

**ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE**  
**September 20, 2023**  
**COUNTY BOARD ROOM – 2<sup>ND</sup> FLOOR**  
**ONEIDA COUNTY COURTHOUSE**  
**RHINELANDER, WI 54501**

---

Members present: Scott Holewinski, Bob Almekinder, Mike Timmons, Tommy Ryden, Mike Roach

Members absent: None

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

Other county staff present: Michael Fugle, Corporation Counsel; Chad Lynch, Assistant Corporation Counsel; Outside Counsel, Andrew Jones; Billy Fried; Grady Hartman; Linnea Newman

Guests present: See sign in sheet.

---

**Call to order.**

Chair Holewinski called the meeting to order at 12:00 p.m. in accordance with the Wisconsin Open Meeting Law.

**Approve the agenda.** Motion by Mike Timmons, second by Mike Roach 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 August 2, 9, and 23, 2023.
- b. Proposed Conditional Use Permit for PIN’s MI 3239 and MI 3240.
- c. Retaining wall in the Town of Three Lakes.

Motion by Mike Roach, second by Bob Almekinder to go into closed session. Aye: Unanimous.

**A roll call vote will be taken to return to open session.**

Motion by Tommy Ryden, second by Mike Timmons to return to open session. Aye: Unanimous.

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

- a. Motion by Mike Timmons, second by Tommy Ryden to approve closed session minutes of August 2, 9, and 23, 2023. With all members present voting “aye”, the motion carried.
- b. Discussion only, no action taken.

## Planning and Development

- c. Discussion only, no action taken.

Approve meeting minutes of August 2, 9, and 23, 2023. Motion by Bob Almekinder, second by Mike Timmons to approve the meeting minutes of August 2, 9, and 23, 2023. With all members present voting “aye”, the motion carried.

### CONDUCT PUBLIC HEARING ON THE FOLLOWING:

**Conditional Use Permit application by Edward F. Then Sr., applicant and owner, to assemble snowplows and spreaders inside an existing shop building, adjacent to property which is zoned Rural Residential, on the following described property; Lot 3 CSM 3831, Part of SW ¼, SE ¼, Section 5, T39N, R6E, 8806 Curtis Lake Drive, PIN MI 2095-5, Town of Minocqua.** Mr. Jennrich read the details of the property. The Notice of Public Hearing was published in the Northwoods River News on September 5 and 12, 2023 and a Proof of Publication is contained in the file. The Notice was also posted on the Oneida County Courthouse Bulletin Board on August 31, 2023. An Affidavit of Mailing and mailing list are contained in the file as well. A letter from the Town of Minocqua was received, read into the record, and retained in the file. No other public correspondence was received. Ms. Blankenship read the Report and the details of the proposal. Committee conferred with Ms. Blankenship, Mr. Jennrich, and Billy Fried. Mr. Jennrich also read into the record Chapter 9, Article 4, Conditional Uses and Structures/Home Occupations, Section 9.42(H), Lapse of CUP.

If the applicant has met or agrees to meet all of the requirements and conditions of permit issuance, staff would suggest the following conditions be placed on the CUP:

1. 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 to be substantially commenced within three (3) years of issuance date.
3. Signage to conform to Section 9.78 Sign Regulations of the Oneida County Zoning & Shoreland Protection Ordinance.
4. Parking to conform to 9.77 Off-street parking and Loading Space of the Oneida County Zoning & Shoreland Protection Ordinance.
5. Dumpster if used to be screened from view. Applicant to recycle waste materials/fluids as required.
6. No outdoor sales, displays, storage or activities of any type allowed.
7. If a floor drain is present, the applicant is required to show the WDNR they are running a “clean shop” that no oils, greases are going into the POWTS or redesign and get a non-domestic holding tank for the floor drain.

Chair Holewinski opened the public portion of the public hearing.

Bill Korrer spoke.

Chair Holewinski closed the public portion of the public hearing.

Committee and Mr. Jennrich conferred concerning the conditions presented.

Motion by Tommy Ryden, second by Mike Roach to approve the Conditional Use Permit as presented, subject to the seven (7) conditions being met. With all members present voting “aye”, the motion carried.

## Planning and Development

**Ordinance Amendment #07-2023 authored by the Planning and Development Committee to amend Chapter 9, Article 5 Additional Types of Uses, Section 9.53 Campgrounds and Recreational Vehicle Parks of the Oneida County Zoning & Protection Ordinance.** Mr. Jennrich read the details of the proposed changes. The Notice of Public Hearing was published in the Northwoods River News on September 5 and 12, 2023 and a Proof of Publication is contained in the file. The Notice was posted on the Oneida County Courthouse Bulletin Board on August 31, 2023. An Affidavit of Mailing and a mailing list are also contained in the file. No public comments were received.

