

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
JUNE 18, 2014
COUNTY BOARD ROOM – 1:30 p.m.

Members present: Scott Holewinski, Mike Timmons, Billy Fried, Dave Hintz and Jack Sorensen.

Department staff present: Pete Wegner, Assistant Director and Julie Petraitis, Secretary, Nadine Wilson, Land Use Specialist and Kathy Ray, Land Use Specialist.

Other county staff present: Brian Desmond, Corporation Counsel.

Guests present: Bob Williams, Jeremy LaBine, Lori and William Scheurer, Al Huntington, Chad Bierbrauer and Barbara Guerra.

Call to order.

Chairman Scott Holewinski called the meeting to order at 12:30 P.M., in accordance with the Wisconsin Open Meeting Law.

Discussion/decision of the agenda.

Motion by Jack Sorensen second by Billy Fried 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. Violations of Section 9.98, Piers and Other berth Structures in the Town of Minocqua.
- b. Excavating, filling and grading and the placement of structures within 35ft of the OHWM in the Town of Nokomis.
- c.

12:31 p.m. Motion by Jack Sorensen, second by Mike Timmons to go into closed session. On roll call vote: Billy Fried, “aye”; Dave Hintz, “aye”; Jack Sorensen, “aye”; Scott Holewinski, “aye” and Mike Timmons, “aye”.

1:20 pm - Motion by Jack Sorensen, second by Dave Hintz to go into open session. On roll call vote: Mike Timmons: “aye”, Dave Hintz: “aye”, Jack Sorensen: “aye”, Scott Holewinski, “aye” and Billy Fried, “aye”.

1:20 pm: Recess

2:00 pm: Reconvene

Announcement of any action taken in Closed Session. **There was no action taken.**

Public Comment: **Bob Williams spoke.**

Approve meeting minutes of June 4, 2014.

Motion by Jack Sorensen second by Dave Hintz to approve the meeting minutes of June 4, 2014 as submitted. With all members present voting “aye” the motion carried.

Complaint letters. Staff will be discussing the format and distribution of complaint letters.
Discussion was held on who should receive copies of complaint letters when sent by Staff. Copies should be sent via e-mail to Town Chairmen and District Supervisor of the Town the complaint is in.

Line item transfers, purchase orders and bills.

Motion by Jack Sorensen second by Scott Holewinski to approve the line item transfers, purchase orders and bills as submitted. With all members present voting “aye” the motion carried.

Refunds.

Motion by Mike Timmons second by Billy Fried to approve the refund requested by Dick Lee Construction. With all members present voting “aye” the motion carried.

Approve future meeting dates.

July 2, 2014 and July 16, 2014. The July 16 meeting will be held at the Lake Tomahawk Town Hall at 5:00 p.m. with a Public Hearing at 6:00 p.m.

Public Comments. **Bob Williams spoke.**

Future agenda items. Section 9.98, Piers and Other Berth Structures.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit Application of William Scheurer, owner of Three Lakes Convenience Store, LLC to construct a Touchless Automatic Car Wash at 1728 Superior Street on property described as Lot 2 of CSM recorded as Doc. No. 739161, Section 6, T38N, R11E, PIN TL 2086 and TL 2087, Town of Three Lakes.

Pete Wegner, Assistant Zoning Director, read the notice of public hearing for the conditional use permit application of Three Lakes Convenience Store, LLC to construct a Touchless Automatic Car Wash at 1728 Superior Street on property described as Lot 2 of CSM recorded as Doc. No. 739161, Section 6, T38N, R11E, PIN TL 2086 and TL 2087, Town of Three Lakes.

The notice was published in the Northwoods River News on June 3 and June 10, 2014. The notice was posted on the Oneida County Courthouse bulletin board on June 5, 2014. The mailing list was also read into the record.

Correspondence in file: Letter from Town of Three Lakes, in support of the Conditional Use Permit application of William Scheurer.

Nadine Wilson, Land Use Specialist, reviewed the conditional use permit application with the committee.

The applicant submitted the General Standards of Approval of a 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. Zoning Permit applied for and approved prior to construction of the carwash building.
3. Outdoor lighting to be directed downward and shielded from above.
4. Stormwater to be retained onsite.
5. Signage in compliance with Oneida County Zoning and Shoreland Protection Ordinance.
6. Town of Three Lakes concerns, if any.
7. Need same ownership on Lots 1 and 2.

Mr. Holewinski opened the Public Hearing to the public.

Jeremy LaBine, Lori and William Scheurer and Al Huntington were present and in favor of the project.

Mr. Holewinski closed the public portion of the Public Hearing.

Motion by Jack Sorensen, second by Timmons to approve the CUP application as presented with conditions outlined by Staff. With all members present voting "aye" the motion carried.

