

ONEIDA COUNTY PLANNING & ZONING
February 17, 2010
12:30 P.M. CLOSED SESSION
1:00 P.M. REGULAR SESSION

COMMITTEE ROOM #2
2ND FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501

Members present: Scott Holewinski
Ted Cushing
Larry Greschner
Charles Wickman
Dave Hintz

Department staff present: Karl Jennrich, Zoning Director
Pete Wegner, Assistant Zoning Director
Steve Osterman, Planning Manager
Kim Gauthier, Secretary

Other County Staff: Brian Desmond, Corporation Counsel

Guests Who Signed In: Tim Rusch

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION/DECISION.

Call to order.

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

Approve the agenda.

Motion by Charles Wickman, second by Dave Hintz to approve the agenda as posted. 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. Conditional Use Permit violation in the Town of Woodruff.
- b. Concrete patio violation in the Town of Pelican.
- c. An appeal to the Court of Appeals in the Town of Hazelhurst.

Motion by Ted Cushing, second by Larry Greschner to go into closed session. Roll call vote Dave Hintz “aye”, Charles Wickman “aye”, Larry Greschner “aye”, Ted Cushing “aye”, Scott Holewinski “aye”. The motion carried.

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

Motion by Ted Cushing, second by Dave Hintz to return to open session. With all members present voting “aye”, the motion carried.

Kim Gauthier, PZ Secretary read the motion made while in closed session as follows: Motion by Ted Cushing, second by Larry Greschner to waive \$5000 of the McCoy fine providing the patio is removed and restored to its original state, along with collecting the \$5000 fine from the builder. The patio must be removed no later than June 1, 2010. Ted Cushing “aye”, Larry Greschner “aye”, Charles Wickman “aye”, Dave Hintz “aye”, Scott Holewinski “aye”. The motion carried.

Approve meeting minutes of January 8, 2010.

Motion by Larry Greschner, second by Ted Cushing to approve the minutes of January 8, 2010 as presented. With all members present voting “aye”, the motion carried.

1st Amendment to the 2nd addition to The Nokomis Cemetery, Town of Nokomis owner for property described as part of the SW SW, Section 21, TT36N, R6E, Town of Nokomis. Upon approval signed resolution to be forwarded to County Board of Supervisors.

Mr. Jennrich referred to the town’s request in the memo provided (Exhibit #1).

Motion by Ted Cushing, second by Charles Wickman to approve the first amendment to the second addition to the Nokomis Cemetery and forward to the County Board for approval. With all members present voting “aye”, the motion carried.

Boathouse proposal of Jeff Cebrzynski, owner Stu Foltz, agent on property described as part Lot 6 of the County Plat of Sallet’s Estates being part of Gov’t Lot 1, Section 12, T39N,R E, Town of Minocqua

Mr. Wegner referred to the memo provided including photos (Exhibit #2) of the property with view corridor marked.

Stu Foltz, agent was present along with Jeff Cebrzynski the owner. Mr. Foltz presented photos showing where he believes the ordinance would allow a boathouse (Exhibit #3) and if allowed to change the view corridor, the new location of the proposed boathouse. Mr. Foltz asked the department and the committee if the view corridor is still a view corridor after it is mitigated. Mr. Foltz and Mr. Cebrzynski would like to vegetate the existing view corridor, and then move the view corridor to allow for placement of a boathouse.

Mr. Wegner indicated the department would not allow this under the ordinance as it reads today because the proposal is not natural vegetation and a permit can not be granted with the anticipation of a new view corridor.

The committee disagreed with Mr. Foltz mitigation plan and agreed with the county's decision on this matter.

Brian Desmond, Corporation Counsel indicated the ordinance reads native vegetation and therefore, this proposal would not be allowed. Mr. Desmond noted a variance could be requested with the Board of Adjustment, but this committee can not deviate from the ordinance.

Mr. Foltz asked if when the mitigation is complete if the owner may come back to the county for a permit for the boathouse.

