

**ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE**  
**SEPTEMBER 17, 2015**  
**MINOCQUA ROOM, 3<sup>RD</sup> FLOOR MINOCQUA CENTER**  
**MINOCQUA WI 54548**  
**ONEIDA COUNTY COURTHOUSE**  
**RHINELANDER, WI 54501**

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

Members absent: None

Department staff present: Karl Jennrich, Zoning Director; Kathy Ray, Land Use Specialist; Scott Ridderbush, Land Use Specialist; and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: See sign in sheet.

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Call to order.

Chairman Scott Holewinski called the meeting to order at 5:00 P.M., in accordance with the Wisconsin Open Meeting Law.

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

Public Comments. Dr. Rick Broadhead spoke.

The committee will be reviewing a change to the Limited Common Element for Unit #1, Northwoods Sunset Bay Condominiums for property described as SW NE, Section 25, T37N, R8E, Town of Pine Lake, Oneida County.

Mr. Jennrich stated that no units are being added to the condominiums but they are amending the common element area for the purpose of an addition. Any amendments need to be reviewed by the Town and County. Mr. Jennrich recommends approval contingent upon approval by the Town of Pine Lake.

**Motion by Jack Sorensen, second by Mike Timmons to approve the amendment contingent upon the Town of Pine Lake’s review and approval. With all members present voting “aye”, the motion carried.**

Conditional Use Permit application by Marshfield Clinic, Inc. to construct an addition to the existing clinic for a Healing and Rehabilitation Center on the following described property:

part of the NE NW and part of the NW NW, Section 11, T39N, R6E, 9601 Townline Road, PIN MI 2173, Town of Minocqua, Oneida County.

Chairman Holewinski stated that this is not a public hearing. The committee will be asking questions of some of the people involved in the project. Mr. Desmond explained the process if anyone wants to appeal the decision made by the committee tonight

Mr. Holewinski then asked Mr. Desmond to advise the committee as to which questions the committee asked of Howard Young and Marshfield Clinic that are not relevant to the review of the Conditional Use Permit. Mr. Desmond listed the six (6) questions he feels are not relevant.

Mr. Jennrich gave a brief timeline of the Conditional Use Permit this far.

Mr. Holewinski asked Marshfield Clinic to explain the difference between a nursing home and a skilled nursing facility.

The committee discussed the general standards of approval.

In order for a CUP to be approved, the Planning and Development Committee must find the following standards are satisfied. Therefore, the applicant must address all of the following standards. A restatement of the standards without supporting facts will not be sufficient.

1. Whether the establishment, maintenance or operation of the conditional use will in any way be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

Mike Timmons – Does not meet  
 Jack Sorensen – Does not meet  
 Scott Holewinski – Does no meet  
 Dave Hintz – Meets  
 Billy Fried – Meets

2. Whether the uses, values and enjoyment of neighboring property will in any foreseeable manner be substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.

Jack Sorensen – Does not meet  
 Scott Holewinski- Meets  
 Dave Hintz – Meets  
 Billy Fried – Meets  
 Mike Timmons – Meets with conditions

3. Whether the proposed conditional use is compatible with the use of the adjacent land and any adopted municipal plans for the area.

Scott Holewinski – Meets  
 Dave Hintz – Meets  
 Billy Fried – Meets  
 Mike Timmons – Meets  
 Jack Sorensen- Meets

4. Whether the establishment of the conditional use will impede the normal and orderly development and improvement of the adjacent land for uses permitted in the district.

Scott Holewinski – Meets  
Jack Sorensen – Meets  
Dave Hintz – Meets  
Billy Fried – Meets  
Mike Timmons – Meets with conditions

5. Whether adequate utilities, access roads, drainage and other necessary site improvements have been or will be provided for the conditional use.

Dave Hintz – Meets  
Billy Fried – Meets  
Mike Timmons – Meets with conditions  
Jack Sorensen - Meets  
Scott Holewinski – Meets

6. Whether adequate measures have been or will be taken to provide ingress and egress so as to minimize traffic congestion in the public streets.

