

**ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE**  
**April 19, 2023**  
**3<sup>RD</sup> FLOOR BOARD ROOM**  
**THE MINOCQUA CENTER**  
**415 MENOMINEE ST, MINOCQUA, WI 54548**

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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; Carla Blankenship, Land Use Specialist; Monique Taylor, Administrative Support

Other county staff present: Michael Fugle, Corporation Counsel

Guests present: See sign in sheet.

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**Call to order.**

Chair Holewinski called the meeting to order at 12:30 p.m. in accordance with the Wisconsin Open Meeting Law.

**Approve the agenda.** Motion by Tommy Ryden, second by Mike Timmons, to approve the agenda. With all members present voting “aye”, the motion carried.

**Approve meeting minutes of March 29, 2023.** Motion by Mike Timmons, second by Mike Roach to approve the meeting minutes of March 29, 2023. With all members present voting “aye”, the motion carried.

**Approve meeting minutes of April 5, 2023.** Motion by Bob Almekinder, second by Tommy Ryden to approve the meeting minutes of April 5, 2023. With all members present voting “aye”, the motion carried.

**Discussion/decision concerning amending Chapter 26 of the Oneida County Comprehensive Land Use Plan Ordinance. The committee will be reviewing Chapters 1 and 2 of the Public Participation Plan.** Mr. Jennrich discussed the drafts received for Chapter 1 and Chapter 2 of the Public Participation Plan. Dennis Lawrence was unable to attend the meeting due to weather. Committee would like Mr. Lawrence to be present to discuss the Plan. Tabled. No action taken.

**Discussion/decision concerning Ordinance Amendment #01-2023 for Chapter 9, Article 4 Conditional Uses and Structures/Home Occupations of the Oneida County Zoning and Shoreland Protection Ordinance. The committee will be discussing Section 9.43 Home Occupations and Article 10 Definitions.** Mr. Jennrich discussed the changes made since the meeting of February 22, 2023. Motion by Tommy Ryden, second by Mike Roach to forward Ordinance Amendment #01-2023 to Public Hearing. With all members present voting “aye”, the motion carried.

**Discussion/decision concerning Chapter 9, Article 7 General Standards of the Oneida County Zoning and Shoreland Protection Ordinance. The committee will be looking at possible amendments to Section 9.78 Sign Regulations, specifically Section 9.78(B)(2)(a)(1) sign height.** Mr. Jennrich presented examples relating to the proposal for an Ordinance amendment to Section 9.78 Sign Regulations. Tabled. No action taken.

**Discussion/decision concerning the Preliminary Seventh Addendum to the recorded Clearwater Lake Club Condominium submitted by Maines & Associates, Greg Maines, surveyor for the following described condo land units: Units 41, 42, 43 (TL 3650, TL 3651, TL 3652), Units 94 & 95 (TL 3703), Units 112 & 113 (TL 3721, TL 3722), Units 118 & 119 (TL 3727, TL 3728), Units 145, 146, 147 (TL 3754, TL 3755, TL 3756) and Units 148, 149, 150 (TL 3757, TL 3758, TL 3759) of the Clearwater Lake Club Condominium, being located in Sections 23, 24, & 26, T39N, R10E, Town of Three Lakes.** Mr. Jennrich, Mr. Ridderbusch, and Greg Maines conferred with committee. Motion by Chair Holewinski, second by Mike Timmons to approve the Preliminary Seventh Addendum to the recorded Clearwater Lake Club Condominium as presented. With all members present voting “aye”, the motion carried.

