

NANCE COUNTY PLANNING AND ZONING COMMISSION

Record of Minutes of Meeting

December 20, 2010

Agenda Item 1 – Call to Order

A meeting of the Nance County Planning & Zoning Commission was called to order by Chairperson Chuck Delancey in the Nance County Courthouse in Fullerton, Nebraska on Monday, December 20, 2010 at 7:00 p.m. Meeting notice was given by publication in the December 8, 2010 editions of *The Nance County Journal* and *The Genoa Leader-Times*, and an official agenda was made available at the office of the Zoning Administrator.

Agenda Item 2 – Roll Call

The following quorum of Commission members was present and answered roll call: Chuck Delancey, John Cieloha, Pat Connelly, Dennis McCoig, and new member Delmer Wondercheck. Absent were Lynn Belitz and Roy Guisinger. Brett Houtby and Galen Frenzen arrived later.

Agenda Item 3 – Minutes

Minutes from the October 18, 2010 meeting had been mailed in advance and were briefly reviewed. Cieloha made a motion to accept the minutes as presented. Seconded by Connelly. Ayes by roll call: 5. Nays: none. Absent: 4.

Agenda Item 4 – New Business

a. Lot split applications

The order of review for the two lot split applications was reversed because the Czarniks were present and representatives for the Shotkoski/Preferred application were not. (Los had advised Preferred's lawyer that he need not make the trip from Omaha for this meeting.)

(i) Czarnik, Stephen to Ryan, pt. NW ¼ S6-T16-R3, 4.44 acres

Stephen and Ryan Czarnik were present, along with Ryan's fiancée, Jessica. Commissioners reviewed the application and asked questions. (Frenzen and Houtby arrived at the meeting.) The property is currently pasture land and Ryan intends to bring in a modular home. He and Stephen are aware of the 1 house / 40 acres regulation. Commissioners noted that Section 6 is split with Merrick County, but that the property in question is in Nance County. Frenzen made a motion to recommend approval of the application to the Board of Supervisors. Seconded by Cieloha. Ayes by roll call: 7. Nays: none. Absent: 2.

(ii) Shotkoski to Preferred Sands, pt. NE ¼ S36-T17-R5, 7.04 acres

Los presented the application to split off a strip of land totaling about 7.04 acres from the Gerald and Paul/Angela Shotkoski property to be sold to Preferred Sands for the purpose of accommodating a future extension / spur of the NCRC railroad. After brief discussion, Frenzen made a motion to recommend approval of the application to the Board of Supervisors. Seconded by Wondercheck. Ayes by roll call: 7. Nays: none. Absent: 2.

b. Public hearing to amend Subdivision Regulations to allow for "administrative" lot splits

McCoig made a motion to open the public hearing. Seconded by Houtby. There were no objections. The proposed amendments to Article 12 of the Nance County Subdivision Regulations had been mailed to Commissioners in advance of the meeting. Los briefly described the essence of the changes: eliminating requirements for a mylar original and ten copies of a survey; removing the requirement that affected school districts be notified (it's unnecessary and not statutorily required); and removing the Planning Commission from the lot split / change of lot boundary process. Instead, lot split and change of lot boundary applications will now go directly to the Board of Supervisors, thereby saving time for Commissioners, applicants, and the zoning administrator.

Frenzen made a motion to close the public hearing. Seconded by Connelly. Ayes by roll call: 7. Nays: none. Absent: 2. Frenzen made a motion to recommend adoption of the amendments to Article 12, related definitions, and supporting pages as presented. Seconded by Wondercheck. Ayes by roll call: 7. Nays: none. Absent: 2.

c. Review proposed utility-scale WECS regulations

Commissioners had reviewed a first draft of “Commercial/Utility Grade WECS” regulations a year and a half prior. Los reformatted that document, updated it with recent amendments from reference counties (Boone and Knox), and added elements that she’d picked up at various workshops and conferences. That second draft was mailed to Commissioners in advance of the meeting. After some discussion about the changes, including instances in which our document differs from those of other Nebraska counties, Commissioners agreed that the next meeting should include a public hearing to adopt the regulations as presented.

Commissioners also discussed fees associated with utility-scale WECS. Using Boone County as a guide, Frenzen made a motion that we amend the Fee Schedule to include a \$350 fee per utility-grade turbine. Seconded by Cieloha. Ayes by roll call: 6. Nays: none. Absent: 2. (Wondercheck briefly stepped out of the meeting.) The amended Fee Schedule will be formally recommended for adoption as a part of the public hearing to adopt Commercial/Utility Grade WECS.

Agenda Item 5 – Old Business

a. Genoa zoning update

Los advised Commissioners that Genoa has full zoning jurisdiction within its 1-mile ETJ. The county attorney, the Genoa city administrator, and the Genoa city attorney all agree that while Genoa never defined the zoning district within that 1 mile, their regulations/ordinance still include coverage of that area. That discrepancy could be problematic for them, but they are in the process of redoing their Comprehensive Development Plan and will define that zoning district along the way. No matter what, county zoning is out of the picture.

b. Green Capital Power update

We have no indication yet as to whether or not Green Capital’s interest in locating a wind farm in Nance County will bear out. Los has been providing them with all the information they’ve requested and has been keeping them abreast of the development of our utility-grade WECS regulations. If cooperation counts for anything, we’re in good shape.

Agenda Item 6 – Administrative Business

None

Agenda Item 7 – Next Meeting

The next meeting of the Commission will be at the call of the Chairperson.

Agenda Item 8 – Adjournment

Motion to adjourn made by Frenzen. Seconded by Wondercheck. There were no objections.

SUBMITTED BY:

AFFIRMED BY:

Commission Secretary

Commission Chairperson