read the report to the committee.

The Committee’s decision to approve or deny the conditional use permit must be supported by substantial evidence. “Substantial evidence means facts and information, other than merely personal

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preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion” pursuant to Wis.Stats.§59.69(5e)(a)(2). Any conditions imposed must be related to the specified use and to all other relevant provisions of the ordinance.

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. Final Certified Survey Map combining the parcels be recorded prior to the start of construction.
4. Stormwater Management/Erosion Control Plan(s) as required and approved by WDNR
5. Highway access to comply with WisDOT requirements
6. Proper permits to be obtained prior to construction. (Town/County/State)
7. Silt fence to be placed as required by WDNR review/approval.
8. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
9. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
10. Addressing and 911 information be considered and must be approved by the Oneida County Land Information Department and the Town of Minocqua.
11. Exterior lighting to be downcast and shielded from above.
12. Subject to Town of Minocqua conditions:
 - a. No parking on Lakeview Drive
 - b. No depositing snow in the Town right-of-way
 - c. No plowing of snow across Lakeview Drive
 - d. Minimum width of 24’ for access to Highway 51
 - e. Storm water plan provided to the Town for review and approval
 - f. No exterior storage of refuse.
 - g. All exterior parking stalls to be striped
 - h. Must meet all of the General Standards of Approval for the Oneida County CUP application.

Chair Holewinski opened the public portion of the hearing.

There was no public comment.

Chair Holewinski closed the public portion of the hearing.

Motion by Mike Timmons, second by Ted Cushing to approve the Conditional Use Permit application as the standards of approval have been met and with the twelve (12) conditions presented and recognizing the height of the unit to be three (3) stories totaling 35 feet 5 inches tall. With all members present voting “aye”, the motion carried.

Ordinance Amendment #5-2020 authored by the Planning and Development Committee to amend Chapter 9, Article 3, Section 9.32 Zoning Permit Requirement, Section 9.33 Exceptions to Zoning Permit Requirements and Article 10 Definitions of the Oneida County Zoning and Shoreland Protection Ordinance Mr. Jennrich read the Notice of Public Hearing into the record.

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The notice was published in the Northwoods River News on February 2 and February 9, 2021. Proof of publication is contained in the file. It was posted on the Courthouse bulletin board on January 28, 2021. Correspondence in the file includes the following, which Mr. Jennrich read into the record:

Town of Hazelhurst (in favor of OA#5-2020)
Town of Lake Tomahawk (in favor of OA#5-2020)
Town of Little Rice (opposed to OA#5-2020)
Town of Minocqua (in favor of OA#5-2020)
Town of Monico (opposed to OA#5-2020)
Town of Newbold (in favor of OA#5-2020)
Town of Pine Lake (in favor of OA#5-2020)
Town of Sugar Camp (opposed to OA#5-2020)
Town of Three Lakes (in favor of OA#5-2020)
Town of Woodboro (opposed to OA#5-2020)
Town of Woodruff (in favor of OA#5-2020)

Pete Wegner summarized the changes proposed in OA#5-2020.

Chair Holewinski opened the public portion of the hearing.
Jimmy Rein spoke in opposition to OA#5-2020.
Chair Holewinski closed the public portion of the hearing.

Motion by Mike Timmons, second by Jack Sorensen to table Ordinance Amendment #5-2020.

Roll call vote was taken:

Jack Sorensen: Aye

Scott Holewinski: Nay

Ted Cushing: Aye

Mike Timmons: Aye

Bob Almekinder: Aye

The motion carried.

Ordinance Amendment #8-2020 authored by the Planning and Development Committee to amend Chapter 9, Article 5, Section 9.58 Tourist Rooming House of the Oneida County Zoning and Shoreland Protection Ordinance.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on February 2 and February 9, 2021. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on January 28, 2021. There is no public comment in the folder.

Mr. Jennrich read the proposed changes.

Chair Holewinski opened the public portion of the hearing.
There was no public comment.
Chair Holewinski closed the public portion of the hearing.

Motion by Jack Sorensen, second by Ted Cushing to approve Ordinance Amendment #8-2020 for Chapter 9, Article 5, Section 9.58, Tourist Rooming House, of the Oneida County Zoning and Shoreland Protection Ordinance and forward to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.

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Discussion/decision concerning Earthen Walls/Retaining Walls. Motion by Ted Cushing, second by Mike Timmons to approve the presented handout to be given to the public. With all members present voting “aye”, the motion carried.

Discussion/decision Chapter 9, Article 9, Section 9 of the Oneida County Zoning and Shoreland Protection Ordinance, specifically 9.94 exempt structures including boat launches and bridges. Committee will discuss with legislators when they attend a meeting. Discussion only, no action taken.

Discussion/decision – Planning & Zoning permit activity/revenue. Informational only.

Discuss/decision/prioritization of 2021 Oneida County Planning and Zoning Department projects. Informational only, no action taken.

Refunds. There is one request. Motion by Ted Cushing, second by Bob Almekinder to deny the refund as requested. With all members present voting “aye”, the motion carried.

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

Approve future meeting dates. March 3, March 17, April 7, and April 21, 2021.

Public comments. Tim Reardon spoke (via zoom) regarding Item# 6 on today’s agenda.

Future agenda items. As discussed.

Adjourn.

3:05 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