

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
JUNE 2, 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; Carla Blankenship, Land Use Specialist; Deanna Tushoski, Administrative Support

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 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. Potential violation of Chapter 9, Section 9 of the Oneida County Zoning and Shoreland Protection Ordinance – Town of Minocqua.**
- b. Approve closed session minutes of May 19 and May 24, 2021.**

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

Announcement of any action taken in closed session.

- a. No action taken.
- b. Approved closed session meeting minutes of May 19 and May 24, 2021.

Public comments.

Planning and Development

Robert Monk spoke in opposition to item# 10 and 11 on today's agenda.

Joanna Hirvela spoke in opposition to item# 10 and 11 on today's agenda.

Steve Monk spoke in opposition to item# 11 on today's agenda.

Jo Anne Rajek spoke in opposition to item# 20 on today's agenda.

Sally Writz spoke in opposition to item# 11 on today's agenda.

Jim Fowler spoke in opposition to item# 11 on today's agenda.

Bruce Germond spoke in opposition to item# 20 on today's agenda.

Via Zoom: John Haugh spoke in opposition to item# 10 and 11 on today's agenda.

Via Zoom: Maureen Nichols spoke in opposition to item# 11 on today's agenda.

Via Zoom: Patricia Haugh spoke in opposition to item# 10 and 11 on today's agenda.

Approve meeting minutes of May 19 and May 24, 2021. Motion by Jack Sorensen, second by Ted Cushing to approve the meeting minutes of May 19 and May 24, 2021. With all members present voting "aye", the motion carried.

Discussion/decision concerning Preliminary Kathan Inn Condominium, a six unit conversion condominium of James & Barbara Domnick, owners, and Eagle Landmark Surveying, Inc., Tom Boettcher surveyor for the following described property: Part of Government Lot 2, Section 11, T39N, R9E, PIN # SU 669-F, 8570 County H, Town of Sugar Camp. Motion by Scott Holewinski, second by Ted Cushing to approve with conditions provided. With all members present voting "aye" the motion carried.

Preliminary two (2) lot Certified Survey Map of G & C Investments, owner and Wilderness Surveying, Inc., Jim Rein, surveyor for the following described property further described as: Lot 3, CSM 4999, being part of Government Lot 1, Section 3, T39N, R5E, PIN #MI 1632-7, 11528 & 11530 Back Bay Road, Town of Minocqua.

- 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 on Lot 1 (Per LIO correspondence).
- 2) A POWTS abandonment or replacement be submitted for Sanitary system permit #89-162.
- 3) Subject to a recordable Amended Road Maintenance Agreement that is to be submitted to this department for review prior to recording final plat.
- 4) If the Department is requested to sign Certified Survey Maps, prior to the removal of structures, financial assurances in the amount of \$10,500 are required to be provided to Oneida County for the removal of structure(s) in the event they are not removed.
- 5) Removal of structure deadline is one (1) year after approval. Department verification of removal of structure(s) required.
- 6) Subject to the Town of Minocqua concerns and recommendations.

Motion by Jack Sorensen, second by Ted Cushing to table until next meeting to hear what town board decision is and any conditions. Aye: Sorensen. No: Holewinski, Cushing, Almekinder, Timmons. With a 4-1 vote, the motion failed.

Motion by Scott Holewinski, second by Ted Cushing to approve the Preliminary two (2) lot CSM of G&C Investments with conditions presented, but to increase amount of #4 to \$20,000 and that approval is contingent on the Town of Minocqua having no other concerns and the town also approves. With all members present voting "aye", the motion carried.

Discussion/decision concerning Preliminary six (6) lot Landing Bay First Addition Plat of lands owned by Lake Tomahawk Storage, LLC, and submitted by REI Engineering, Inc., Josh Prentice, surveyor for the following property further described as; Lot 8, Landing Bay Plat, being parts of the SW NE, NW NE, Section 33, T39N, R7E, PIN #WR 411-2, 7484 Dolhun Road, Town of Woodruff. Motion by Ted Cushing, second by Jack Sorensen to table until a response is received from the WI DOT regarding direct access to Hwy 47. With all members present voting “aye”, the motion carried.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Gordon Edwards, applicant, Marshfield Clinic Inc., owner, to construct a hospital addition and garage to the existing Marshfield Clinic campus located at 9576 Highway 70 and further described as: Part of the NW NW and NE NW, Section 11, T39N, R6E, PIN # MI 2173, Town of Minocqua. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on May 18 and May25, 2021. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on May 13, 2021.

