

Lake Tomahawk town board approves tourist rooming house applications

Authorization given to proceed with creation of a slow/no-wake ordinance

By Brian Jopek
OF THE LAKELAND TIMES

“Enforcement” was a key word for two items on the agenda for the June 14 meeting of the Lake Tomahawk town board.

The first item was consideration of two tourist rooming house applications, one for a house on State Highway 47 and the other for a house on Two Lakes Road.

Both applications were approved but not before there was discussion regarding enforcement of town and county ordinances pertaining to tourist rooming houses.

Lake Tomahawk resident Shelly Schunk who lives with her husband, Luke, on Two Lakes Road near the house in question in addition to owning another house next to it, asked if there were town ordinances pertaining to tourist rooming houses.

“Yes,” town chairman George DeMet said. “On the website.”

He explained to Schunk how the ordinances could be found on the town website.

DeMet gave a basic rundown of the process for the consideration by the town board of a tourist rooming house license application.

“They (applicants) go through that with the county,” he said. “Ours is very similar. Have to have adequate parking, septic system, they’re only allowed to house so many people depending upon the location and what it’s set up for. That all goes through the county before it even gets to us.”

Schunk said she’s spoken with county officials and acknowledged “we clearly have some bad blood with our neighbors.”

“It’s been that way from day one,” she said. “Not a secret. I want to know what to do when we have problems. It’s not like I’m gonna call ‘em up, you know.”

“If there’s any issue, then you call the county sheriff,” DeMet said.

Hazelhurst resident Michael Janz spoke up at that point, telling DeMet he was at the meeting representing the owners of the house on Two Lakes Road who were applying for the tourist rooming house license.

“You’re on the application,” DeMet

said.

“Yes,” Janz told him. “I take care of the property.”

He told the Schunks he “would be glad” to provide for them his phone number and other contact information.

“If there’s any issues,” Janz said, “in our contract that we do, I own other rental properties not in Lake (Tomahawk) but in Hazelhurst and stuff, the people that rent from us are given time frames of quiet time, stuff like that, they’re told to be kind to the neighbors ... Luke, I believe you have my number. I gave you my card before but if you have any issues, feel free to call anytime. I’ll be right there or we will call the police ourselves. We don’t want people disturbing you, causing problems.”

“I appreciate that,” Shelly Schunk said to Janz. “I want to know the proper way to handle problems. But again, it’s not a secret from day one, we’ve always had a problem with the homeowner and we’ve also had problems with you.”

That started a little back and forth, Luke Schunk saying he and his wife have had “trees cut off our property.”

DeMet stepped in. “We’re not here to get into litigation about who did what,” he said. “The proper method ... he (Janz) is listed on the application as the person to contact. If you have any issues, that’s who you call.”

Janz and the Schunks continued, Luke Schunk telling Janz he believed they could work together and Janz telling the Schunks he wants them to call “because I don’t want problems.”

“OK,” DeMet said. “You guys can work it out, alright?”

“This was our concern,” Luke Schunk said. “Who is gonna be responsible? Because Oneida County hasn’t enforced the code on this yet.”

“On every application there has to be a manager who can be reached 24/7 in case there’s any problems,” DeMet said.

“They’re also not allowed to advertise until all permits are issued and they are already advertising,” Luke Schunk said.

“OK, that’s not our concern,” DeMet said.

“That’s my point on enforcement,” Luke Schunk said. “Nobody enforces anything.”

“I got it,” DeMet told him.

“Everybody approves these but nobody follows the rules,” Shelly Schunk said.

DeMet said a committee has been formed by Oneida County to oversee tourist rooming houses.

“It’s the lack of enforcement that’s my concern not only with this issue but another one that’s gonna be coming up,” Luke Schunk said, referring to a proposed slow/no-wake ordinance agenda item later in the meeting.

‘We’re top heavy’

The town board also at the June 14 meeting authorized moving forward with the process to create a slow/no-wake ordinance for a small bay in the northeast corner of North Two Lakes.

The bay is referred to by many as “Retirement Bay” although there isn’t, as far as anyone knows, an actual name for the bay.

Lake Tomahawk resident Bradley Kennedy, who has property on the bay, made the presentation to the town board, providing copies of maps from Oneida County, a petition from property owners on the bay and a proposed ordinance he said he drafted using guidelines from the website of the Wisconsin Department of Natural Resources (DNR).

“They have a complete guideline so I plagiarized this for the most part from that,” he said. “As I understand it, the (town) board would have to agree to go through with this and then, of course, send the ordinance to your town attorney so it’s in proper form.”

From there, Kennedy said, it would go to the DNR.

“The local DNR office would have to pass muster on it and advise the board whether you should approve it or not,” he said. “Then, finally, the board would make a decision at a later date.”

Kennedy said the last thing he was going to talk about was why the group wanted the slow/no-wake ordinance, the reasons, basically, for safety and because of erosion damage to the shoreline.

“This is a small area,” he said, re-

ferring later to times on the bay when it gets congested with boat traffic and he described it as “an accident waiting to happen.”

As Kennedy’s presentation and discussion progressed, the enforcement of whatever ordinance may be adopted came into question as it did with the tourist rooming house discussion earlier.

“I agree with what you’re saying but I’d like to add it’s not just that bay,” Shelly Schunk said to Kennedy. “It’s the whole lake.”

“It’s a very small lake,” Luke Schunk said of the 145-acre North Two Lake. “We’ve almost been run over swimming between our dock and our swim float.”

He said he wanted to know what to do about enforcement of rules.

“When I talk to the DNR about it, they tell me ‘We don’t have anyone to do enforcement.’” Luke Schunk said. “‘We’re top heavy with management, we don’t have enforcement.’ Who will enforce this? I’m not against it. I wanna know who’s going to enforce it. We’ve got a problem. There’s a lot of bad behavior ... we’ve got more boats on this lake than ever and this is supposed to be a single family residential area.”

He said his issue with the wake boats is “every weekend, I’ve gotta repair my docks.”

“This is relatively new in the last four or five years,” Luke Schunk said.

Kennedy later said, answering a question about placing a buoy, which DeMet said is “a whole different process,” the slow/no-wake ordinance would need to be approved before the buoy process could begin with the DNR.

“They have to agree to the location and maintenance of the buoy,” Kennedy said. “We’ll have to make that decision at some point in the future.”

With regard to a slow/no-wake ordinance on the bay itself, he said all a potential ordinance violator would have to do is be in the bay.

“Then we don’t have to go down there ... to see how close (to the shore) he is,” Kennedy said. “This whole area (the bay) is a no-wake area.”

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