

Howard Planning and Zoning Minutes



MINUTES HOWARD COUNTY PLANNING AND ZONING JANUARY 15, 2020

A meeting of the Howard County Planning & Zoning Commission was convened in open and public session on the 15th day of January, 2020, in the Assembly Room, Howard County Courthouse, St. Paul NE.

Chairman Terry Spilinek called the meeting to order at 7:00 PM. Klinginsmith read the notice of meeting, a proof of publication is filed with the Howard County Clerk's office. Roll call showed 9 members present: Daryl Anderson, Jeff Christensen, Randy Kauk, Chris Kosmicki, Ken Kozisek, Ron Kulwicki, Jack Reimers, Dave Sack and Terry Spilinek. Also present was Cherri Klinginsmith Zoning Administrator and Nancy Usasz, Planning and Zoning Secretary. Members of the Public present included: Carl Dugan, Travis Hedman, Gerald Reimers, Debra Reimers and Tim Eriksen.

The Agenda and Minutes were mailed to the board Members prior to the meeting. A motion was made by Chris Kosmicki and seconded by Ron Kulwicki to approve the minutes of the November 21, 2019 meeting. Motion carried 9-0 Roll Call vote.

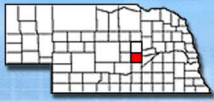
At 7:05 PM Election of officers was discussed. Ken Kozisek made a motion to keep the officers the same as last year. Dave Sack seconded the motion. Motion carried with Unanimous voice vote. The Officers are: Terry Spilinek-Chairman, Jack Reimers- Vice Chairman and Daryl Anderson- Secretary. Randy Kauk, Ron Kulwicki and Terry Spilinek were appointed for another 3 year term.

Klinginsmith informed the board of the NPZA conference March 4-6, 2020 in Kearney.

At 7:10 PM a public hearing was opened for a Conditional Use Permit Application by Branch Communications and Eriksen Family Revocable Trust, in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Section 20, Township 13, Range 12. Administrator Klinginsmith read the published notice of meeting. Carl Dugan was in attendance to represent Branch Communications on this request. Dugan stated that US Cellular would like to provide better Coverage to the Boelus and Highway 58 area with the installation of a 190' monopole tower. He has provided the required information for the board to review. Chairman Spilinek asked for testimony in favor or opposition. Gerald Reimers stated that he is not opposed to the tower because he would like to see better cell coverage in the area but he is concerned the tower would produce noise or interfere with the radio in his shop. Mr. Dugan stated that the tower would be operating on different frequencies so that should not be an issue. Klinginsmith stated that she recently drove to three different towers in the county and she did not notice any noise. With no further testimony the public hearing was closed. Discussion was had by the board. Chris Kosmicki made a motion to approve the Condition Use Permit for Eriksen Family Revocable trust and Branch Communications to erect a cell tower in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Section 20, Township 13, Range 12. Contingent on approval of the FAA. Ken Kozisek seconded the motion. Motion carried 9-0 Roll Call Vote. Finding of Fact was completed and is attached.

Discussion was had on a 2.05 acre lot in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 7 Township 14 Range 9. This tract is split off from the rest of the quarter by 12th Avenue. Lauren Scarborough recently purchased the property and inquired about selling it as a buildable lot in the future. After much discussion the board stated that Mr. Scarborough would need to request a variance and have approval from the Department of Environmental Equality (DEE) for a septic system and well on a 2 acre lot. With an approved Variance and approval of the DEE and a Conditional Use Permit for the Nuisance Easement Waiver to build within an odor footprint Administrator Klinginsmith would be able to approve a zoning permit for a residence on this property.

Administrator Klinginsmith discussed adding a Decommissioning statement to the Solar Energy Regulations with the board. She stated that she has been to more meetings where they have discussed Solar Energy Regulations and it is



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recommended that a Decommissioning statement be in the regulations. In the event that a solar company would go out of business they would be required to clean up the land and return it to its original state. After a short discussion the board agreed and it will be held as a Public Hearing at the next meeting.

Travis Headman was in attendance to discuss property access with the board. He recently purchased a quarter in Section 20, Township 14, Range 10 and would like to build a residence in the North East Corner outside of the Floodplain but access is an issue. He has contacted the neighboring land owners to discuss an access easement. He would like to start building in March and he would not be able to get the easement finalized until May. The board stated that Klinginsmith can issue a zoning permit because he has access to the property he just needs to keep in mind that he should be happy with his access before spending the money to build a residence.

With no further business the meeting was adjourned.

Nancy Usasz, Secretary