

Burt County Planning Commission
January 3rd, 2022 6:30pm
Meeting and Public Hearing
Minutes

The meeting was Called to Order at 6:32 P.M. by Chairman Rodney Bromm.

Roll Call was taken by Ann Chytka as follows: Rodney Bromm **Present**, Charley Cull **Present**, Jay Hovendick **Present**, Don Johnson **Present**, Wally Lydick **Present**, Tony Moseman **Present**, Clayton Olsen **Present**, Roger Pond **Absent**, Scott Ronnfeldt **Present**.

Quorum present **yes**.

It was noted that the Open Meetings Act was posted on the wall.

Visitors signing in were: Paul Gardner and Bill Price.

Jay Hovendick made a motion to approve the minutes from the December 6th, 2021 meeting 2nd by Clayton Olsen.

Roll call vote Ayes- Bromm, Johnson, Hovendick, Moseman, Lydick, Olsen, Cull and Ronnfeldt
Nays- none. Absent-Pond

At 6:36 Chairman Bromm opened the public hearing for the Conditional Use Permits for AMG. He stated that we had to re-hear the permits because there was a notification issue with the adjoining counties and that the adjacent county had to be notified so it was posted in the Pender Times paper. There was no comments from the adjacent jurisdictions. Conditional Use Permit for AMG Technology Investment Group dba Nextlink to place a 120' monopole tower for highspeed internet in Section 32 Township 24 Range 9E in Logan Township
Conditional Use Permit for AMG Technology Investment Group dba Nextlink to place a 120' monopole tower for highspeed internet in Section 7 Township 23 Range 9E in Logan Township

At 6:37pm Bromm closed the public hearing as there was no public comments. Was approved with no conditions.

Wally made a motion to accept both conditional use permits for AMG Technology. 2nd by Jay.
Roll call vote Ayes- Bromm, Johnson, Hovendick, Moseman, Lydick, Olson, Cull and Ronnfeldt
Nays- none. Absent-Pond

At 6:40 Bromm Opened the Public Hearing for the Conditional Use Permit for Buell Consulting on behalf of Parallel Infrastructure (At&t) to place a 448' guyed tower to provide improved coverage, and fund critical initiatives, such as FirstNet (for emergency response), 5G support, and other new technologies in Section 35 Township 24 Range 9E in Logan Township

Paul Gardner, an attorney who represents SBA towers was there and stated again that he is against the tower and the state statutes and regulations are in place to stop the proliferation of towers.

Bromm closed the public hearing at 7:02 and returned to regular meeting.

Tony made a motion to approve the Condition Use Permit for Buell Consulting and recommend to the County Board. The County Board meeting will be on January 11th 2nd by Wally.


Roll call vote Ayes- Bromm, Johnson, Hovendick, Moseman, Lydick, Olson, Cull and Ronnfeldt
Nays- none. Absent-Pond

Old Business

The next meeting will be held February 7th 2022 in the courtroom at 6pm

Being no public comment.

Hovendick made a motion to Adjourn 2nd by Ronnfeldt at 7:54pm

A handwritten signature in blue ink, appearing to read "Ann M. Chytka", written over a horizontal line.

Ann M. Chytka

Burt County Planning and Zoning Administrator

A handwritten signature in blue ink, appearing to read "Tony Bromm", written in a cursive style.

Burt County Planning Commission
February 7th, 2022 6:00pm
Meeting and Public Hearing
Minutes

The meeting was Called to Order at 6:02 P.M. by Chairman Rodney Bromm.

Roll Call was taken by Ann Chytka as follows: Rodney Bromm **Present**, Charley Cull **Present**, Jay Hovendick **Present**, Don Johnson **Present**, Wally Lydick **Present**, Tony Moseman **Absent**, Clayton Olsen **Present**, Roger Pond **Present**, Scott Ronnfeldt **Present**.

Quorum present **yes**.

It was noted where the Open Meetings Act was located.

There were 24 people who signed in.

Charley Cull made a motion to approve the minutes from the January 3, 2022 meeting 2nd by Roger Pond.

Roll call vote Ayes- Bromm, Johnson, Hovendick, Lydick, Olsen, Pond, Cull and Ronnfeldt
Nays- none. Absent-Moseman

At 6:04 Chairman Bromm opened the public hearing for the Conditional Use Permits for AMG. This is to put a Nextlink tower in Section 5 Township 22 Range 10E in Silvercreek Township, Vic Jensen's property. Shane stated that this will improve the internet for about a 4- mile radius with line of site, Shane stated that it will be like the same that they have requested previously and that Vic's property has good elevation for this. Vic Jensen spoke and said that it is necessary for school children as the current internet speed is to slow. Roger Pond asked how many families this could help and the answer was around 25.

