

NOTICE OF MEETING

COMMITTEE: PLANNING & DEVELOPMENT
DATE: AUGUST 19, 2015
PLACE: ONEIDA COUNTY COURTHOUSE – COUNTY BOARD ROOM
TIME: 1:00 P.M. CLOSED SESSION
1:15 P.M. REGULAR MEETING
2:00 P.M. PUBLIC HEARING

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION / DECISION

1. Call to order.
2. Approve the agenda.
3. 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. dilapidated structure in Town of Nokomis
 - b. structure closer than 20' to right-of-way in Town of Minocqua
4. A roll call vote will be taken to return to open session.
5. Announcement of any action taken in closed session.
6. Public comments.
7. Approve meeting minutes of July 15, 2015.
8. Approval of Farmland Preservation Plan Joint Resolution.
9. Time of sale requirements on existing private onsite wastewater treatment systems.
10. Update on the merging of Planning and Zoning with Land and Water Conservation.
11. Review modification pursuant to 15.31(2)(A) of a preliminary 2-lot CSM for Jay Dubois of Lots 9 & 10 Kleist Addition at 165 Forest Circle, PIN # WR 1344 (includes WR 1345), Town of Woodruff.
12. 2016 limited term employee request.
13. Line item transfers, purchase orders, and bills.
14. Refunds.
15. Approve future meeting dates: September 2, 2015 and September 16, 2015.
16. Public comments.
17. Future agenda items.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

18. **REZONE PETITION #9-2015** authored by the Town of Woodruff to rezone from District #14-Residential & Retail to District #4-Residential & Farming for property described as (1) the fractional NW, (2) the NW SW, (3) the SW SW, being part of PIN WR 23-1. All of the SW SW will be zoned Residential & Farming, and (4) the SE SW, being part of PIN WR 22-12 A, WR 22-15, WR 22-10, WR 23-4, WR 25-3, WR 25-4, and WR 25-5. All of the SE SW will be zoned Residential & Farming. All are located in Section 3, T39N, R6E, Town of Woodruff.
19. **REZONE PETITION #10-2015** authored by the Town of Minocqua to rezone from District #02-Single Family to District #08-Manufacturing & Industrial for property described as Parcel A of SM A3026, being part of Gov't Lot 1, Section 26, T39N, R6E, Town of Minocqua, Oneida County, Wisconsin.
20. **CONDITIONAL USE PERMIT** application by Kwik Trip, Inc., to construct a convenience store with attached car wash and fueling canopy on the following described properties: part of the SW NE (Night Fall Motel), parcels 2-4 CSM V2 P481, and part of Lot 1 CSM V17 P3787, Section 11, T39N, R6E, 8676, 8684, 8690, and part of 8700 Hwy 51, PIN MI 2171-2, 2171-12, 2171-1, 2171-13, Town of Minocqua.
21. **ORDINANCE AMENDMENT #8-2015** authored by the Planning and Development Committee to amend Section 9.32, Zoning Permit Requirement, 9.33, Exceptions to Zoning Permit Requirement of the Oneida County Zoning and Shoreland Protection Ordinance.

Additions noted by underline; Deletions noted by strikethrough.

9.32 ZONING PERMIT REQUIREMENT

A zoning permit shall be obtained before:

- A. A structure is built, erected, placed, enlarged, altered or moved.
- B. A structure is structurally altered so as to change its use or increase the square footage of its floor area or vertical surface area.
- C. A structure is repaired when 50% or more of a structure's CEAV has been damaged or destroyed by fire or other catastrophic cause.
- D. The use of a structure or property is changed.
- E. A recreational vehicle is used as a dwelling for no more than five (5) consecutive days unless exempt under 9.33(F).

