

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE

May 17, 2023

COUNTY BOARD ROOM – 2ND FLOOR

ONEIDA COUNTY COURTHOUSE

RHINELANDER, WI 54501

3RD FLOOR BOARD ROOM

THE MINOCQUA CENTER

415 MENOMINEE ST, MINOCQUA, WI 54548

Members present: Scott Holewinski (arrived late), Bob Almekinder, Mike Timmons, Mike Roach

Members absent: Tommy Ryden

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.

Call to order.

Mike Timmons called the meeting to order at 12:32 p.m. in accordance with the Wisconsin Open Meeting Law.

Approve the agenda. Motion by Bob Almekinder, second by Mike Timmons 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. ARP #2200112 concerning properties located at MI 3240 & MI 3239.

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

Announcement of any action taken in closed session.

- a. ARP #2200112 concerning properties located at MI 3240 & MI 3239. No action taken.

Planning and Development

Approve meeting minutes of May 3, 2023. Motion by Bob Almekinder, second by Mike Timmons to approve the meeting minutes of May 3, 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. Dennis Lawrence presented and discussed the draft for Chapters 1 and 2 of the Public Participation Plan with committee. Committee requested that updated drafts for Chapter 1 and Chapter 2 be brought back at a later date as well as additional ideas to be discussed. Tabled, no action taken.

Discussion/decision concerning 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 reviewing Wis. Admin. Code § NR 115 and Wis. Stat. § 59.692. Mr. Jennrich conferred with committee regarding Wis. Admin. Code NR § 115 and Wis. Stat. § 59.692 relating to Ordinance Amendment #13-2022 and the Wisconsin Department of Natural Resources comments and public comments to the proposed amendment changes. Discussion only.

Discussion/decision concerning retaining outside counsel to assist the Planning and Development Committee related to Ordinance Amendment #13-2022. Mr. Jennrich conferred with committee regarding hiring outside counsel relating to Ordinance Amendment #13-2022. **Motion by Mike Timmons, second by Bob Almekinder to hire outside counsel regarding Ordinance Amendment #13-2022 to amend Chapter 9, Article 1, Section 9.11, Article 3, Section 9.33, Article 9, Sections 9.94, 9.95, 9.97, 9.99, Appendixes C-Q, and Article 10 Definitions of the Oneida County Zoning and Shoreland Protection Ordinance. With all members present voting “aye”, the motion carried.**

Discussion/decision concerning permit fees for pools and tennis/pickle ball courts. Tabled, no action taken.

Discussion/Decision – 2023 First Quarter Incident Report. Informational only.

Discussion/decision concerning locations of future meetings. Committee will be discussing the alternating locations schedule for future meetings. Mr. Jennrich conferred with committee concerning the alternating locations for meetings. Committee will be holding future meetings in the Oneida County Courthouse in the County Board Room.

Discussion/decision – Planning & Zoning Department permit activity/revenue. Tabled, no action taken.

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Discuss/decision/prioritization of 2023 Oneida County Planning and Zoning Department projects. Tabled, no action taken.

Discussion/decision concerning Tourist Rooming Houses. The committee will be discussing all aspects of the ordinance and updated statistics. Tabled, no action taken.

Recess at 1:56 p.m.

Return from recess at 2:00 p.m.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by Ben Semler, applicant, and Maple North LLC, owner, to operate an outdoor chainsaw wood carving business on the following described property; Strasburg Heights, Lot 1, Part of the NE ¼ and SW ¼ , Section 26, T39N, R6E, 7714 US Highway 51, PIN# MI 5494, Town of Minocqua. Mr. Jennrich read the Notice into the record. The Notice was published in the Northwoods River News on May 2 and 9, 2023 and the Proof of Publication is contained in the file. The Notice was also posted on the Oneida County Courthouse Bulletin Board on April 27, 2023. The mailing list was identified and is contained in the file with an Affidavit of Mailing. One (1) letter was received from the Town and is contained in the file. Ms. Blankenship read the report and details of the CUP.

Mr. Jennrich read the Notice into the record. The Notice was published in the Northwoods River News on May 2 and 9, 2023 and the Proof of Publication is contained in the file. The Notice was also posted on the Oneida County Courthouse Bulletin Board on April 27, 2023. The mailing list was identified and is contained in the file with an Affidavit of Mailing. One (1) letter was received from the Town and is contained in the file. Ms. Blankenship read the report and details of the CUP.

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.

Billy Fried spoke

Jenny Semler 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 Lindsey Frank, applicant, and Torcor LLC, owner, to provide outdoor seating at a deli on the following described property; Part of Government Lot 3, Section 10, T38N, R6E, 6823 Highway 51, PIN# HA 123-3, Town of Hazelhurst. Mr. Jennrich read the Notice into the record. The Notice was published in the Northwoods River News on May 2 and 9, 2023 and the Proof of Publication is contained in the file. The Notice was also posted on the

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Oneida County Courthouse Bulletin Board on April 27, 2023. The mailing list was identified and is contained in the file with an Affidavit of Mailing. One (1) letter received by the Town and is contained in the file. Ms. Blankenship read the report and details of the CUP.

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. Signage to conform to Section 9.78 Sign Regulations of the Oneida County Zoning & Shoreland Protection Ordinance.
4. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
5. Exterior lighting to be downcast and shielded from above.
6. Subject to Oneida County Health Department requirements.

Chair Holewinski opened the public portion of the public hearing.