At 6:07 pm Bromm closed the public hearing after asking if there were any more public comments.

Wally made a motion to accept the conditional use permit for AMG Technology. 2nd by Jay.
Roll call vote Ayes- Bromm, Johnson, Hovendick, Lydick, Olson, Pond, Cull and Ronnfeldt
Nays- none. Absent- Moseman

Motion passed and conditional use permit was approved with no conditions.

At 6:10 Bromm Opened the Public Hearing on update to the Zoning Regulation Book section 6.03 Wind Energy Installation stating that the Supervisors had sent back to the commission.

6.03 draft was posted on the website.

Bromm said that since it was posted there have been some updates which he went through on redlined v.2:

Ann noticed that all copies that were handed out only had every other page. Ann and Audra left the meeting to get the packet correct.

6.03-

Updates to Draft that were reviewed on 2/3/22 (redlined draft zoning regs 2021v.2 redlined)

B. Definitions-

Under Aggregate Project- change on to one

Remove HABITABLE STRUCTURE see Article 2 page 112 (removed habitable structure on page 26

Remove NON- PARTICIPATING LANDOWNER IMPACT EASEMENT

D. 3. Aggregated Projects page 117

Aggregated Projects b. Joint projects will be assessed a fee for each project name.

Remove c. setbacks to property lines, not road right-of way, may be less when adjoining property owners are within the same aggregate project. (Wavier replaces this)

4. Setback's page 118

In table replace neighborhood dwelling units with Dwelling, Occupied

Added definition for Dwelling, Occupied in Article 2 definitions page 21

In table added with a minimum of 1800' to be in addition to 3.5 times total height.

Under table

Remove The setback for dwelling units shall be reciprocal I that no dwelling unit shall be constructed within the same distance required for commercial / utility Wind Energy Conversion System, without signed waiver.

ADD All setback can be reduced with a signed waiver by all affected parties.

5. Special Safety and Design Standards page 119

f. ADD and apply for the latest lighting requirements with FAA requirements being the minimum and

REMOVE to but not exceed requirements

g. remove 2,200

ADD 3.5 times total height with a minimum of 1800'

Remove foot.

ADD Shadow flicker will not be allowed on any road intersection due to safety concern

k. insert within 3 months

7. Decommissioning Plan

a. i) 3. ii. To read: Removal of the WECS and accessory facilities to four (4) feet below ground level within 1 year of the discontinuation of use unless a plan is approved by the Zoning Administrator. This period may be extended by the Board of Supervisors following a written request by an agent or the owner of the WECS.

A version 3.0 was available to the public and the commission

After going through the changes on redline v.2 Rodney asked for Public Comment.

7 people spoke in opposition, 4 people spoke in favor.

The public meeting closed at 7:52 pm.

With discussion of the commission about minor changes with punctuation.

Roger made a motion to approve 6.03 version 3.0 with minor changes 2nd by Wally.

Roll call vote Ayes- Bromm, Johnson, Hovendick, Lydick, Olsen, Pond, Cull and Ronnfeldt
Nays- none. Absent-Moseman

Rodney stated that this would be scheduled to go before the Board of Supervisors on 2/9/2022.

Old Business

None

Correspondence: Ann and Audra have been talking with Robin who has been tasked with finding information out about how many houses are allowed for hired hands for a farming operation. There is a group that would like to build a self-sustaining farm and had questions.

The board discussed and they would need more information.

Reports- January's Zoning Permit Report was handed out to Commission members.

Next meeting: may be on March 7th, Ann will keep the commission aware.

Being no additional business Charley Cull made a motion to adjourn at 8:30 2nd by Scott Ronnfeldt.



Ann M. Chytka

Burt County Planning and Zoning Administrator



Rodney Bromm

Burt County Planning and Zoning Chairman

Burt County Planning Commission
April 4th, 2022 6:30pm
Meeting and Public Hearing
Minutes

The meeting was Called to Order at 6:30 P.M. by Chairman Rodney Bromm.

Roll Call was taken by Ann Chytka as follows: Rodney Bromm **Present**, Charley Cull **Present**, Jay Hovendick **Present**, Don Johnson **Present**, Wally Lydick **Present**, Tony Moseman **Present**, Clayton Olsen **Present**, Roger Pond **Present**, Scott Ronnfeldt **Absent**

Quorum present **yes**.