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

Email from Eric Warchol (in opposition to ambulance bay site)

Email from Steph Poster (in opposition, primarily to ambulance bay site)

In a letter dated May 11, 2021, Town Chairman, Mark Hartzheim stated the Town Board voted to approve the CUP as presented contingent upon meeting all local, state, and county requirements and subject to the following clarifications:

1. Existing General Standard of Approval item #16 be clarified to state all construction traffic is to use the Highway 70 entrance. (This condition was never meant to restrict or limit which access may be used by employees or patients.)
2. General Standard of Approval #17 be clarified to state the required 50’ vegetative buffer applies to the segment from Woodland Drive to the west. (The buffer was not meant to retroactively apply to the segment east of Woodland Drive.)

Representatives of Marshfield Clinic presented the project to the committee.

Chair Holewinski opened the public portion of the hearing.

Tom Granlund spoke in favor.

Francis Devett spoke of concerns about fence and buffer.

Chair Holewinski closed the public portion of the hearing.

Motion by Jack Sorensen, second by Ted Cushing to approve the Conditional Use Permit for Marshfield Clinic subject to conditions. With all members present voting “aye”, the motion carried.

Conditional Use Permit application by James Rein, applicant, Robert and Cindy Trapp, owners, to operate a food stand with outdoor seating on the following described property; Part of the fractional N NW, and part of NE SW, Section 2, T39N, R6E, PIN# WR 12-3A, Town of Woodruff. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on May 18 and May25, 2021. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on May 13, 2021.

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Correspondence in the file includes the following, which Mr. Jennrich read into the record:
Town of Woodruff (approved conditional use permit)

Carla Blankenship read the report into the record.

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 conditional use shall not change from that described in the application.
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.
7. Signage if proposed, 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 and 9.53 (D) of the Oneida County Zoning and Shoreland Protection Ordinance.
9. Exterior lighting to be downcast and shielded from above.
10. Subject to the conditions imposed by Oneida County Board of Adjustment decision date, December 14, 2017 and Conditional Use Permit 1700511.

Chair Holewinski opened the public portion of the hearing.

Jack Block spoke in favor.

Chair Holewinski closed the public portion of the hearing.

Motion by Mike Timmons, second by Jack Sorensen to approve the Conditional Use Permit application for Robert and Cindy Trapp with the conditions presented. With all members present voting "aye", the motion carried.

Conditional Use Permit application by Riley Thedens, owner, to develop and operate a retail landscaping service business on the following described vacant property: Part of the SW SW, Section 22, T36N, R6E, PIN NO 337, Town of Nokomis. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on May 18 and May 25, 2021. The proof of publication is contained in the file. It was posted on the Courthouse bulletin board on May 13, 2021.

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

Town of Nokomis (approved)

Email from Judy Asmonde (concerned about retention pond, water usage, any use of chemicals and pesticides on property)

Scott Ridderbusch read the report into the record.

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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. Subject to WDNR requirements for lands enrolled in Managed Forest Law.
3. Addressing and driveway access information required and must be approved by Oneida County Land Information department and/or the Town of Nokomis.
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. Subject to a WPDES grading permit from the Wisconsin Department of Natural Resources for land disturbance is greater than one (1) acre.
7. Proper permits be obtained prior to construction, if required (Town/County/State).
8. Dumpster(s) if used, must be screened from view and recycle waste materials as required.
9. If exterior lighting is installed, must be downcast and shielded from above.
10. Subject to a Private Onsite Wastewater Treatment System (POWTS) to be installed prior to business operation, if required by this department and/or Committee.
11. Subject to the Town of Nokomis concerns, if any.

Chair Holewinski opened the public portion of the hearing.

Michelle Thedens spoke in favor of.

Chair Holewinski closed the public portion of the hearing.

