

**ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE**  
**JUNE 30, 2021**  
**COUNTY BOARD ROOM – 2<sup>ND</sup> FLOOR**  
**ONEIDA COUNTY COURTHOUSE**  
**RHINELANDER, WI 54501**

---

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

Members absent: Jack Sorensen

Department staff present: Karl Jennrich, Director; 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 12:45 p.m. in accordance with the Wisconsin Open Meeting Law.

**Approve the agenda.** Motion by Mike Timmons, second by Bob Almekinder 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, Section 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. Approve closed session minutes of June 2, 2021**

**b. Tourist Rooming Complaint in the township of Three Lakes.**

Motion by Bob Almekinder, 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 Mike Timmons to return to open session. Aye: Unanimous.

**Announcement of any action taken in closed session.**

- a. Approved meeting minutes of June 2, 2021.
- b. Motion to file a long form complaint. Aye: 4. Motion carried.

**Public comments.**

Connie Anderson spoke against #9 and in favor of #19 on today’s agenda.  
David Holperin spoke against #9 on today’s agenda.

## Planning and Development

Jo Anne Rajek spoke against #9 on today's agenda.

Via Zoom: Dan Butkus spoke against #9 on today's agenda.

Via Zoom: Nate Day spoke regarding #15 on today's agenda.

**Approve meeting minutes of June 16, 2021.** Motion by Ted Cushing, second by Mike Timmons to approve the meeting minutes of June 16, 2021. With all members present voting "aye", the motion carried.

**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. The conditional use permit was approved on June 2, 2021. The committee will be discussing the buffer between Townline Road and the clinic/ambulance shed.** Informational only, no action taken. Committee is fine with fence/buffer.

**Discussion/decision related to 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.** At the previous meeting motion to deny CUP was rescinded.

Mr. Jennrich read the suggested conditions from Michael Menon, Airport Wildlife Hazards Program Manager of WiDOT-Bureau of Aeronautics:

1. The waste facility needs to be maintained to FAA AC/150-33C (attached in email) standards
2. Oneida County will be responsible for enforcing the zoning conditions
3. In order to ensure that the standards of the AC above are met, it is suggested that Oneida County contract with a qualified airport wildlife biologist (QAWB) to inspect the waste facility at regular intervals (twice weekly, one morning and one afternoon/evening) for a period of no less than three (3) years. After three years, the inspection interval could be lessened if the conditions have been successfully met. This will be at the discretion of the QAWB and Oneida County. I suggest that a QAWB be selected through the appropriate county bidding process. I will be happy to assist in vetting the bidder's qualifications. If a bid is not necessary per county policy, I suggest USDA Wildlife Services be chosen as the QAWB. They are trained and familiar with the Rhinelander airport. The cost of this inspection regime, associated materials, and time should be passed from the county to the operators of the waste facility.
4. The FAA requires that certain grant assurances be upheld in order to protect the Federal assets invested in the Rhinelander Airport. This goes back over a 20 year period. To date, this would involve nearly \$50 million USD. In the event that the Airport and the agency having jurisdiction (Oneida County, City of Rhinelander, and any other municipalities sharing ownership of the airport) was found to not have exhibited due diligence in protecting the airspace from wildlife hazards, the FAA could cease the annual \$1 million AIP money that the airport receives each each, as well as seek reimbursement for all of or a portion of the previously spent \$50 million.
5. Not wildlife related, but airport related. The waste facility engineers/designers will need to file an FAA 7460 prior to building commencement in order for the FAA to conduct an

## Planning and Development

airspace determination due to the proximity of the building to the airport. That criteria tool can be found at

<https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm>

6. If the waste facility adheres to the conditions and works hard to maintain the facility in a clean and sterile state, then the facility could function as a compatible land use. However, the county needs to weigh the costs of enforcing the CUP, and the presence of an increased risk of creating a wildlife hazard, as well as the risk that hazard may present to the finances of the county if the FAA were to seek reimbursement (only in the event of the conditions not being met)
7. Finally, these conditions are not meant to be anti-business or to single out any particular type of development. The underlining reason for this process is to protect human lives and property first and foremost.
8. The State DOT and Bureau of Aeronautics will support the airport and aid in any way that we can during this process. These conditions were a bit rushed given the short notice that the waste site was back on the agenda.