It was noted where the Open Meetings Act was located.

Visitors signing in were Mark Iserra.

An adjustment was made to the agenda Updates to the Zoning Regulation book sections, it is the Articles I-III not sections.

Charley Cull made a motion to approve the minutes from the February 7th, 2022 meeting 2nd by Jay Hovendick.

Roll call vote Ayes- Bromm, Johnson, Hovendick, Lydick, Olsen, Pond, Cull and Moseman
Nays- none. Absent- Ronnfeldt

At 6:35 Chairman Bromm opened the public hearing for the Conditional Use Permits for Mark Inserra, to place Biomass from Cargill in the NE ¼ Sec. 23 Twp. 20 Rng. 10E Summit. Mark gave an update stating that Cargill is running behind, so he was unsure if he would be able to apply the product before planting this year. At 6:42 Bromm came out of the Public Hearing for Mark Inserra's CUP. There was discussion. Wally made a motion to Approve the CUP for Mark with it being good for 5 years unless there are complaints and that the product must be incorporated with in a reasonable time. 2nd by Roger

Roll Call vote Ayes- Bromm, Johnson, Hovendick, Lydick, Olsen, Pond, Cull and Moseman
Nays- none. Absent- Ronnfeldt

At 6:44 pm Bromm opened the public hearing for Updated to the Zoning Regulations with no one being present. The public hearing was closed at 6:45.

The Board then went through Articles I-III the old versus the new copies will be attached to these minutes and placed on file. Charley made a motion to recommend to the Board of Supervisors V.1 of Articles I-III 2nd by Tony.

Roll call vote Ayes- Bromm, Johnson, Hovendick, Lydick, Olsen, Pond, Cull and Moseman
Nays- none. Absent- Ronnfeldt

Ann advised that the CUP and Articles 1-III are on the Board of Supervisors agenda for 4/12/2022.

New Business- Discussion on sections 6.01 and 9.01. The commission first reviewed section 6.01 Radio, Television, and Wireless Communication Towers Section. Ann gave a summary of what had happened with a Conditional Use Permit Buell. The Planning Commission approved the CUP and then it was Denied by the Board of Supervisors at the February 25th Meeting.

There was also discussion on *A. Intent* where it states that we encourage shared use/ collocation of additional single use towers that we may want to review this also. The discussion on *D Application to develop a Tower 4) An affidavit attesting to the fact that the applicant has made diligent but unsuccessful efforts.*

The Commission did agree that the sentence under *E. Tower Development Permit: Procedure* on page 107 that reads *Such notice shall conform to the notice requirements in Section 9.01 of this regulation,* needs to be removed.

The Board asked Ann and Audra to do some research on other counties regulations and see what they do for towers and bring back the findings at the next meeting.

The Planning Commission just reviewed Section 9.01 Amendments

No action was taken on Sections 6.01 and 9.01.

Old Business

Bromm stated that he had heard that the Solar project down in Arizona Township had been stalled. Ann stated that they are on the agenda for the April 12th to finalize their CUP with filing their Decommissioning Plan.

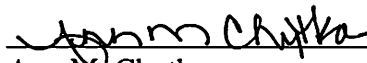
Reports- February and March's Zoning Permit Report was handed out to Commission members.

Ann stated that she had a call from Donette Jackson asking if we could publish the Public Notices in the Plaindealer. The Commission agreed to keep the publication of notices in the Counties legal paper of the year. Which this year is the Lyons Mirror Sun.

Ann also reported that she had a question asked about this there is a fire how long does a person have to rebuild? We reviewed Article 3 Section 3.03 C. it depends on the amount of damage if the damage is 50% or less, they have to begin within one year from the date of destruction.

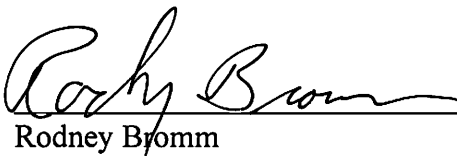
Next meeting: may be on May 2nd, but they would prefer it be in June.

Being no additional business Tony Moseman made a motion to adjourn at 8:02 2nd by Charley Cull.



Ann M. Chytka

Burt County Planning and Zoning Administrator



Rodney Bromm

Burt County Planning and Zoning Chairman

Burt County Planning Commission
June 13th, 2022 6:30pm
Meeting and Public Hearing
Minutes

The meeting was Called to Order at 6:34 P.M. by Chairman Rodney Bromm.

