

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
MAY 4, 2022
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Scott Holewinski, Bob Almekinder, Mike Timmons, Mike Roach (arrived late, 1:03pm), Tom Ryden (arrived late 1:32pm)

Members absent: None

Department staff present: Karl Jennrich, Director; Todd Troskey, 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: Chad Lynch, Assistant Corporation Counsel; 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 amended agenda. Motion by Mike Timmons, second by Bob Almekinder to approve the amended agenda. With all members present voting “aye”, the motion carried.

Public comments. None.

Election of Vice Chair. Mike Timmons, nominated by Bob Almekinder. There are no other nominations. Mike Timmons is Vice Chair.

Approve meeting minutes of April 20, 2022. Motion by Mike Timmons, second by Bob Almekinder to approve the meeting minutes of April 20, 2022. With all members present voting “aye”, the motion carried.

Discussion/decision concerning a resolution to Request Coronavirus Local Fiscal Recovery Fund (CLFRF) allocated to Oneida County through the American Rescue Plan Act (ARPA) for the Purpose of Tourist Rooming House Licensing and Enforcement Infrastructure. The committee is considering hiring Granicus. Mr. Jennrich provided background information. Supervisor Thome provided additional information about the three modules. Motion by Mike Timmons, second by Bob Almekinder to approve the resolution and move forward to admin committee. With all members present voting “aye”, the motion carried.

Planning and Development

Discussion/decision concerning revisions to Chapter 3 of the Oneida County General Code for Board of Adjustment. Mr. Jennrich provided background information. Motion by Mike Timmons, second by Mike Roach to approve the changes of (8)(b)(6) of section 3.10 of Chapter 3 and forward to the appropriate committee. With all members present voting “aye”, the motion carried.

Discussion/decision concerning examples of Shoreland zoning and what staff encounters during complaints. Mr. Troskey provided background information. The committee gave staff direction. Discussion only, no action taken.

Discussion/decision concerning Shoreland Mitigation form revisions. Did not discuss.

Discussion/decision concerning open complaints. Staff will be providing an update. Mr. Troskey informed the committee that the number of open complaints is down to 260 from 490 in mid-August. Informational only, no action taken.

Discussion/decision concerning revised enforcement policy. Did not discuss.

Approve future meeting dates: May 18, June 1 and 15.

Refunds. There are no requests.

Purchase orders, line item transfers, and bills. None.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Dale Schlieve, agent and Jeff Steinmetz, owner revises Condition Use Permit #2100058 to relocating the campground office/store near the South River Road entrance and add a RV dump station on the following described property as being: Part of Government Lot 2, Section 14, T36N, R8E, PIN CR 187-2, 3035 South River Road, Town of Crescent. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on April 19 and 26, 2022. The proof of publication is contained in the file. It was posted on the Courthouse bulletin board on April 14, 2022. The Town of Crescent approved of the CUP application. Scott Ridderbusch 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 (including the revisions listed above).
2. Subject to Conditional Use Permit #21-58
3. No land disturbance within five (5) feet of any shoreland wetlands pursuant to 9.92 Shoreland Wetland Restrictions of the Oneida County Zoning & Shoeland Protection Ordinance.
4. Signage if proposed, to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.

Planning and Development

5. Parking to comply with 9.77 Off-Street Parking and Loading Space and 9.53 (D) of the Oneida County Zoning and Shoreland Protection Ordinance.
6. Lighting if installed, be downcast and shielded from above.
7. Dumpster be screened from view. Applicant to recycle waste materials as required.
8. Proper permits be obtained prior to construction (Town/County/State).
9. A Private Onsite Wastewater Treatment System (POWTS) sanitary permit be submitted to this department for the proposed dump station and camp office.
10. Subject to the provisions of 9.53 Campgrounds of the Oneida County Zoning and Protection Ordinance with the exception of the proposed structure and parking areas (if waived/approved by this Committee).
11. If any future campground expansion/revisions shall be subject the requirements of the Oneida County Zoning & Shoreland Protection Ordinance.

Mr. Jennrich read the Basis of Approval or Denial to the committee.

Chair Holewinski opened the public portion of the public hearing.

Dave Schoeneck spoke of concerns for the proposed changes.

Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Bob Almekinder to approve the CUP revision with conditions presented and the general standards have been considered. With all members present voting "aye", the motion carried.

Conditional Use Permit application by David Hooten, applicant, Minocqua Capital Investments LLC, owner to construct 22 hotel cottages on the following described property: part SW NE, Lots 1 & 2 of CSM 2147, Section 23, T39N, R6E, PIN MI 2329-7 and MI 2329-8, Town of Minocqua. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on April 19 and 26, 2022. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on April 14, 2022. The Town of Minocqua approved of the CUP application with conditions. There is correspondence in the file from Rachel Rubo with concerns for the project. Carla Blankenship read the report to the committee. Jimmy Rein clarified information about the fence, buffer and driveway.

