

**ONEIDA COUNTY PLANNING AND ZONING
MARCH 21, 2012
COMMITTEE ROOM #2
ONEIDA COUNTY COURTHOUSE
RHINELANDER WI
1:00 P.M. CLOSED SESSION
1:30 P.M. REGULAR MEETING
2:00 PM – PUBLIC HEARING**

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

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

Guests present: Bob Williams
Marcus Nesemann, Northwoods River News
Freeman Bennett, Oneida County Highway Commissioner
Carol Lurvey, Pitlik & Wick
Gene Uttech, MSA Services

Call to order.

Scott Holewinski, Chairman, called the meeting to order at 1:00 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 Billy Fried, second by Mike Timmons, to approve the 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.

1:00 pm - Motion by Billy Fried, second by Mike Timmons, 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.

1:30 pm – Motion by Billy Fried, second by Mike Timmons to go into open session. Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye", Dave Hintz: "aye." The motion carried unanimously.

Chairman Holewinski stated that 3 motions were made while in closed session; and one item was discussed by the Committee with no motion being made. The secretary read the motions into the record.

Failure to obtain a Conditional Use Permit in the Town of Minocqua.

Motion by Dave Hintz, second Gary Baier, for staff to proceed as usual; if a CUP is not applied for, a long-form complaint should be initiated. Scott Holewinski: "aye", Gary Baier "aye", Mike Timmons "aye", Billy Fried "aye", Dave Hintz: "aye." The motion carried unanimously.

Land disturbance and placement of structures less than 75 feet from the ordinary high water mark in the Town of Nokomis.

Motion by Dave Hintz, second by Mike Timmons, for staff to follow through with enforcement as usual. Scott Holewinski: "aye", Gary Baier "nay", Mike Timmons "aye", Billy Fried "aye", Dave Hintz: "aye." The motion carried with a 4:1 vote.

Land disturbance and placement of structures less than 75 feet from the ordinary high water mark in the Town of Nokomis.

Motion by Mike Timmons, second by Dave Hintz, for staff to follow through with enforcement as usual. Scott Holewinski: "aye", Gary Baier "nay", Mike Timmons "aye", Billy Fried "aye", Dave Hintz: "aye." The motion carried with a 4:1 vote.

Land disturbance and placement of structures less than 75 feet from the ordinary high water mark in the Town of Crescent.

Discussion by the Committee. No action was taken.

Public Comment:

There were no public comments at this time.

Approve meeting minutes of February 8, 2012

Motion by Billy Fried, second by Mike Timmons to approve the meeting minutes of February 8, 2012 as presented. The motion carried unanimously.

Approve meeting minutes of March 7, 2012.

Motion by Billy Fried, second by Mike Timmons to approve the meeting minutes of March 7, 2012 as presented. The motion carried unanimously.

Subdivision Log.

Karl Jennrich, Zoning Director, reviewed the subdivision log with the Committee. The subdivision log is attached to the meeting minutes.

Discussion only. No action taken.

Staff/Committee attendance at an NR 115 meeting in Antigo on March 22, 2012.

Motion by Dave Hintz, second by Mike Timmons, for staff and Committee members to attend the NR 115 meeting sponsored by Tom Tiffany and Kathy Stepp. With all members voting "aye" the motion carried.

Line item transfers, purchase orders and bills.

Bills are \$516.45 and \$3,870.00 (Nonmetallic Mining)

Purchase orders are \$248.64.

Motion by Dave Hintz, second by Billy Fried to pay the bills. With all members voting "aye" the motion carried.

Refunds.

No refunds today.

Approve future meeting dates: Regular meetings- April 4 and April 18, 2012. Chapter 9 meetings – March 28 and April 12, 2011.

The Committee confirmed the following meeting dates:

April 4 & 18, 2012 (Regular Meetings)
March 28 & April 12, 2012 (Ordinance Revisions)

Public comments.

No public comments.

Future agenda items.

There were no future agenda items discussed.

2:00 PM - CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application of Pitlik and Wick, agent and Dan Kloes owner to amend existing CUP #736-02 on property described as NW SW, SW NW, part of Gov't Lot 5, Section 36, T39N, R7E, PIN WR 450, WR 453 and WR 452-5, Town of Woodruff. The requested amendment would allow the Gravel Pit to remain open indefinitely. No other changes in operations are being proposed.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit Application of Pitlik and Wick, agent and Dan Kloes owner to amend existing CUP #736-02 on property described as NW SW, SW NW, part of Gov't Lot 5, Section 36, T39N, R7E, PIN WR 450, WR 453 and WR 452-5, Town of Woodruff

The notice was published in the Northwoods River News on March 6 and March 12, 2012. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on March 1, 2012. The mailing list was also read into the record.

Correspondence in File: None.

Karl Jennrich, Zoning Director, reviewed the CUP with the Committee. The applicant is requesting the pit to remain indefinitely. Staff agrees and does not believe the applicant should have to return to the Town and County for additional approvals every 10 years. Staff has not received any written complaints from the public or the Town. All of conditions of previous approvals are incorporated. Mr. Jennrich stated that all the conditions for approval of the nonmetallic mine have been met.

2:05 pm – Chairman Scott Holewinski opened the public hearing for comments from the audience. For the record, there is no one present.

2:06 pm - Chairman Scott Holewinski closed the public hearing.

Motion by Mike Timmons, second by Dave Hintz, to approve the Conditional Use Permit application of Pitlik and Wick, agent and Dan Kloes owner as presented with all requirements being met and Town concerns. The motion carried unanimously.

Non-metallic Mining Reclamation Plan of the Oneida County Highway Commission, owner to reclaim an existing pit area and amend the boundary by expanding non-metallic mining operations into property described as part of the SE NW, Section 4, T36N, R8E, PIN CR 55, Town of Crescent.

The notice was published in the Northwoods River News on March 6 and March 12, 2012. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on March 1, 2012. The mailing list was also read into the record.

Correspondence in File: None.

Karl Jennrich, Zoning Director, reviewed the CUP with the Committee. This non-metallic mine is a legal pre-existing use in existence for 20 years. This non-metallic mine is located in the Town of Crescent and no Conditional Use Permit (CUP) was required to initiate it. At one time, Oneida County operated the pit in 4 separate quarter quarters. Now the Oneida County portion of the non-metallic mine is being placed entirely on Oneida County property.

Mr. Jennrich noted that all conditions for the approval of the non-metallic mining reclamation plan have been satisfied. Mr. Jennrich recommended approval with the following conditions:

1. Bond in the amount of \$9,550 required. Applicant states adequate topsoil exists.
2. A 30 ft setback to be maintained between adjacent properties. This does not include the west lot line, the non-metallic mine already exists.
3. Applicant to remain above the groundwater table. No groundwater information given.

2:15 pm – Chairman Scott Holewinski opened the public hearing for comments from the audience. For the record, there is no one present.

2:16 pm - Chairman Scott Holewinski closed the public hearing.

Motion by Gary Baier, second by Dave Hintz, to approve the Non-metallic Mining Reclamation Plan of the Oneida County Highway Commission as presented with all requirements being met, staff recommendations and Town concerns. The motion carried unanimously.

NOTE: FOLLOWING THE MEETING IT WAS DETERMINED THAT FINANCIAL ASSURANCES ARE NOT REQUIRED PURSUANT TO SECTION 22.06 (3) FINANCIAL ASSURANCES. (COUNTY OWNED PROPERTY).

2:17 pm – Motion by Gary Baier, second by Dave Hintz to adjourn. With all members voting “aye” the motion carried.

Chairman Scott Holewinski

Karl Jennrich, Planning & Zoning Director