

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
October 15, 2014
COUNTY BOARD ROOM
2ND FLOOR, ONEIDA COUNTY COURTHOUSE
RHINELANDER WI 54501

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

Members excused: Scott Holewinski

Department staff present: Karl Jennrich, Zoning Director and Julie Petraitis, Secretary III.

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: See sign in sheet

Call to order.

Vice-Chairman Billy Fried called the meeting to order at 1:00 P.M., in accordance with the Wisconsin Open Meeting Law.

Approve the agenda.

Motion by Jack Sorensen, second by Mike Timmons 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 vote will be taken to go into closed session.

- a. Placement of structures less than 75' from the OHWM of Tomahawk Lake in the Town of Lake Tomahawk.

A roll call vote will be taken to return to open session

Announcement of any action taken in closed session.

A motion by Dave Hintz, second by Mike Timmons to settle the matter for a reduced fine of \$100 and the owner to remove the portion of the patio blocks closer than 75' to the ordinary high water mark by December 1, 2014.

On roll call vote: Jack Sorensen, “aye”; Billy Fried, “aye”; Mike Timmons, “aye” and Dave Hintz, “aye”. The motion carried.

Public Comments: None

Approve meeting minutes of September 17, 2014

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

Approve meeting minutes of October 1, 2014.

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

Steve Woller, property located in part of Government Lot #4, Section 3, T38N, R7E, PIN LT 36-24, Town of Lake Tomahawk.

Mr. Woller was present to discuss this situation with the Committee. The Committee took action in closed session.

Staff write-ups of BOA decisions.

Mr. Lee, BOA Chairman and Mr. Albert, BOA Secretary were present to discuss this matter. Mr. Desmond informed Mr. Albert and Mr. Lee that some of the outside Attorney's involved in some BOA matters have made comments that there could be a conflict of interest when the Planning and Zoning Staff write the BOA decisions. Mr. Lee and Mr. Albert disagree with that.

Mr. Lee and Mr. Albert provided the Committee with copies of definitions for “conflict of interest”.

Discussion was held on who would write the decisions for the Board of Adjustment if Planning and Zoning staff doesn't.

Motion by Billy Fried, second by Mike Timmons to rescind the previous action taken by the Planning and Development Committee with Karl Jennrich to come back to the Committee with options for staffing to the Board of Adjustment for decision writing. With all members present voting “aye” the motion carried.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Rezone Petition #12-2014 of Edward F. and Bonnie Jean Lamb d/b/a Bonnie's Lakeside Inc., owners, and Town of Three Lakes, agent to change from District #2, Single Family Residential to District #5, Recreational for property described as: Part of Government Lot 3, Section 5, T38N, R11E, PIN TL 433 and part of NE SW, Section 5, T38N, R11E, PIN TL 433, Town of Three Lakes, Oneida County, Wisconsin.

Mr. Jennrich read the Notice of Public Hearing into the record.

The notice was published in the Northwoods River News on September 20 and October 7, 2014.

The notice was posted on the Oneida County Courthouse bulletin board on September 25, 2014.

The mailing list is contained in the file.

Correspondence in file:

Approval letter from the Town of Three Lakes.

Mr. Jennrich stated that this request is authorized by the Town of Three Lakes. There is also some older correspondence in the file from Pat Volk, Town Board Member, stating that this is a correction in zoning.

Mr. Lamb was present and in favor of the change.

Motion by Dave Hintz, second by Jack Sorensen to approve the requested zoning change with staff recommendations and forward to the County Board of Supervisors. With all members present voting “aye” the motion carried.

Conditional Use Permit by Christine Forrer to open a microbrewery to manufacture and sell beer on the following described property: Village of Woodruff Lot 6 Blk 2, Section 2, T39N, R6E, 1101 1st Avenue (Hwy 47), PINE WR 470, Town of Woodruff, Oneida County, Wisconsin.

Mr. Jennrich read the Notice of Public Hearing into the record.

The notice was published in the Northwoods River News on September 20 and October 7, 2014.

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Correspondence in file:

Letter of approval from the Town of Woodruff with the conditions that they meet all City, State and Federal regulations along with all fire and safety standards being met.

Mr. Jennrich stated that he met with the owner yesterday. This is a request for a micro-brewery with a taste room. They will not be serving food.

There was no one from the public in attendance for or against the CUP request.

Mr. Timmons reported that this type of brewery falls under Federal jurisdiction.

Motion by Billy Fried, second by Jack Sorensen to approve the Conditional Use Permit with the following conditions:

1. The project is commenced within 3 years from date of issuance.
2. The nature and extent of the Conditional Use Permit shall not change from that described in the application and approved in the Conditional Use permit.
3. Town of Woodruff review/recommendations.
4. Must obtain all required licenses and permits prior to brewing or opening for business.
5. Signage to comply with 9.78, Sign Regulations, of the Oneida County Zoning and Shoreland Protection Ordinance.
6. If exterior lighting is installed, it must be downcast and shielded from above.

With all members present voting “aye” the motion carried.

Discuss construction of a retaining wall for Carpet City at 8095 Hwy 51 further described as part SW SW, and part Government Lot 2, Section 23, T39N, R6E, PIN MI 2329, Town of Minocqua, Oneida County, Wisconsin.

The Department and Mr. Fried have received a phone call regarding this issue.

Carpet City has requested to build a retaining wall less than 20' to the right-of-way. The Department is unable to approve this request. Discussion was held on alternatives available. **This item was for discussion only. No action was taken.**

Line item transfers, purchase orders and bills. **Motion by Dave Hintz, second by Jack Sorensen to approve the line item transfers, purchase orders and bills as presented. With all members present voting "aye" the motion carried.**

Refunds.

There is a request for a \$100 dollar refund for a sign permit that was withdrawn.

Motion by Billy Fried, second by Mike Timmons to approve the refund request. With all members present voting "aye" the motion carried.

Approve future meeting dates. **November 5 and November 19, 2014.**

Public comments.

Bob Williams spoke.

Future agenda items. **Board of Adjustment decision write-ups.**

Adjourn.

2:45 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons, second by Dave Hintz to adjourn the meeting. With all members present voting "aye", the motion carried.

Chairman Scott Holewinski

Karl Jennrich
Planning & Zoning Director