

MINOCQUA PLAN COMMISSION MINUTES

September 30th, 2025

A meeting of the Minocqua Plan Commission was called to order by Plan Commission Chairman Mark Hartzheim at 8:30 a.m. in the Board Room of the Minocqua Center.

Present were: Chairman Mark Hartzheim; Members Jay Christgau, Joe Hegge, Mark Pertile, Mary Taylor and Michael Tautges; Lynn Wildes, Town Secretary; and Scott Ridderbusch, Oneida County Planning and Zoning. Billy Fried was absent with notice.

Motion by Tautges, seconded by Hegge to approve the agenda as presented. Voice Vote: Motion Carried.

Motion by Pertile, seconded by Taylor to approve the minutes from the meeting on September 9th, 2025 as presented. Voice Vote: Motion Carried.

Chairman Hartzheim noted that Billy Fried is the main person involved in the discussion of the zoning district discussion, so that new business item will be tabled until he is able to be present at the meeting.

OLD BUSINESS

CERTIFIED SURVEY MAP #32-25: Preliminary one (1) lot Certified Survey Map of lands owned by N & J Investments LLC, submitted by Wilderness Surveying Inc., Jim Rein, surveyor, for the following vacant property further described as: Part of the NE-NW, SE-NW, Section 10, T39N, R6E, PIN #MI-2158-5, Town of Minocqua (Richardson Plat Rd.).

Hartzheim noted that Town attorney Greg Harrold reviewed the old deed work from the late 1970's and found that the owners at that time quit claimed to the Town land to extend Richardson Plat Rd. by 628' conditioned upon the road being brought to Town standards. Hartzheim said this was on a previous Plan Commission meeting agenda, and the concern at that time was if we approve this division that piece would be used to gain access to this newly created parcel and the Town did not want to be responsible for the cost of improving the road. Hartzheim asked Harrold what the options were, and Harrold said at that time the motion by the Town Board was to accept the extension of the 628' of Richardson Plat Rd. conditioned upon bringing the road up to the specs which were in force in 1971, which only required a gravel road. Harrold said one option is for the Town to accept it as a Town road and bring it up to gravel specs. He said he would suggest the Town also require the owner to insert into the Plat itself that the Town has no further obligation to improve the road after that. Hartzheim also asked if the Town could just abandon the road, and Harrold replied that could be done too. Hartzheim said the way it stands now it is not designated as a road right-of-way (ROW) but just a parcel. Matt Ritche asked what abandonment would mean and Hartzheim replied that the Town would give it to him with no further obligation to improve it, and Ritchie said they would prefer that.

Harrold asked Scott Ridderbusch if the Town did dedicate this and wanted to record the plat would an easement road granted by the owner be sufficient for Oneida County standards. Ridderbusch replied that regardless of the status of the parcel owned by the Town it is looking at access to serve one parcel so it would be required to be 33' to meet the minimum standard, but it comes down to whether the Town will require this as a form of access to this parcel. Harrold asked what would be needed if the Town deeds it to N&J and then N&J granted an easement, then Ridderbusch said a 33' strip would be the requirement in that scenario. Hartzheim asked Harrold if it was enough description of a road to abandon it as it is not a dedicated road ROW but more of a parcel. Harrold responded that it was technically a grant with a condition subsequent, and when the condition subsequent fails the grant fails. He said if the Town deeds it to N&J and they

brought it up to 1971 specs then it would be considered a Town road, and the Town would not be able to abandon it without their consent. He noted if the Town abandons it the land would go back to N&J and they could give an easement to lot 1 for access.

Mark Pertile noted there is a stormwater drainage swail with a basin for Walmart, so we may need to review our stormwater maintenance agreement as Walmart put that in and that basin is tied to the storm sewer and the infrastructure on Northridge Way. Harrold asked why the Town would be subject to a stormwater easement, and Pertile responded it may be tied into the adjacent road ROW but if we abandon the road it would still need to be accessed for maintenance. Pertile stated we should identify the easement on the parcel and if whoever is responsible for maintenance as long as they would have access it is not an issue but the easement should be noted on the CSM. Harrold said he did not remember the Town being a part of any of the easements regarding this, but even if they were the easement would grant them access.

Hartzheim asked Ritchie if he cared if Ritchie would bring the 628' up to the gravel specs and had it stay a Town road and there would be no other process to go through, or if he preferred we abandon it which will take more time. Ridderbusch asked Harrold if it would be a discontinuance or a vacation because technically it's not platted, and Harrold said if the Town hasn't formally accepted it then they can just give a quit claim deed back to N&J. Hartzheim asked Harrold if it is possible to convey Town property without a special Town meeting, and Harrold replied yes because the condition was never met and the acceptance was contingent on the condition being satisfied, and the property owner does not object.

Ritchie stated they had no problem putting gravel on the road, and Pertile noted the current ROW goes around the corner so we would be responsible for going up to that point for plowing. Ritchie noted the type of final road (gravel, paved, etc.) is unknown now but would be a part of the development plan, and said they plan to keep the snowmobile trail there on the north property line. Ridderbusch noted the deed states a 60' width, and Hartzheim asked if N&J develops the road in the future would Oneida County allow the pre-existing 60' width instead of 66' and Ridderbusch replied yes.

Motion by Pertile, seconded by Hegge that the conditional acceptance from 5/15/1979 was not satisfied for the improvement of the road and therefore the condition failed and to recommend to the Town Board that the Town will quit claim the deed back to the current owner with their approval.

Hartzheim noted that there is 180' of platted road we would have to improve to get to the land we are conveying to N&J, and part of the motion should be to have the new owner gravel that part as well or we are creating an obligation to the Town by conveying the land. Harrold stated the Town's only obligation for a Town road is to make it passable. Hartzheim stated it would be a win-win if the Town quit claims the 628' feet of the Town's parcel to N&J and they gravel the 1st 180' of Richardson Plat Rd. Harrold stated he was not sure if the Town could require N&J to do that given they are two separate items. Ritchie asked if he could come back and have the Town abandon the 180' of the road later on, and Hartzheim replied yes. Hartzheim asked Harrold if this could be a 2-part agreement, with one not compelling the other, and Harrold replied that the acceptance of the quit claim deed of the 628' is acceptable with the current condition of the 180' of Town road as passable in its' current state.

Motion amended by Pertile, seconded by Hegge that the conditional acceptance from 5/15/1979 was not satisfied for the improvement of the road and therefore the condition failed and to recommend to the Town Board that the Town will quit claim the deed back to the current owner with their approval, and accepting the deed is accepting the condition of the last 180' of Richardson Plat Rd. in its existing condition as passable.

Joe Hegge asked Hartzheim if the motion also approved the CSM, or if that was a separate issue, and Hartzheim replied the approval would need to be included in the motion.

Motion amended by Pertile, seconded by Hegge to recommend approval of Certified Survey Map #32-25 to the Town Board as presented, noting that the conditional acceptance from 5/15/1979 was not satisfied for the improvement of the road and therefore the condition failed and to recommend to the Town Board that the Town will quit claim the deed back to the current owner with their approval, and accepting the deed is accepting the condition of the final 180' of Richardson Plat Rd. in its existing condition as passable.

Voice Vote: Motion carried 6-0.

NEW BUSINESS

DISCUSSION RE: Potential county zoning districts or classifications available for opt-in by towns.

This item was tabled until Plan Commission member Billy Fried is able to be present at the meeting.

Motion by Taylor, seconded by Pertile to adjourn meeting. Voice Vote: Motion Carried. Meeting adjourned at 9:19 a.m.

Lynn Wildes
Town Secretary