

## MINUTES

### Madison County Joint Planning Commission

Norfolk, Nebraska

The February 16, 2023 Meeting of the Madison County Joint Planning Commission was called to order by Chairman Acklie at 7:00 p.m. in the Madison County Planning Department Conference Room, 1112 Bonita Drive, Norfolk, Nebraska.

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

**Present:** Acklie, Griffith, Abler, Oswald, Flood, Milander, Schapman, Westerman and Brown

**Absent:** Amen

**Also Present:** Jerry Guenther, Bobbi Pettit, Terry Wilholmes, Ben Fuller, Brent Niese, Brian Stouffer, Zoning Administrator Heather McWhorter and Zoning Office Assistant Jennie Martinez

**Open Meetings Act:** Acklie stated that the Open Meetings Act will be followed.

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

**Minutes-November 17, 2022:** The minutes of the November 17, 2022 Madison County Joint Planning Commission meeting were presented.

Motion made by Griffith to approve the minutes with a name correction and seconded by Abler.

Vote taken. Acklie, Oswald, Griffith, Abler, Flood, Westerman, Brown, Milander and Schapman vote "Aye" none vote "Nay". Motion carried.

Acklie states that there was an error on the Agenda and asks for a motion to amend the Agenda and remove a hearing for Dan Evans.

Griffith makes a motion to amend the Agenda and remove the hearing for Dan Evans. Abler seconds the motion.

Vote taken Acklie, Abler, Griffith, Brown, Milander, Westerman, Schapman, Oswald, and Flood all vote "Aye". None vote "Nay". Motion carried.

Acklie reads the first Public Hearing.

**The purpose of this hearing is to consider recommendations to declare an area within the City of Newman Grove as blighted & substandard and to consider approval of a general redevelopment plan for Proposed Redevelopment Area B.**

Acklie states that Proposed Redevelopment Area B encompasses 26 acres and is described as follows: From a point beginning on the southeast corner of the intersection of Logan Avenue and S 4th Street, then moving south along the east right-of-way (ROW) line of S 4th Street until reaching the southwest corner of parcel ID (PID) #710132401, then moving east in a straight line to the southeast corner of that parcel, then moving north in a straight line to the southwest corner of PID #710075446, then moving east in a straight line until reaching the east ROW line of S 9th Street, then moving north in a straight line along the east ROW line of S 9th Street until reaching the northeast corner of the intersection of S 9th Street and County Line Road, then moving west in a straight line along the north ROW line of County Line Road until reaching the southeast corner of PID #590017713, then moving north in a straight line until reaching the south ROW line of Logan Avenue, then moving northwest in a straight line along the south ROW line of Logan Avenue until reaching the beginning point at the southwest corner of Logan Avenue and S 4th Street.

**7:05 p.m.** Acklie opens the Public Hearing.

Acklie asks if there is anyone in favor.

Bobbi Pettit Speaks in favor. She states that she is present to talk about Newman Grove and to start she would like to start by talking about the blight and substandard study. She refers to Handout (Exhibit A) and goes over the information. Discussion amongst the planning Members and Pettit over the information in Exhibit B consists of definitions and conditions of substandard and blighted.

Pettit states that this area is being referred to as Redevelopment Area B because there is already a Redevelopment Area A.

Acklie confirms that the conditions to determine the area blighted and substandard do exist.

Pettit states that they do. She states that she uses the County Assessor records to help determine conditions of the structures as it seems to be the most accurate.

Pettit asks who the Newman Grove representative on the Planning Commission is.

Flood states that he is.

Pettit states that often residents misunderstand and believe that in a blighted area is related to the homes and businesses; however it is mainly determined by the age of the home, condition of the infrastructure or lack of infrastructure. She states that it is in Legislature to call an area blighted and substandard; however she wishes that it could be called underdeveloped. She states that by doing that some of the conditions could be removed and it would be easier to develop the property.

Flood shares a story of an individual telling him that he feared that his house would be torn down because of an area being considered blighted. He states that the blighted statement does cause concern and people need an understanding of what blighted means.

Pettit states that she would be more optimistic because there are incentives available to redevelop or develop the land once it's been declared.

Schapman confirms that just the land can be declared blighted.

Pettit states that it can. She states that if you are a farmer and your land right outside of town has been declared blighted; it may be more marketable in the future due to incentives available to develop the land. She states in the meantime nothing would change property values as long as it stays farm ground.

Pettit states that blighted and substandard are two different things and refers to Exhibit A; Page 12 & 13 to explain the factors of both.

Pettit discusses the information on Page 15; Exhibit A regarding streets and ROW in this area. She states that there are defective and inadequate street layouts in the area which has now caused property to be landlocked. She states that this makes the area harder to develop.