Roll Call was taken by Ann Chytka as follows: Rodney Bromm **Present**, Charley Cull **Present**, Jay Hovendick **Absent**, Don Johnson **Absent**, Wally Lydick **Present**, Tony Moseman **Present**, Clayton Olsen **Present**, Roger Pond **Present**, Scott Ronnfeldt **Present**

Quorum present **yes**.

It was noted where the Open Meetings Act was located.

Visitors signing in None

Charley Cull made a motion to approve the minutes from the April 4th, 2022 meeting 2nd by Tony.

Roll call vote Ayes- Bromm, Ronnfeldt, Lydick, Olsen, Pond, Cull and Moseman Nays- none.
Absent- Hovendick, Johnson

At 6:37 Chairman Bromm opened the public hearing for the updates to the Zoning Regulations Article IV-V and Section 6.01 Radio, Television, and Wireless Communication Tower Section. Discussion was had for the changes to section 6.01.

The Commission then went through Articles IV-V and Section 6.01 Radio, Television, and Wireless Communication Tower Section. Discussion of the old versus the new copies will be attached to these minutes and placed on file.

Public hearing was closed at 7:17. Returned to regular meeting.

Charley made a motion to recommend to the Board of Supervisors Exhibit A of Articles IV-V, and Section 6.01 2nd by Tony.

Roll call vote Ayes- Bromm, Lydick, Olsen, Pond, Cull, Moseman and Ronnfeldt Nays- none.
Absent- Hovendick, Johnson

Old Business: None

Reports- Mays Zoning Permit Report was handed out to Commission members.

Correspondence- Ann discussed the letter that was received by Harbor 671 and that she is meeting with Dave Brainard and his engineer on Friday June 17th, 2022 to address concerns.

Next meeting: To be determined

Being no additional business Wally Lydick made a motion to adjourn at 7:39 2nd by Charley Cull.


Ann M. Chytka

Burt County Planning and Zoning Administrator


Rodney Bromm

Burt County Planning and Zoning Chairman

Burt County Planning Commission
August 1st, 2022 6:30pm
Meeting and Public Hearing
Minutes

The meeting was Called to Order at 6:30 P.M. by Chairman Rodney Bromm.

Roll Call was taken by Ann Chytka as follows: Rodney Bromm **Present**, Charley Cull **Present**, Jay Hovendick **Present**, Don Johnson **Present**, Wally Lydick **Present**, Tony Moseman **Absent** Clayton Olsen **Present**, Roger Pond **Present**, Scott Ronnfeldt **Present**

Quorum present **yes**.

It was noted where the Open Meetings Act was located.

Visitors signing in Christy Eichorn for Buell Consulting, and Theresa Rachel of Omaha Tribe

Roger Pond made a motion to approve the minutes from the June 13th, 2022 meeting 2nd by Scott.

Roll call vote Ayes- Bromm, Ronnfeldt, Lydick, Olsen, Pond, Cull, Hovendick and Johnson
Nays- none. Absent-Moseman

At 6:33 Chairman Bromm opened the public hearing for the Conditional Use Permit for Buell Consulting on behalf of Parallel Infrastructure (AT&T) to place a 448' guyed tower to provide improved coverage, and fund critical initiatives, such as FirstNet (for emergency response), 5G support, and other new technologies in Section 35 Township 24 Range 9E in Logan Township.

Christy spoke and stated that AT&T wants to build their own infrastructure and that it is not cost effective to stay on the SBA tower that they are currently on.

Theresa Rachel asked if this was located inside or outside the external jurisdictional boundaries of the Omaha Tribe Reservation.

After discussion and looking at various maps it was determined that it was outside the jurisdictional boundaries of the Omaha Tribe Reservation.

Rodney closed the public hearing for the CUP at 6:53.

There was more discussion about the bounds of the reservation.

Roger Pond stated that he would abstain from voting because his property is the one that the SBA tower is on.

Wally made a motion to approve the Conditional Use Permit for Buell Consulting on behalf of Parallel Infrastructure (AT&T) to place a 448' guyed tower to provide improved coverage, and fund critical initiatives, such as FirstNet (for emergency response), 5G support, and other new technologies in Section 35 Township 24 Range 9E in Logan Township. With no conditions 2nd by Clayton

Roll call vote Ayes- Bromm, Ronnfeldt, Lydick, Olsen, Cull, Hovendick and Johnson Nays- none. Absent-Moseman, Abstain-Pond

At 7:08 Chairman Bromm opened the public hearing for the Updates to Zoning Regulation Book VI- Supplemental Regulations, VII- Administration and Enforcement, VIII- Board of Adjustment, IX- Amendments, X- Legal Status Provisions

There was no public comment.

