

**ONEIDA COUNTY PLANNING & ZONING**  
**April 15, 2009**

**1:00 P.M. REGULAR MEETING – COMMITTEE ROOM #2**  
**2<sup>ND</sup> FLOOR ONEIDA COUNTY COURTHOUSE, RHINELANDER WI 54501**

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

Department staff present: Karl Jennrich, Zoning Director  
Nadine Wilson, Land Use Specialist  
Kathy Ray, Land Use Specialist  
Jean Hanson, Land Use Specialist  
Kim Gauthier, Secretary

Other County Staff: Mike Romportl

Guests Present: Kevin Jenkins, Mike Timmons, Gene Uttech, Ken Orton,  
William Liebert, Robert Winat, Courtney Peterson,

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Call to order

Chair, Scott Holewinski called the meeting to order at 1:00 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 Ted Cushing, second by Charles Wickman to approve the agenda. With all members present voting "aye", the motion carried.**

Approve regular meeting minutes of March 18, 2009

Approve public hearing meeting minutes of March 18, 2009

**Motion by Larry Greschner, second by Ted Cushing to approve the regular meeting and public hearing minutes of March 18, 2009, as printed. With all members present voting "aye", the motion carried.**

Preliminary 3-lot Certified Survey Map of Francis Thomas Corrado for property described as Lot 3 of CSM #2826 and being part of SW NE, Section 24, T39N, R6E, PIN# MI 2344-2, Town of Minocqua.

Kathy Ray, Land Use Specialist indicated the subdivision was submitted two years ago and the only change is the original condition required a road maintenance agreement;

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however, it is no longer needed. Ms. Ray indicated the adjoining lot will be combined on the certified survey map as presented. The town has approved of the map.

**Motion by Larry Greschner, second by Charles Wickman to approve the preliminary three lot certified survey map of Francis Corrado, agenda item number five, with conditions, town review and dedicate the out lot strip parcel number one with the parcel to the East. With all members present voting “aye”, the motion carried.**

Gerri Inman requested a restriction that this either attaches with the lot at the East or West.

Karl Jennrich recommended out lot be combined with proposed lot four or lot three owners directly to the East prior to any construction.

**Motion by Larry Greschner, second by Charles Wickman to approve the preliminary CSM of Francis Corrado, agenda item number five with conditions including the combination of the out lot with lot four or lot three directly to the East, prior to construction. With all members present voting “aye”, the motion carried.**

Request for a 90-day extension involving the Administrative Review Permit application of McDonald's Corp. to raze and rebuild the existing McDonald's Restaurant at its current location described as part of Gov't Lot 2, SW NE, SM C555, Section 11, T39N, R56E, at 8689 Hwy 51, PIN# MI 2176-14, Town of Minocqua.

Ms. Ray indicated several town meetings have taken place regarding this matter and the owner requested more time be given to try to work with a plan that will please the neighboring property owners.

**Motion by Ted Cushing, second by Frank Greb to approve the ninety day extension involving the administrative review permit of McDonald's Corporation. With all members present voting “aye”, the motion carried.**

Third Amendment to Pine Island Condominium to reconfigure Unit 7 and make minor changes to other units on property described as part of Gov't Lot 4, Section 11, T39N, R5E, Town of Minocqua.

Ms. Ray indicated there to be minor changes to the condominium declarations along with re-designing unit number seven to expand 100 square feet of the unit with a detached garage. Ms. Ray noted the amendment will also include a new limited common area for unit number seven. Ms. Ray indicated she would like to add a condition that the revised condo declarations are reviewed by the department and condo association prior to construction that any zoning permits be obtained and the standard statement is added to the plat. Ms. Ray noted the town recommended approval, as their letter reads.

**Motion by Larry Greschner, second by Charles Wickman to approve the third amendment to Pine Island Condominium to reconfigure unit seven and make**

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**minor changes to other units, along with town approval, conditions and concerns noted. With all members present voting “aye”, the motion carried.**

Appendix A of the Oneida County Zoning and Shoreland Protection Ordinance. The Committee may be revising Appendix A of the Oneida County Zoning and Shoreland Protection Ordinance.