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.

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. Subject to Oneida County Health Department licensing, as required.
5. County Shoreyard alteration permit to be obtained prior to construction.

Planning and Development

6. Stormwater Management/Erosion Control Plan(s) as required by Wisconsin Department of Natural Resources. A copy of the WPDES to be submitted to this department for the department record.
7. Highway access to comply with WisDOT requirements, permit(s) to be obtained as necessary.
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. Exterior lighting to be downcast and shielded from above.
11. A certified survey map reconfiguring parcels MI 2329-7 and MI 2329-8, together with a 33' easement over Lot 1 for ingress/egress for the benefits of Lots 1 and 2. CSM to be recorded prior to the start of construction.

Chair Holewinski opened the public portion of the public hearing.

Ali Francois of Hogan & Melms spoke on behalf of Todd and Tess Nasi with concerns for scenery, lighting, noise, lake access and congestion of the easement driveway.

Chair Holewinski closed the public portion of the public hearing.

The committee went through the standards of approval from section 9.42 of the Oneida County Zoning and Shoreland Protection Ordinance.

a. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Deny: 0 Approve: 0 Approve with conditions: 5

b. The uses, values and enjoyment of neighboring property shall not be substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.

Deny: 0 Approve: 5 Approve with conditions: 0

Bob Almekinder left early at 3:23 p.m.

c. The proposed conditional use is compatible with the use of adjacent land and any adopted local plans for the area.

Deny: 0 Approve: 4 Approve with conditions: 0

d. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Deny: 0 Approve: 4 Approve with conditions: 0

e. Adequate utilities, access roads, drainage and other necessary site improvements have been or will be provided for the conditional use.

Deny: 0 Approve: 4 Approve with conditions: 0

f. Adequate measures have been or will be taken to provide ingress and egress so as to minimize traffic congestion in the public streets.

Deny: 0 Approve: 4 Approve with conditions: 0

Planning and Development

g. The conditional use shall conform to all applicable regulations of the district in which it is located.

Deny: 0 Approve: 4 Approve with conditions: 0

h. The conditional use does not violate shoreland or floodplain regulations governing the site.

Deny: 0 Approve: 4 Approve with conditions: 0

i. Adequate measures have been or will be taken to prevent and control water pollution, including sedimentation, erosion and runoff.

Deny: 0 Approve: 4 Approve with conditions:

Motion by Scott Holewinski, second by Tom Ryden to add condition #12: extend fencing to the driveway. With all members present voting “aye”, the motion carried.

Motion by Mike Roach, second by Tom Ryden to add condition #13: change gravel to asphalt millings for erosion control on the easement road going down the hill to the driveway. With all members present voting “aye”, the motion carried.

Motion by Mike Timmons, second by Scott Holewinski to approve the CUP application with the 13 conditions presented and having considered the general standards. With all members present voting “aye”, the motion carried.

Rezone Petition #4-2022 authored by Jeff Wolf to rezone property from District #1-A Forestry to District #02 Single Family for properties described as being part of NE NW and part NW NE lying North of Manhardt Road and West of East Manhardt Drive, Section 23, T38N, R4E, Town of Minocqua. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on April 19 and 26, 2022. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on April 14, 2022. The Town of Minocqua approved of the rezone petition.

Chair Holewinski opened the public portion of the public hearing.

Nobody spoke in favor or against the rezone petition.

Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Roach, second by Tom Ryden to approve rezone petition #4-2022 and forward to county board. With all members present voting “aye”, the motion carried.

Discussion/decision concerning correspondence from the Town of Three Lakes regarding allowing rentals for less than seven (7) consecutive days in Single Family Zoning. The committee will be discussing all aspects of section 9.58 Tourist Rooming House. Mr. Jennrich read the letter to the committee. Motion by Scott Holewinski, second by Mike Timmons to have staff work on creating a residential zoning district with less than six consecutive day requirement. With all members present voting “aye”, the motion carried.

Planning and Development

Discussion/decision concerning Tourist Rooming Houses. The committee will be discussing all aspects of the ordinance and updated statistics. Informational only, no action taken.

Discussion/decision concerning refund request for after-the-fact fees for zoning permit on property described as part Government Lot 3 and NE SW, Section 13, T39N, R7E, PIN WR 189-8, Town of Woodruff. Motion by Mike Roach, second by Tom Ryden to deny the refund request. With all members present voting “aye”, the motion carried.

Public comments. Dennis Meadows of the Three Lakes Chamber of Commerce spoke.

Future agenda items. As discussed.

Adjourn.

4:16 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