

ONEIDA COUNTY PLANNING & ZONING
January 7, 2009
12:30 P.M. CLOSED SESSION MEETING – COMMITTEE ROOM #2
1:00 P.M. REGULAR MEETING – COMMITTEE ROOM #2
2ND FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

Members present: Scott Holewinski
Ted Cushing
Larry Greschner
Charles Wickman
Frank Greb

Department staff present: Karl Jennrich, Zoning Director
Pete Wegner, Assistant Zoning Director
Steve Osterman, Planning Manager
Nadine Wilson, Land Use Specialist
Kim Gauthier, Secretary

Other County Staff: Brian Desmond, Corporation Counsel; Bob Brusco, County Clerk

Guests Present: (None)

Call to order

Chair, Scott Holewinski called the meeting to order at 12:30 p.m., in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda has been properly posted, the media notified and the courthouse is handicap accessible.

Discussion/decision to approve the agenda

Motion by Charles Wickman, second by Frank Greb 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

Motion by Ted Cushing, second by Larry Greschner to go into closed session. With all members present voting "aye", the motion carried.

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

Motion by Ted Cushing, second by Larry Greschner to enter into closed session. Roll call vote: Scott Holewinski "aye", Larry Greschner "aye", Ted Cushing "aye", Charles Wickman "aye", Frank Greb "aye". The motion carried.

Mr. Holewinski announced that while in closed session the committee met with legal counsel regarding possible litigation.

Oneida County's Official Newspaper. The Committee made a motion to direct staff to investigate changing the County's official newspaper.

Mr. Jennrich provided minutes (Exhibit #1) from previous discussion that took place regarding possible changing the official newspaper. Mr. Jennrich indicated that Mr. Greschner requested this be discussed again. Copy of county code also distributed (Exhibit #2).

Brian Desmond indicated per statute our population does not require an official newspaper be named.

Bob Brusco referred to the county code which noted the statute does not require an official daily paper be named. Mr. Brusco noted the county board may designate more than one paper as long as one is designated.

Mr. Wickman asked if the internet could be utilized.

Mr. Desmond indicated the Attorney General does not consider the internet a legal notice and a general overview of the public hearing must be advertised in the paper.

Mr. Holewinski commented that after the November 19, 2008 zoning committee meeting we decided we are satisfied with the remedy presented.

Mr. Cushing commented that he thought the issue was settled in November, but the technicality is the motion that was made.

Motion by Frank Greb, second by Ted Cushing to go back to allowing the Rhinelander Daily News as an official newspaper and extract the previous motion to create a resolution changing the newspaper. Scott Holewinski "aye", Charles Wickman "aye", Frank Greb "aye", Ted Cushing "aye", Larry Greschner "nay". The motion carried.

Mr. Jennrich noted this was researched as requested and shown in the minutes.

Section 9.50, Legal Pre-Existing Structures; 9.55, Adult Oriented Business Ordinance and 9.99, Shoreland Structures and Uses. The Committee is considering allowing the expansion of Legal Pre-existing uses.

Mr. Jennrich provided a copy of Section 9.50, 9.99 and 9.55 (Exhibit #3, #4).

Committee agreed that the draft needs to be reviewed and discussed at the next meeting.

Motion by Ted Cushing, second by Frank Greb directing staff to make final changes to Section 9.55 and review with the attorney's involved and bring back in resolution format. With all members present voting "aye", the motion carried.

Section 9.99 D 4 a, Shoreland Uses and Structures. The Committee is considering allowing structures that are totally torn down to be rebuilt outside their original footprint.

Mr. Jennrich provided draft language of Section 9.99 (Exhibit #5). Mr. Jennrich noted the DNR's legal counsel has not reviewed the language yet.

Motion by Larry Greschner, second by Ted Cushing to table this agenda item until January 21st meeting. With all members present voting "aye", the motion carried.

Conditional Use Permit of Frederick J. Hegeman, owner, to add two (2) new apartments to an existing 3-unit apartment building at 6966 Winkler Road, located in part of the NW NE, Section 7, T38N, R11E, PIN# TL 448-5, Town of Three Lakes. A public hearing was held on May 7, 2008 at which time the Planning and Zoning Committee sent it back to the Town of Three Lakes for further review.

