

**ONEIDA COUNTY PLANNING AND ZONING  
DECEMBER 21, 2011  
COMMITTEE ROOM #2  
12:30 P.M. CLOSED SESSION  
1:00 P.M. REGULAR MEETING  
2:00 P.M. PUBLIC HEARING**

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

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

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: Attorney Greg Harrold  
Clair Wiederholt  
Josh Russart  
Mark Hartzheim

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Call to order.

Chairman Scott Holewinski called the meeting to order at 12:30 P.M., in accordance with the Wisconsin Open Meeting Law. Mr. Holewinski stated that Billy Fried would be late and Dave Hintz is excused from today's meeting.

Discussion/decision of the agenda.

Motion by, Mike Timmons second by Gary Baier 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. Junkyard / failing septic in the Town of Lake Tomahawk.

**12:31 pm - Motion by Scott Holewinski, second by Mike Timmons, to go into closed session. Roll call vote: Scott Holewinski "aye", Billy Fried "aye", Gary Baier "aye", Dave Hintz "aye", Mike Timmons "aye." The motion carried.**

**12:59 pm – Motion by Mike Timmons, second by Billy Fried, to go into open session. Roll call vote: Scott Holewinski “aye”, Billy Fried “aye”, Gary Baier “aye”, Dave Hintz “aye”, Mike Timmons “aye.” The motion carried.**

Mr. Holewinski stated that while in closed session there was one motion. The secretary read the motion into the record as follows:

**Motion by Billy Fried, second by Mike Timmons to work with the Town to get Susan Poupart’s property cleaned up. The motion carried unanimously.**

Public Comments.  
There were none.

Approve meeting minutes of November 16, 2011.

**Motion by Billy Fried, second by Gary Baier to approve the meeting minutes of November 16, 2011 as presented. With all members present voting “aye”, the motion carried.**

Deck without a permit on property described as Gov’t Lot 4, Section 20, T38N, R7E, PIN LT 262, Town of Lake Tomahawk.

Mr. Wegner stated that this is an enforcement case he is working on. Attorney Greg Harrold was present to represent Mr. Wiederholt. Mr. Harrold stated that this was a subject of a variance hearing in front of the Board of Adjustment. In 2006 Mr. Wiederholt applied to build a home. At the time there was a minimum size requirement of 720 square feet. Mr. Wiederholt could not comply with the setback requirements so went to the Board of Adjustment for a variance, which was granted. The variance stated that Mr. Wiederholt could build a 720 square foot home no closer than 50’ to the Ordinary High Water Mark of Windpudding Lake. Mr. Wiederholt built a 4’ x 6’ deck across the front of the home without benefit of a permit. The deck does not meet the setback requirements of the Oneida County Zoning and Shoreland Protection Ordinance.

**Motion by Gary Baier, second by Billy Fried to allow Mr. Wiederholt to leave the existing stoop/walkway with no future expansion. With all members present voting “aye”, the motion carried.**

Assembly Bill 422.

Mr. Jennrich stated that this Bill would remove County review of Condominium Plats. A motion by Mike Timmons, second by Billy Fried authorized Mr. Jennrich to write a letter stating that the County wants to go on record to keep Counties involved in reviewing Condominium Plats. With all members present voting “aye”, the motion carried.

Floodplain open house January 12, 2012 at the law Enforcement Center.

The State of Wisconsin now gave the Counties digital Floodplain Maps. The Land Information office has put them on PV Web for Staff review only. Mr. Jennrich would like the ability to allow the public to view the maps. Mr. Jennrich stated he is going to send notice to the Townships and news media that these will be available for their review.

**Motion by Gary Baier, second by Billy Fried to instruct Karl to put the Floodplain Maps on PV Web for the public to review. With all members voting “aye”, the motion carried. Hard copies of the maps will be available at the open house.**

**2:00 P.M. PUBLIC HEARING**

Conditional Use Permit Application by Joshua Russart to open a Zip Line Tour with rock climbing wall on property owned by Minocqua Township and further described as part of the NE NW, Section 26, all of the SW SW, Section 23, and all of the SE SE, Section 22, all located in T39N, R6E, PIN's MI 2377, MI 2336 and MI 2326, Town of Minocqua.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit of Joshua Russart to open a Zip Line Tour with rock climbing wall in the Town of Minocqua.

The notice was published in the Northwoods River News on December 6 and 13, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on December 1, 2011. The mailing list was also read into the record.

Correspondence in file: Dated December 8, 2011. The Minocqua Town Board recommends approval of CUP #26-2011 based on plans presented to the Town Board for the Clubhouse Building, lighting, landscape, garbage area and zip line course. Contingent upon meeting all State and County requirements and execution of lease agreement with the Town of Minocqua.

The applicant, Joshua Russart, is present. Mr. Russart gave a background of the project.

Chairman Scott Holewinski asked if there were any public comments for or against the issue at hand.

Mr. W. J. Hansen, a member of the Minocqua Gun Club, spoke about the events that are held at the Minocqua Gun Club. He stated that the Minocqua Gun Club strongly objects to any neighbor having any push to curtail the lawful activities of the Gun Club in terms of shooting.

Mr. Lang, Vice-President of the Club.

Mr. Hartzheim, Minocqua Town Chair, stated that he met with 4 or 5 people of the Minocqua Gun Club and that 3 of them were directors. Mr. Hartzheim stated he feels there is a good partnership between the Town and the Gun Club. Mr. Hartzheim stated that neither the Developer of the Zip Line project nor the Town Board is suggesting that the Gun Club should change its trap or skeet operations to accommodate this project. Mr. Russart reiterated that he had never asked that the Gun Club change their operation to accommodate the Zip Line project. Both Mr. Hartzheim and Mr. Russart stated that if the Gun Club would like to make the condition that they don't have to make changes to their

normal existing use. Mr. Hansen stated that they do wish to have that as a condition of approval.

