

ONEIDA COUNTY PLANNING & ZONING
October 5, 2011
12:30 PM – Closed Session
1:00 PM – Regular Meeting
2:00 PM – Public Hearing
Committee Room #2- Oneida County Courthouse
Rhinelander WI 54501

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

Department staff present: Karl Jennrich, Zoning Director
Lila Dumar, Secretary III

Other County Staff: Brian Desmond, Corporation Counsel

Guests: Norris Ross
Bob Williams
Nikki Reed
Russ Eilers
Bob Stoehr

Scott Holewinski, Chairman, called the meeting to order at 12:30 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 Dave Hintz, second by Mike Timmons, to approve the amended agenda as posted. 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. Junkyard complaint in the Town of Newbold.
- b. Non-metallic Mine in the Town of Three Lakes.
- c. Filling and grading violation in the Town of Lake Tomahawk.

12:31 pm - Motion by Dave Hintz, second by Billy Fried, 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.

1:00 pm – Motion by Mike Timmons, second by Dave Hintz, to go into open session. Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye", Dave Hintz "aye".

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

Junkyard complaint in the Town of Newbold.

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

Motion by Dave Hintz, second by Gary Baier, to grant a 60 day extension to Layne Fleishman to have his property cleaned up and kept clean. Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye", Dave Hintz "aye".

Non-metallic Mine in the Town of Three Lakes.

Chairman Holewinski stated that there was no action taken in closed session. Discussion only.

Filling and grading violation in the Town of Minocqua.

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

Motion by Billy Fried, second by Mike Timmons for staff to work with the property owner for resolution with no forfeitures. Roll call vote: Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye", Dave Hintz "aye".

Public comments.

None.

Approve meeting minutes of July 20, 2011.

Motion by Mike Timmons, second by Gary Baier to approve the meeting minutes of July 20, 2011 as presented. With all members voting "aye" the motion carried.

Approve meeting minutes of July 27, 2011.

Motion by Dave Hintz, second by Billy Fried to approve the meeting minutes of July 27, 2011 as presented. With all members voting “aye” the motion carried.

Discuss landscaping / building project at 9330 North Bay Rd. further described as part Gov't Lot 8 & 9, Section 25, T39N, R6E, PIN MI 2364-5, Town of Minocqua.

Karl Jennrich, Zoning Director, stated that the landscaper for this project was going to attend the meeting today, but is not here. Mr. Jennrich stated that he would like to look at permits for landscaping within 75 feet of the OHWM and to review the Department's Zoning Permit and Shoreland Alteration Permit Forms for projects like these, such as stairways, fire pits, landscaping boulders and walkways, etc. Mr. Jennrich stated that there are more and more big landscaping projects within 75 feet of the water.

Motion by Dave Hintz, second by Mike Timmons, for staff to review this further and to bring it forward with other proposed revisions to the zoning ordinance. With all members voting “aye” the motion carried.

Request of Steve Woller to place a camper on property described as part Gov't Lot 4, Section 3, T38N, R7E, W ½ Outlot 2, CSM V1 P169, PIN LT 36-24, Town of Lake Tomahawk.

Steve Woller is present. The issue is that the property is an “outlot” and is restricted in use from “erection of buildings for human habitation...” Mr. Woller has placed a recreational vehicle on the property which he uses during the summer months and removes from the property each fall. Mr. Woller has been denied a request to construct a boathouse on the property; and now the Town of Lake Tomahawk has filed a complaint involving the recreational vehicle on the property. The Committee discussed the situation.

Motion by Billy Fried, second by Dave Hintz, that camping is allowed on any outlot in Oneida County; and that camping apparatus (RV, tent, etc) may be located less than 75 feet from the OHWM. Discussion on the motion was whether a boathouse or garage could also be built on the lot as long as it is not used for human habitation. Karl Jennrich will discuss this with Corporation Counsel. With all members voting “aye” the motion carried.

Rezone Petition #7-2011. The Committee will be forwarding to the Oneida County Board of Supervisors.

Motion by Dave Hintz, second by Mike Timmons to forward the Resolution (Rezone Petition #7-2011) to the Oneida County Board of Supervisors. With all members voting “aye” the motion carried.

North Central Wisconsin Regional Planning Commission request for a letter of support to obtain a HUD grant.

Karl Jennrich, Zoning Director, stated the NCWRPC has requested a letter of support from the County for a HUD grant. The Committee discussed the issue.

Motion by Billy Fried, second by Dave Hintz, to table this matter to a future meeting agenda at which time Roger Luce, Oneida County Economic Development Corporation can be present. With all members voting “aye” the motion carried. [Karl Jennrich noted that it may be too late to do so.]

Section 9.78, Sign Ordinance. Staff will discuss revisions as requested by the Towns of Minocqua and Three Lakes.

