

**OTOE COUNTY PLANNING COMMISSION
UNAPPROVED REGULAR MEETING MINUTES
APRIL 20, 2023
SYRACUSE, LIBRARY
496 5TH STREET
SYRACUSE, NEBRASKA
7:00 P.M.**

Meeting called to order by Secretary Cheri Wirthele. All hearings were published in the Nebraska City News Press. Meeting commenced at 7:02 P.M. and answering to roll call were Cheri Wirthele, Richard Warner, Stephanie Shrader and Doug Delhay. Absent was Dan Hodges and Howard Bebout. Zoning Administrator Schmitz was present as well as Jake Geisert, Randal Weber, Custom woodworking, Ann Post of Rembolt Ludtke representing Nathan Geisert, and Rick Adams of Verizon.

Secretary Wirthele asked if there were any changes to the minutes of the March 16, 2023 meeting, and if none, for a motion to approve. Bebout arrived at 7:04 P.M. Motion to approve minutes by Shrader, seconded by Warner, with Shrader, Bebout, and Warner voting aye. Minutes approved. Hodges arrived at 7:06 P.M.

Reappointment/Appointment of Chairman of the Planning Commission. Motion by Bebout, seconded by Warner, to reappoint Dan Hodges as Chairman for the coming year. Bebout also made a motion to close nominations, seconded by Warner, with Bebout, Warner, Shrader, Delhay, and Wirthele voting aye to reappoint Hodges. Hodges abstained.

Reappointment/Appointment of Vice-Chairman of the Planning Commission. Motion by Shrader, seconded by Delhay, to reappoint Howard Bebout as Vice-Chairman for the coming year, Shrader also made a motion to close nominations, seconded by Delhay, with Warner, Shrader, Delhay, Hodges, and Wirthele voting aye to reappoint Bebout. Bebout abstained.

Reappointment/Appointment of Secretary of the Planning Commission. Motion by Warner, seconded by Shrader, to reappoint Cheri Wirthele as Secretary for the coming year. Warner also made a motion to close nominations, seconded by Shrader, with Warner, Shrader, Delhay, Hodges, and Bebout voting aye to reappoint Wirthele. Wirthele abstained.

Public Hearing to approve/deny a conditional use for Nathan Geisert for a wood shop, office, millwork manufacturing and sales on part of the East ½ of the S.W. ¼ of Section 29, T.9N, R.9E of the 6th P.M, Otoe County, Nebraska. Site is located north of Highway # 2, ¼ mile east of 2nd Road. The \$ 600.00 conditional use application was paid.

Ann Post, representing Geisert, gave a presentation on the proposed facility and said there is a timing problem due to a 1031 exchange to expire in July. She explained that the State had been contacted about the access on the existing drive which is agricultural at this time. They are requesting turn lanes to be installed in both directions but this won't happen very fast. Bebout asked if a test

well had been dug since rural water is not available. Post said no. Jake Geisert and Weber explained how the custom woodworking facility would be run and there could be minimal sales on the property. Septic system to be located north of the proposed facility. Post has been in contact with Cierra Arnett with NDOR on the turn lanes and that they would still need to be designed. One of the attendees wondered if they could get an access road thru the neighbor's property to the west from 2nd Road. Schmitz stated there is a drainage ditch to the west that would have to be crossed. There is that option available if they want to contact the neighbor. The Board is in favor of this facility but cannot approve it without the issues being addressed. Bebout made a motion to table the application until the test well has been dug and the turn lanes approved by the State of Nebraska, seconded by Shrader, with Warner, Hodges, Bebout, Delhay, Wirthele, and Shrader voting aye to table. Conditional use not approved. Schmitz will contact the County Clerk to table the hearing at the commissioners meeting on April 25.

Public Hearing to approve/deny a conditional use for a Verizon wireless facility which will include a 198-foot tower and a 75' x 75' fenced in compound including base ground equipment and an emergency generator. It will be located in the East ½ of the N.E. ¼ of Section 22, T.9N, R.11E of the 6th P.M, Otoe County, Nebraska. Site is located on North 32nd Road 3000+- feet north of E Road at a proposed address of 1029 North 32nd Road. Rick Adams, agent for Verizon, explained the procedures of why and how the cell tower companies choose locations. This site has been approved twice before and has never been built. Bonnie Cisco currently owns the land where the tower will be located. The coverage can go from 2 to 4 miles, and if high enough, go 15 miles. Wirthele stated that in the tower regulations, Section 8.03.04, H, that if the application is not approved within 60 days, the application shall be deemed to be approved by the governing body. Adams says he works on many cell tower sites and stated that this regulation is not correct according to FCC regulations and should be changed. The FCC says 150 days instead of what's in our regulations. Schmitz will have to contact zoning consultant to study this. Our conditional use permits are normally good for 2 years. Bebout made motion to table the application seconded by Shrader, to table the request, with Bebout, Wirthele and Shrader voting aye, and Hodges, Warner, and Delhay voting nay. Motion not approved.

Hodges stated he believes there is nothing to gain by tabling this motion because everybody in the county would like to see this tower installed. The Board wants Verizon to act on this installation and not put it off another two years. They are very frustrated with Verizon on this site and another by Julian. Bebout agreed with this and will vote on the motion to approve. Adams says he believes it is budgeted for 2024. After some more discussion, Hodges asked for a motion to approve, with Delhay making the motion, seconded by Warner, with Hodges, Delhay, Bebout, Wirthele, Warner and Shrader voting aye to approve. Motion carried to approve the conditional use. The conditional use permit will now go to the Board of Commissioners for approval/denial on April 25, 2023, commencing at 8:30 A.M in the Otoe County Courtroom. Schmitz will represent Verizon on this matter.

No old, new business, or discussion business.

ADJOURNMENT

There being no further business, Chairman Hodges requested a motion to adjourn, with Shrader, making the motion, seconded by Wirthele, with all members present voting aye to adjourn.

Motion carried. Meeting adjourned at 8:48 P.M.

The next scheduled meeting will be May 18, 2023, at the Syracuse Library.

Minutes by Zoning Administrator Schmitz