**Discussion/decision concerning the Ordinance Amendment #13-2022 to amend Chapter 9, Article 1 General Provisions, Section 9.11 Purpose-Underlying Ordinance, Article 3 Zoning, Administrative Review, and Sanitary Permits, Section 9.33 Exceptions to Zoning Permit Requirement, Article 9 Shoreland Protection Provision, Section 9.94 Shoreland Setbacks, Exempt Structures, Reduced Principal Structure Setbacks, Floodplain Structures, Impervious Surfaces and Height, Section 9.95 Vegetation, Section 9.97 Shoreyard Alteration Permits and Filling, Grading, Lagooning, Dredging, Ditching and Excavating, Section 9.99 Nonconforming Uses and Structures, Appendixes C-Q & Article 10 Definitions of the Oneida County Zoning & Shoreland Protection Ordinance. The committee will be conferencing with Wisconsin Department of Natural Resources representatives to obtain concrete information to make a decision on forwarding a resolution on Ordinance Amendment #13-2022 to the County Board.** Mr. Jennrich recapped the Public Hearing on March 29, 2023. Recent email exchanges with the Wisconsin Department of Natural Resources (DNR) were read into the record. Mr. Jennrich also notified committee of the DNR’s declined invitation for attending the meeting of April 19, 2023, as it was discussed at the Public Hearing on March 29, 2023 to invite the DNR to the next meeting for this topic. Mr. Fugle also conferred with the committee. Tabled. No action taken.

**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. The committee will be discussing all aspects of the additional information requested regarding the water table, wash ponds, pit floors, stock piles, hot mix wash plants, and aerial view of adjoining lot lines as discussed at the public hearing held on April 5, 2023.** Mr. Jennrich spoke on the matter and read an email into the record concerning an onsite inspection conducted following the Public Hearing on April 5, 2023. Bart Sexton with Sand County Environmental and Dean Schwab with Musson Bros, Inc. conferred with the committee. Committee was provided with the Report from the Public Hearing on April 5, 2023 as well as photos from the onsite inspection. Committee cannot approve the Conditional Use Permit (CUP) at this time. Motion by Mike Timmons, second by Bob Almekinder to extend the time limit by thirty (30) days for the Condition Use Permit (CUP) and to request the applicant to bring back a drawing and a time frame for mitigating the buffer zone. With all members present voting “aye”, the motion carried.

**Discussion/decision concerning the purchase of a customer service counter for the Minocqua Zoning Branch Office.** Mr. Jennrich provided the committee with the quote for the customer service counter for the Minocqua Zoning Branch Office. On January 11, 2023, a motion was made to pursue funding for the front counter. Motion by Mike Timmons, second by Tommy Ryden to forward the quote for the purchase of the counter for the Minocqua Office to the Building and Grounds Committee. With all member present voting “aye”, the motion carried.

Recess at 1:57 p.m.

Return from recess at 2:00 p.m.

**CONDUCT PUBLIC HEARING ON THE FOLLOWING:**

**Conditional Use Permit application by Trubird Enterprises/John Sylla, applicant and owner, to add an outdoor beer garden to the existing use of the property, a tap room with recreational axe throwing, on the following described property: Lot 1 of CSM 1806, Part of the SE ¼ and NW ¼, Section 10, T39N, R6E, 9871 Highway 70, PIN# MI 2161-6, Town of Minocqua.** Mr. Jennrich read the Notice of Public Hearing into the record. The Notice was published in the Northwoods River News on April 4 and 11, 2023. A copy of the Proof of Publication is contained in the file. The Notice was posted on the Oneida County Courthouse Bulletin Board on March 30, 2023. The Town of Minocqua letter is contained within the file. Ms. Blankenship read the Report and details into the record.

If the applicant has met or agrees to meet all of the requirements and conditions of permit issuance, staff would suggest the following conditions be placed on the CUP:

1. The project to be substantially commenced within three (3) years of issuance date.
2. The nature and extent of the use shall not change from that described and approved in this Conditional Use Permit.
3. Proper permits to be obtained prior to construction (Town/County/State).
4. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
5. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
6. Exterior lighting to be downcast and shielded from above.

Chair Holewinski opened the public portion of the public hearing.

Cathy Bosacki spoke.

David Everson spoke.

Maggie Szostak spoke.

Chair Holewinski closed the public portion of the public hearing.

Motion by Bob Almekinder, second by Mike Roach to approve the Conditional Use Permit as presented subject to the six (6) conditions being met. With all members present voting “aye”, the motion carried.

