

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
December 20, 2023
COUNTY BOARD ROOM – 2ND 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; Monique Taylor, Administrative Support

Other county staff present: None.

Guests present: See sign in sheet.

Call to order.

Chair Holewinski called the meeting to order at 12:33 p.m. in accordance with the Wisconsin Open Meeting Law.

Approve the agenda. Motion by Bob Almekinder, second by Tommy Ryden, 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 December 6, 2023.
- b. Conservation, Planning and Zoning Director Performance Evaluation.

Motion by Bob Almekinder, second by Tommy Ryden, to go into closed session. Aye: Unanimous.

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

Motion by Mike Timmons, second by Bob Almekinder, to return to open session. Aye: Unanimous.

Recess at 12:53 p.m.

Return from recess at 1:00 p.m.

Announcement of any action taken in closed session.

- a. Motion by Mike Timmons, second by Bob Almekinder, to approve the closed session meeting minutes of December 6, 2023. With all members present voting “Aye,” the motion carried.
- b. Discussion only, no action taken.

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Public comments.

Julie Bruyette spoke concerning Conditional Use Permit #2201119.

Kathleen Cooper spoke concerning Conditional Use Permit #2201119.

David Piacenza spoke concerning Administrative Review Permit #2300596.

Michael Janz spoke concerning Administrative Review Permit #2300596.

Shellye Boone Shunk spoke concerning Administrative Review Permit #2300596.

Approve meeting minutes of December 6, 2023. Motion by Tommy Ryden, second by Mike Roach, to approve the meeting minutes of December 6, 2023. With all members present voting “Aye,” the motion carried.

Discussion/decision concerning Sand County Environmental, applicant, and Musson Bros, Inc., owner, revisions to Conditional Use Permit #2201119 non-metallic mine operations to add hot mix asphalt plant and wash ponds and the reclamation permit for the increase in mining acreage on the following vacant property further described as: The NE ¼ of the NE ¼, and part of the NW ¼ of the NE ¼, Section 29, T36N, R9E, PINs PE 400 & PE 401-1, Town of Pelican. Mr. Jennrich and the committee addressed concerns brought forth during public comments. The committee conferred with Mr. Jennrich, Bart Sexton, Sand County Environmental, and Dean Schwab, Musson Bros, Inc., concerning the updates since the meeting of November 15, 2023. Mr. Sexton discussed the buffer plan and what Musson Bros, Inc. is willing to implement to satisfy the adjoining property owners. The committee questioned Mr. Sexton for an anticipated date for completion of the buffer planting. The plan proposal was discussed with the committee. Motion by Chair Holewinski, second by Mike Roach, to approve the buffer zone proposal as presented. Additional conditions on the buffer zone proposal include planting trees for the buffer zone with inspection by the Planning and Zoning Department staff to ensure work is implemented according to the drawings submitted, and work shall be completed by May 31, 2024. After three (3) years from the completion of planting and satisfactory inspection, new trees will be planted to replace any dead trees. The Conditional Use Permit, as presented with all conditions, will not be approved until the buffer zone work has been completed with a satisfactory inspection with no work activities beforehand. With all members present voting “Aye,” the motion carried.

Preliminary five (5) lot land division of Patricia Lakes Estates Condominium I, containing multiple owners, and submitted by Wilderness Surveying, Inc., Jim Rein, surveyor, for the following property currently described as: Patricia Lake Estates Condominium I, being a part of Government Lot 4, Section 9, T39N, R6E, PINs MI 7245 thru MI 7251, Town of Minocqua. Mr. Jennrich discussed the details of the matter. The committee conferred with Mr. Jennrich, Mr. Ridderbusch, and some property owners. The committee would like to ensure that there are no objections from all property owners and would like written approval, an easement to be provided, or a sale of property. Different options were discussed as possibilities. Motion by Mike Timmons, second by Tommy Ryden, to send the matter back to clarify the private road easement access between condo 1 and condo 2, and to satisfy the Town of Minocqua’s questions on the road easement. With all members present voting “Aye,” the motion carried.

Proposed preliminary 2 Lot CSM reconfiguration of lands owned by Virginia Swartout, and submitted by Wilderness Surveying Inc., Jim Rein, surveyor, for the following described properties further described as: Lots 31, 32, and 33 of Northland Lakes Replat, being part of Government Lot 4, Section 16, T39N, R6E, PINs MI 3638, MI 3639, MI 3640, 8279 & 8285 Bassett Road, Town of Minocqua. The Committee may be considering a modification pursuant to 15.31 (2) of the Oneida County Subdivision Control Ordinance. Mr. Jennrich discussed the details of the matter. Mr. Jennrich read Sections 15.31(2)(a) and 15.31(3) of the Oneida County Subdivision Control Ordinance into the record. The committee conferred with Mr. Jennrich, Mr. Ridderbusch, and Jim Rein, Wilderness Surveying, Inc. Motion by Chair Holewinski, second by

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Tommy Ryden to approve the reconfiguration as presented pursuant to Section 15.31(2) and with the existing part of the walkway from Lot 1 onto Lot 2 will be removed. With all members present voting “Aye,” the motion carried.

