

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
APRIL 7, 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; Scott Ridderbusch, Land Use Specialist; Deanna Tushoski, Administrative Support
via Zoom: Carla Blankenship, Land Use Specialist

Other county staff present: Michael Fugle, Corporation Counsel

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

Public comments. None

Approve meeting minutes of March 17, 2021. Motion by Mike Timmons, second by Ted Cushing to approve the meeting minutes of March 17, 2021. With all members present voting “aye”, the motion carried.

Discussion/decision concerning 9.58 Tourist Rooming Houses. Staff will be discussing and seeking direction on various issues related to 9.58, including occupancy/bedrooms and enforcement. Staff will also discuss the status of the Granicus contract to monitor tourist rooming houses. Informational/discussion only. No action taken.

Discussion/decision concerning detached garages. The committee will be discussing options of uses that should be allowed in detached garages and uniform dwelling code. The committee discussed different types of garages to be allowed and agreed none would allow bedrooms, kitchens, or use as a dwelling. Staff will work on creating a detached garage definition and bring back to committee and public hearing.

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Discussion/decision concerning a letter to be sent to local state elected officials related to updating Flood Insurance Rate Maps (FIRMS) for Oneida County. Motion by Ted Cushing, second by Jack Sorensen to accept the letters as presented and send out to legislators. With all members present voting “aye”, the motion carried.

Resolution for Ordinance Amendment #5-2020 for Chapter 9, Section 9.32, Section 9.33, and Article 10 Definitions of the Oneida County Zoning and Shoreland Protection Ordinance. The committee will be reviewing the resolution to forward to the Oneida County Board of Supervisors for changes related to campers. Motion by Ted Cushing, second by Jack Sorensen to approve Resolution for Ordinance Amendment #5-2020 for Chapter 9, Section 9.32, Section 9.33, and Article 10 Definitions of the Oneida County Zoning and Shoreland Protection Ordinance for changes related to campers and forward to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.

Discuss/decision/prioritization of 2021 Oneida County Planning and Zoning Department projects. Discussion only.

Refunds. There are three 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 Jack Sorensen, second by Mike Timmons to approve the bills as submitted. With all members present voting “aye”, the motion carried

Approve future meeting dates. April 21, May 5 and May 19, 2021. Ted Cushing will be absent from May meetings.

Public comments.

Rick Lowe spoke regarding tourist rooming houses and uses of garages.

Future agenda items. As discussed.

Recess called at 1:42 p.m.

Return from recess at 2:00 p.m.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Rezone Petition #2-2021 authored by Jerry Whittaker to rezone property from District #15 Rural Residential to District #04 Residential and Farming for properties described as: SW NW, Section 27, T37N, R10E, PIN ST 411, ST 411-1, ST 411-3, ST 411-4 and ST 411-5, Town of Stella, Oneida County, Wisconsin. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on March 23 and March 30, 2021. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on March 18, 2021.

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

Town of Stella (Town Board denied the rezone petition)

Lu Ann Brunette (in opposition)

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Mary Baker (in opposition)
Sam Piasecki (no clear position)
John Hein (in favor)
Dick Weber (in favor)
John Kuzmarski (in favor)
Michael & Jacquelyn Boyer (in favor)
Petition with 18 signatures in favor

Mr. Jennrich read the report to the committee.

Chair Holewinski opened the public portion of the hearing. Jerry Whittaker spoke in favor of the rezone petition.

Chair Holewinski closed the public portion of the hearing.

Bob Goodin, Stella Town Supervisor stated that public comments received in favor are either not Stella residents or not neighboring property owners of the properties to be rezoned.

Motion by Jack Sorensen, second by Ted Cushing to deny rezone petition #2-2021. With all members present voting “aye”, the motion carried.

Conditional Use Permit application by JBM Howard Companies, Inc. applicant/proposed owner, to develop and operate a waste transfer facility on the following property described as being: Part of the NW-NW, Section 1, and part of the 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 March 23 and March 30, 2021. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on March 18, 2021.

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

Town of Crescent (Town Board denied the proposal)
Joel Knutson, Crescent Town Chair (in opposition)
John Hogan (in opposition)

Scott Ridderbusch read the report into the record.

Chair Holewinski opened the public portion of the hearing.

Rankin Fleming spoke in opposition.

Matt Leitner spoke in opposition.

David Holperin spoke in opposition.

Joann Rajek spoke in opposition.

Lisa Jolin spoke.

Bruce Germond spoke in opposition.

Dave Schmitz spoke in opposition.

Supervisor Bob Thome spoke that all correspondence he received was in opposition.

Steve Shreier spoke in opposition.

Chair Holewinski closed the public portion of the hearing.

Ted Cushing left at 3:23 p.m.

Motion by Jack Sorensen, second by Mike Timmons to table the conditional use permit application by JBM Howard Companies, Inc. With all members present voting “aye”, the motion carried.

Conditional Use Permit application by Heather Koncar, d/b/a Koncar Properties, LLC, owner, to convert the existing dwelling to a restaurant service business with outdoor seating and retail sales on the following described property: Part of the NW-NE, Section 34, and part of the SW-SE, Section 27, T36N, R6E, PIN NO 419-1A, 2206 County Highway L, Town of Nokomis.

Scott Ridderbusch read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on March 23 and March 30, 2021. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on March 18, 2021.

There was no public comment correspondence in the file.

Correspondence in the file stated the town of Nokomis approved the CUP application.

Mr. Ridderbusch 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 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 nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. License for operation of the restaurant and resort must be approved by the Oneida County Health Department prior to opening.
3. Subject to a Private Onsite Wastewater Treatment System (POWTS) evaluation to determine if the POWTS is capable to accept the proposed loads and flows from the new use. The POWTS may be required to be modified and updated.
4. Signage if proposed, to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
5. Parking to comply with 9.77 Off-Street Parking & Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
6. If parking improvements that involve land disturbance or improved surface area within 75' of the Ordinary Highwater Mark of Nokomis Lake, applicant contact the department prior to conducting such improvements within the Shoreyard area.
7. Proper permits be obtained prior to construction, if required (Town/County/State).
8. Subject to Oneida County Highway Department approvals, permits and requirements for proposed County Highway L access. Changes to access location may be subject to Oneida County addressing review.
9. If a new access is approved, proper measures be taken to insure the sewer lateral for POWTS permit #97-424, maintains its proper function.

Chair Holewinski opened the public portion of the hearing.

Heather Koncar spoke in favor.

Chair Holewinski closed the public portion of the hearing.

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Motion by Mike Timmons, second by Jack Sorensen to approve the conditional use permit application as the standards have been met and with the nine conditions presented by staff. With all members present voting “aye”, the motion carried.

Adjourn.

3:39 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