9.33 EXCEPTIONS TO ZONING PERMIT REQUIREMENT (#39-2004 & #05-2005)

Sections A-E remain unchanged

F. Recreational Vehicle/Camping Tent

1. Single Family Residential (District #2)

A zoning permit shall not be required for the placement of recreational vehicles or a camping tent on property, provided any of the following apply:

- a. 1. The recreational vehicle is being stored on the property where a permanent dwelling has already been constructed.

b. There is occasional guest parking and use of a recreational vehicle, not to exceed two consecutive weeks where a permanent dwelling has already been established; or
c.2. The recreational vehicle or camping tent is used on the owner's property for a period not to exceed two years while a permanent dwelling is under construction, provided that a zoning permit has been granted for the dwelling unit under construction and a notation was placed on the application for permit that a recreational vehicle is going to be used. Provisions of 13.24 of the Oneida County Private Onsite Wastewater Treatment System Ordinance (POWTS) applies.

d.3. The recreational vehicle is placed in a campground or recreational vehicle park in accordance with section 9.53 of this ordinance.

2. Zoning Districts other than Single Family (District #2)

A zoning permit shall not be required for the placement of a recreational vehicle or a camping tent on property. Recreational vehicle, tent, and/or primitive camping is allowed in all zoning districts in Oneida County as long as the act of camping does not create a nuisance. Any act of camping that would constitute a campground as defined in this ordinance must comply with the provisions found in Section 9.53.

G. Construction Trailers

A zoning permit shall not be required in order to place construction trailers on property during any construction period authorized by a conditional use permit.

H. Other Requirements Apply

The exceptions to the zoning permit requirements contained in this article do not excuse a property owner from applying for and obtaining all other permits required by the Oneida County Ordinances or other local, state or federal laws or regulations.

ORDINANCE AMENDMENT #2-2015 Chapter 13 Private Onsite Wastewater Treatment System Ordinance.

A new definition is to be added to the definitions section.

DEFINITIONS

The following terms shall have the meanings indicated in this section.

Recreational Vehicle: A mobile home when fully expanded that contains 400 square feet or less of living space, and which is built and used, or intended to be used, primarily for temporary human habitation or recreational living quarters, and includes the plumbing, heating, air conditioning and electrical systems contained in the recreational vehicle. A recreational vehicle includes a motor home, park model, truck camper, travel trailer, and camping trailer.

Section 13.24

Recreational Vehicles

1. All recreational vehicles used as a dwelling for not more than five (5) consecutive days shall comply with the following requirements:

a. Obtain a sanitary permit for a private onsite waste water treatment system if the recreational vehicle is provided a connection to potable water and/or electric.

b. Obtain a non-plumbing sanitary system permit if not connected to water and/or electric.

22. Adjourn.

NOTICE OF POSTING

TIME: 2:00 PM ~ DATE: AUGUST 13, 2015 ~ PLACE: COURTHOUSE BULLETIN BOARD

SCOTT HOLEWINSKI, COMMITTEE CHAIRMAN

Notice posted by the Planning & Zoning Department. Additional information on a specific agenda item may be obtained by contacting the person who posted this notice at 715-369-6130.

NEWS MEDIA NOTIFIED VIA E-MAIL:

Northwoods River News	Date: August 13, 2015	Time: Approx. 2:30 p.m.
Lakeland Times	Date: “	Time: “
Buyer’s Guide/Our Town	Date: “	Time: “
WXPR Public Radio	Date: “	Time: “
WERL/WRJO Radio	Date: “	Time: “

NEWS MEDIA NOTIFIED VIA FAX:

WHDG Radio Station	Date: August 13, 2015	Time: Approx. 2:30 p.m.
WJFW-TV 12	Date: “	Time: “
Vilas County News	Date: “	Time: “
Tomahawk Leader	Date: “	Time: “
WLSL	Date: “	Time: “

Notice is hereby further given that pursuant to the Americans with Disabilities Act reasonable accommodations will be provided for qualified individuals with disabilities upon request. Please call Mary Bartelt at 715-369-6144 with specific information on your request allowing adequate time to respond to your request.

See reverse side of this notice for compliance checklist with the Wisconsin Open Meeting Law.



GENERAL REQUIREMENTS:

1. Must be held in a location which is reasonably accessible to the public.
2. Must be open to all members of the public unless the law specifically provides otherwise.

NOTICE REQUIREMENTS:

1. In addition to any requirements set forth below, notice must also be in compliance with any other specific statute.
2. Chief presiding officer or his/her designee must give notice to the official newspaper and to any members of the news media likely to give notice to the public.

MANNER OF NOTICE:

Date, time, place and subject matter, including subject matter to be considered in a closed session, must be provided in a manner and form reasonably likely to apprise members of the public and news media.