Conditional Use Permit Application by James Olsen & Erik Johnson to create multi-tenant lease spaces in the lower level of an existing building with one (1) known tenant being Minocqua Pontoon Cruises to include outdoor operations on the following described parcels: Part of Government Lot 5, unrecorded MINOC-WOOD 1st & part of 3rd description V858 P779, SM C1224, Section 11, T39N, R6E, 8583 Hwy 51, PIN MI 2178-17, Town of Minocqua.

Pete Wegner, Assistant Zoning Director, read the notice of public hearing for the conditional use permit application of James Olsen & Erik Johnson to create multi-tenant lease spaces in the lower level of an existing building with one (1) known tenant being Minocqua Pontoon Cruises to include outdoor operations on the following described parcels: Part of Government Lot 5, unrecorded MINOC-WOOD 1st & part of 3rd description V858 P779, SM C1224, Section 11, T39N, R6E, 8583 Hwy 51, PIN MI 2178-17, Town of Minocqua.

The notice was published in the Northwoods River News on June 3 and June 10, 2014. The notice was posted on the Oneida County Courthouse bulletin board on June 5, 2014. The mailing list was also read into the record.

Correspondence in file: Letter from the Town of Minocqua in support of the Conditional Use Permit application of James Olsen and Erik Johnson subject to County and State requirements being met.

Kathy Ray, Land Use Specialist, reviewed the conditional use permit application with the committee.

The applicant submitted the General Standards of Approval of a 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 the Town's review.
3. Subject to the adjacent lot to the north (MI 2178-16) to be used for parking.
4. Signage must conform to Section 9.78 of the Oneida County Zoning and Shoreland Protection Ordinance.
5. Piers must conform to Section 9.98 of the Oneida County Zoning and Shoreland Protection Ordinance.

Discussion was held on the number of piers and berths existing at this site.

Mr. Holewinski opened the Public Hearing to the public.

Chad Bierbrauer was present and in favor of the application.

Mr. Holewinski closed the public portion of the Public Hearing.

More discussion was held on the existing number of piers and berths on the property.

Motion by Scott Holewinski second by Billy Fried to change Condition #5 to read: 'Minocqua Pontoon Boat Cruises shall be permitted the use of one (1) allowable pier with two (2) berthing spaces at PIN MI 2178-17.' With all members present voting "aye" the motion carried.

Motion by Mike Timmons second by Billy Fried to approve the Conditional Use Permit application of James Olsen and Erik Johnson with all Conditions of Approval have been met and (revised) conditions outlined by Staff. With all members present voting “aye” the motion carried.

Conditional Use Permit Application by Barbra Guerra to place a mobile beverage and food business at 9587 Townline Road on property owned by Marshfield Clinic and described as follows: part of the NE NW, SM B4842, Section 11, T39N, R6E, PIN MI 2173-6, Town of Minocqua.

Pete Wegner, Assistant Zoning Director, read the notice of public hearing for the conditional use permit application of Barbra Guerra to place a mobile beverage and food business at 9587 Townline Road on property owned by Marshfield Clinic and described as follows: part of the NE NW, SM B4842, Section 11, T39N, R6E, PIN MI 2173-6, Town of Minocqua.

The notice was published in the Northwoods River News on June 3 and June 10, 2014. The notice was posted on the Oneida County Courthouse bulletin board on June 5, 2014. The mailing list was also read into the record.

Correspondence in file: Letter from Town of Minocqua denying the Conditional Use Permit Application.

Kathy Ray, Land Use Specialist, reviewed the conditional use permit application with the committee.

The applicant submitted the General Standards of Approval of a 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 use shall not change from the described in the application and approved in the Conditional Use Permit.
2. Proper permits to be obtained prior to placement of the mobile unit.
3. Signage to comply with 9.78 Oneida County Zoning and Shoreland Protection Ordinance as amended 4-24-14.
4. If exterior lighting is installed, it must be downcast and shield from above.
5. If dumpster is used, it must be screened from view. Applicant to recycle waste material as required.
6. Subject to all Town concerns having been met prior to opening for business.

Mr. Holewinski opened the Public Hearing to the public.

Barbra Guerra was present and in favor of the application.

Bob Williams said he would be against it.

Chairman Holewinski closed the public portion of the Public Hearing.

The Committee went through the General Standards of the application and felt they have been met.

Motion by Billy Fried, second by Dave Hintz to deny the Conditional Use Permit Application as submitted based on the Town of Minocqua's recommendations. With three members voting "no" and two members voting "yes" the motion failed.

Motion by Scott Holewinski second by Mike Timmons to approve the CUP application as presented, as all the General Standards of Approval have been met, with conditions outlined by Staff. With four members voting "aye" and one member voting "nay" the motion carried.

Adjourn.

3:50 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons, second by Billy Fried / Jack Sorensen to adjourn the meeting. With all members present voting "aye", the motion carried.

Chairman Scott Holewinski

Karl Jennrich
Planning & Zoning Director