Motion by Jack Sorensen, second by Bob Almekinder to approve the conditional use permit application by Riley Thedens with the 11 conditions presented. With all members present voting “aye”, the motion carried.

Discussion/decision concerning Conditional Use Permit application by Lake Tomahawk Storage, LLC, owner and Dan Detert, REI Engineering, agent to develop a commercial storage facility consisting of 9 buildings and a Boat/RV shrink wrap business with outdoor storage on the following described property: Lot 8, Landing Bay Plat, being parts of the SW NE, NW NE, Section 33, T39N, R7E, PIN #WR 411-2, 7484 Dolhun Road, Town of Woodruff.

Jack Sorensen left at 3:28 p.m.

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. The project shall be substantially commenced within three years from the date of issuance of this CUP.
3. Subject to a WPDES grading permit from the Wisconsin Department of Natural Resources for land disturbance is greater than one (1) acre.

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4. Stormwater maintenance agreements be filed with the DNR to insure stormwater practices are maintained.
5. Proper planting of vegetation for land disturbance, final grades, screening and buffer zones.
6. Subject to a Private Onsite Wastewater Treatment System (POWTS) to be installed prior to business operation, if required by this department and/or Committee.
7. Signage if proposed, 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 & Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
9. If exterior lighting is installed, must be downcast and shielded from above.
10. Dumpster(s) if used, must be screened from view and recycle waste materials as required.
11. Zoning permits applied for and approved prior to construction of any structures storage units. State approved plans and permits, as applicable.
12. Addressing and 911 information recommended and must be approved by Oneida County Land Information department and/or the Town of Woodruff.
13. Lease/rental agreement to prohibit storage of hazardous and/or explosive materials.
14. Note relative to Dolhun Field as suggested by owners be placed on the final plat of the Landing Bay 1st Addition prior to recording.
15. Subject to the Town of Woodruff concerns and recommendations.
 - a. Screening along the entire west line of property, as well as at least three foot high screening along the open side line along Highway 47 (within proposed Lot 13).
 - b. Driveway dust control be implemented in the interior graveled travel corridor along west line.
 - c. Tracking pads be implemented at both access points.
 - d. None of the structures to be utilized for human habitation.
 - e. Entire project (structures) meet all commercial building and fire codes pertaining to the storage of boats, campers and RVs with fuel in them.

Motion by Ted Cushing, second by Bob Almekinder to approve conditional use permit application by Lake Tomahawk Storage LLC with conditions presented and subject to WI DOT approving or denying direct access to Hwy 47. Aye: Scott Holewinski, Ted Cushing, Bob Almekinder. No: Mike Timmons. With a 3-1 vote, the motion carried.

Discussion/decision concerning use of the county van for transporting the board of adjustment to onsite inspections. Motion by Scott Holewinski, second by Bob Almekinder to table until June 16. With all members present voting “aye”, the motion carried.

Discussion/decision concerning Ordinance Amendment #1-2021, amendments to Chapter 15 Oneida County Subdivision Ordinance. The committee will be discussing changes to Chapter 15 and forwarding to a public hearing. Motion by Scott Holewinski, second by Bob Almekinder to table until June 16. With all members present voting “aye”, the motion carried.

Discuss/decision/prioritization of 2021 Oneida County Planning and Zoning Department projects. Motion by Scott Holewinski, second by Bob Almekinder to table until June 16. With all members present voting “aye”, the motion carried.

Planning and Development

Refunds. There are three requests. Motion by Ted Cushing, second by Mike Timmons 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 Bob Almekinder to approve the bills as submitted. With all members present voting “aye”, the motion carried

Approve future meeting dates. June 16 and 30, July 14 and 28, 2021

Bob Almekinder left at 2:50 p.m.

Public comments.

Bob Thome spoke in opposition of item#20 on today’s agenda.

Future agenda items. As discussed.

Discussion/decision related to a motion to rescind the denial of the conditional use permit application for 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. The conditional use permit was previously discussed and denied on May 19, 2021. Chair Holewinski stated that at the next meeting he will move to rescind the denial of the conditional use permit application for JBM Howard Companies, Inc. 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 adopted at the May 19, 2021 meeting.

Adjourn.

3:55 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