Billy Fried – Meets  
Mike Timmons – Meets with conditions  
Jack Sorensen – Meets  
Scott Holewinski – Meets  
Dave Hintz – Meets

7. Whether the conditional use will conform to all applicable regulations of the district in which it is located.

Mike Timmons – Meets  
Jack Sorensen – Meets  
Scott Holewinski – Meets  
Dave Hintz – Meets  
Billy Fried – Meets

8. Whether the conditional use does not violate any shoreland or floodplain regulations governing the site.

Jack Sorensen – Meets  
Scott Holewinski – Meets with conditions  
Dave Hintz – Meets  
Billy Fried – Meets  
Mike Timmons – Meets

9. Whether adequate measures have been or will be taken to prevent and control water pollution, including sedimentation, erosion and runoff.

Scott Holewinski – Meets with conditions  
Dave Hintz – Meets  
Billy Fried – Meets

Mike Timmons – Meets with conditions  
Jack Sorensen – Meets with conditions

Discussion was held among the committee.

**Motion by Billy Fried, second by Dave Hintz that the general standards of approval have been met. On roll call vote: Billy Fried, “aye”; Dave Hintz, “aye”; Scott Holewinski, “nay”; Jack Sorensen, “nay”; and Mike Timmons, “nay”. Motion failed.**

**Motion by Scott Holewinski, second by Jack Sorensen that the general standards of approval have not been met. On roll call vote: Billy Fried, “nay”; Dave Hintz, “nay”; Scott Holewinski, “aye”; Jack Sorensen, “aye”; and Mike Timmons, “aye”. Motion passed.**

**Motion by Jack Sorensen, second by Mike Timmons to deny the Conditional Use Permit Application by Marshfield Clinic, Inc. On roll call vote: Billy Fried, “nay”; Dave Hintz, “nay”; Scott Holewinski, “aye”; Jack Sorensen, “aye”; and Mike Timmons, “aye”. Motion passed.**

Approve future meeting dates: October 7, 2015 and October 21, 2015.

CONDUCT PUBLIC HEARING ON THE FOLLOWING:

Conditional Use Permit application by EJR5 LLC, owner, and Robert Rynders, agent, to construct a water bottling plant and warehouse on the following described property: Ranchwood Acres Lot 16, part of Lot 17, and part of Lot 2 CSM V16 P3726, Section 8, T39N, R6E, part of 10322 and 10328 Hwy 70 West, PIN'S MI 5782, part of 5783, and part of 5784, Town of Minocqua, Oneida County.

Mr. Jennrich read the Notice of Public Hearing into the record. The Notice was published on September 5 and September 8, 2015 and posted on the Courthouse Bulletin Board on September 3, 2015. The proof of publication is contained in the file.

Correspondence in the file:

- ❖ Letter of approval from the Town of Minocqua (with conditions) dated August 19, 2015.
- ❖ Letter from the Hill Lake Property Owners Association date August 12, 2015.
- ❖ Letter from Rynders Co., Inc.
- ❖ Letter from Kirsten Margitan and Fred Petters dated September 12, 2015.

Kathy Ray, Land Use Specialist, summarized the request. If the committee finds the general standards have been met staff would recommend approval with conditions.

Mr. Holewinski asked if the Town concerns had been met.

Mr. Luedke, representative of one of the investors, gave an overview of how the bottling operation works.

Chairman Holewinski opened the public portion of the public hearing.

John Margitan spoke.  
Fred Petters spoke.  
Kirsten Margitan spoke.  
Paul Schultz spoke.  
Shawn Litscher spoke.  
Mary Kubinek spoke.  
Brianna Kubinek spoke.  
Gene Schmoller spoke.  
Tom Church spoke.  
Mark Hartzheim spoke.

Mr. Holewinski closed the public portion of the public hearing.

**Motion by Jack Sorensen, second by Dave Hintz to send the Conditional Use Permit application back to the Town to have their concerns addressed and answered and then bring it back to the Planning and Development committee. With all members present voting “aye”, the motion carried.**

**Motion by Mike Timmons, second by Dave Hintz to delay for up to 180 days (from the date of the completed application was received) a decision on the Conditional Use Permit Application of EJR5 LLC to allow time to research and discuss the matter in more detail.**

Adjourn.

7:40 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Jack Sorensen second by Scott Holewinski to adjourn the meeting. With all members present voting “aye”, the motion carried.

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Chairman Scott Holewinski

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Karl Jennrich  
Planning & Zoning Director