TIME FOR NOTICE:

1. Normally, a minimum of 24 hours prior to the commencement of the meeting.
2. No less than 2 hours prior to the meeting if the presiding officer establishes there is good cause that such notice is impossible or impractical.
3. Separate notice for each meeting of the governmental body must be given.

EXEMPTIONS FOR COMMITTEES & SUBUNITS

Legally constituted sub-units of a parent governmental body may conduct a meeting during the recess or immediately after the lawful setting to act or deliberate upon the subject which was the subject of the meeting, provided the presiding officer publicly announces the time, place and subject matter of the sub-unit meeting in advance of the meeting of the parent governmental body.

PROCEDURE FOR GOING INTO CLOSED SESSION:

1. Motion must be made, seconded and carried by roll call majority vote and recorded in the minutes.
2. If motion is carried, chief presiding officer must advise those attending the meeting of the nature of the business to be conducted in the closed session, and the specific statutory exemption under which the closed session is authorized.

SYNOPSIS OF STATUTORY EXEMPTIONS UNDER WHICH CLOSED SESSIONS ARE PERMITTED:

1. Concerning a case which was the subject of Judicial or quasi-judicial trial before this governmental body Sec. 19.85(1) (a)
2. Considering dismissal, demotion or discipline of any public employee or the investigation of charges against such person and the taking of formal action on any such matter; provided that the person is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action is taken. The person under consideration must be advised of his/her right that the evidentiary hearing be held in open session and the notice of the meeting must state the same. Sec. 19.85(1)(b).
3. Considering employment, promotion, compensation or performance evaluation data of any public employee over which this body has jurisdiction or responsibility. Sec. 19.85(1)(c).
4. Considering strategy for crime detection or prevention. Sec. 19.85(1)(d).
5. Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Sec. 19.85(1)(e).
6. Considering financial, medical, social or personal histories or disciplinary data of specific person, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public, would likely have a substantial adverse effect on the reputation of the person referred to in such data. Sec. 19.85(1)(f), except where paragraph 2 applies.
7. 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. Sec. 19.85(1)(g).
8. Considering a request for advice from any applicable ethics board. Sec. 19.85(1)(h).

PLEASE REFER TO CURRENT STATUTE SECTION 19.85 FOR FULL TEXT

CLOSED SESSION RESTRICTIONS:

1. Must convene in open session before going into closed session.
2. May not convene in open session, then convene in closed session and thereafter reconvene in open session within twelve hours unless proper notice of this sequence was given at the same time and in the same manner as the original open meeting.

3. Final approval or ratification of a collective bargaining agreement may not be given in closed session.
4. No business may be taken up at any closed session except that which relates to matters contained in the chief presiding officer's announcement of the closed session.
5. In order for a meeting to be closed under Section 19.85(1)(f) at least one committee member would have to have actual knowledge of information which he or she reasonably believes would be likely to have a substantial adverse effect upon the reputation involved and there must be a probability that such information would be divulged. Thereafter, only that portion of the meeting where such information would be discussed can be closed. The balance of that agenda item must be held in open session.

BALLOTS, VOTES AND RECORDS:

1. Secret ballot is not permitted except for the election of officers of the body or unless otherwise permitted by specific statutes.
2. Except as permitted above, any member may require that the vote of each member be ascertained and recorded.
3. Motions and roll call votes must be preserved in the record and be available for public inspection.

USE OF RECORDING EQUIPMENT:

The meeting may be recorded, filmed, or photographed, provided that it does not interfere with the conduct of the meeting or the rights of the participants.

LEGAL INTERPRETATION:

1. The Wisconsin Attorney General will give advice concerning the applicability or clarification of the Open Meeting Law upon request.
2. The municipal attorney will give advice concerning the applicability or clarification of the Open Meeting Law upon request.

PENALTY:

Upon conviction, any member of a governmental body who knowingly attends a meeting held in violation of Subchapter IV, Chapter 19, Wisconsin Statutes, or who otherwise violates the said law shall be subject to forfeiture of not less than \$25.00 nor more than \$300.00 for each violation.
Prepared by Oneida County Corporation
Counsel Office - 5/16/96