

ONEIDA COUNTY PLANNING & ZONING
July 27, 2011
3:00 PM – Closed Session
4:00 PM – Regular Meeting
COUNTYBOARD ROOM (2RD FLOOR)
ONEIDA COUNTY COURTHOUSE, RHINELANDER WI

Members present: Scott Holewinski
Gary Baier
Billy Fried
Mike Timmons
Dave Hintz

Department staff present: Karl Jennrich, Zoning Director
Peter S. Wegner, Assistant Zoning Director
Lila Dumar, Secretary III

Other County Staff: Brian Desmond, Corporation Counsel

Guests: Cathy Stepp, Secretary, WI Dept of Natural Resources
John Gozdziński, DNR Regional Director
Tom Tiffany, Assembly District 35
Connie Anderson
Bill Liebert

Call to order.

Scott Holewinski, Chairman, called the meeting to order at 3:00 PM in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski noted the agenda was properly posted. All members are present.

Approve the agenda.

Motion by Gary Baier, second by Billy Fried, to approve the amended 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. Pier violation in the Town of Minocqua.
- b. Deck placed less than 75 feet from the Ordinary High Water Mark in the Town of Lake Tomahawk.
- c. Stamped concrete patio placed less than 75 feet from the Ordinary High Water Mark in the Town of Pelican.

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- d. Abated complaint regarding the discontinued use of a guest cottage in the Town of Three Lakes.
 - e. Excavation and land disturbance violations in the Town of Three Lakes.

3:00 pm - Motion by Billy Fried, second by Gary Baier, to go into closed session. Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye", Dave Hintz "aye." The motion carried.

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

3:45 pm – Motion by Mike Timmons, second by Billy Fried to go into open session. Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye," Dave Hintz "aye." The motion carried.

Chairman Holewinski stated that while in closed session, the Committee discussed:

- a. Pier violation in the Town of Minocqua.

Chairman Holewinski stated that while in closed session there was no action taken. Only discussion was held.

- b. Deck placed less than 75 feet from the Ordinary High Water Mark in the Town of Lake Tomahawk.

Chairman Holewinski stated that there was a motion made while in closed session. The secretary read the motion into the record.

Motion by Dave Hintz, second by Gary Baier, for Corporation Counsel to file a long form complaint against Claire Wiederholdt. Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye," Dave Hintz "aye." The motion carried.

- c. Stamped concrete patio placed less than 75 feet from the Ordinary High Water Mark in the Town of Pelican.

Chairman Holewinski stated that there was a motion made while in closed session. The secretary read the motion into the record.

Motion by Billy Fried, second by Mike Timmons to deny Mc Coy's request for the County to reduce the fines to be paid (Mc Coy \$10,000.00 and contractor \$5,000.00). Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye," Dave Hintz "aye." The motion carried

- d. Abated complaint regarding the discontinued use of a guest cottage in the Town of Three Lakes

Chairman Holewinski stated that while in closed session there was no action taken. Only discussion was held.

- e. Excavation and land disturbance violations in the Town of Three Lakes.

Chairman Holewinski stated that while in closed session there was no action taken. Only discussion was held.

Public comments.

There were no public comments.

Meeting with Secretary Stepp, Wisconsin DNR. Committee to discuss their concerns with NR 115.

The Planning and Zoning Committee, and Department staff met with Secretary Stepp, Wisconsin DNR, John Gozdziński, DNR Regional Director and Assemblyman Tom Tiffany to express their concerns regarding the newly adopted NR 115. Dave Hintz led the meeting, with a power point presentation. The following topics were discussed.

- Oneida County Background
- History of Shoreland Zoning in Oneida County
- Committee's NR 115 efforts—meetings, drafts, policy issues
- Committee's issues with NR 115-confusion
- Impervious surfaces
- Nonconforming
- Mitigation
- Vegetative Buffer Zone
- Setbacks
- Stormwater
- Wetlands
- Property Rights- balancing with shoreland protection
- Need for easy to understand, straight forward regulations
- Need for additional staff in order to implement NR 115
- What can be done with structures located < 35 ft from OHWM?
- What is a buildable location?
- More new than old—when is it considered replacement?
- Committee's move back provision.
- Committee's view on stormwater treatment systems/impervious surface
- Definition of structure.
- Retaining walls.
- Permits required for removal of invasive species from shoreline.
- Combination of services—State and County agencies.
- Petition for repeal of NR 115.
- Costs associated with NR 115.
- Slow responses from DNR to Committee's questions.
- Possible extension of time for adoption of NR 115 by counties.

Secretary Stepp, Mr. Gozdziwski and Assemblyman Tiffany were very receptive of the concerns of the Committee, Department Staff and input from the public. Ms Stepp indicated that she would be following up on the discussion that was held today and the concerns that were raised. Ms. Stepp was confident that changes would be made and that the County would be kept informed.

Line item transfers, purchase orders and bills.

Bills submitted for payment = \$101.01

Motion by Scott Holewinski, second by Gary Baier to pay the bills. With all members voting "aye" the motion carried.

Refunds.

There were no refunds.

Approve future meeting dates.

The committee confirmed the following meeting dates.

August 2, 2011 – Gary Baier will be absent.

August 17, 2011

September 7, 2011

Public comments.

There were no public comments.

Future agenda items.

- Streamline the Board of Adjustment & Planning and Zoning Committee relationship
- What to do with NR 115

Adjourn.

On a motion by Billy Fried, second by Gary Baier and all members voting "aye", the meeting was adjourned.

Scott Holewinski, Chairman

Karl Jennrich, Zoning Director