Acklie confirms the location of the landlocked property.

Pettit refers to page 19; subjective and objective factors.

Pettit states that she would now like to talk about the redevelopment plan and refers to the last 4 pages of Exhibit A. She states that once you declare the area Blighted and Substandard there needs to be a General Redevelopment Plan. She states that it is good to have a Redevelopment Plan in place and then once there is a project application an amendment to the Redevelopment Plan takes place.

Acklie confirms that some of the area is located in Platte County.

Pettit states that it is because it falls in the one mile zoning jurisdiction.

Acklie asks if anyone else is in favor.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if there is anyone opposed?

No one Speaks.

**7:23 p.m.** Acklie closes the public hearing.

Flood makes a motion to recommend an area within the City of Newman Grove as blighted and substandard. Westerman seconds the motion.

Vote taken Acklie, Abler, Griffith, Milander, Brown, Schapman, Westerman, Oswald, and Flood all vote "Aye". None vote "Nay". Motion carried.

Acklie asks for a motion to recommend approval of a General Redevelopment Plan for Proposed Redevelopment Area B.

Schapman makes a motion to recommend approval to adopt a General Redevelopment Plan for Proposed Redevelopment Area B. Abler seconds the motion.

Vote taken Acklie, Abler, Griffith, Milander, Brown, Schapman, Westerman, Oswald, and Flood all vote "Aye". None vote "Nay". Motion carried.

Acklie reads the next Public Hearing.

**The purpose of this hearing is to receive public comments concerning the application of Werner Const. INC for a Conditional Use Permit for operation of a temporary asphalt plant on property described as NE ¼ of Section 2, Township 21 North, Range1, West of the 6th P.M. Madison County, Nebraska. This property is located at the intersection of Hwy 32 and 557 Ave Madison County, Nebraska.**

Heather states that Werner Construction is asking for a permit for 2 years for a temporary asphalt plant for use for a NDOT project. They have been approved for projects in the past in 2007 and 2014 with no complaints. The bottom pics below show the site from 2014 during the permit and after it was returned to its original condition.

**7:27 p.m.** Acklie opens the Public Hearing.

Terry Wilhomes; Werner Construction Inc, speaks in favor. He states that they do road construction throughout the state of Nebraska. He states that their projects come from the Department of Transportation and they have been doing this for 50-60 years.

Wilhomes states that this project is on Highway 32, starting at the intersection of Highway 32 & 57 going east approximately 10 miles. He states that one of the things they look for is easy access to the highway. He states that this location is right off the highway and right down the road from the construction site. He states that this location is ideal. He states that there will be a lot of material delivered to the site.

Heather states that these projects for different locations have come through in the past and there were no issues.

Acklie asks if they plan to tear up the whole surface.

Wilhomes state that they will tear up the topsoil, stock pile it and return the property to its original state once the project is complete.

Schapman asks if they will need a water source.

Wilhomes states that his supervisor is working on it.

Wilhomes states that one thing they are working on is a 2<sup>nd</sup> driveway to make it easier for trucks coming and going.

Acklie confirms if this new road will be an asphalt concrete mix.

Wilhomes states that it will be asphalted concrete.

Oswald confirms the locations. He states that he has a concern about a little knoll to the west and someone coming down the road a little fast may get caught by surprise.

Willhomes states that is something that they will work with the states on traffic control and it would be a good idea to include as one of the conditions of approval of the CUP be that proper signage is included.

Flood asks if there could be any problems with drainage.

Wilhomes states that he believes the area is level.

Wilhomes states that they have to comply with DEQ.

Acklie asks if there is anyone else in favor.

No one speaks.

Acklie asks if there is anyone opposed.

No one speaks.

**7:34 p.m.** Acklie closes the public hearing.

Milander makes a motion to recommend approval for a Conditional Use Permit for a temporary asphalt plant with the addition of the condition of proper signage. Oswald seconds the motion.

Vote taken Acklie, Abler, Griffith, Milander, Brown, Schapman, Westerman, Oswald, and Flood all vote "Aye". None vote "Nay". Motion carried.

#### **Other Business:**

Update on Madison County Comprehensive Plan from Bobbi Pettit, AICP of FIVE RULE Rural Planning.

Update from Summit Carbon Solutions.

Discussion on a possible amendment to Article 2 of the Madison County Zoning Regulations to define a shouse and the characteristics required. The board would like time to research and will discuss it again at a future date.

**Administrators report:**

Zoning permits are discussed.

NPZA Conference is discussed.

Abler makes a motion to adjourn. Schapman seconds the motion. All vote "Aye". None vote "Nay".

Meeting adjourned at 9:02 p.m.