

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
JULY 15, 2020
COUNTY BOARD ROOM – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

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

Members absent: None

Department staff present: Karl Jennrich, Zoning Director; Scott Ridderbusch, Land Use Specialist; and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel (via ZOOM)

Guests present: See sign in sheet.

Call to order.

Chair Holewinski called the meeting to order at 1:30 p.m., in accordance with the Wisconsin Open Meeting Law.

Public comments. **None.**

- By telephone: 312-626-6799 Access Code: 958 5768 9972 Password: 995099
- In person.

Approve meeting minutes of July 1, 2020. **Motion by Ted Cushing, second by Jack Sorensen to approve the meeting minutes of July 1, 2020 as submitted. 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.

Mr. Jennrich stated that this is a State Plat that is required to be reviewed by the Planning & Development Committee. Mr. Jennrich read the meeting minutes of the Town of Woodruff from their June 23, 2020 meeting. Scott Ridderbusch, Land Use Specialist, read his report into the record. If the committee finds the subdivision requirements have been met and recommends approval of this plat, staff would recommend the following conditions:

1. Road construction specifications be met pursuant to 15.23, Public, Private and Easement Roads of the Oneida County Subdivision Control Ordinance.

2. Road naming is required for the identified private road, Outlot 1, per the Oneida County Addressing Ordinance. Owners are required to contact the Land Information Office.
3. Road construction specifications be met pursuant to 15.23, Public, Private and Easement Roads of the Oneida County Subdivision Control Ordinance.
4. Ownership interest for Outlot 1 be identified on the face of the plat.
5. Subject to a recorded Road Maintenance Agreement for the benefit of Outlot 1 be reviewed by this department prior to recording.
6. Final Plat to note: “the Town/County is not responsible for the maintenance of the private road.”
7. Subject to WDNR Storm Water permit if land disturbance is greater than 1 acre.
8. Final plat to note: “Private Onsite Wastewater Treatment Systems if installed shall not be placed within 250’ of the municipal well.”
9. Subject to State Plat review and conditions.
10. Subject to the Town of Woodruff concerns and recommendations.

Jimmy Rein, Surveyor, was present. He informed the committee that the Lakeland Sanitary District denied the request to remove the property from the Sanitary District.

Motion by Ted Cushing, second by Mike Timmons to approve the 17 lot and one (1) outlot State Plat with conditions suggested by staff. With all members present voting “aye”, the motion carried.

Discussion/decision concerning setting tentative dates to do an onsite inspection and make a decision for a conditional use permit for Bayview Hotel/motel on property described as properties: Part of Government Lot 6, Section 11, T39N, R6E, PIN’s MI 2179-32 and MI 219-33, Town of Minocqua, Oneida County.

The committee suggested either July 28 or 29 at 1:00 p.m. in Minocqua.

Discussion/decision on refund for ARP/TRH, Christopher & Matthew Etmanczyk, owners, on property described as: part Government Lot 2, Lot 4 & Lot 3, PIN TL 488-6, Town of Three Lakes. Mr. Jennrich stated that this is an application that was submitted that was incomplete and has an undersized POWTS. The department reviewed the application twice. The department is suggesting to deny the refund request.

Motion by Jack Sorensen, second by Bob Almekinder to deny the refund request. With all members present voting “aye”, the motion carried.

Discussion/decision – Planning and Development permit activity/revenue.

The committee was provided a handout of permit activity/revenue. **Discussion only. No action taken.**

Discuss/decision/prioritization of 2020 Oneida County Planning and Zoning Department projects.

No action taken.

Refunds.

There are three (3) refund requests. **Motion by Jack Sorensen, second by Ted Cushing to approve the refunds as requested. With all members present voting “aye”, the motion carried.**

Line item transfers, purchase orders, and bills. There are bills in the amount of \$471.26.

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

Approve future meeting dates: August 5 & 19, 2020.

Public comments. None.

Future agenda items. As discussed.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Julie Stieber, owner to utilize the existing structure to operate an event center for weddings, reunions, fundraisers, gatherings and corporate meetings on the following described property: Part of the SE ¼ of the NE ¼, Section 35, T37N, R8E, 5840 Forest Lane, PIN NE 389-5, Town of Newbold.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on June 30 and July 7, 2020. Proof of publication is contained in the file. The notice was posted on the Courthouse bulletin board on June 25, 2020.

Correspondence in the file includes an email from the Town of Newbold, dated June 11, 2020, suggesting approval of the Conditional Use Permit.

