

ONEIDA COUNTY PLANNING AND ZONING COMMITTEE
JULY 6, 2011
COMMITTEE ROOM #2, 2nd FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present:

Department staff present: Karl Jennrich, Planning & Zoning Director
Pete Wegner, Assistant Zoning Director
Julie Petraitis, Secretary

Other county staff present: Brian Desmond, Corporation Counsel
Ted Cushing, County Board Chairman

Guests present: Jim Rein
Gary Ovans

Call to order.

Chairman Holewinski called the meeting to order at 12:33 p.m. in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was properly posted. Mike Timmons was absent from the meeting.

Approve the agenda.

Motion by Dave Hintz to approve today's agenda. Second by Billy Fried. 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. A subdivision violation in the Town of Hazelhurst.
- b. Pier issue in the Town of Minocqua.
- c. Conditional Use Permit violation in the Town of Minocqua.

12:40 Motion by Gary Baier, second by Billy Fried, to go into closed session. Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Billy Fried "aye", Dave Hintz "aye." The motion carried.

1:07 pm – Motion by Billy Fried, second by Dave Hintz to go into open session. Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Billy Fried "aye," Dave Hintz "aye." The motion carried.

A subdivision violation in the Town of Hazelhurst. This was an update on the Whitman subdivision. No action was taken. Discussion only.

Pier issue in the Town of Minocqua.

Scott Holewinski, Chairman, stated that the Committee discussed the pier situation at Lakeview Condominiums with an update on the situation in the Town of Minocqua. There was a motion made during closed session. The Secretary read the motion into the record:

Motion by Gary Baier, second by Billy Fried to extend the deadline to remove the piers until March 1, 2012. On a roll call vote the motion failed.

Conditional Use Permit violation in the Town of Minocqua.

Scott Holewinski, Chairman, stated that the Committee discussed a conditional use permit in the Town of Minocqua. There was no action taken, discussion only.

Public Comments

There were no public comments.

Approve the meeting minutes of June 1, 2011.

Motion by Billy Fried, second by Dave Hintz to approve the meeting minutes of June 1, 2011. All members present voting "aye", the motion carried.

Zoning Director attendance at Flood Insurance Workshop, Lincoln Town Hall, Eagle River, WI.

Mr. Jennrich stated that the workshop is on July 28, 2011 that he would like to attend. A motion by Billy Fried to allow one staff member to attend the Flood Insurance Workshop, second by Dave Hintz. All members present voting "aye", the motion carried.

Zoning Director and Assistant Director attendance at the WSCS Institute, Wisconsin Dells, January 25-27, 2012.

Karl Jennrich stated that it should be WSLS. This is a conference regarding changes to NR 115 and how it relates to the surveying community. Billy Fried suggested this decision be tabled until after the Committee has met with Secretary Stepp.

Discuss future meeting with Secretary Stepp, WDNR.

Gary Baier stated that he has not heard back from anyone that the meeting will be held in Minocqua. The plan is to travel to Madison to meet with Secretary Stepp on July 13, 2011. An agenda will be posted.

Line item transfers, purchase orders and bills.

Bills submitted - \$2,552.87
Purchase Orders - \$630.86

Motion by Scott Holewinski, second by Dave Hintz to approve the line items transfers, purchase orders and bills as submitted. All members present voting "aye", the motion carried.

Sanitary Fee reduction for property described as 8739, 8742 Windpudding Drive, Town of Lake Tomahawk.

Mr. Jennrich requested that all but \$100.00, which is submitted to the Department of Commerce be refunded to the landowner.

A motion by Gary Baier, second by Dave Hintz to reduce the sanitary application fee to \$100.00 for the current landowner. All members present voting "aye", the motion carried.

Refunds.

Mr. Jennrich stated that there are 3 refunds: Hawk's Nest (CUP), Sun Cloud Partnership (CUP) and Kelly Ongna for a privy permit that was not needed.

A motion by Dave Hintz to grant the refunds as presented, second by Billy Fried. All members present voting "aye", the motion carried.

Approve future meeting dates.

July 13, 2011.
July 20, 2011 will be held in Minocqua.
August 2, 2011.

Public Comments.

There were no comments at this time.

Future agenda items.

Signs will be on the agenda in the near future.

1:50 pm – The Committee recessed until 2:00 pm for the scheduled public hearings.

Conditional Use Permit Application of Alexander Snelius, owner and Penny and James Snelius, agent to open a carryout type restaurant with limited indoor/outdoor seating at 7045 Hwy 51 on

property described as Village of Hazelhurst, Part of Outlot 7, Section 3, T38N, R6E, PIN HA 606-12, Town of Hazelhurst.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit of Alexander Snelius, owner and Penny and James Snelius, agent to open a carry-out type restaurant with limited indoor/outdoor seating at 7045 Hwy 51 on property described as Village of Hazelhurst, Part of Outlot 7, Section 3, T38N, R6E, PIN HA 606-12, Town of Hazelhurst.

The notice was published in the Northwoods River News on June 21 and June 28, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on June 16, 2011. The mailing list was also read into the record.

Correspondence in file: Correspondence from Town of Hazelhurst not dated but received on June 20, 2011 approving the conditional use permit with conditions as follows:

- a. Residence will not be rented to a 3rd party.
- b. Strict compliance with all liquor regulations.
- c. No live music or speakers that can be heard on adjoining properties.