Chair Holewinski opened the public portion of the public hearing.

No one spoke.

Chair Holewinski closed the public portion of the public hearing.

**Motion by Mike Timmons, second by Tommy Ryden to forward a Resolution for Ordinance Amendment #07-2023 to the Oneida County Board of Supervisors. With all members present voting “aye”, the motion carried.**

**Public comments.** None.

**Approve meeting minutes of August 2, 9, and 23, 2023.** Motion made by Bob Almekinder, second Mike Timmons to approve meeting minutes of August 2, 9, and 23, 2023. With all members present voting “aye”, the motion carried.

**Discussion/decision concerning out-of-County travel. The committee will be discussing Zoning Staff traveling to Wausau to meet with the North Central Wisconsin Regional Planning Commission Staff.** Mr. Jennrich requested to travel to Wausau to speak with Dennis Lawrence and staff from the North Central Wisconsin Regional Planning Commission to review and discuss the Public Participation Plan. **Motion by Chair Holewinski, second by Mike Roach to approve out-of-County travel for Karl Jennrich to meet with the North Central Wisconsin Regional Planning Commission Staff. With all members present voting “aye”, the motion carried.**

**Discussion/decision concerning retaining wall for property located at 2045 Sunset Drive, further described as Lot 18 of Cozy Point Plat, Section 35, T36N, R6E, PIN NO 1153, Town of Nokomis, as presented by adjoining property owner at 2039 Sunset Drive.** Mr. Troskey discussed the matter with the committee. A formal complaint was not filed with the Department so staff had not further pursued the matter or conducted an onsite inspection at this point. The adjoining property owner spoke and presented issues to the committee, such as water problems and aesthetics of the retaining wall. The committee believed that after reviewing the photos provided of the retaining wall that the property owner has been attempting to fix the concerns. The committee directed the property owners to work together and for a complaint to be filed if the issues do not resolve. Discussion only, no action taken.

**Discussion/decision concerning reconfiguration of existing parcels of property between adjoining property owners pursuant to Section 15.19 of the Oneida County Subdivision Control Ordinance for properties located at 325 Hickory Street and 216 4<sup>th</sup> Avenue, further described as being part of the NE SW, Section 2, T39N, R6E, PIN’s WR 13-20 and WR 13-22, Town of Woodruff.** Mr. Ridderbusch explained the proposal and the committee reviewed maps and conferred with Mr. Jennrich and the property owners that were present regarding lot sizes. **Motion by Mike Timmons, second by Tommy Ryden to approve the reconfiguration of parcels WR 13-20 and WR 13-22 as presented. With all members present voting “aye”, the motion carried.**

## Planning and Development

Staff would require as a condition of approval that the property owners obtain a two-lot certified survey map showing the new configurations of the property. Committee agreed.

**Discussion/decision concerning After-The-Fact (ATF) Shoreyard Alteration Permit (SAP) fees associated with activities within 35 feet of the ordinary high water mark (OHWM) of Green Bass Lake, for property described as: Part of Government Lots 4 & 3 and Part of the NW ¼ of the NE ¼, and of the NE ¼ of the NW ¼, Section 16, T36N, R8E, PIN CR-217-2, Town of Crescent. The committee will also be discussing Section 9.97(A) of the Oneida County Zoning and Shoreland Protection Ordinance.** Mr. Troskey discussed the details of the project with the committee. Mr. Troskey presented photos of the property for the committee to review. An onsite inspection was conducted and corrective action was discussed with the property owner. **Motion by Bob Almekinder, second by Tommy Ryden to deny the request to waive the after-the-fact shoreland alteration permit fees as presented. With all members present voting “aye”, the motion carried.**

**Discussion/Decision concerning Defeated Resolution #126-2022, Ordinance Amendment #15-2022 Placement of Semi-Trailers and Shipping Containers. The committee will be discussing the proposed language, what transpired at the Oneida County Board meeting, and determine if the committee would like to proceed with moving forward with Ordinance Amendment #15-2022.** Mr. Jennrich recapped the previous process and outcomes with the defeated Resolution #126-2022 for Ordinance Amendment #15-2022. Billy Fried spoke. Mr. Jennrich conferred with committee and discussed options on how to proceed forward. **Motion by Mike Timmons, second by Bob Almekinder for staff to resurvey the Towns of Oneida County, requesting feedback for changes they would like to see implemented if Ordinance Amendment #15-2022 is brought back. With all members present voting “aye”, the motion carried.**

**Discussion/decision concerning Administrative Review Permit #2201108 for property described as: Lot 3 of CSM V7 P1810 and Part of the SE ¼ of the SE ¼, Section 5, T39N, R6E, 8982 Sandy Court, PIN MI 2096-3, Town of Minocqua.** Mr. Jennrich provided updates to the committee as to the status of the property owner’s compliance and proposal to stay in compliance with his Administrative Review Permit #2201108. Assistant Corporation Counsel conferred with committee as well. Committee addressed concerns of the neighbors with the property owner.

