

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
APRIL 6, 2022
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; Todd Troskey, Assistant Director; Scott Ridderbusch, Land Use Specialist; Carla Blankenship, Land Use Specialist; Julie Petraitis, Program Assistant

Other county staff present: Mike Fugle, Corporation Counsel

Guests present: See sign in sheet.

Call to order.

Chair Holewinski called the meeting to order at 12:45 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. Junkyard complaint, Town of Hazelhurst, Case #19CV189
- b. Approve closed session minutes of January 19 and February 2, 2022.

Motion by Jack Sorensen, second by Mike Timmons to go into closed session. Aye: Unanimous.

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

Motion by Mike Timmons, second by Ted Cushing to return to open session. Aye: Unanimous.

Announcement of any action taken in closed session.

- a. Motion by Mike Timmons, second by Ted Cushing to instruct Corporation Counsel to end the long form complaint and consider the complaint closed. Aye: Unanimous.
- b. Motion by Jack Sorensen, second by Ted Cushing to approve the closed session meeting minutes of January 19, 2022 and February 2, 2022, as submitted. Aye: Unanimous.

Public comments. None

Approve meeting minutes of March 16, 2022 and March 29 , 2022.

Motion by Jack Sorensen, second by Mike Timmons to approve the meeting minutes of March 16 and March 29, 2022. With all members present voting “aye”, the motion carried.

Discussion/decision concerning Ordinance Amendment #11-2021 for Chapter 9, the Oneida County Zoning and Shoreland Protection Ordinance. Revision to 9.80 (E).

Corporation Counsel provided three (3) options of language for the committee to review. Upon discussion, the committee felt the third option would be best. Motion by Ted Cushing, second by Jack Sorenson to forward language to public hearing. With all members present voting “aye”, the motion carried.

Review of the 2021 Annual Report.

Karl provided the committee with the 2021 Planning and Zoning Annual Report.

Motion by Ted Cushing, second by Jack Sorenson to accept the report as submitted and forward to the County Board of Supervisors. With all members present voting “aye”, the motion carried.

Discussion/decision concerning public input of the March 29, 2022 meeting. The committee will be discussion comments made by the public and local landscapers during the March 29, 2022 meeting. The committee may be directing staff to do additional research or ordinance amendments.

Todd provided the committee with a handout with questions/answers from the meeting. The committee will review the handout and discuss at a future meeting.

Discussion/decision concerning 9.58 Tourist Rooming House. The committee will be discussing all aspects of the ordinance.

The committee directed staff to add language that requires an annual renewal and develop forms. Mr. Jennrich provided that form to the committee for review. Discussion was held on the permit information. Karl will do more research and bring back to the committee.

Brian Slizewski of Vecasa, spoke to the committee regarding Resident Agents for Tourist Rooming Houses. .

Discussion/decision concerning boathouse, walkway and Shoreland Alteration Permit fees.

Mr. Jennrich stated that right now Oneida County charges a flat fee of \$500.00 for a boathouse permit, which includes a Shoreland Alteration Permit (SAP) and Zoning Permit. Basically, that is \$250 for the Zoning Permit and \$250 for the SAP. There are inspections involved with the boathouse permits and Mr. Jennrich stated he is not sure if the \$500 fee is covering the expenses. Mr. Jennrich is to do some research and bring information back to the committee.

Discussion/decision concerning lawns and land disturbance within 35’ of the ordinary high water mark.

This may be part of the discussion to be held regarding the Landscaping meeting held on March 29, 2022.

Mr. Jennrich stated that the department has not allowed filling and grading within 35' of the ordinary high water mark unless it is associated with the construction of a boathouse and/or walkway.
No action taken.

Discussion/decision concerning the need for a required or recommended survey. This is related to the issuance of permits.

Mr. Troskey informed the committee that this is a situation that the department encounters occasionally in which the department does not have clear guidance on. Say a permit is issued and the department gets a complaint that the setbacks do not look to be met. The department does a site visit and based on the pipe locations the department believes there may be an issue. He is looking for clarification on when the department can require a survey in that type of situation.

The committee stated that is a situation that needs to be worked out between the property owners, as it is a civil matter.

No action taken.

Discussion/decision concerning open complaints. Staff will be providing an update.

Mr. Troskey stated that there were approximately 490 open complaints about a month and a half ago. Staff has been following-up on the open complaints and have abated approximately 87 between February 16 and March 16. From March 16 to present 45 more complaints have been abated. From January 1, 2022 to present there have been 198 complaints abated. Since Mr. Troskey started last fall, there have been approximately 300 complaints abated.

Informational only. No action taken.

Discussion/decision concerning Shoreland Mitigation form revisions.

Mr. Troskey provided the draft form to the committee. The committee will review the changes and discuss at a future meeting.

Discussion/decision concerning Ordinance Amendment #9-2022 for Chapter 9, the Oneida County Zoning and Shoreland Protection Ordinance. Revision due to 2021 Wisconsin Act, Senate Bill 867.