Mr. Wegner indicated the view corridor can be selected after mitigation.

Mr. Jennrich indicated that staff may look at the proposed plan from a landscape company prior to planting the vegetation.

Preliminary 3-lot Certified Survey Map of Pauline Smith, agent of the estate of Lois Flannery, owner, for property described as part of Gov't Lot 7, Section 14, T35N, R11E, part of PIN# SC 377 on Lucille Lake, Town of Schoepke. Access review only.

Mr. Osterman presented an aerial photo of the lot as seen in the file.

Tim Rusch, Surveyor noted this is a family estate which is being split for distribution among family members. A maintenance agreement is included.

The committee questioned the "share in the cost" on the maintenance agreement and how this would be split and who is liable.

Mr. Rusch indicated the cost is proportionate to the amount of land owned and the family's attorney wrote the maintenance agreement language.

Motion by Ted Cushing, second by Larry Greschner to approve the three lot certified survey map of Pauline Smith, agent of the estate of Lois Flannery, owner, town of Schoepke, agenda number eight. With all members present voting "aye", the motion carried.

Balsam Prairie Condominium located on property described as NW NW, Section 14, T37N, R9E, PIN# PL 374, Town of Pine Lake.

Mr. Jennrich described the history of the mobile home park owned by Jack Stuerwalt who now wishes to convert the property to a condo form of ownership. The intent is to sell off each unit so to get around the need for a new water supply. The current water supply is not in compliance. Mr. Jennrich read the letter the department sent to Attorney Robert Kuehling dated February 5, 2010. The department is requesting compliance with parking regulations, as the conversion would be the same as multi-family use. The condo declarations have not been reviewed, nor approved by the department.

Brian Desmond, Corporation Counsel disagrees with Attorney Kuehling. Mr. Desmond indicated parking requirements and timelines must be met and recommended denial or that the requirements of the conditions be met prior to approval.

Mr. Jennrich indicated the department recommends denial based on the position of the department as indicated in the letter read. Mr. Jennrich indicated the condo is recorded but not approved.

Motion by Larry Greschner, second by Ted Cushing to deny Balsam Prairie Condominium, Town of Pine Lake, agenda item number nine, based on the department letter dated February 5, 2010. With all members present voting “aye”, the motion carried.

NR 115

Mr. Wegner indicated he attended the meeting in Phillips when the DNR presented NR115 implementation and grants available. Mr. Wegner indicated the DNR discussed very broad terms and technical questions from the county were not addressed. Most counties are waiting the full two years to adopt the language and the grant money available depends on which way the county implements the ordinance. The timeline began February 1, 2010.

Mr. Cushing recommended the department send another letter to Mr. Bresse, WDNR stating this county will not work on NR115 language until we get answers to the questions raised in our previous letter.

Refund request from North Central Regional Planning Commission.

Mr. Greschner indicated it is unknown which town's have plans.

Mr. Holewinski recommended obtaining a list of which towns NCRPC are assisting and the dates they worked with each township.

Motion by Ted Cushing, second by Larry Greschner requesting NCRPC inform the Planning and Zoning Department with a list of work done to date regarding smart growth plan.

Mr. Jennrich agreed to draft a letter to NCRPC.

Line items, transfers, refunds, purchase orders and bills.

Mr. Jennrich presented bills and purchase orders in the amount of \$62.00 and \$514.28 (Exhibit #4, #5). Also statistics through January 2010 (Exhibit #6).

Motion by Larry Greschner, second by Ted Cushing to approve the purchase orders and vouchers as presented. With all members present voting “aye”, the motion carried.

Approve future meeting dates: March 3, 2010 and March 17, 2010.

Public comments.

There were no members of the public present.

Future agenda items.

- NR115 update.
- NCRPC refund.

Adjourn

Time: 2:25 p.m.

Motion by Ted Cushing, second by Dave Hintz to adjourn. With all members present voting “aye”, the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director