James and Penny Snelius are present. Kathleen Ray, Land Use Specialist, reviewed the conditional use permit application with the Committee. Ms. Ray noted that the Snelius' wish to operate a Chicago style restaurant with soda, water and malt beverages. They will be open year round seven days a week from 10 a.m. to midnight. Indoor seating will accommodate approximately 60 people and outdoor seating will be 22. The lower level will be renovated for storage and dry goods. Ms. Ray read the CUP Report noting the general standards were supplied by the applicant and if the Committee agrees that the general standards have been met, staff recommends approval with the following conditions:

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. Subject to the Town's review and recommendations.
3. Signs to conform to Section 9.78.
4. The exterior lighting does need to be down cast and shielded.
5. Failure of applicant to abide by these conditions could lead to revocation.

Mr. Holewinski asked if there were any questions.

Chairman Scott Holewinski asked if there was anyone who wished to speak for or against the issue at hand.

2:10 pm - The public hearing was closed for deliberation.

Billy Fried made a motion to approve the Conditional Use Permit of Penny and James Snelius as long as the general standards of approval have been met, second by Dave Hintz. All members present voting "aye", the motion carried.

Conditional Use Permit application of Brian Krueger, owner and Jimmy Rein, Wilderness Surveying, Inc., agent to construct a 60 x 100 square foot storage building for storage of excavation equipment on Hwy J on property described as part NW NW, Section 12, T39N, R56E, PIN MI 2187, Town of Minocqua.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit of Brian Krueger, owner and Jimmy Rein, Wilderness Surveying, Inc., agent to construct a 60 x 100 square foot storage building for storage of excavation equipment on Hwy J on property described as part NW NW, Section 12, T39N, R56E, PIN MI 2187, Town of Minocqua.

The notice was published in the Northwoods River News on June 21 and June 28, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on June 16, 2011. The mailing list was also read into the record.

Correspondence in file: Correspondence from Town of Minocqua dated June 8, 2011 recommended approval of the conditional use permit contingent upon meeting all state and county requirements.

Jimmy Rein, Wilderness Surveying, Inc., agent was present. Kathleen Ray, Land Use Specialist, reviewed the conditional use permit application with the Committee. Ms. Ray noted that the request is to construct a 60 x 100 square foot storage building for storage of excavation equipment for Todd Schrom of Schrom Excavating. A sanitary permit must be obtained prior to construction of the project if an office and restroom are being proposed in the building. Ms. Ray read the CUP Report noting the general standards were supplied by the applicant and if the Committee agrees that the general standards have been met, staff recommends approval with the following conditions:

1. The project must be commenced within 3 years of issuance.
2. The nature and extent of the Conditional Use Permit shall not change from that described in the Conditional Use Permit application.
3. Subject to the Town's approval.
4. Proper permits be obtained prior to construction.
5. Outdoor operations are limited to the south end of the building as shown on the plot plan.
6. No accumulation of junk or debris is allowed.
7. Sign permit to be obtained as required prior to placement.
8. No land disturbance is allowed within 5' of the wetland.
9. Silt fence required when grading or land disturbances within 25' of the wetland.
10. Driveway access permit filed with Oneida County Highway Department.
11. If exterior lighting is installed it must be downcast and shielded.

Mr. Holewinski asked if anyone had any clarification of what was presented.

Jimmy Rein stated that a driveway had been issued in 1999 but since that project wasn't done a new permit will be applied for.

Mr. Holewinski asked if there was anyone present for or against the project. Mr. Gary Ovan's was present to voice concerns the neighboring landowners on Hwy J have with the project.

2:25 p.m. - the Public Hearing was closed for deliberation.

Billy Fried made a motion to approve the Conditional Use Permit of Brian Krueger as long as the general standards of approval and conditions as outlined by staff have been met. Second by Gary Baier, all members present voting "aye". The motion carried.

Conditional Use Permit Application and Non-metallic Mining Reclamation Plan of Marjorie and Steve Wykoski, owners/operators to remove topsoil to sell from farm fields located at the corner of Javen Rd. and Winkler Rd. on property described as part NW NW & SW NW, Section 17, T38N, R11E, PIN TL 578 and TL 579, Town of Three Lakes.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit and Non-metallic Mining Reclamation Plan of Marjorie and Steve Wykoski, owners/operators to remove topsoil to sell from farm fields located at the corner of Javen Rd. and Winkler Rd. on property described as part NW NW & SW NW, Section 17, T38N, R11E, PIN TL 578 and TL 579, Town of Three Lakes.

The notice was published in the Northwoods River News on June 21 and June 28, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on June 16, 2011. The mailing list was also read into the record.

Correspondence in file: Correspondence from Marjorie Wykoski dated 6-25-11 withdrawing her application for Marjorie and Steve Wykoski, owners/operators to remove topsoil to sell from farm fields located at the corner of Javen Rd. and Winkler Rd. on property described as part NW NW & SW NW, Section 17, T38N, R11E, PIN TL 578 and TL 579, Town of Three Lakes.

The public hearing was open for public comments, which there were none.

2:31 p.m. - the public Hearing closed

Adjourn.

2:33 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Dave Hintz, second by Gary Baier to adjourn the meeting. With all members present voting "aye", the motion carried.

Chairman, Scott Holewinski

Karl Jennrich, Planning & Zoning Director