The committee was provided with a handout. Mr. Jennrich stated this would make amendments to Chapter 9, 9.94 and 9.95 and definitions to effectuate the actual change. Staff is recommending, under 9.94 A (1) to change "viewing area" to "access and viewing corridor". Under 9.94 A (7), Exempt Structures, which means structures that can be closer than 75', a bridge for which the department has issued a permit under 30.123 would be exempt; which means it could be closer than 75'. Section 9.95 B (2) "the County may allow the removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors. The access and viewing corridor may be at least ten feet (10') or 35 percent of the shoreland frontage, whichever is greater, except the maximum width of an access and viewing corridor cannot exceed 200'. The viewing corridor may run contiguously for the entire maximum width of the shoreland frontage owned." Staff proposes to strike "viewing area". To be approved this would need to be reviewed by the Department of Natural Resources and Corporation Counsel.

Motion by Jack Sorensen, second by Ted Cushing to forward to public hearing. With all members present voting "aye", the motion carried.

Discussion/decision concerning Conditional Use Permit application by Cheryl and Mark Casey applicants and owners of Attitudes LLC, to incorporate outdoor activities such as wedding ceremonies, gatherings, music, and lawn games, with their previously approved event barn, on the following described property: Part NW NE, Section 22, T36N, R6E, PIN NO 328, 2771 County L, Town of Nokomis. A decision regarding this item was postponed from the March 16, 2022 meeting.

Mr. Jennrich stated that this was on the agenda on March 16, 2022 but the applicants were not present and there was concern brought forward by the neighboring property owner. Staff was directed to talk with Highway Commissioner, Alex Hegeman, to address the concern. Carla Blankenship, Land Use Specialist, contacted Mr. Hegeman via email and he responded that he did research on reported accidents in this area and found that there is no concern with this parcel being used for the events mentioned.

Motion by Bob Almekinder, second by Ted Cushing to approve the Conditional Use Permit application of Cheryl and Mark Casey as submitted with the conditions suggested by staff. With all members present voting “aye”, the motion carried.

Discussion/decision concerning refund request for administrative review permit application on property described as Lot 3 CSM V23 P4848, Section 36, T36N, R6E, PIN NO 893, Town of Nokomis.

Mr. Jennrich informed the committee that this is an after-the-fact Administrative Review Permit for a Tourist Rooming House. The owner rented without the benefit of permits and would like the department to waive the after-the-fact permit fees.

Motion by Ted Cushing, second by Bob Almekinder to deny the request. With all members present voting “aye”, the motion carried.

Refunds. There are three (3) refund requests. Motion by Ted Cushing, second by Jack Sorensen to approve the refunds as requested. With all members present voting “aye”, the motion carried.

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

Approve future meeting dates: April 20, May 4 and May 18, 2022.

Public comments. None.

Future agenda items. As discussed.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Zachary Zelickson/Border Foods of Wisconsin LLC, applicant, Minocqua Capital LLC, owner to construct a fast food restaurant with drive-thru on the following described property; Part SW NE, Section 11, T39N R6E, 8660 Highway 51, PIN MI 2171-6 and 2171-10, Town of Minocqua.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on March 22 and March 29, 2022. Proof of publication is contained in the file. It was posted on the Oneida County Courthouse bulletin board on March 17, 2022. The Minocqua Town Board approved it. The property is zoned business.

Chair Holewinski opened the public portion of the public hearing. Zach Zelickson, Border Foods of Wisconsin, LLC, was present and in favor of the project. There was nobody else present to speak for or against the project. Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Jack Sorensen to approve the Conditional Use Permit application as submitted, as the standards have been met and with the conditions suggested by staff, striking a portion of Condition #11. With all members present voting “aye”, the motion carried.

Reclamation Permit application by Superior Excavating & Concrete, applicant and Josh and Candice Joslin, owners filed for a reclamation permit on the properties further described as the SE SE, and parts of the SW SE, NE SE, Section 1, T39N, R9E, PIN SU 531, SU 530-2, and SU 528-4, 8858 County H, Town of Sugar Camp.

An opportunity will be provided to give testimony on this proposal including reclamation related matters in accordance with Chapter 22, Section 22.07, Oneida County Non-Metallic Mining Reclamation Code.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on March 22 and March 29, 2022. Proof of publication is contained in the file. It was posted on the Oneida County Courthouse bulletin board on March 17, 2022.

Correspondence in the file includes an email from the owners regarding hours of operation. This was sent to the committee. The information may not be relevant because the Town of Sugar Camp is not zoned so the use of the gravel pit is not being approved or not approved. The committee is reviewing the technical aspects of reclamation.

Chair Holewinski opened the public portion of the public hearing. Josh Joslin was present and in favor of the project. There was nobody else present to speak for or against the project. Chair Holewinski closed the public portion of the public hearing.

Motion by Scott Holewinski, second by Jack Sorensen to approve the reclamation plan as submitted with the conditions suggested by staff. With all members present voting “aye”, the motion carried.

Adjourn.

2:50 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