

**OTOE COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
MARCH 18, 2021  
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 Stephanie Shrader, Howard Bebout, Chuck Cole, Cheri Wirthele, and Daniel Hodges. Absent was William Umland and Richard Warner. Attending the meeting were Zoning Administrator Schmitz, Chuck Hassebrook, Norman Stubbendeck and Brent Vogt. Warner arrived at 7:04. Chairman Hodges asked if there were any changes to the minutes of the January 21, 2021 meeting and if none, for a motion to approve. Schmitz stated in the 3<sup>rd</sup> paragraph of the minutes it stated that Wirthele had voted on a motion but she was not present. Cole made the motion to approve with the change as stated, seconded by Bebout, with Bebout, Shrader, Warner and Hodges voting aye. Wirthele abstained. Minutes approved.

A Public Hearing to approve/deny a conditional use for a private airstrip located in the West 1/2 of the S.W. ¼ of Section 9, T.9N, R.10E as requested by Brent Vogt, Owner of Stove Creek air, LLC. Site is located @ 16<sup>th</sup> & C Roads.

Schmitz stated the \$ 600.00 conditional use application fee had been paid. He passed out the conditional use application permits to the board. Brent Vogt handed out some maps of the proposed runway and the acreages within the ½ mile halo. He then explained that the grass runway is to be used for his aerial spraying business. He also asked if friends could also land there. The runway is to be about 2400+- 'in length and have an NNE orientation. He said that he also could have assistance from other spray planes land there also. Hodges stated that would be fine. Even though the State of Nebraska FAA does not have to approve the layout, only the county, he still needs to register with the state. Don Stubbendeck, a landowner to the west, said he had no problem with the spraying business but would not like to see it open to anybody to land there. Brent also handed out an example of an air avigation easement as written by his attorney for the acreage owners with residences to sign because of the ½ mile setback from the dwelling to the airstrip as defined in the county regulations. Many of the members of the board stated they would like to see the usage be only for the spraying business and his personal usage, and for any emergency landings.

Stubbendeck stated that would be fine with him. Brent said that he could agree to these restrictions. Cole made a motion to approve the conditional use with these conditions, that it would be used for his spraying business and personal use only, and that he would need to get signatures on the easements from the five neighbors and file them at the Register of Deeds Office before Schmitz could send the approved permit to Brent.

The motion was seconded by Bebout, with Bebout, Shrader, Wirthele, Warner, Cole, and Hodges voting aye. Conditional use approved with the conditions stated above. The conditional use permit will now go to the County Commissioners for approval / denial at the March 23, 2021 meeting commencing at 8:30 A.M at the Otoe County Courthouse County Courtroom.

Old Business: Golden View Subdivision south of Palmyra. Schmitz stated that the extra well tests had not been completed yet and the plat was not finished for this meeting. It should be on the April agenda.

**New Business: None**

**Discussion: Solar Farm**

**Chuck Hassebrook with Sandhills Energy was present at the meeting to discuss the solar farm project in southern Cass County and northern Otoe County. He handed out a map showing the location of the proposed sites as well as the transmission line that would intercept the main power line at Highway # 2 and 28<sup>th</sup> Road. He said the transmission line easement have been agreed to. There also would be a new substation in the B Road area. Hassebrook said about 500+- acres would be involved in the project. He was present also to discuss two items in the zoning regulations. The 1<sup>st</sup> was # 3 under Section 8.13.3, Site Development Standards which states that the average height of the panels should not be over 12 feet in height. He handed out a detail sheet showing that the highest point would be around 17.5 feet and wondered if that was OK. The board felt that since it said average height, that would not be a problem. The 2<sup>nd</sup> was # 8 dealing with type of collector lines and if the power lines have to be buried. Schmitz handed out an email from Keith Marvin, zoning consultant stating that the collector lines could be overhead but customer owned on-site lines would have to be buried. The board agreed.**

**Schmitz discussed a couple of items dealing with impact easements for manure applications and if the county could issue a commercial firework permit within a city's ETJ. Schmitz did not agree with the county attorney's ruling that a two- lot subdivision could be platted within the ¼ mile halo of a manure application site. Schmitz's objection is the existing dwelling is not on a farmstead but was built in the 1980's. The board felt that if the county attorney tells him he has to sign, then he will need to sign plat.**

**Schmitz stated that he is sure this will go to court. Schmitz also stated that the second lot could not be built on without an impact easement. The board agreed.**

**The commercial fireworks permit is dealing with the Arbor Links Golf Course ¼ mile west of the city limits of Nebraska City. The City stated that they cannot issue a permit in the ETJ due to their ordinances. Schmitz stated the county has no procedure for granting a firework permit but only deals with commercial fireworks storage. The board said that the commissioners could probably approve the permit. The State also has to approve the permit.**

**There being no further business, Chairman Hodges requested a motion to adjourn, with Shrader making the motion, seconded by Cole, with Cole, Bebout, Shrader, Wirthele, Warner and Hodges voting aye to adjourn.**

**Motion carried. Meeting adjourned at 8:40 P.M.**

**The next regularly scheduled meeting will be April 16, 2021 @ 7:00 P.M.**

**Minutes taken by Zoning Administrator Schmitz**