Mr. Jennrich referred to Appendix A from the subdivision ordinance with proposed changes which will result in more consistency in the language (Exhibit #1). Mr. Jennrich also indicated the charts provided have been in affect for a long time and became a large undertaking; therefore, additional time is needed to clean up the inconsistencies. Mr. Jennrich will bring a draft to the May 6<sup>th</sup> committee meeting.

Section 9.98, Piers, Other Berth Structures.

Mr. Jennrich indicated the committee requested the history of Section 9.98, Piers. The County has had this ordinance since 1997.

Pete Wegner, Assistant Zoning Director described the history of the ordinance and indicated in 2006 the changes were put on hold due to committee changes, then in December 2008 a motion was made to leave Section 9.98 since the DNR language was less restrictive. Mr. Wegner indicated the department recently received correspondence asking if it is legal for the county to be more restrictive. Mr. Wegner referred to the packet of information provided (Exhibit #2). The department is able to work together with the DNR and leave the language as presented.

Brian Desmond, Corporation Counsel commented on what is forbidden by State Statute. Mr. Desmond indicated his opinion is that the ordinance is not inconsistent, but that of a policy decision.

Mr. Holewinski asked why the county would create language if we can't control what happens from the water. Discussion on berth differences with the DNR and the County.

Mr. Wegner indicated the county has asked for additional information on marinas, however, the DNR has not replied yet.

Mr. Holewinski recommended staff research further.

Kevin Jenkins commented that he may be able to work with the department to accomplish language that does not need total elimination.

**Motion by Larry Greschner, second by Charles Wickman to table any further action on Section 9.98 until May 6<sup>th</sup>. With all members present voting “aye”, the motion carried.**

Chapter 13, Oneida County Private Onsite Wastewater Treatment System (POWTS) Ordinance. Chapter 13 is being modified to comply with mandatory inventory and maintenance requirements.

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Mr. Jennrich referred to the memo and draft language presented to the committee dated 4/8/09 (Exhibit #3). Mr. Jennrich described the changes to page 23.

Mr. Holewinski questioned Section 13.51(2).

Mr. Jennrich noted the inspection described is to look for groundwater seepage. Mr. Jennrich provided a copy of the yellow card the department distributes (Exhibit #4).

Mr. Jennrich noted the Department of Commerce proposed questions on Monday and further changes will be made to the language. Mr. Jennrich indicated the existing program will require all tanks receive a yellow card per the State. The department is working with ITS department to develop a program that will generate the data needed.

Mr. Cushing commented that the public needs to be made aware that this is a mandated program.

Staff attendance to Certified Survey Maps training in Lake Delton, WI on April 17, 2009.

Mr. Jennrich presented information regarding this training as described (Exhibit #5).

**Motion by Ted Cushing, second by Larry Greschner to authorize one staff member to attend the April 17, 2009 Lake Delton training. With all members present voting “aye”, the motion carried.**

Line item transfers, refunds, purchase orders and bills.

Mr. Jennrich presented statistics for the months of January through March 2009 (Exhibit #6), along with bills and purchase orders (Exhibit #7) in the amount of \$555.96.

**Motion by Larry Greschner, second by Frank Greb to approve the purchase orders and bills as presented. With all members present voting “aye”, the motion carried.**

Approve future meeting dates: April 29 and May 6, 2009.

Mr. Greschner asked to discuss Dr. Mullen’s request for an on-site inspection. Committee agreed staff can take pictures of the site since they are most familiar with the exercise hill and present them to the Committee. Mr. Jennrich indicated he will send a letter to Dr. Mullen in response to his request.

Public comments.

No public comment was made.

Future agenda items.

As previously discussed.

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Adjourn.

Time: 1:54 p.m.

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

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Scott Holewinski, Chair

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Karl Jennrich, Zoning Director