

**ONEIDA COUNTY BOARD OF ADJUSTMENT
MEETING MINUTES SUMMARY
March 7, 2024 AT 9:30 A.M.
COMMITTEE ROOM #2, 2ND FLOOR
ONEIDA COUNTY COURTHOUSE**

Members Present: Harland Lee, Guy Hansen, Norris Ross, Mike Padzernik, Dan Chronister, Jeff Viegut (arrived late 11:00am)

Members Absent: Steve Petersen

County Staff Present: Monique Taylor, Administrative Support; Erica Sauer, Program Assistant

Guests Present: Outside Counsel, Greg Harrold; Attorney Rodney Carter; Attorney Joe Cincotta; See Sign in Sheet.

Chair Lee called the meeting to order at 9:30 a.m. in accordance with the Wisconsin Open Meeting Law.

Wisconsin open meeting law statement.

Roll call of members.

Mr. Hansen, “here;” Mr. Ross, “here;” Mr. Pazdernik, “here;” Mr. Chronister, “here;” and Mr. Lee, “here.”

Approve the agenda.

Motion by Norris Ross, second by Guy Hansen, 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. Appeal #24-001 concerning Zoning Permit #2300797.

Motion by Harland Lee, second by Norris Ross, to go into closed session. Aye: Unanimous.

Ms. Taylor and Ms. Sauer were excused.

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

Motion by Mike Padzernik, second by Norris Ross, to return to open session. Aye: Unanimous.

Ms. Taylor and Ms. Sauer returned.

Announcement of any action taken in closed session.

- a. The board conferred with Outside Counsel, no action was taken.

Recess to reconvene at 11:00 a.m.

Reconvene – 11:00 a.m. to conduct procedural meeting concerning November 13, 2023 Zoning Permit #2300797 for the placement of a cell tower located at 8297 Fawn Lake Road, further described as being: Part of Government Lot 7, Section 33, T38N, R7E, PIN LT 446-1, Town of Lake Tomahawk, Oneida County, Wisconsin.

Conduct the meeting concerning the following procedural question:

- a. **Should the Board of Adjustment remand Appeal #24-001 to the Zoning Administrator for further proceedings involving public input regarding Zoning Permit #2300797?**

The foregoing issue will be considered by the Board as a procedural matter only. Though the Board’s meeting is open to the public, the public will not be afforded an opportunity to participate in the arguments to the Board by attorneys. The Board will then deliberate on the decision. If the Board decides not to remand the matter to the Zoning Administrator, a later hearing date will be scheduled. The public would then be afforded the full opportunity to have input at that hearing concerning the issues involved in the appeal. If the matter is remanded to the Zoning Administrator, the public will be afforded an opportunity to provide input at the discretion of the Zoning Administrator at a later date.

Chair Lee opened the floor for arguments provided by Attorneys.

Attorney Joe Cincotta spoke.

Attorney Rodney Carter spoke.

Attorney Joe Cincotta spoke.

Chair Lee closed the floor for arguments.

The Board deliberated on the matter.

Motion by Guy Hansen, second by Norris Ross, that the board will not remand Appeal #24-001 to the Zoning Administrator for further proceedings regarding Zoning Permit #2300797. With all members present voting “Aye,” the motion carried.

The Board deliberated and conferred with Outside Counsel.

Motion by Norris Ross, second by Guy Hansen, that the Board orders that it will convene to consider a legal/procedural matter at a board meeting on April 4, 2024 at 11:00 a.m. in the Oneida County Courthouse. At that meeting, the Board will consider the following legal/procedural matter: “Does the Oneida County Zoning Ordinance allow communication structures in single family residential districts.” With all members present voting. “Aye,” the motion carried.

11:54 p.m. Chair Lee adjourned the meeting.

Harland Lee, Chair

Jeff Viegut, Secretary

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