Ryan Hanson, JBM Howard representative presented the proposed project to the committee.

Mr. Jennrich read the suggested conditions from staff report:

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 permits and requirements pursuant to NR 502 for a solid waste transfer facility. Copies of such permits be submitted to the department for filing.
3. Subject to WDNR stormwater requirements if applicable. Stormwater to be managed onsite.
4. Proper permits be obtained prior to construction (Town/County/State).
5. Signage if proposed, to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
6. Parking to comply with 9.77 Off-Street Parking & Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
7. Vegetative screening be kept in place and maintained over the life of the project.
8. No outdoor storage of solid waste materials.
9. Subject to Wisconsin DOT requirements for Highway 47 access.
10. Zoning permit required for change of use if office area is to be designated as living quarters.
11. POWTS to be evaluated to ensure the POWTS can accept the proposed loads and flows, if office area is converted to living quarters.

Committee would like the eight (8) conditions from Michael Menon to be added to 11 staff conditions.

Motion by Mike Timmons, second by Bob Almekinder to send 19 conditions to FAA for comment and need new maps from JBM Howard showing berms, fencing, scale placement, existing building design, etc. before decision can be made. With all members present voting “aye”, the motion carried.

**Discussion/decision concerning removal of a restriction on property described as Outlot 1 CSM V5 P1437 further described as part Government Lot 3, Section 19, R37N, R8E, PIN# NE 179,**

## Planning and Development

**Town of Newbold.** Motion by Ted Cushing second by Mike Timmons to do necessary paperwork to remove restriction on Outlot 1, add new restriction of “construction of buildings for human habitation is prohibited”, and send to Town of Newbold for approval. With all members voting “aye”, the motion carried.

**First Addendum to Loon’s Landing Condominium being part of Government Lot 2, Section 8, T39N, R8E, Town of Newbold.** Mr. Jennrich read the report to the committee.

If the Committee recommends approval of this Preliminary Condominium Plat, staff would suggest the following conditions:

- 1) Condominium Declarations to be submitted to this department for review prior to recording.
- 2) May be subject to WDNR requirements for pier placement and berthing spaces.
- 3) Future amendments/addendums to be reviewed and approved by this department prior to recording.

Motion by Ted Cushing, second by Bob Almekinder to approve First Addendum to Loon’s Landing Condominium with presented conditions. With all members present voting “aye”, the motion carried.

**Preliminary nine (9) lot County Plat of Nokomis Acres, Whiskey River Land & Timber LLC, owner, Secluded Land Co., developer, Raymond Surveying LLC, Greg Raymond surveyor for the following described vacant properties further described as SW SW and SE SW, Section 7, T36N, R6E, PIN NO 104 and NO 105, Town of Nokomis.** Mr. Jennrich read the report to the committee.

If the Committee finds the subdivision requirements have been met, and recommends approval of this plat, staff would suggest the following conditions of approval prior to recording the final Plat of Nokomis Acres:

- 1) Addressing and 911 information must be approved by Oneida County Land Information Department and/or Town of Nokomis for placement of a structure that requires a site address.
- 2) Subject to Oneida County Highway Department access approvals.
- 3) WDNR Managed Forest Land (MFL) withdrawal documentation be submitted to the Department prior to the recording of the plat.
- 4) Final Plat to note: “No filling of wetlands unless proper permit are obtained.
- 5) Proper certificates/signatures be obtained prior to recording of final plat.
- 6) Subject to the Town of Nokomis concerns and recommendations, if any.

