

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
JULY 27, 2022
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Scott Holewinski, Bob Almekinder, Mike Timmons, Tom Ryden, Mike Roach (arrived late at 12:52 p.m.)

Members absent: None

Department staff present: Karl Jennrich, Director; Todd Troskey, Assistant Director; Carla Blankenship, Land Use Specialist; Scott Ridderbusch, Land Use Specialist; Deanna Tushoski, Administrative Support

Other county staff present: None

Guests present: See sign in sheet.

Call to order.

Chair Holewinski called the meeting to order at 12:30 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)(f), for purposes of considering financial, medical, social or personal histories or disciplinary data of specific person, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public, would likely have a substantial adverse effect on the reputation of the person referred to in such data. A roll call vote will be taken to go into closed session.

- a. Personnel issue-investigation**
- b. Approve closed session minutes of July 13, 2022.**

Motion by Bob Almekinder, second by Tom Ryden 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 Bob Almekinder to return to open session. Aye: Unanimous.

Announcement of any action taken in closed session.

- a. No action taken.**

- b. Motion by Bob Almekinder, second by Tom Ryden to approve the closed session minutes of July 13, 2022. Aye: Unanimous.**

Public comments.

Bob Thome spoke.

Dan Butkus spoke.

Joseph Steinhage spoke.

Approve meeting minutes of July 13, 2022. Motion by Bob Almekinder, second by Tom Ryden to approve the meeting minutes of July 13, 2022. With all members present voting “aye”, the motion carried.

Discussion/decision concerning Rezone Petition #10-2022 authored by Brian Slizewski, agent, Bart Besaw, owner, to rezone property from District #15 Rural Residential to District #05 Recreational for properties described as being the NE SE, Section 3, T37N, R7E, Town of Cassian. A public hearing was held on June 29, 2022. Mr. Jennrich informed the committee that the Town of Cassian held a second meeting to discuss rezone #10-2022 and informed the department that the Town of Cassian doesn’t want the area rezoned. Motion by Mike Timmons, second by Tom Ryden to deny Rezone Petition #10-2022. With all members present voting “aye”, the motion carried.

Discussion/decision concerning zoning permit application by Jimmy Rein (applicant), The Pointe House Inc., (owner), to place a boathouse outside of the existing “Viewing Area”, as currently defined in the Ordinance, for property described as T39N, R6E, Section 14, Cornelia’s Point Lot 2, Parcel Number MI 6493, 631 Cedar Street, Town of Minocqua. The committee was provided background information regarding the boathouse application. After discussion the committee directed staff to move forward with issuing the permit for the boathouse in the proposed location on the east side of the point. No action taken.

Discussion/decision concerning 9.36 Administrative Review Permits, 9.40 Conditional Uses, 9.41 Application for CUP, 9.42 CUP Application Review Process, 9.43 Home Occupations, 9.20 Zoning Districts. The committee will be discussing all aspects of permitted, administrative and conditional uses. The committee was provided a draft administrative review permit application. The committee will review the changes and bring back at a future meeting. No action taken.

Discussion/decision concerning ordinance amendment for Chapter 9, Article 9 and Article 10 of the Oneida County Zoning and Shoreland Protection Ordinance. The committee will be discussing all aspects of Article 9 Shoreland Protection Provisions and Article 10 Definitions. The committee reviewed the changes made since the last meeting. The committee would also like to review and discuss permit requirements (value amount, remodeling/ordinary maintenance, etc.) before sending the amendment to counsel for review. Discussion only, no action taken.

Refunds. There are no requests.

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

Approve future meeting dates. August 10 and 24

Public comments. None

Future agenda items. As discussed.

Recess at 1:57 p.m.

Return from recess at 2:00 p.m.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by James Rein, applicant, Real Estate Enterprises LLC, owner, to operate a fast food restaurant with drive-thru on the following described property: Part NW NE, Section 11, T39N, R6E, 8752 Highway 51, PIN MI 2170-16, Town of Minocqua.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on July 12 and 19, 2022. The proof of publication is contained in the file. It was posted on the Courthouse bulletin board on July 7, 2022. The Town of Minocqua approved of the CUP application contingent upon the Town of Minocqua is to review and approve the final storm water management plan and meeting all local, State and County requirements. There is no correspondence in the file. Carla Blankenship 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.

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. A CSM (certified survey map) reconfiguring parcels MI 2170-16 and MI 2170-34, together with an access easement for ingress/egress. CSM to be recorded prior to the start of construction.
4. Proper permits to be obtained prior to construction (Town/County/State).
5. Subject to Oneida County Health Department requirements and licensing.
6. Dumpster to be screened from view, applicant to recycle waste materials as required.
7. Signage 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 of the Oneida County Zoning and Shoreland Protection Ordinance.
9. Exterior lighting to be downcast and shielded from above.
10. Town of Minocqua is to review and approve the final storm water management plan.

Note: Condition 10 is subject to discussion and imposed as needed.

Planning and Development

Chair Holewinski opened the public portion of the public hearing.
Nobody spoke.
Chair Holewinski closed the public portion of the public hearing.

Motion by Bob Almekinder, second by Tom Ryden to change “the hours would usually be between 6:00 am and 10:00 pm” to “hours of operation 5:00 am to 10:00 pm” in the General Information of the Conditional Use Permit Report. With all members present voting “aye”, the motion carried.

Motion by Scott Holewinski, second by Mike Timmons to change condition #10 to be: No additional water runoff onto state highway and town road. With all members present voting “aye”, the motion carried.

Motion by Mike Timmons, second by Bob Almekinder to approve the CUP application with 10 conditions and the time change noted. With all members present voting “aye”, the motion carried.

Rezone Petition #12-2022 authored by James Rein, applicant, Attitudes LLC Campbell Creek Communities-Vacationland Properties LLC, to rezone property from District #5 Recreational to District #7 Business B-2 for properties described as being Lots 2 and 3, CSM 5153, being part of Government Lot 3, Section 9, T39N, R6E, Town of Minocqua. Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on July 12 and 19, 2022. A copy of the proof of publication is contained in the file. It was posted on the Courthouse bulletin board on July 7, 2022. The Town of Minocqua approved of the rezone petition. There is no correspondence in the file. Mr. Jennrich discussed the report with the committee.

Chair Holewinski opened the public portion of the public hearing.
Joe Hegge spoke of concerns, but is in favor of the rezone.
Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Bob Almekinder to approve Rezone Petition #12-2022 and forward onto County Board. With all members present voting “aye”, the motion carried.

Adjourn.

2:31 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