

**OTOE COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
MAY 19, 2022
496 5TH STREET
SYRACUSE CITY LIBRARY, SYRACUSE, NEBRASKA
7:00 P.M.**

Meeting called to order by Chairman Daniel Hodges. All hearings were published in the Nebraska City News Press. Meeting commenced at 7:00 P.M. and answering to roll call were Howard Bebout, Doug Delhay, Dan Hodges, Cheri Wirthele and Charles Cole. Absent was Stephanie Shrader and Richard Warner. Present for the meeting were Zoning Administrator David Schmitz, Todd Boellstorff, Michell Ray, Jim Thurman, Tyson Franzen, Dee Moore, Lee Greenweld, Matthew Jones of NextEra Energy, and Chris Olssen.

Chairman Hodges asked if there were any changes to the minutes of the April 21, 2022 meeting, and if none, for a motion to approve. Motion made by Cole, seconded by Delhay, with Bebout, Cole, Delhay, Wirthele and Hodges voting aye. Minutes approved.

A Public Hearing to approve/deny the subdivision plat of Dora Marie Griepenstroh Subdivision, a 4.49 +- acre tract of land located in the S.W. ¼ of the S.E. ¼ of Section 7, T.8N, R.13E as requested by Becky J. Callaway, Attorney-in-Fact for Dora Marie Griepenstroh, Becky J. Callaway and Troy Callaway, wife and husband. Site is located @ 4907 I Road.

Schmitz stated that the property has an existing well and septic system. No water test has been done on the well that Schmitz has any knowledge of. The lot is being platted so it can be sold. Schmitz had surveyed the lot and was representing the owners. Cole made a motion to approve, seconded by Wirthele, with Bebout stating there needs to be a water test on the well. Cole revised his motion to approve the plat with a well test, seconded by Wirthele, with Delhay, Cole, Hodges, Wirthele and Bebout voting aye. Subdivision plat approved with condition of a well test being done. The subdivision plat will now go to the County Commissioners for approval/denial at the May 24, 2022 meeting commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom.

There was no old or new business.

Discussion:

1. Tyson Franzen was present with a photo layout of improvements he wants to make on his property south of Palmyra. He would like to build a bed/breakfast on his acreage, a banquet facility, a RV and boat outside storage area, and tent or camper sites around the pond on the west side of his property. He wants to use the existing well for his improvements but the Board told him he needs to have a test on the existing well to see if will work with a banquet facility.
He will have parking by the lake by the banquet facility. The Board wants him to build a new drive off of the Spur between Palmyra and Douglas instead of the present drive. He had the state inspect the site and it would be safer for people entering the property if a conditional use could be approved. There will be fire safety procedures on the area. This author believes he should get anything like this approved by the local fire department. He mentioned a couple camping sites west of the pond but Hodges stated the NRD would not allow it. Franzen said he would start with campers on the many locations shown on the map and that the people camping there would eat breakfast at the new facility. No camper could be there longer than 14 days. Franzen also stated he would like to hold a Boys Town Memorial Day run and maybe hold another run to raise money for the project. His map shows many locations to park RV's and campers and would need a conditional use for all of the items proposed. Hodges stated he needs to get the well tested to see if it could pump enough water for the new facility. Schmitz recommended that at least one more test well should be done. Hodges also stated he needs to get a lot of the testing done and bring a thorough plan

for his land in order to get a conditional use. Hodges said that he should start with one or two items and then go from there.

2. Discussion on any possible changes to the wind turbine regulations as they now exist. Hodges proposed a committee of himself, Schmitz, Wirthele and Cole, along with Commissioners Thurman and Crossover. The alternate would be Delhay. The first workshop will be possibly on June 3. He said that there would be a limit of around an hour for discussion. The Board discussed spraying around the turbine locations and one applicator stated that he would not spray within one mile of the turbines. Schmitz had spoken with two other applicators and they stated they would spray around the turbines. If the landowner could not get anybody to spray his crops, his possible option would be to sue the neighbor that has the turbine on his property.

Michelle Ray from Skyview Academy was present and gave a handout to the Board of a possible drafting of new regulations that she used other counties regulations as a guide. She went thru her proposed changes with the Board and those present. She stated that there are several landowners that don't live there that have signed leases. There was too much for this author to write in these minutes but the committee will study the draft as well as other surrounding counties regulations. Schmitz stated that in the initial writing of the regulations, that he had spent three different days at the Rockport, MO. Farm to study noise, etc. He also stated he and the consultant had looked over as many as twenty different set of regulations but the regulations should probably be updated. Most of the wind farm falls in the Transitional Ag district but some are in the AG-1 district. Matthew Jones of NextEra Energy stated he does not yet have an official map for the Board to review. Chris Ollson of OEHM Consulting stated the height at the tip of the blades would be around 592 feet off of the ground.

Jones offered the committee an option to inspect an existing turbine site and check out the noise level themselves. Hodges stated the regulations are for the entire county and not one particular area or for a specific developer.

One person present pleaded with the Board to consider special needs children as it could have an impact on their health. Two registered nurses present stated that autistic children can be affected by the turbines.

Lee Greenweld with Baird Holm, LLP stated that the county should really not consider may changes to the regulations. Private landowner rights have to be protected if they live on one of the sites or not. A non-signed speaker stated he was there to represent the landowners. It was stated to see Senator Brewers opinion as well as Frank Daily.

There being no further business, Chairman Hodges stated that the hour was up for discussion and requested a motion to adjourn, with Cole making the motion, seconded by Bebout, with all members present voting aye to adjourn.

Motion carried. Meeting adjourned at 9:05 P.M.

The next scheduled meeting will be June 16, 2022.

Minutes by Zoning Administrator David Schmitz