**Conditional Use Permit application by Kirk Bangstad, applicant and owner, to add an outdoor beer garden to the existing use of the property, a craft brewery retail outlet, on the following described properties; Village of Minocqua, Lots 1 and 2, Block 3, Section 14, T39N, R6E, 329 East Front Street, PIN# MI 3239 and MI 3240, Town of Minocqua.** Mr. Jennrich read the Notice

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of Public Hearing into the record. The Notice was published in the Northwoods River News on April 4 and 11, 2023. A copy of the Proof of Publication is contained in the file. The Notice was posted on the Oneida County Courthouse Bulletin Board on March 30, 2023. Town letters were also received, read into the record, and contained within the file. Public correspondence was received via email from the Town on behalf of the owner/applicant, read into the record, and contained within the file. Mr. Jennrich explained the details of the CUP application and read the Report into the record.

If the applicant has met or agrees to meet all of the requirements and conditions of permit issuance, staff would suggest the following conditions be placed on the CUP:

1. The project to be substantially commenced within three (3) years of issuance date.
2. The nature and extent of the use shall not change from that described and approved in this Conditional Use Permit.
3. Proper permits to be obtained prior to construction (Town/County/State).
4. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
5. Stormwater management to comply with memo dated 02/20/2023 from Joel Ehrfurth, PE, Mach IV Engineering and review and approval by the Town of Minocqua.
6. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
7. Highway access from Highway 51 (Chippewa Street) to comply with WisDOT requirements, proper Town of Minocqua and State permits to be obtained.
8. Exterior lighting to be downcast and shielded from above.
9. Certified Survey Map combining the parcels MI 3240 and MI 3239 be recorded prior to the start of construction.

Committee conferred with Corporation Counsel.

Chair Holewinski opened the public portion of the public hearing.

Kirk Bangstad spoke.

Bill Korrer spoke.

Chair Holewinski closed the public portion of the public hearing.

Committee conferred with Mr. Bangstad, Mr. Jennrich, Corporation Counsel, and Town of Minocqua Chairman Mark Hartzheim. Committee and Mr. Bangstad received a chart and maps regarding Oneida County ARP & CUP Permits from 2020 to 2023 with Deficient Parking and the details of the chart and maps were explained and read into the record.

Motion by Chair Holewinski, second by Mike Timmons, to approve the CUP as presented, contingent on the applicant providing a revocable license agreement between the Town of Minocqua and Kirk Bangstad, with respect to the use of the platted right-of-way known as Chippewa Street and that the nine (9) conditions are met. All members present voting as follows:

Chair Holewinski, “nay”.

Ryden, “nay”.

Timmons, “nay”.

Almekinder, “nay”.

Roach, “abstain”.

The motion failed.

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Motion by Tommy Ryden, second by Mike Timmons to deny the Conditional Use Permit based on the Town denying the applicant a revocable license agreement to utilize the Town's property for parking and the applicant's failure to otherwise meet the applicable off-street parking requirements of Section 9.77 based on the application and information submitted to the committee in connection with the proceeding. All committee members were present and voted as follows:

Chair Holewinski, "aye".

Timmons, "aye".

Ryden, "aye".

Almekinder, "aye".

Roach, "nay".

The motion passed.

**Refunds.** There are two (2) requests. Motion by Mike Timmons, second by Tommy Ryden to approve one (1) refund as requested and deny one (1) refund as requested. With all members present voting "aye", the motion carried.

**Purchase orders, line item transfers, and bills.** Motion by Tommy Ryden, second by Bob Almkeinder to approve the bills as submitted. With all members present voting "aye", the motion carried.

**Approve future meeting dates.** May 3 and 17, 2023.

**Future agenda items.** As discussed.

### **Adjourn.**

3:41 p.m. There being no further matters to lawfully come before the committee, Chair Holewinski adjourned the meeting.

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Scott Holewinski, Chair

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Karl Jennrich, Planning & Zoning Director