

ONEIDA COUNTY PLANNING AND DEVELOPMENT
May 2, 2012 – 1:00 PM
COMMITTEE ROOM #2
ONEIDA COUNTY COURTHOUSE
RHINELANDER WI

Members present: Scott Holewinski
Gary Baier
Jack Sorensen
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

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, with the exception of Jack Sorensen, who joined the meeting in progress at approximately 1:30 pm.

Approve the agenda.

Motion by Dave Hintz, second by Mike Timmons to approve the agenda as posted. With all members present voting “aye”, the motion carried.

Public Comments.

Bob Williams asked about changing the name of the Committee. Scott Holewinski noted that the name was changed to the Planning and Development Committee by the County Board.

Introduction of Committee members.

The Committee & staff introduced themselves to all present.

Elect Committee Vice-chair.

David Hintz was nominated by Gary Baier. There were no other nominations.

All in favor of electing Dave Hintz as Vice Chair. Scott Holewinski: “aye,” Gary Baier: “aye,” Mike Timmons: “aye.” Dave Hintz is elected as Vice Chair.

Approve meeting minutes of March 28, 2012.

Motion by Gary Baier, second by Dave Hintz, to approve the meeting minutes of March 28, 2012 as presented. With all members voting “aye” the motion carried.

Patio and retaining wall at 8794 Grays Lane, further described as being part of Gov’t Lot 2, Section 10, T39N, R4E, PIN MI 650-4, Town of Minocqua.

Attorney John Schiek & Todd Meister are present to discuss this with the Committee. Peter S Wegner, Assistant Zoning Director, is also present.

A complaint was received from the DNR regarding a patio, retaining wall and stairs less than 35 feet from the OHWM. Mr. Meister did not own the property at the time these structures were built. An enforcement letter was sent to Mr. Meister advising him that the patio and retaining wall would have to be removed. Mr. Wegner explained that this case is similar to the Claire Wiederholt case, which the Committee had directed the Department not to seek enforcement on. Mr. Wegner asked the Committee to look at this case.

Attorney John Schiek cross-examined his client, Todd Meister. Mr. Schiek distributed a printed presentation to the Committee. Mr. Meister reviewed the presentation with the Committee and staff. There is 150 feet of shoreline. An old pier and steps were removed and the area was completely restored to natural. Mr. Meister had erroneously placed rocks on an area that consisted of loose sand in order to stop erosion. This has been corrected and restored. Mr. Meister provided letters from neighboring property owners who support Mr. Meister in retaining his patio and retaining wall.

Motion by Mike Timmons, second by Gary Baier, to direct staff not to pursue enforcement in this matter. The motion carried with Mike Timmons, Dave Hintz, Gary Baier and Scott Holewinski voting aye,” and Jack Sorensen abstaining.

Section 9.78, Sign Ordinance. Forward Ordinance Amendment #1-2012 to the Oneida County Board of Supervisors.

Motion by Dave Hintz, second by Mike Timmons, to forward Ordinance Amendment #1-2012 to the Oneida County Board. With all members voting “aye” the motion carried.

Review and approve 2011 Annual Report.

Denise Hoppe, Office Manager; and Karl Jennrich, Zoning Director, reviewed the 2011 Annual Report with the Committee. A copy is attached to the minutes.

Motion by Gary Baier, second by Dave Hintz, to approve the 2011 Annual Report as presented and forward to the County Board. With all members voting “aye” the motion carried.

Preliminary two (2) lot certified survey map of Grace Haug Restated Rev Living Trust, owner and Genisot and Associates, Inc., Surveyor for property described as part SE NE, Section 31, T37N, R8E, PIN NE 329, Town of Newbold pursuant to Section 15.23 (l) of the Oneida County Subdivision Control Ordinance.

Nadine Wilson, Land Use Specialist, reviewed the preliminary CSM with the Committee. Ms. Wilson noted that there had been issues with wetland and lakebed determination(s), which is resolved. The main issue is the road access. The Town of Newbold has approved the subdivision as presented.

Ms. Wilson recommended approval subject to the following conditions: "No filling of wetlands" to be placed on map; 2) Statement regarding maintenance of road to remain on map.

Motion by Jack Sorenson, second by Dave Hintz, to approve the two (2) lot certified survey map of Grace Haug Restated Rev Living Trust, owner and Genisot and Associates, Inc., Surveyor for property described as part SE NE, Section 31, T37N, R8E, PIN NE 329, Town of Newbold, subject to conditions of staff and town concerns, if any. With all members voting "aye" the motion carried.

Preliminary 2 Unit Condominium referred to as "Nokomis Shores Condominium" (2 existing dwellings on one property) located on Robinson Rd. described as part SW SE, Section 34, T36N, R6E, PIN NO 816, Town of Nokomis.

Nadine Wilson, Land Use Specialist, reviewed the condominium request with the Committee. The property is zoned general use. The Town of Nokomis has approved the condominium request. This is an existing situation with two dwellings on one lot. The owners are going to the condominium form of ownership so that the properties can be separated for tax purposes. Ms. Wilson recommended approval subject to the following: 1) Note on plat: *"Approval of zoning permits is not implied nor guaranteed with approval of this condominium plat. Zoning permits may be required for any improvements, expansions, and/or additions and shall comply with the current OCZ&SP Ordinance; structures depicted on the plat that are situated less than 75 feet from the OHWM may be subject to stricter zoning regulations/restrictions by the County and/or Town."* 2) Review and approve declarations. 3) Remove unit designation in WVIC property.