Discussion/decision concerning Section 9.82(D), Revocation of Permits and property described as Part of Government Lot 2, Section 15, T38N, R7E, PIN LT 186-12, Town of Lake Tomahawk. The department received a formal request to revoke Administrative Review Permit #2300596. The committee will decide whether there is enough evidence to schedule a public hearing.

Mr. Jennrich discussed the details of the property and previous issues. Tourist Rooming House Administrative Permit #2300596 was issued on June 19, 2023. The property is zoned District #2, Single Family, and is a three-bedroom home allowing rental occupancy of up to six (6) guests. They cannot rent for six (6) consecutive days or less. A complaint was received stating that there were dilapidated structures on a property and a non-compliant advertisement for a tourist rooming house and guests not staying the whole night’s stay. Mr. Jennrich contacted the Oneida County Health Department to inquire about licensing for the property, and no records found for licensing. An enforcement letter was sent in August 2023 with a citation for operating a tourist rooming house without a license with the Oneida County Health Department. The citation had been paid. In October 2023, numerous complaints and concerns were still being received. Complaints had been received regarding a 2017 zoning permit and mitigation concerns. Staff conducted onsite inspections and believed that the owners were not in compliance with the permits. Staff is working with the owners to rectify these issues. Mr. Jennrich requested written documentation to review and forward to the committee for their review. Mr. Jennrich met with the property owner. A health department license was obtained. Staff reviewed the VRBO advertisement, and the listing is in compliance. Additional complaints were received concerning dilapidated structures, and the Department did issue permits to handle the removal of them, and it is still in progress. The complaint and the response to the complaint were both provided to the committee for review. There are many issues and possible issues with the use of the shoreland property. Oneida County no longer regulates piers and the use of the water and has not been involved in the pier issues. Initial complaints were received in 2017/2018, with onsite inspections conducted. The committee conferred with Mr. Jennrich and adjoining property owners. Motion by Mike Timmons, second by Mike Roach, to direct staff to conduct a complete review of the file and bring back further evidence at a later date. With all members present voting “Aye,” the motion carried.

Discussion/decision – Planning & Zoning Department permit activity/revenue. Nothing to report.

Discussion/decision – Planning & Zoning Department Invoices Paid Report. Informational only.

Discussion/decision – Planning & Zoning Department Budget Review. Informational only.

Discussion/decision concerning Tourist Rooming Houses (TRH). The department will be providing the committee with updates concerning TRH renewals. Mr. Jennrich discussed the new tourist rooming house renewal process with the committee. The department sent out reminder letters to the property owners who are due for renewal. The committee conferred with Mr. Jennrich on the process, fees, and enforcement procedures. Discussion only, no action taken.

Discussion/decision concerning a refund concerning property described as Lot 4 of the Hideout Woods Plat, Section 10, T38N, R7E, PIN LT 799, Town of Lake Tomahawk. Mr. Jennrich discussed the details of the matter. Motion by Mike Timmons, second by Bob Almekinder to deny the refund request as presented. With all members present voting “Aye,” the motion carried.

Discussion/decision concerning a refund concerning property described as being part of Government Lot 1, Section 28, T39N, R6E, PIN MI 2408, Town of Minocqua. Mr. Jennrich and Mr. Troskey discussed the details of the matter. The general contractor, Rob Nikolai, and Billy Fried spoke as well. Motion by Chair Holewinski, second by Mike Roach, to issue a one-third (1/3) refund based on the circumstances related to the project. With all members present voting “Aye,” the motion carried.

Discussion/decision concerning a refund concerning property described as being part of the NE ¼ of the SE ¼, Section 28, T37N, R10E, PIN ST 433-2, Town of Stella. Mr. Jennrich discussed the details of the matter. Motion by Mike Timmons, second by Mike Roach, to refund three hundred dollars (\$300). With all members present voting “Aye,” the motion carried.

Approve future meeting dates. December 28, 2023, January 10 and 24, 2024

Motion by Chair Holewinski, second by Mike Roach, to rescind the decision for meeting dates from Option #1 schedule, starting on January 3, 2024, and to use Option #2 schedule, starting on January 10, 2024. With all members present voting “Aye,” the motion carried.

Future agenda items. As discussed.

Adjourn.

2:56 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