

MINUTES

Madison County Joint Planning Commission

Norfolk, Nebraska

The November 21, 2019 Meeting of the Madison County Joint Planning Commission was called to order by Chairman Grant at 7:01 p.m. in the Madison County Zoning Office Conference Room, 1112 Bonita Drive, Norfolk, Nebraska.

Call To Order/Roll Call- Consideration and/or action on:

Present: Grant, Milander, Prauner, Oswald, Schapman and Flood

Absent: Griffith, Abler, Acklie and Westerman

Also Present: Ned Porter, Lucas Buseck, Jerry Guenther, Rod Zhoner, Arlene Zohner, Caleb Zohner, Gerry Preusker, Karen Preusker, Karen Wolken, Gary Wolken, Zoning Office Assistant Jennie Martinez and Planning and Zoning Administrator Heather McWhorter.

Open Meetings Act: Grant pointed out the Open Meetings Act that will be followed.

Proof of Publication: Grant stated the Proof of Publication Notice was published in the Norfolk Daily News.

Minutes-October 17, 2019: The minutes of the October 17, 2019 Madison County Joint Planning Commission meeting were presented.

Motion made by Prauner to approve minutes and seconded by Flood to approve the minutes.

Vote taken. Grant, Milander, Prauner, Oswald, Flood and Schapman Voted "Aye" none vote "Nay". Motion carried.

Grant reads the first Public Hearing.

The purpose of this hearing is to receive public comments concerning the application of Emerick Wind LLC to install a temporary meteorological tower on property described as the NW ¼ of Section 3, Township 22 North, Range 3, West of the 6th P.M., Madison County, Nebraska. This property is located on the intersection of 834th Rd & 543rd Ave South and West of the City of Battle Creek

Heather states that the Applicant is requesting installation of a temporary meteorological tower for the purposes of measuring wind speed about 1190' south 834th Rd and 2140' east of 543rd Ave. The tower will be located more than ½ a mile from any occupied residence. The tower does not make noise and will not require a material increase in traffic. It will take a few days to install and require infrequent maintenance. The tower height will be no greater than 198'.

Heather reads the statement of Finding of Facts and the Recommended Conditions.

Statement of Finding of Facts:

- 1. The application is consistent with the Madison County Comprehensive Plan and with the Madison County Zoning and Subdivision Regulations.**
- 2. The height of the tower will be no greater than 198 feet. Madison County regulation requires a setback of 1.1 times the height of the tower from any dwelling, which requires a setback of 217 feet. The proposed site is a distance of over 2,640 feet from the nearest dwelling.**
- 3. Meteorological Tower shall mean a tower, which is erected primarily to measure wind speed and directions plus other data relevant to siting a Wind Energy Conversion System and is a temporary structure for data collection only.**

Recommended Conditions:

- 1. This Conditional Use Permit allows applicant to build a temporary meteorological tower for data collection.**
- 2. Applicant must obtain necessary permits from the Nebraska Department of Aeronautics.**
- 3. Applicant must abide by regulations with regard to signage, lighting and other applicable regulations as stated in the Madison County Regulations.**

7:05 p.m Grant opens the Public Hearing.

Grant asks if there is anyone in favor.

Lucas Buseck; Lincoln Clean Energy speaks in favor. He states that the purpose is to measure wind speed. He states that it is a temporary structure that will take up about 1.5 acres and all the surrounding area can continue to be used as it currently is. He states that it looks similar to a cell phone tower and will be secured to the ground with guy wires. He states that they hope to start construction after the New Year.

Gary Wolken asks how long it will be up.

Buseck states that it will be up approximately 2-3 years. He states that it will be taken down when construction starts on the wind project.

Prauner asks if the tower will be located by the Game and Parks.

Buseck states that he does not know.

Heather shows the location on the map. She states that we are only giving permission to use the land for this purpose and the zoning permit will have the exact location.

Grant asks if the land is currently crop ground.

Gary Wolken states that it is.