Ann went over the changes that were made that were previously discussed:

Article XI

6.01- Changes were made and resolution 2022-09 was passed at the Board of Supervisors meeting on June 14th 2022

6.02- No changes

6.03- all will be updated per atty recommendations this will happen at the December 14th 2021 meeting Public Hearing took place on February 7th (planning) 9th, 2022 (supervisors)

6.04- No changes

6.05- A. Changed, updated, added website page 125

H. Referred them to Nebraska DEE for form Page 126

6.06- No changes

6.07- No changes

6.08- No changes

6.09- No changes

6.10- Sign Schedule updated per resolution 310728 6-27-07 page 129

6.11- made up a new sign permit page 129

6.12- No changes

6.13- No changes

6.14- No changes

6.15- Solar Energy section was added resolution 2021-3 in January- public hearing was already done

Article VII

7.02 last 2 sentences in paragraph 1 were passed 12/27/00 resolution 31200027 page 140

7.03 Changed shall expire within ninety (90) days to 1 Year changes September 2021

7.05 Certification of Occupancy- Delete per planning meeting September 2021 page 141-142

Article VIII- No changes

Article IX- No Changes

Article X- No Changes

Public hearing was closed at 7:27. Returned to regular meeting.

Charley made a motion to recommend to the Board of Supervisors Exhibit A of Articles VI-X, 2nd by Scott.

Roll call vote Ayes- Bromm, Ronnfeldt, Lydick, Olsen, Pond, Cull, Hovendick and Johnson
Nays- none. Absent-Moseman

Old Business: Eagle Island

Ann gave an update on Eagle Island stating all work is on hold until the Flood Plain Permit is reinstated. Ann is working with David Brainard's engineer and Nebraska Department of Natural Resources.

Reports- June and July's Zoning Permit Report was handed out to Commission members.

Correspondence- None

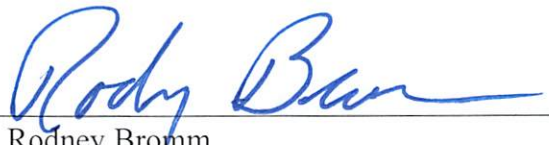
Next meeting: To be determined

Being no additional business Jay Hovendick made a motion to adjourn at 7:45 2nd by Roger Pond



Ann M. Chytka

Burt County Planning and Zoning Administrator



Rodney Bromm

Burt County Planning and Zoning Chairman

Burt County Planning Commission
September 6th, 2022 6:00pm
Meeting and Public Hearing

Minutes

Visitors signing in: Brian Stevenson, Andy Shelton, Florence Stevenson, Kathy and David Brainard, Rachael Hadden, David Welton, Grace Wipf, Roger Wipf, Teresa Shelton, Herb Shelton, Julie Hayes, Norma Lindholm, Karalyn Vanbeel, Leland Mongold, Joe and Lori Stappert, David Schold, Paul Richards, Ted Connealy, Deanna Goodwin, Michael Nolan, D?, Tonya Phillips, Fred Valandra, Donna Tatreau, Arnie Tatreau, James Vance, Terry Pickell

Testimony Sign-in: Brian Stevenson 4866 Lakeshore Drive- Opposed, Florence Stevenson 4866 Lakeshore Dr- Opposed, Kathy and David Brainard 4860 Lakeshore Dr- For, Rachael Hadden 4860 Lakeshore Dr- For, David Welton 4845 Riverview Ln- Against, Andy Shelton Hrb 671- - , Teresa Shelton Hrb 671- - , Herb Shelton Hrb 671 - - , Leland Monigold Lot 2 Roberts, Jared Goodwin 4880 Lakeshore -Oppose, Deanna Goodwin 4880 Lakeshore- Oppose, Donna Tatreau 4883 Lakeshore Dr- Oppose, Arnie Tatreau 4883 Lakeshore Dr- Oppose, James Vance 4834 Bay Circle- Oppose, Terry Pickell 4842 Bay Circle- Opposed, Michael Nolan Lot 1 Harbor- Support, Jennifer Heisler Lt 1 Roberts Landing- Opposed, Tonya Phillip Harbor 671- Opposed, Fred Valandra Harbor 671-Opposed

The meeting was Called to Order at 6:01P.M. by Chairman Rodney Bromm.