Motion by Dave Hintz, second by Jack Sorensen for approval of the 2 Unit Condominium referred to as "Nokomis Shores Condominium" located on Robinson Rd. described as part SW SE, Section 34, T36N, R6E, PIN NO 816, Town of Nokomis, subject to staff recommendations and town concerns, if any. With all members voting "aye" the motion carried.

Review revisions to Chapter 9, Section 9 of the Oneida County Zoning and Shoreland Protection Ordinance due to changes in NR 115. Staff and Committee will review Act 170.

Karl Jennrich, Zoning Director and Peter S. Wegner, Assistant Zoning Director, reviewed the recently enacted Act 170; and NR 115 with the Committee. The Committee needs to revise the zoning ordinance if necessary to meet the legislation. Department staff is working on this. Any NR 115 revisions are on hold for the time being.

Information to the Committee.

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

Conditional Use Permit Application by David Steinle to construct mini storage buildings on property described as part of Gov't Lot 1, Lot 2 CSM V14 P3354, Section 8, T39N, R6E, 8635 Camp Pinemere Road, PIN # MI2135-9, Town of Minocqua.

Karl Jennrich, Zoning Director, read the notice of public hearing for the Conditional Use Permit Application of David Steinle to construct mini storage buildings on property described as part of Gov't Lot 1, Lot 2 CSM V14 P3354, Section 8, T39N, R6E, 8635 Camp Pinemere Road, PIN # MI 2135-9, Town of Minocqua.

The notice was published in the Northwoods River News on April 17 & 24, 2012. The proof of publication is contained in the file. The notice was posted on the Oneida County Courthouse bulletin board on April 12, 2012. The mailing list was also read into the record.

Correspondence in File: Approval letter from the Town of Minocqua dated April 25, 2012.

Kathy Ray, Land Use Specialist, reviewed the CUP with the Committee. This is a request to construct two (2) mini storage unit buildings with approximately 44 units per building at the south end of the property. Previously issued CUP #442-07 was approved for these buildings however they were never commenced.

A water retention pond was constructed in 2007 with the original permit to manage runoff. The pond will remain undisturbed and the construction of the new buildings will utilize this retention pond for stormwater runoff. No additional parking is required. Unit tenants will park in front of their unit while in use. No over-night parking outside of their unit will be permitted.

The Town of Minocqua recommended approval contingent upon; no outside storage allowed; any lighting on buildings or installed on the property to be downcast and screened from becoming a nuisance or distraction to travelers of Camp Pinemere Road and users of Minocqua Park Complex; any abandoned or discarded items must be promptly removed by owner. It will be the owner's responsibility to monitor this; and upon meeting all state and county requirements.

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. 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 Town review and their recommendations as list above.
3. Proper permits to be obtained prior to construction (Town/County/State).
4. Signage to comply with 9.78 Oneida County Zoning and Shoreland Protection Ordinance.
5. No accumulation of junk or debris on the outside of the building allowed.
6. If exterior lighting is installed, it must be downcast and shielded from above.

2:07 pm – Chairman Scott Holewinski opened the public hearing for comments from the audience. For the record, there is no one present.

2:08 pm - Chairman Scott Holewinski closed the public hearing.

Motion by Jack Sorensen, second by Gary Baier to approve the Conditional Use Permit application of David Steinle to construct mini storage buildings on property described as part of Gov't Lot 1, Lot 2 CSM V14 P3354, Section 8, T39N, R6E, 8635 Camp Pinemere Road, PIN # MI2135-9, Town of Minocqua, as presented with all general standards being met, staff recommendations and Town concerns. The motion carried unanimously.

Staff attendance at the May 4, 2012 meeting regarding Act 170 and the implications to NR 115 in Marquette County.

Motion by Mike Timmons, second by Jack Sorensen to authorize 2 staff member to attend the May 4, 2012 meeting on Act 170 and NR 115. With all members voting "aye" the motion carried.

Line item transfers, purchase orders and bills.

Bills submitted for payment -	\$ 1,590.32
Non-Metallic Mining	\$ 19,995.00 (GPS Unit)
Purchase Orders -	\$ 405.87

Motion by Scott Holewinski, second by Dave Hintz, to pay the bills & purchase orders. The motion carried unanimously.

Refunds.

Flyin' Finn – Refund \$100.00.

Motion by Gary Baier, second by Mike Timmons to approve the refund request of \$100.00 to Flyin' Finn. With all members voting "aye" the motion carried.

Approve future meeting dates: May 16 and June 6, 2012.

The Committee confirmed meeting dates for May 16 and June 6, 2012. There will be no meeting on May 9, 2012.

Public comments.

Act 170 was discussed.

Future agenda items.

- POWTS issues.
- Floodplain

Adjourn.

2:52 pm – The meeting was adjourned on a motion by Dave Hintz, and second by Gary Baier. With all members voting “aye” the motion carried.

Chairman Scott Holewinski

Karl Jennrich, Planning & Zoning Director