Grant asks if there are any questions.

Gerry Preusker states that if he gets a permit to drill a well, the well will have to be in the corner. He asks if the tower can be out in the middle somewhere.

Buseck states that there are setbacks from the road.

Heather states that the tower must follow setbacks.

Schapman states that the location from the well would be an issue with the landowner.

Grant asks if there is anyone else that would like to speak in favor.

No one speaks.

Grant asks if there is anyone opposed.

No one speaks.

7:15 p.m. Grant closes the Public Hearing.

Prauner makes a motion to recommend approval based on the above recommended conditions. Schapman seconds the motion. Vote taken. Members Grant, Milander, Prauner, Oswald, Flood and Schapman voted "Aye" none vote "Nay". Motion carried.

Grant reads the next Public Hearing.

The purpose of this hearing is to receive public comments concerning the application of Emerick Wind LLC to install a temporary meteorological tower on property described as E ¾ of the SW ¼ of Section 31, Township 23 North, Range 3, West of the 6th P.M., Madison County, Nebraska. This property is located east of 540th Ave along 834th Rd. South of the Village of Meadow Grove.

Heather states that the Applicant is requesting installation of a temporary meteorological tower for the purposes of measuring wind speed about 1470' north of 834th Rd and 1750' east of 540th Ave. The tower will be located more than 1/3 a mile from any occupied residence. The tower does not make noise and will not require a material increase in traffic. It will take a few days to install and require infrequent maintenance. The tower height will be no greater than 265'.

Heather reads the statement of Finding of Facts and the Recommended Conditions.

Statement of Finding of Facts:

- 1. The application is consistent with the Madison County Comprehensive Plan and with the Madison County Zoning and Subdivision Regulations.**
- 2. The height of the tower will be no greater than 198 feet. Madison County regulation requires a setback of 1.1 times the height of the tower from any dwelling, which requires a setback of 217 feet. The proposed site is a distance of over 1,760 feet from the nearest dwelling.**
- 3. Meteorological Tower shall mean a tower, which is erected primarily to measure wind speed and directions plus other data relevant to siting a Wind Energy Conversion System and is a temporary structure for data collection only.**

Recommended Conditions:

- 1. This Conditional Use Permit allows applicant to build a temporary meteorological tower for data collection.**
- 2. Applicant must obtain necessary permits from the Nebraska Department of Aeronautics.**
- 3. Applicant must abide by regulations with regard to signage, lighting and other applicable regulations as stated in the Madison County Regulations.**

7:18 p.m Grant opens the Public Hearing.

Grant asks if there is anyone in favor.

Lucas Buseck speaks in favor. He states that this tower is very similar to the other. He states that the only difference between the 2 towers is that one is 60 Meters and one is 80 Meters tall.

Grant asks what the reason for the height difference is.

Buseck states that it is to get a little better picture of the wind speed. He states that the taller tower will have a light on the top per FFA requirements.

Heather states that this is the taller tower.

Grant verifies that this tower will have a light on it.

Buseck states that it will.

Grant asks if there is anyone else in favor.

No one speaks.

Grant asks if there is anyone opposed.

No one speaks.

7:20 p.m. Grant closes the Public Hearing.

Schapman makes a motion to recommend approval based on the above recommended conditions. Milander seconds the motion. Vote taken. Members Grant, Milander, Prauner, Oswald, Flood and Schapman voted “Aye” none vote “Nay”. Motion carried.

Other Business:

Zoning permits are discussed.

The December 19, 2019 meeting is discussed. The meeting will be cancelled due to lack of a quorum.

Amendment to the regulations for homes built on less than 40 acres is discussed.

The requirements of a shouse are discussed.

Milander makes a motion to adjourn.

Prauner seconds the motion. Vote taken. Members Grant, Milander, Prauner, Oswald, Flood and Schapman voted “Aye” none vote “Nay”. Motion carried.

7:50 p.m. Meeting adjourned.