Karl Jennrich, Zoning Director, stated that the draft revision is an update for the Committee. Mr. Jennrich is not asking for a decision today. Mr. Jennrich reviewed the document with the Committee. Mr. Jennrich will keep the Towns informed.

Discussion only. No action was taken.

2:00 PM - The Committee reconvened to conduct the public hearing.

Conditional Use Permit Application by Milestone Management Services to tear down the existing building and construct a 40 unit Senior Living Complex on properties owned by Woodruff Township described as Village of Woodruff Part of Block A and Part of Helen Brodock’s Replat of Blocks B & E, Section 2, T39N, R6E, 738, 740 & 750 Elm Street, PIN’s WR 690, WR 690-2 and WR 697, Town of Woodruff.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit Application of Milestone Management Services to tear down the existing building and construct a 40 unit Senior Living Complex on properties owned by Woodruff Township, PIN’s WR 690, WR 690-2 and WR 697, Town of Woodruff.

The notice was published in the Northwoods River News on September 20 & 27, 2011; the Lakeland Times, the week of September 19, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on September 15, 2011. The mailing list was also read into the record.

Correspondence in File: Letter from the Town of Woodruff approving the CUP with no concerns.

Kathy Ray, Land Use Specialist, reviewed the CUP application with the Committee, which is a request by Milestone Senior Living to construct a 20-Unit Residential Care

Apartment Complex (RCAC) and a 20-Unit Community Based Residential Facility (CBRF) for a total of 40 units. The property has 780'± frontage on Snake Lake and is situated both in Vilas and Oneida County. A majority of the property (± 2.94 acres) and the total development are in Oneida County. The main structure on the property was previously used as the Woodruff Town Hall, Fire Station and Police Department and there are two (2) small out buildings that will all be demolished. The apartment complex (RCAC) provides residences for seniors capable of living on their own with some nursing assistance. The CBRF is a memory care facility dedicated to residents in need of full time living assistance. The facility will employ 35-45 people at full capacity and will be staffed 24 hours a day.

Ms Ray noted that the requirements for stormwater management & erosion control; parking and sanitary facilities have been met. Ms. Ray stated that the applicant submitted the "General Standards for Approval of the CUP" and the Committee was supplied a copy. If the Committee finds the standards have been met, and recommends approval of this application, staff would suggest the following conditions be placed on the CUP.

1. Project to commence within 3 yrs of sate of issuance.
2. The nature and extent of the conditional use shall not change from that described in the application and approved in the Conditional Use Permit.
3. Subject to Town review.
4. Proper permits to be obtained prior to construction. (Town/County/State)
5. Signage to conform to 9.78 Oneida County Zoning and Shoreland Protection Ordinance.
6. Dumpster(s) to be screened from view (applicant to recycle waste materials as required).
7. Stormwater Management/Erosion Control Plan(s) as required by WI DNR.
8. Exterior lighting to be downcast and shielded from above.

2:11 pm – Scott Holewinski, Chairman, asked if there was anyone present to speak for or against Rezone Petition #7-2011. No one came forward.

2:12 pm – Scott Holewinski, Chairman, closed the public hearing for deliberation.

Motion by Mike Timmons, second by Gary Baier, to approve the Conditional Use Permit Application by Milestone Management Services to tear down the existing building and construct a 40 unit Senior Living Complex on properties owned by Woodruff Township being that the General Standards for reviewing a conditional use permit have been met; and subject to staff concerns. With all members voting "aye" the motion carried.

Revisions to Oneida County Zoning and Shoreland Protection Ordinance due to changes in NR 115.

Karl Jennrich, Zoning Director, stated that there is no update because there has not been a meeting of the subcommittee. The Department of Natural Resources is trying to schedule a meeting.

Discussion only. No action taken.

Line item transfers, purchase orders and bills.

Bills submitted for payment - \$2,718.25

Purchase Orders submitted for payment - \$447.29

Motion by Billy Fried, second by Mike Timmons to approve the purchase orders and bills. With all members voting "aye" the motion carried.

Refunds.

Jennifer Bond – Refund \$425.00 for CUP, no public hearing was held.

Marta Turba – Refund \$64.00 for overpayment of zoning permit fees.

Dawn Baker – Refund \$150.00 for a Shoreland Alteration Permit not needed.

Northern Advantage – Refund \$150.00 Shoreland Alteration Permit not needed.

Motion by Billy Fried, second by Gary Baier, to approve the refunds as presented. With all members voting "aye" the motion carried.

Approve future meeting dates: October 19 and November 2, 2011.

The Committee confirmed meeting dates of October 19, 2011 (Scott Holewinski is excused) and November, 2, 2011.

Public comments.

None.

Future agenda items.

- Efficiency Report.
- Ways to generate revenue.

Adjourn.

2:33 pm – Motion by Mike Timmons, second by Billy Fried to adjourn the meeting. With all members voting “aye” the motion carried.

Scott Holewinski, Chair

Karl Jennrich, Zoning Director