

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
OCTOBER 26, 2020 1:00 p.m.
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 and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, via ZOOM

Guests present: See sign in sheet.

Call to order.

Chair Holewinski called the meeting to order at 1:05 p.m. in accordance with the Wisconsin Open Meeting Law.

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

Public comments. Karl Jennrich introduced the new employee in the Department, Deanna Tushoski, Administrative Support.

Approve meeting minutes of September 30, 2020. Motion by Jack Sorensen, second by Mike Timmons to approve the meeting minutes of September 30, 2020 as submitted. With all members present voting “aye”, the motion carried.

Discussion/decision regarding sign violation in the Town of Minocqua. The property is located at 238 Lakeshore Drive further described as Section 14, T39N, R6E, Part Government Lot 2, Part Payne’s 2nd addition, PIN MI 3424. The committee may also be discussing 9.78, Sign Regulations, in general.

Mr. Jennrich informed the committee that the department received a complaint in the Town of Minocqua concerning the size of some political signs that were situated on the Minocqua Brewing Company property. He was asked what the department was going to be doing about it. Mr. Jennrich sent staff out to the site. The establishment was closed so they couldn’t not go out and physically take measurements of the signs or talk to the owner of the property. Mr. Jennrich sent a letter to the owner, dated September 29, 2020. He copied the County Supervisor and the Town of Minocqua. He stated the violation and that the department believed the signs were larger than what the ordinance allows (32 sq. ft). He ordered that any sign larger than 32 sq. ft. be removed.

After the letter was sent, Counsel received correspondence from the owner’s Counsel stating that he believed that provision of the sign ordinance was not constitutional and would not withstand a challenge. County Counsel looked at that and Mr. Jennrich asked he provide the committee an analysis. He provided a memo dated October 16, 2020.

Brian Desmond, Corporation Counsel, suggested the committee not enforce a non-constitutional ordinance. He explained to the committee what “constitutional” meant in this particular situation. Mr. Jennrich will have to work on making changes to the ordinance.

Motion by Jack Sorensen, second by Mike Timmons to direct Mr. Jennrich to not pursue the current complaint per Corporation Counsel’s advice. With all members present voting “aye”, the motion carried.

Discussion/decision for after-the-fact fees for property described as Plat of Pattawattomie Lodge Lot 5, Section 36, T39N, R6E, PIN MI 3703, Town of Minocqua, Oneida County, Wisconsin.

Mr. Jennrich stated that this is a request from a homeowner’s Attorney. The homeowner had a septic installed previously by an installer who did not obtain a permit. Normally we would charge after-the-fact fees, but because the homeowner was not aware the installer did not obtain a permit and actually paid the installer the permit fees, his Attorney is requesting that the additional fees be waived.

Motion by Mike Timmons, second by Ted Cushing to waive the after-the-fact fees to the homeowner and issue citations to the original installer. With all members present voting “aye”, the motion carried.

Preliminary eight (8) lot Plat of Landing Bay, Lake Tomahawk Storage, LLC, owner, submitted by REI Engineering, Joshua Prentice, surveyor for the following described property: Parts of the SW ¼ of the NE ¼, NW ¼ of the NE ¼, and Government Lot 3, Section 33, T39N, R7E, Town of Woodruff.

Mr. Jennrich stated this is a division of property in the Town of Woodruff. The property is zoned District #5, Recreational. This was previously a Condominium form of ownership. All the lots meet the minimum lot size. On September 22, 2020 the Town of Woodruff approved the Plat with the conditions that no storm water from the subdivision can drain on the Town Roads and access to lots 1, 5, 6, and 7 shall show driveway restrictions on map as well as deeds.

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 of the final Plat of Landing Bay:

1. Addressing and 911 information must be approved by Oneida County Land Information Department and/or Town of Woodruff for placement of a structure that requires a site address.
2. Proper ownership of lands within the former Condominium ownership be rectified prior to the sale of any lots of this plat.
3. May be subject to Wisconsin DOT access approval and requirements fronting Highway 47.
4. Subject to a recorded Road Maintenance Agreement for the benefit of Lots 6 & 7 be reviewed by this department prior to recording.
5. Subject to proper signature for final recording.
6. Subject to WDNR Storm Water permit if land disturbance is greater than one (1) acre.
7. Subject to State Plat review and conditions.

8. Subject to Town of Woodruff concerns and recommendations regarding access restrictions.

Josh Prentice was present via Zoom. He stated that lot 5 has a restricted access from Piene Bay. Lot 6 and 7 have restricted access and will be granted an easement through lot 8. Lot 8 has access from Piene Bay as well as Dolhun. Also at the intersection of lots 7 and 8 there is a portion of land that will be dedicated to the Town of Woodruff for the right-of-way.

Motion by Mike Timmons, second by Jack Sorensen to approve the Eight Lot Preliminary Plat of Landing Bay with the conditions suggested by staff. With all members present voting “aye”, the motion carried.

Discussion/decision concerning revising the Holding Tank Servicing Contract form.

Mr. Jennrich stated that this form revision is to remove the notary portion because it is not required.

Motion by Ted Cushing, second by Jack Sorensen to approve the revision to the Holding Tank Servicing Contract form. With all members present voting “aye”, the motion carried.

Discussion/decision concerning Section 9.58, Tourist Rooming House (#4-2019). The committee will be having general discussions of the entire ordinance and providing staff with direction on all aspects of administration and enforcement of Section 9.58.

Mr. Jennrich stated that the department issues Administrative Review Permits for Tourist Rooming Houses. As part of that process it has been required that the septic system to be installed prior to the permit being issued. Staff is getting comments from the public and realtors requesting the permit be issued prior to the septic system being installed.

Motion by Ted Cushing, second by Mike Timmons to leave the policy as is. With all members present voting “aye”, the motion carried.

Discussion/decision related to a Special Assessment for owners of Private Onsite Wastewater Treatment Systems (POWTS). Staff will be providing an update.

Mr. Jennrich stated that as potential revenue increases for the department there could be a special assessment for all POWTS owners of a \$5.00 fee per year for the maintenance certification. The question is whether to bill those receiving notices in 2021 a tri-cycle or work on the special assessment for the 2022 budget.

Motion by Scott Holewinski, second by Ted Cushing to concentrate on developing a special assessment for the 2022 budget. With all members present voting “aye”, the motion carried.

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

Mr. Jennrich stated that the permits and revenues are up.

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

The committee discussed what should be the top of the priorities for the department to work on.

Refunds.

There are five refund requests.

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

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. **November 4 & 18 and December 2 & 16, 2020.**

Public comments. **None.**

Future agenda items. **As discussed.**

Adjourn.

2:37 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