Billy Fried spoke

Lindsey Frank spoke

Tracy Jacobson spoke

Tim Melms spoke

Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Bob Almekinder 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 Andrew Teichmiller, applicant, and Bitterroot LLC, owner, to operate a bicycle and paddle sports retail and rental shop with outdoor storage and displays, and to build an addition onto the existing building on the following described property; Rose Brown’s 1st Addition, Lot 6 & Part of Lot 5, Block 2, Section 1, T39N, R6E, PIN# WR 719, 1301 1st Avenue, Town of Woodruff. Mr. Jennrich read the Notice into the record.

The Notice was published in the Northwoods River News on May 2 and 9, 2023 and the Proof of Publication is contained in the file. The Notice was also posted on the Oneida County Courthouse Bulletin Board on April 27, 2023. The mailing list was identified and is contained in the file with an Affidavit of Mailing. One (1) letter was received by the Town and is contained in the file. Ms. Blankenship read the report and details of the CUP.

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. Dumpster to be screened from view, applicant to recycle waste materials as required.

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5. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
6. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
7. Exterior lighting to be downcast and shielded from above.

Chair Holewinski opened the public portion of the public hearing.

Billy Fried spoke

Linnaea Newman spoke

Tim Melms spoke

Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Bob Almekinder to approve the Conditional Use Permit as presented, subject to the seven (7) conditions being met. With all members present voting “aye”, the motion carried.

Conditional Use Permit application by Aaron Kowles, applicant and owner, to operate an excavation service business with outdoor equipment storage on the following described property: Part of the NW ¼ of the NW ¼, Section 5, T36N, R7E, PIN# WB 66, 8763 County K, Town of Woodboro. Mr. Jennrich read the Notice into the record. The Notice was published in the Northwoods River News on May 2 and 9, 2023 and the Proof of Publication is contained in the file. The Notice was also posted on the Oneida County Courthouse Bulletin Board on April 27, 2023. The mailing list was identified and is contained in the file with an Affidavit of Mailing. One (1) letter received from the Town and is contained in the file. Mr. Ridderbusch read the report and details of the CUP.

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 nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
2. Signage if proposed, to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance. Sign permits as required.
3. Parking to comply with 9.77 Off-Street Parking & Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance as needed.
4. Exterior lighting is installed, must be downcast and shielded from above.
5. Dumpster(s) must be screened from view and recycle waste materials as required.
6. Floor drains in storage building may be subject to Wisconsin DNR approval for non-domestic waste.

Chair Holewinski opened the public portion of the public hearing.

Aaron Kowles spoke

Ruth Kowles 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.

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Rezone Petition #05-2023 by Gregg Walker, applicant, and Big D LLC, owner, to rezone from District #02 Single Family to District #1-A Forestry for property described as Government Lot 6 and Part of Government Lot 5, Section 13, T39N, R4E, PIN#'s MI 695 and MI 696-1, Town of Minocqua. Mr. Jennrich read the Notice into the record. The Notice was published in the Northwoods River News on May 2 and 9, 2023 and the Proof of Publication is contained in the file. The Notice was also posted on the Oneida County Courthouse Bulletin Board on April 27, 2023. The mailing list was identified and is contained in the file with an Affidavit of Mailing. The Town letter was received, read into the record, and contained in the file. Public correspondence was received in opposition of the rezone and all correspondence received is contained in the file. Mr. Jennrich read the report and details for the rezone petition.

Chair Holewinski opened the public portion of the public hearing.

Billy Fried spoke

Tim Melms spoke

Rhonda Grabow spoke

Cheryl Schultz spoke

Mr. Jennrich made comment on the record that public comments have to be received and directed to the committee to be made part of the record.

Bill Coty spoke

Gregg Walker spoke

John Scott spoke

Eleanor Scott spoke

Chair Holewinski closed the public portion of the public hearing.

The committee conferred with Mr. Jennrich, Mr. Walker, and Minocqua Town Chairman, Mark Hartzheim.

Motion by Mike Timmons, second by Mike Roach, to approve and forward Rezone Petition #05-2023 to the County Board. With all members present voting "aye", the motion carried.

Ordinance Amendment #01-2023 authored by the Planning and Development Committee to amend Chapter 9, Article 4 Conditional Used and Structures/Home Occupations, Section 9.43 Home Occupations and Article 10 Definitions of the Oneida County Zoning & Shoreland Protection Ordinance. Mr. Jennrich read the Notice into the record. The Notice was published in the Northwoods River News on May 2 and 9, 2023 and the Proof of Publication is contained in the file. The Notice was also posted on the Oneida County Courthouse Bulletin Board on April 27, 2023. The mailing list was identified and is contained in the file with an Affidavit of Mailing. No public comments were received. Mr. Jennrich discussed the details of the proposed changes to Ordinance Amendment #01-2023.

Chair Holewinski opened the public portion of the public hearing.

No public comments were made.

Chair Holewinski closed the public portion of the public hearing.

Motion by Mike Timmons, second by Bob Almekinder to approve and forward Ordinance Amendment #01-2023 to the County Board. With all members present voting "aye", the motion carried.

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Refunds. There are no requests.

Purchase orders, line item transfers, and bills. Reviewed. No motion made.

Approve future meeting dates: May 31 and June 14, 2023. Also, set a date for an onsite inspection and decision for Musson Bros, Inc. – Lassig pit and Ostrowski Campground Public Hearing date and location. As discussed. A Notice of Meeting and an Amended Notice of Public Hearing to be posted with date, time, and location.

Future agenda items. As discussed.

Adjourn.

4:23 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