

MINUTES

Pierce County Joint Planning Commission

Pierce, Nebraska

The May 15, 2023 meeting of the Pierce County Joint Planning Commission was called to order by Vice-Chairman Nathan at 7:00 p.m. in the Pierce County Planning Multi-Purpose Room, 111 W Court St, Pierce, Nebraska.

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

Present: Dwaine Hoffman, Gerry Krueger, Larry Schaefer, Tom Nathan, Joe Aschoff.

Absent: Ryan Brodersen, Guy Ellsworth and Ryan Zimmerman.

Also present: Richard Koenig, Doug Koehler, Joe Guenther, Jim Krause, Mike Fink, Brent Niese, Richard Reed, Shawn Gansebom, Jesse Walmer, Clark Gansebom, Marvin Stech, Tom Keuther, Ben Fuller, Matt Munro, William Steffen, Walter Aschoff, Administrator Heather McWhorter, and Office Assistant Jennie Martinez.

Proof of Publication: Vice-Chairman Nathan stated there were notices in The Plainview News, The Osmond Republican, and The Pierce Leader.

Open Meeting Act: Vice-Chairman Nathan pointed out the Open Meetings Act is posted on the wall and will be followed.

Minutes- April 17, 2023: The minutes of the April 17, 2023, Pierce County Joint Planning Commission were presented. Motion made by Hoffman to approve the minutes and seconded by Aschoff. Members Hoffman, Nathan, Aschoff, Krueger and Schaefer vote "AYE" none vote "NAY". Motion Carried.

Nathan reads the Public Hearing.

The purpose of this hearing is to receive public comments concerning the application of North Fork Cattle LLC to operate a large cattle operation on property described as Part of the SE ¼ of Section 19, Township 27 North, Range 2 West of the 6th P.M., Pierce County, Nebraska. This property is located approximately three miles south of the City of Osmond along 547th Ave.

Heather states that the applicant is requesting a permit for 1800 total feeder cattle on a portion of the property. He has been in contact with DEQ regarding the project and it is under development. This will require new construction of a 294x80 deep pit barn.

Nathan states that a Pre-Submission meeting was held before the Pierce County Planning Commission meeting to collect information.

Heather reads the Finding of Facts and the Recommended Conditions.

Finding of Facts:

1. The application is consistent with the Pierce County Comprehensive Plan.
2. The application is consistent with the Pierce County Zoning and Subdivision Regulations.
3. There are no homes inside the 1,980-foot setback requirement.
4. The property is zoned A-1 Agricultural Intensive.

Recommended Conditions:

1. This is a Livestock Feeding Operation Conditional Use Permit for up to 1800 head of feeder cattle.
2. This Conditional Use Permit shall be for a period of twenty (20) years from the date of this resolution, with automatic renewal pending no verifiable complaints.
3. This permit is subject to all the Pierce County Zoning and Subdivision Regulations and the governing powers of the State of Nebraska and shall be constructed to meet both groups.
4. DEQ permits shall be made part of the file.
5. A copy of the signed permit must be recorded with the Pierce Register of Deeds office by the applicant.

7:03 P.M. Nathan opens the Public Hearing.

Nathan asks if there is anyone in favor.

Doug Koehler states that he is in favor. He states that he currently feeds on the home place and with DEQ changing would like to expand.

Nathan asks if anyone else is in Favor.

Joe Guenther; Nutrient Advisors states that he is in favor. He states that they are asking for 2 barns of 900 head each, but this number is a little higher than they anticipate having.

Nathan asks if anyone else is in favor.

Clark Gansebom states that he is in favor. He states that the applicant has been in the area for a long time and supports the expansion.

Nathan asks if anyone else is in favor.

Shawn Gansebom speaks in favor. Gansebom states that the applicant has a good site plan and are good neighbors.

Nathan asks if there is anyone else in favor.

No one speaks.

Nathan asks if there is anyone opposed.

No one speaks.

7:06 P.M. Nathan closes the Public Hearing.

Aschoff makes a motion to recommend approval based on the above recommended conditions. Krueger seconds the motion.

Members Krueger, Nathan, Hoffman, Schaefer and Aschoff vote "AYE"

None vote "NAY."

Motion Carried.

Nathan reads the next Public Hearing.

The purpose of this hearing is to receive public comments concerning the Conditional Use application of Richard and Jody Reed to build a home on less than 40 acres on property described as Part of the SE ¼ of the SW ¼ Polt's Lotsplit #3 of Section 20, Township 26 North, Range 2 West of the 6th P.M., Pierce County, Nebraska. This property is located at 54749 854 Road Pierce, Ne.

Heather reads the Finding of Facts and the Recommended Conditions.

Heather states that the applicant would like to build a house with attached garage on their property. A shop is already present on the property. Located in an AG-1 district, this will be the second home in this quarter section.

Statement of Finding of Facts:

1. This application is consistent with the Pierce County Comprehensive Plan, Zoning and Subdivision Regulations and the Zoning Map.
2. The property is zoned AG1 Ag Intensive and meets the density requirements for the Zoning district as it will be the second home on the ¼.

Recommended Conditions:

1. This Conditional Use Permit is permanent and may be transferred between owners.
2. This Conditional Use Permit allows a single-family home on less than 40 acres.
3. With the passage of this permit, the applicant and/or residence builder realizes that the new residence is going to be subject to livestock odors, dust, and general nuisances. This does not mean that the applicant is giving up the right to be protected by Pierce County and the State of Nebraska.
4. The applicant should be aware it is his responsibility to remove any Nebraska Noxious Weeds found on the property at any time after the approval of this application by the County Board of Commissioners.
5. A zoning permit must be obtained from the Zoning Office before construction of the home begins.
6. A copy of the signed permit must be recorded with the County Register of Deeds office by applicant.

7:09 P.M. Nathan opens the Public Hearing.

Nathan asks if there is anyone in favor.

Richard Reed speaks in favor. He states that he wants to build a house.

Nathan asks if anyone else is in favor.

No one speaks.

Nathan asks if there is anyone opposed.

No one speaks.

7:10 P.M. Nathan closes the Public Hearing.

Aschoff makes a motion to recommend approval based on the above recommended conditions and the addition of the Condition that the residential well must be at irrigation depth or deeper than the 4 surrounding irrigation wells. Hoffman seconds the motion.

Members Krueger, Nathan, Hoffman, Schaefer and Aschoff vote "AYE"

None vote "NAY."

Motion Carried

Other Business:

Discussion regarding the CO2 pipeline.

Discussion regarding a potential future amendment to Article 2 of the Pierce County Zoning Regulations to define a shouse.

Heather gives the Administrators report.

Zoning permits are discussed.

7:18 p.m. Krueger motions to Adjourn.

Hoffman seconds the motion.

All vote "AYE" none vote "NAY".

Meeting adjourned.