**Discussion/decision concerning objection by Bob Almekinder to the August 9, 2023 procedure.**

**Rule by Chair as to objection.**

**Proceed with ruling as to objection.**

Chair Holewinski made an announcement following the closed session announcements that the matter concerning the objection by Bob Almekinder to the August 9, 2023 procedure will be tabled to provide the Oneida County Board of Supervisors the opportunity to address the matter with Counsel.

**Discussion/decision concerning a Conditional Use Permit application by Kirk Bangstad, for property described as: Village of Minocqua, Lots 1 and 2, Block 3, Section 14, T39N, R6E, 329 E. Front Street, PIN’s MI 3239 and MI 3240, Town of Minocqua.**

**Staff will be presenting information from a Conditional Use Permit Report.**

**The applicant may be requested to provide answers to committee questions.**

**Public comments on the above topic (limited to 3 minutes per person).**

Chair Holewinski made an announcement following the closed session announcements that the matter concerning the Conditional Use Permit application by Kirk Bangstad will be tabled to provide the Oneida County Board of Supervisors the opportunity to address the matter with Counsel.

## Planning and Development

**Discussion/decision concerning a retaining wall for property located at 1584 Naleid Road, further described as: Part of Government Lot 8, Lot 1 and Outlot 1, CSM V24, P4982, Section 17, T39N, R11E, PIN TL 2605-6, Town of Three Lakes.** Mr. Jennrich read an email into the record from the builder. The parties would like to come into compromise due to flooding and safety concerns if the retaining wall were in consideration to be removed. The proposal was to add vegetation to create earthen wall. Staff requested that the retaining wall be brought into compliance. Mr. Troskey added information concerning earthen wall calculations. Committee believed that after reviewing the photos of the proposal, that the proposed project improvements would resolve the issues. Discussion only, no action taken.

**Discussion/decision concerning Chapter 9, Article 7 General Standards, Section 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance. The committee will be reviewing the current Ordinance and possibly directing staff to analyze the current Ordinance and provide any needed revisions for the committee to review.** The committee conferred with Mr. Jennrich and Corporation Counsel concerning making changes to Section 9.78, Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance. Corporation Counsel stated that outside counsel could be assigned and it would be a party that specializes in signs and sign regulation to be able to assist staff and Corporation Counsel with change proposals to bring back to the committee at a later date. Corporation Counsel also stated that additional funds are not believed to be needed to hire outside counsel for this matter. Motion by Mike Timmons, second by Tommy Ryden to direct staff and Corporation Counsel to proceed forward with the process for an ordinance amendment to Section 9.78, Sign Regulations, of the Oneida County Zoning and Shoreland Protection Ordinance with guidance from outside counsel with approval to proceed, only utilizing the Planning and Zoning Department's out-of-pocket costs. With all members present voting "aye", the motion carried.

**Discussion/decision concerning a Refund Policy for the Planning and Zoning Department. The committee will be reviewing/approving Refund Policy.** The committee reviewed the proposed Refund Policy for the Planning and Zoning Department. Staff recommended the following:

1. Refunds for overpayment of fees paid can be processed and submitted for payment to the Finance Department by Planning and Zoning Department authorized staff without Planning and Development Committee approval.
2. Refund requests for after-the-fact fees paid by the applicant, owner, contractor, etc. must receive approval from the Planning and Development Committee.
3. Refund requests where the Planning and Zoning Department withholds review fees or onsite fees must receive approval from the Planning and Development Committee.

Motion by Mike Roach, second by Tommy Ryden to approve and adopt the Refund Policy for the Planning and Development Committee. With all members present voting "aye", the motion carried.

**Discussion/decision – Planning & Zoning Department permit activity/revenue.** Informational only, no action taken.

**Refunds.** None.

**Approve future meeting dates.** October 4 and 18, 2023

Planning and Development

**Future agenda items.** As discussed.

**Adjourn.**

2:54 p.m. There being no further matters to lawfully come before the committee, Chair Holewinski adjourned the meeting.

---

Scott Holewinski, Chair

---

Karl Jennrich, Planning & Zoning Director

DRAFT