Doug Stewart, a Board Member of the Minocqua Gun Club, stated that they wish to keep the Club going and would like something in writing that their operations will not be required to change.

Another Gun Club member stated that the Gun Club is for the youth. They have youth members that are very good shooters that bring medals back from competitions.

Chairman Scott Holewinski closed the public comment portion for this Conditional Use Permit application.

Mr. Jennrich stated that he believes the only concern is sanitary facilities. The rest of the conditions staff presented are as follows:

1. The project is commenced within 3 years from date 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 and recommendations. **Execution of a lease agreement with the Town of Minocqua.**
4. Proper permits to be obtained, as required, prior to the start of construction. (Town/County/State)
5. Signage to conform to 9.78 Oneida County Zoning and Shoreland Protection Ordinance.
6. May be subject to DOT requirements.
7. Exterior lighting must be downcast and shielded from above.
8. Dumpster(s), if used, to be screened from view (applicant to recycle waste material as required).
9. Sanitary facilities to comply with applicable State and County codes.
10. **The operation of Zip Line Tours shall not interfere with the normal operations of the Minocqua Gun Club.**

**BOLD – Added by Committee on 12-21-11.**

**Motion by Gary Baier, second by Billy Fried to add #10 to the conditions of approval. With all members voting “aye”, the motion carried.**

**Motion by Gary Baier to approve the Conditional Use Permit subject to meeting all the General Standards of approval, second by Mike Timmons. With all members voting “aye”, the motion carried.**

Conditional Use Permit Application of Theodore Ingman, d/b/a Ingman’s Service to construct a pole building for tow truck storage including some outdoor vehicle storage at 3519 County L described as part SW SE, Section 22, T36N, R6E, PIN NO 314-6, Town of Nokomis.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit of Theodore Ingman to construct a pole building for tow truck storage including some outdoor vehicle storage in the Town of Nokomis.

The notice was published in the Northwoods River News on December 6 and 13, 2011. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on December 1, 2011. The mailing list was also read into the record.

Correspondence in file: A letter from Wendy Smith, Town of Nokomis Clerk, dated November 15, 2011. The Town of Nokomis approved the Conditional Use Permit of Theodore Ingman at the address of 2519 County Hwy L, Tomahawk, WI with a majority vote.

Mr. Jennrich stated that the Staff report was sent out. Nadine Wilson, Land Use Specialist and Theodore Ingman were present to review the Conditional Use Permit application with the Committee. Ms. Wilson read the conditions of approval into the record as follows:

1. The project is commenced within 3 years from date of issuance.
2. The nature and extent of the conditional use shall not change from the described in the application and approved in the Conditional Use Permit.
3. Fencing and/or vegetative buffer along Prairie Rapids Road. Must be located on the property not in the Town right-of-way.
4. Vegetative buffer (trees) along property lines to be maintained.
5. Vehicle storage will only be allowed behind building (west) and along Prairie Rapids Road (east) between building and buffer.
6. Areas north and east of building to remain open. No vehicle storage of any kind allowed in these areas.
7. Precautions and containment shall be taken in handling of vehicle fluids, etc. All materials must be properly disposed of.
8. No "repairable" vehicles to be sold onsite.
9. Lighting to be opaque and directed downward.
10. Signage in accordance with Section 9.78 of the Oneida county Zoning and Shoreland Protection Ordinance.
11. Driveway to remain open at all times for emergency vehicle access.
12. Town of Nokomis concerns, if any.

Mr. Ingman has concerns with condition #5. He feels the wording of the condition indicates that nobody can park on those sides of the building. It was determined that inoperable vehicles to be parked in the back or inside the building. Vehicles for sale are to be parked across the street.

For the record there is no public in attendance at the meeting.

**Motion by Mike Timmons, second by Gary Baier to approve the Conditional Use Permit application as the General Standards of approval have been met with the**

**elimination of #8 and the recording of the changes on Ms. Wilson's hard copy. With all members voting "aye", the motion carried.**

Zoning Director's attendance at WCCA Executive Board meeting January 19 and 20, 2012 in Wausau.

Karl Jennrich stated he may be requested to attend the WCCA Executive Board as past President because the past President is no longer the past President; therefore Mr. Jennrich is still the past President. He may be requested to attend to help with some of the audit of the books and also to attend some of the meetings. WCCA will pay for his hotel.

**Motion by Mike Timmons, second by Gary Baier, to approve that Mr. Jennrich attends if requested. With all members present voting "aye", the motion carried.**

Line item transfers.

There were none.

Purchase orders and bills.

The purchase orders and bills were \$64.30.

**Motion by Scott Holewinski, second by Gary Baier to approve the purchase orders and bills as presented. With all members voting "aye", the motion carried.**

Refunds.

There were none.

Approve future meeting dates: January 4 and 18, 2012. Chapter 9 January 11 and 25, 2012.

Regular meetings on January 4 and 18, 2012 and Chapter 9 meetings on January 10 & 25, 2012 at 1:00 p.m.

Adjourn.

3:05 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons, second by Billy Fried to adjourn the meeting. With all members present voting "aye", the motion carried.

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Chairman Scott Holewinski

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Karl Jennrich  
Planning & Zoning Director