

**ONEIDA COUNTY PLANNING & ZONING**  
**February 10, 2011**  
**1:00 PM – Regular Meeting**  
**COMMITTEE ROOM #2**  
**ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501**

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Members present: Scott Holewinski  
Gary Baier  
Dave Hintz  
Mike Timmons  
Billy Fried

Department staff present: Peter S. Wegner, Assistant Zoning Director  
Lila Dumar, Secretary III

Guests: Alan Oppenheim, Deer Run Stone  
Bob Klovas, Unilock  
Bob Mott  
Brian Pitlik  
Bob Williams  
Bob Martini  
Jimmy Rein

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Call to order.

Scott Holewinski, Chairman, called the meeting to order at 1:00 p.m. in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was properly posted. All members are present.

Approve the agenda.

**Motion by Dave Hintz, second by Gary Baier to approve the agenda. With all members present voting “aye”, the motion carried.**

Public Comments.

- Gary Baier provided correspondence from Heidi Kennedy, WDNR addressed to all County Code Administrators. The letter involved the repeal of the newly adopted NR 115 and the need for the counties to continue to move forward on their ordinance revisions. Mr. Baier also mentioned comments that were made by Ms. Kennedy relating to Gov. Walker and Ms. Stepp.
- Bob Mott asked if other counties are having the same problems as Oneida County. Peter Wegner, Assistant Zoning Director, stated that other counties are having the same problems. Mr. Wegner stated that there is a need for guidance.

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- There was discussion on the need for additional staff. At a minimum, 2-3 additional staff will be required due to the NR 115 revision.
  - Dave Hintz stated that he had attended the Wisconsin Counties Association meeting on February 9, 2011. As part of the meeting, Secretary Cathleen Stepp was a speaker. Ms. Stepp stated that NR 115 was unworkable in its present state. She spoke of enforcement issues, and the burden on the counties.
  - Richard Moore, Northwoods River News, commented that he had interviewed Ms. Stepp. She had stated that NR 115 would be dealt with sooner rather than later.

Presentation concerning impervious/pervious surfaces.

Al Oppenheim, Deer Run Stone; and Bob Klovas, Unilock are present to discuss the various impervious and pervious products that are available through their companies. Brian Pitlik of Pitlik & Wick, Inc. is present to discussion gravel and asphalt surfaces. Brochures and pamphlets were distributed. There was discussion following the presentation. All pamphlets and handouts are part of the record for of this meeting.

Discussion entailed the following:

1. These systems need to be inspected 5/10 years.
2. Remediation is site specific to function throughout time.
3. Additional cost versus typical asphalt driveway is \$10-\$12 SF vs. \$3 SF.
4. Need to require maintenance in ordinance, easy visual inspections.
5. Top is cap to what the real system is below.
6. Permeable fill is available to use with these products and is designed to let water drain through it.
7. There is no heaving from frost.
8. Plowing is same as any other pavement.
9. Longevity of product is 50 years.
10. Industrial or residential products are available.
11. There is no profession available that inspects and maintains these products, need to train staff to inspect or have certification by applicant/owner.
12. These products are designed to prevent erosion.
13. Possibly use postcard system to remind owners to have their pervious surface/system inspected.
14. Maintenance schedule to be provided by Unilock.
15. Filtration of water is beneficial before going into river or lake.
16. Grasscrete or turf stone is effective in some places. Grass growth in between the concrete is difficult and there is a lot of burn off.
17. Grasscrete or turf stone is hard to monitor or regulate.
18. Pervious driveways are costly.

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19. In most cases, the pervious system products will be used when impervious surfaces limitations are exceeded for a deck or walkway.
  20. Defining structure not to include a patio or retaining wall.
  21. Porous asphalt with a base system costs four times as conventional asphalt. It is comparable to the pavers.
  22. 50% impervious surface rule will impact a lot of lakefront property owners.
  23. Suggestion to exempt one driveway per property.
  24. Need to develop an impervious/pervious surface policy the way Oneida County wants it and submit to the DNR and not worry so much about NR 115.
  25. Onsite various properties to see how NR 115 will apply and what would be allowed on the property.
  26. County needs to accept that these are engineered systems and will be installed per manufacturer's specifications.

**(Note: Add driveway installers and pervious product companies to the planned landscaper, contractors meeting.)**

Information and discussion only. No action taken by the Committee.

Review Section 9.98, Piers, Other Berth Structures.

Billy Fried requested this to be on the agenda—why does Oneida County regulate piers at all? It is already regulated by the DNR, so this is another layer of regulation. Let the DNR do their job. Jimmy Rein is present and expressed his opposition to County pier regulation.

Peter S. Wegner, Assistant Zoning Director, reviewed the history of the pier regulations with the Committee. At one point, the pier language was to be removed from the ordinance, but it did not go through at the time due to regulation of marinas.

Mr. Wegner suggested that if the Committee decides to remove the pier regulations from the ordinance, some parts of it should be retained, such as marinas and lighting provisions.

It was the consensus of the Committee to bring this back to a regular meeting agenda to consider no County regulation of piers.

Discussion only. No action taken.

Review revisions to Chapter 9, Section 9 of the Oneida County Zoning and Shoreland Protection Ordinance due to changes in NR 115. Staff will present language for the Committee to review.

Peter S. Wegner, Assistant Zoning Director, reviewed the changes that were made at the last meeting.

- Page 7. Underline (b).  
4 (a) (b) (c) is stricken
- Page 8. Pruning language was kept (with a permit).
- Page 10. Keep language on open decks.
- Page 15. Added 9.94 C. (Impervious surfaces)
- Page 16. Keeping old language on existing accessory structures.  
The wet boathouse language was stricken in error.

Peter S. Wegner, Assistant Zoning Director stated that he believes there may be a conflict on what can be done between 0-35 and 40-75 feet from the OHWM; he had sent an email to the Heidi Kennedy, WDNR, asking questions on it. Mr. Wegner received an answer to his questions, and in the email, Heidi Kennedy states that Chapter 59.69 Wis. Stats. has not changed and that NR 115 does not overrule Chapter 59.69.

Mr. Wegner stated that this may mean that we could keep the County's existing non-conforming language. Mr. Wegner will do more research and consult with Corporation Counsel Brian Desmond and Karl Jennrich, Zoning Director.

It was the consensus of the Committee not to move forward on revising the zoning ordinance for nonconforming structures and uses until this is clarified.

Review Resolution concerning NR 115 to be forwarded to the Oneida County Board of Supervisors.

The resolution has been approved by Corporation Counsel and will be acted upon on February 15, 2011 by the Oneida County Board of Supervisors.

Information to the Committee. No action needed.

Approve future meeting dates. February 24, 2011.

The Committee confirmed the February 24, 2011 meeting date for NR 115. For the record, Karl Jennrich, Zoning Director, will not be available for this meeting.

Public comments.

Gary Baier commented on the email from Heidi Kennedy, WDNR mentioned earlier today. Mr. Jennrich stated he was not sure whether or not he had received the email. He would check his emails.

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Future agenda items.

- Piers.
- Floodplain.
- Definition of Structure.
- 30% impervious surfaces rule.

Adjourn.

3:10 pm - Motion by Mike Timmons, second by Dave Hintz to adjourn. The motion carried unanimously.

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Scott Holewinski, Chairman

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Karl Jennrich, Zoning Director