Scott Ridderbusch, Land Use Specialist, read his report into the record. If the applicant has met or agrees to meet all the requirements and conditions 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. Proper permits to be obtained prior to construction (Town/County/State).
3. Parking to comply with 9.77, Off-Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
4. Signage to comply with 9.78, Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
5. Exterior lighting must be downcast and shielded from above.
6. Dumpster(s) must be screened from view and recycle waste materials as required.
7. No food preparation on site.
8. Subject to Town of Newbold concerns, if any.

Chair Holewinski opened the public portion of the public hearing. There was no one present for or against the conditional use permit. Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Ted Cushing to approve the conditional use permit with conditions suggested by staff. With all members present voting “aye”, the motion carried.

Conditional Use Permit application submitted by Northwoods Connect, applicant and Anthony & Kathleen Tillman, owners to erect a 300’ guyed tower for broadband internet services on the

following described property: Parts of the NW NE, NE NE, Section 14, and parts of the SE SE, SW SE, Section 11, T38N, R11E, 558 Highway 32, PIN TL 507, Town of Three Lakes.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on June 30 and July 7, 2020. Proof of publication is contained in the file. The notice was posted on the Courthouse bulletin board on June 25, 2020.

Correspondence in the file includes: A letter from the Town of Three Lakes, dated June 17, 2020, denying the conditional use permit application due to the CUP being filled out inaccurately. It was also noted that the address and PIN's do not match.

Other correspondence in the file includes approximately 27 emails/letters. Those were summarized by Mr. Jennrich and are part of the record.

Scott Ridderbusch, Land Use Specialist, read his report into the record.

If the applicant has met or agrees to meet all the requirements and conditions 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. Must comply with all federal regulations, specifically Federal Aviation Administration and Federal Communication Commission.
3. Tower be lighted in accordance to FAA regulations.
4. Subject to addressing and 911 information if required, and must be approved by Oneida County Land Information Department once a zoning permit has been obtained.
5. Proper permits to be obtained prior to the start of construction (Town/County/State).
6. Security measures be in place.
7. Tower height approved to 300' in height from grade.

Staff recommendation: Staff recommends to the Planning and Development Committee that this Conditional Use Permit application be tabled and sent back to the Town. The Town of Three Lakes has denied the CUP due to inconsistencies with the information submitted. The Town also has concerns that need to be discussed with the applicant. Staff also recommends the applicant provide revised information and site plans to the department for review and that information can be forwarded to the Town. The applicant will need to address the questions and concerns of the Town of Three Lakes and ask for reconsideration of their denial.

Chair Holewinski opened the public portion of the public hearing:

Scott Eppler spoke in opposition to the location of the tower.

Jim Morley spoke in favor of the economic development of the Town of Three Lakes.

Mark ? – had some questions.

Ann Eppler spoke in opposition to the location of the tower.

Chris Colatta, Northwoods Connect, has a list of 330 from the Three Lakes area who are interested in Internet Service.

Charlie Volk spoke in opposition to the location of the tower.

Cathy Meyer spoke in opposition to the location of the tower.

Michael Bell spoke in opposition to the location of the tower.

Ray Bushey spoke in opposition to the location of the tower.

Don Reckmeyer spoke in opposition to the location of the tower.

Thomas Drought, Jr. spoke in opposition to the location of the tower.

Greg Uhen spoke in opposition to the proposal outlined.

Rick Meyer provided his address as he submitted an email prior to the meeting.

Gail Lewis spoke in opposition to the location of the tower.

Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Ted Cushing to refer this Conditional Use Permit application back to the Town of Three Lakes and bring their recommendations back to the committee. With all members present voting “aye”, the motion carried.

Ordinance Amendment #6-2020 authored by the Planning and Development Committee to amend Chapter 9, Section 9.98, Piers and Other Berth Structures and Section 9.94, Shoreland Setbacks, Exempt Structures, Reduced Principal Structure Setbacks, Floodplain Structures, Impervious Surfaces and Heights.

Mr. Jennrich read the Notice of Public Hearing into the record. The notice was published in the Northwoods River News on June 30 and July 20, 2020. Proof of publication is contained in the file. It was posted on the Courthouse bulletin board on June 25, 2020. Mr. Jennrich gave a brief summary of the reasons behind the ordinance amendment request. The ordinance amendment will strike Section 9.98 in its entirety. It will unchanged Section 9.94 except for A, Exempt Structures; 1 (j) will be stricken and the rest is to be re-lettered.

Chair Holewinski opened the public portion of the public hearing.

Jimmy Rein spoke in favor of the ordinance amendment.

Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Ted Cushing to approve the Ordinance Amendment and create a resolution to forward to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.

Adjourn.

3:20 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