Mr. Jennrich indicated he and Frank Greb attended a town meeting regarding this agenda item.

Nadine Wilson, Land Use Specialist provided a report (Exhibit #6), conditions and town letter (Exhibit #7, #8).

Committee discussed concern of the proposed French drain and how this will be installed and utilized. Committee also discussed location of potential garages.

Mr. Holewinski recommended approval with French drains, but not with garages. Mr. Holewinski also recommended adding a condition that there are no expansion of the blacktop and no addition of garages.

Mr. Greb commented that the garages did not come up at the town meeting and agreed that garage construction should not be approved.

Ms. Wilson read the conditions of approval and noted condition number eight was not a problem with the town, however the town did want this completed by the Fall of 2009.

Committee recommended adding a deadline to condition number eight of October 31, 2009 and that the department review prior to approval. Committee also recommended a condition be added that the owner supply an engineer approved, 100 year storm water retention plan prior to issuing a permit.

Ms. Wilson discussed condition number nine, as recommended by the town. Committee recommended the condition read "lease agreement for new tenants submitted to planning and zoning department".

Motion by Larry Greschner, second by Frank Greb approving of conditional use permit of Fred Hegeman with staff concerns and town concerns that pertain to zoning staff concerns along with the condition additions and amendments. With all members present voting "aye", the motion carried.

Time: 1:58 p.m. Recess prior to holding public hearing.

Reconvene at 2:25 p.m.

Oneida County Planning and Zoning Long Rang Plan.

Mr. Jennrich provided a copy of the departments long range plan along with a department project list (Exhibit #9, #10).

Motion by Ted Cushing, second by Frank Greb to accept the long range plan and submit to Finance as presented. With all members present voting “aye”, the motion carried.

Mr. Jennrich also noted he is working on the camping resolution establishing a zoning district as previously discussed.

Zoning Director's attendance of Wisconsin Association of Campground Owners (WACO) in Stevens Point on March 20, 2009.

Mr. Jennrich indicated he was requested to speak at the meeting indicated regarding campground condominiums. The WACO has requested a forum of Zoning Administrators attend.

Motion by Ted Cushing, second by Larry Greschner to send the Zoning Director to the meeting in Stevens Point on March 20, 2009. With all members present voting “aye”, the motion carried.

Forward Resolution #20-2008, related to revision of Section 9.78, to the Oneida County Board of Supervisors.

Mr. Jennrich provided a copy of resolution #20-2008 (Exhibit #11).

Motion by Ted Cushing, second by Charles Wickman to forward ordinance #20-2008 to the county board for approval. With all members present voting “aye”, the motion carried.

Forward Resolution #21-2008, related to revision of Section 9.96, to the Oneida County Board of Supervisors.

Mr. Jennrich provided a copy of resolution #21-2008 (Exhibit #12).

Motion by Larry Greschner, second by Charles Wickman to forward resolution #21-2008 to the county board for approval. With all members present voting “aye”, the motion carried.

Line item transfers, refunds, purchase orders and bills.

Mr. Jennrich presented refunds, bills and purchase orders in the amount of \$583.63 and \$626.65, along with statistics for the year 2008 (Exhibit #13, #14, #15). Mr. Jennrich recommended taking \$75 out of the refund request for the two hours involved in the permit.

Motion by Larry Greschner, second by Frank Greb to not approve the refund as presented. With all members present voting "aye", the motion carried.

Motion by Ted Cushing, second by Frank Greb to approve the bills and vouchers as presented. With all members present voting "aye", the motion carried.

Approve future meeting dates: January 21 and February 3, 2009.

January 21, 2009 Scott will be gone.
January 28, 2009 1:00 p.m. Subdivision meeting.
February 3, 2009 Tuesday meeting.

Public comments.

No public present.

Future agenda items.

Section 9.55 and Section 9.99 as discussed.

Adjourn

Time: 2:50 p.m.

Motion by Ted Cushing, second by Charles Wickman to adjourn. With all members present voting "aye", the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director