Roll Call was taken by Ann Chytka as follows: Rodney Bromm **Present**, Charley Cull **Absent**, Jay Hovendick **Absent**, Don Johnson **Present**, Wally Lydick **Present**, Tony Moseman **Absent**, Clayton Olsen **Absent**, Roger Pond **Present**, Scott Ronnfeldt **Present**

Quorum present **yes**.

It was noted where the Open Meetings Act was located.

Bromm stated that the minutes from August 1st, 2022 were received and reviewed.

With no changes being made, Roger Pond made a motion to approve the minutes from the August 1st, 2022 meeting 2nd by Wally.

Roll call vote Ayes- Bromm, Johnson, Lydick, Pond, and Ronnfeldt Nays- none. Absent- Moseman, Olsen, Cull, and Hovendick

At 6:02Chairman Bromm opened the public hearing for the Preliminary Plat Approval - Eagle Island, PTS2SW4 SEC 6 & PTE2NW4&PRIVATE RD SEC 7 6 Twp 21 Rng.12E ARIZONA TOWNSHIP

Chairman Bromm asked Dave Brainard to give the history of Eagle Island. In summary he said that he would like to see a total of 11 lots which would bring about \$6,000,000 dollars to the county.

Chairman Bromm asked "When building this up will this be out of the floodplain Dave answered that this will be about 4 feet above flood stage."

Wally asked if Dave had put any dirt on the wetland? He stated no dirt has been placed on the wetland.

Chairman Bromm asked those in attendance who would like to speak to keep it to 3 minutes.

Brian Stevenson of Harbor 671- expressed concern with the placement of the tubes and engineering.

Florence Stevenson gave pictures to the Commission to review. She expressed her concern about the tubes and the floodplain and the 61 lots at the Harbor.

Deanna Goodwin concerned with the process; she brought up the report from Adele Phillips. She also presented photos to the Commission to review. She brought up other concerns with the number of lots, and concerns with the number of acres being different then what is listed on the computer (Burt.gworks.com).

Teresa Shelton concerned with the wetlands, insurance and asking if the tax payers are paying for any for this.

Rachael Hadden spoke support of her Uncle David's Eagle Island Subdivision.

Jennifer Heisler concerned with her lot line, dredging, and the wildlife that used to be on the island.

Tonya Phillips concerned with water source.

Dave Welton would like the rules to be followed he also brought up the Adele Phillips letter.

Kathy Brainard spoke said that he is the one that has done all the permitting. Also spoke on how many people have been down there to investigate what Dave is doing on Eagle Island.

Andy Shelton questioning the surveys with what had been done in the 2 years prior to the current survey. Asked about if they had a 404 permit from the Army Corp of Engineers. Concerned with the sand and silt and compaction tests.

Rodney stated that as far as we are aware all the permits are in place. Were things in place when they needed to be probably not. Could things have been done differently, in a different scenario it should have been. Today we are looking at the development and what is done today. The wetlands, the NRCS has signed off on this.

Rodney stated that the plat we are looking at tonight does not have a restaurant, but if that is in the future then another meeting would need to be held then.

Unidentified person asked how to get the tubes removed. Rodney stated that he had spoke with 2 different attorneys and that would be a civil issue. The preliminary plat is what is before us tonight.

Unidentified person asked why he was shut down. Rodney responded because an H&H study was needed to be down by an engineer.

Michael Nolan referenced a story on "Fox News report that ran on the 24th of August 2022 "5 Rare Thousand Year rain events within a month" <https://www.foxweather.com/extreme-weather/5-rare-1000-year-rain-events-within-a-month-climate-change-may-force-noaa-to-update-criteria> He also stated that additions that are not queuing up to come to Burt County.

Unidentified asked about the grading plan.

Rodney closed the public hearing at 6:54, returned to regular meeting.

Rodney asked Nick Seery the Surveyor if he had done the elevations and the platting of the lots. The Preliminary Plats is what Nick put on paper after talking with David Brainard. Rodney asked if the road leading into it was high enough for emergency vehicles to get access into the subdivision. Rodney said that regulation needs to be met.

Rodney commented that there is no tax money from the County being used on this unless something else is applied for.

Water system and septic systems will all be private. Septic systems will need to meet Title 124 to be passed. And water systems will need to meet state codes.

Nick Seery introduced himself said that he started this project 2 years ago by doing the boundaries. He talked about the wetlands and also the 2 tubes that were placed. Nick said that he had talked with the engineer and the tubes are there to equalize the water.

Rodney asked Nick if he sees any protentional damage to other properties in the event of a flood. Nick said that is why the engineer did the study of the less than 1 foot rise.