Motion by Mike Timmons, second by Bob Almekinder to approve Preliminary nine (9) lot County Plat of Nokomis Acres with conditions presented. With all members present voting “aye”, the motion carried.

**Preliminary seventeen (17) lot and one (1) outlot State Plat identified as Veterans Parkway, currently owned by Mitchell Simmons, submitted by Wilderness Surveying, Inc., Jim Rein surveyor for the following described vacant property further described as; Parts of the Fractional NW ¼, the Fractional NE ¼, the NE ¼ of the SW ¼, the NW ¼ of the SE ¼, Section 1, T39N, R6E, PIN WR-1, Town of Woodruff. This was previously discussed on July 15, 2020.**

If a revised preliminary plat is approved, the previously approved preliminary plat will be null.

Motion by Ted Cushing, second by Bob Almekinder to approve the 17 lot revised preliminary plat as presented. With all members presenting voting “aye”, the motion passed.

Planning and Development

**Discussion/decision concerning four (4) lot CSM for property described as Parts of the Fractional NW ¼, the Fractional NE ¼, the NE ¼ of the SW ¼, the NW ¼ of the SE ¼, Section 1, T39N, R6E, PIN WR-1, Town of Woodruff.** Mr. Jennrich will approve the CSM. No action taken.

**Discussion/decision concerning after the fact fees for property described as Wildwood Beach Lot 1, part Government Lot 6, Section 17, T38N, R6E, PIN HA 877, 10420 Wildwood Drive, Town of Hazelhurst.** Motion by Ted Cushing, second by Scott Holewinski to remove additional after the fact fee amount. Aye: Holewinski, Cushing, Almekinder. No: Timmons. With a 3-1 vote, the motion carried.

**Discussion/decision concerning after the fact fees for property described as part Government Lot 7, Section 7, T36N, R9E and part Government Lot 6, Section 12, T36N, R8E, PIN PE 70-5, 5475 Lake Julia Road, Town of Pelican.** No action taken.

**Discussion/decision concerning budget LTE staffing requests.** Motion by Mike Timmons, second by Ted Cushing to approve the Minocqua LTE Zoning Technician position and forward to LRES. With all members present voting “aye”, the motion carried.  
Motion by Ted Cushing, second by Bob Almekinder to approve the Rhinelander LTE Project Assistant position for Rhinelander and forward to LRES. With all members present voting “aye”, the motion carried.

**Discussion/decision concerning requiring before and after pictures for Shoreland Alteration Permits and Boathouse Permits.** Motion by Mike Timmons, second by Ted Cushing to add requirement for before and after pictures for all SAP and boathouse permits (applicants to submit before pictures with application). With all members present voting “aye”, the motion carried.

**Discussion/decision concerning extending a moratorium as specified in Chapter 9 the Oneida County Zoning and Shoreland Protection Ordinance, Section 9.57 Moratorium on Livestock Facilities Licensing.** Motion by Mike Timmons, second by Ted Cushing to send to public hearing. With all members present voting “aye”, the motion carried.

**Resolution for Rezone Petition #6-2021 for properties described as: SE NW, Section 26, T39N, R6E, specifically PIN MI 2379, MI 2379-2 and MI 2379-3, Town of Minocqua. The committee will be reviewing the resolution to forward to the Oneida County Board of Supervisors.** Motion by Ted Cushing, second by Bob Almekinder to approve the rezone resolution and forward to County Board. With all members present voting “aye”, the motion carried.

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

**Refunds.** There are two requests. Motion by Ted Cushing, second by Mike Timmons to approve the first refund as requested. With all members present voting “aye”, the motion carried.  
Motion by Ted Cushing, second by Bob Almekinder to approve the second refund as requested. With all members present voting “aye”, the motion carried.

Planning and Development

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

**Approve future meeting dates.** July 14 and 28, August 11 and 25

**Public comments.** None.

**Future agenda items.** As discussed.

**Adjourn.**

2:47 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