Rodney asked the commission what they thought of the tubes and they agreed that they are a civil matter.

Rodney does see the concern and since it is a civil matter and not a zoning matter that we are going to move on from the tubes.

Rodney asked for input from the commission about the plat.

Roger said that he is not an engineer and that we can't question the engineer. Whether we started with the proper permits it has been cleared by the state and wetlands.

Public started shouting questions and Rodney said that we are not in a public hearing Scott asked if he has all the required permits today, Ann answered yes

Rodney said that it is in the regs that we have to have reason for their decision tonight.

He said that as a zoning board we need to put the right things in the right spots and do what is good for the county. If we look at the development as a whole there is a lot of positives. It is increasing the tax base, more housing, more economic development.

If this preliminary plat is approved it will need to meet the regs for having the road to meet the standard. The electrical and plumbing would need to follow state requirements.

Ann Chytka read the emails that she had received from:

Linda Ewoldt & Sue Bartek 4875 Lake Shore Dr- In Favor

David and Rosie Jones 4876 Lake Shore Dr- In Favor

Elizabeth Brainard- Asking for the Boards support

Bryan and KC Miller-In Favor

Mike and Peggy Mortensen Harbor 671 Lots 35 & 7-1- In Favor

Scott Hayes 4861 Lake Shore Drive- In Favor

Michael Nolan asked if he could forward the Fox news report to be part of this record.

Scott commented that it is our job to go by our zoning regulations; if all the permits are in place and the application is correct it is not our job to decide what is good or bad for the county that is the Supervisor's job.

Roger Pond agreed with Scott, and stated that Harbor 671 has some valid concerns but if the engineer say it is ok, we are not engineers. If the lawyers say it is a civil matter, we are not lawyers, and all the other permits have been done to our satisfaction, can't tell him he can't develop his own land if he has done everything, whether he started it that way or not. He does not see a reason not to approve this.

Rodney stated whatever we do this will go to the County Board, and we will have a second meeting on this. The Board will look at this preliminary plat and they can make changes. We will have a second meeting even if there are no changes for the final plat.

Rodney asked Flo Stevenson if she had a question she just asked about if they get a lawyer can they stop this? Rodney is not a lawyer.

Rodney asked Nick about the acres yes there are 36.17 acres.

Someone asked if all the objections would be in the minutes. Rodney said it would how Ann would type up the minutes.

Wally said that he is on board with this, he has jumped through all the hoops and this is a big project and it could help the county.

Someone in the crowd spoke out something about growing old.

Rodney looking at the project he thinks that it is very beneficial for the county, there are some concerns, there were things not done in order, when you look at the wetlands permit, the wetland through the NRCS and the Army Corp of Engineers, every permit that the county regs state, has

been done. When the permitting is done, we may have people that do not like it, but if you are in order then we pass along to the county board then they take action and make changes or whatever.

Don spoke that he has followed everything that was asked. Some of the pictures don't look good.

Rodney stated that he is open for motions.

Wally made a motion to accept his permit as written Seconded by Don

Scott asked if we needed to do an amendment for the height of the drive way
Rodney stated that it needs to follow the regulations

Scott amended the motion that the height of the road follow the regs seconded by Roger

Roll call on the amendment: Roll call vote Ayes- Bromm, Johnson, Lydick, Pond, and Ronnfeldt
Nays- none. Absent-Moseman, Olsen, Cull, and Hovendick

Roll call on the motion: Roll call vote Ayes- Bromm, Johnson, Lydick, Pond, and Ronnfeldt
Nays- none. Absent-Moseman, Olsen, Cull, and Hovendick

Rodney stated this will be sent to the Supervisors next Tuesday we do not have a time set as it is the Budget Hearing.

Rodney stated that we need to have a document as to why they came to this approval:

Pros: Economic Development and Growth of the tax base of Burt County

Rodney entertained a motion to accept the pros of Economic Development and the Growth of Burt Counties Tax Base. Scott made the motion and seconded by Roger

Roll call on the motion Roll call vote Ayes- Bromm, Johnson, Lydick, Pond, and Ronnfeldt
Nays- none. Absent-Moseman, Olsen, Cull, and Hovendick

It was discussed to finish this in September, but after discussion our next meeting will be on October 3rd.

Rodney let the audience know that they would be notified.

Rodney thanked Nick for sticking around.

Old Business: No old business was reported.

Reports-August Zoning Permit Report was handed out to Commission members. Ann also went over the difference between a Building and Zoning Permit, that she had reviewed with Rodney,

the assessor and Chairman of the Board. A **Building permit** is required prior to the Construction if the County has adopted building codes and would enforce construction standards. Burt County has not adopted building codes, so a building permit is not required. The County does require a **Zoning Permit** prior to any construction. A zoning permit enforces the zoning regulations that the County has adopted. If construction is started before obtaining a zoning permit, there will also be a penalty fee added.

The general rule of thumb is that if the footprint of the land is changing then a zoning permit is required.

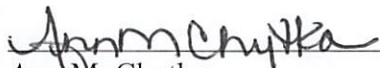
If a homeowner in Burt County decides to remodel and if cost exceeds \$2,500 then there is an Improvement Information Statement Form located on Burt County Assessors website. Burt County does not have building codes nor a building inspector. It is up to the Assessor to determine if a value of a dwelling has changed due to a remodel or rehabilitation.

If the County would like to adopt building codes, then they would need to hire a building inspector to enforce those codes.

Correspondence- Read prior

Next meeting: It was discussed and the next meeting will be October 3rd, @ 6:30 PM

Being no additional business Scott made a motion to adjourn at 7:57 pm 2nd by Roger Pond



Ann M. Chytka

Burt County Planning and Zoning Administrator



Rodney Bromm

Burt County Planning and Zoning Chairman

Burt County Planning Commission
October 17th, 2022 6:30pm
Meeting and Public Hearing

Minutes

Visitors signing in: Dave and Elizabeth Brainard, Bryan and KC Miller, Nic Seery, Norma ?, Karolyn ? and Scott Hayes,

The meeting was Called to Order at 6:35P.M. by Chairman Rodney Bromm.

Roll Call was taken by Ann Chytka as follows: Rodney Bromm **Present**, Charley Cull **Present**, Jay Hovendick **Absent**, Don Johnson **Present**, Wally Lydick **Absent**, Tony Moseman **Absent**, Clayton Olsen **Present**, Roger Pond **Absent**, Scott Ronnfeldt **Present**

Quorum present **yes**.

It was noted where the Open Meetings Act was located.

Bromm stated that the minutes from September 6th, 2022 were received and reviewed.

With no changes being made, Don Johnson made a motion to approve the minutes from the September 6th, 2022 meeting 2nd by Scott Ronnfeldt.

Roll call vote Ayes- Bromm, Cull, Johnson, Olsen, and Ronnfeldt Nays- none. Absent- Hovendick, Lydick, Moseman, and Pond

At 6:38 Chairman Bromm opened the public hearing for the Final Plat Approval -Eagle Island, PTS2SW4 SEC 6 & PTE2NW4&PRIVATE RD SEC 7 6 Twp 21 Rng.12E ARIZONA TOWNSHIP

Bromm asked Dave Brainard to give an update. Dave stated that is in the process of getting his SWPPP reinstated and that he hopes to have the Island ready in December.

Bromm asked if there were any others wishing to speak being none, Ann read an email that was received from Deanna Goodwin at 5:13 that day.

Bromm closed the public hearing at 6:43 pm.

There was discussion about the Final Plat, and the Pros for the County.

Scott Ronnfeldt made a motion to accept the final plat with the pro's being economic development and growth of the tax base in Burt County, with the stipulation that all state and federal regulations be followed. 2nd by Charley Cull.

Roll call vote Ayes- Bromm, Cull, Johnson, Olsen, and Ronnfeldt Nays- none. Absent- Hovendick, Lydick, Moseman, and Pond

Old Business: Don Johnson asked if he could get a print out of the update book, Ann said that they would be available at the next meeting.

Reports-September's Zoning Permit Report was handed out to Commission members.

Correspondence- Ann read a resignation letter from Tony Moseman, and advised the Commission that David Schold has asked Tyler Weitzenkamp he will be appointed at the next Board of Supervisors meeting on the 28th of October.

Next meeting: Is to be determined. Ann stated she doesn't know of anything coming down the pipeline.

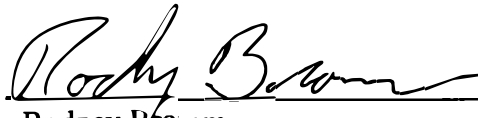
Being no additional business Charley made a motion to adjourn at 7:05pm 2nd by Scott



Ann M. Chytka

3-20-2023

Burt County Planning and Zoning Administrator



Rodney Bromm

Burt County Planning and Zoning Chairman

These minutes are not the official record and may be corrected. A copy of the approved official minutes will be available to the public at the Planning and Zoning Administrator's Office once they approved by the Planning and Zoning Commission.