

The Planning Commission Chair informed the public about the location of the current copy of the Open Meetings Act posted in the meeting room and accessible to members of the public.

SPECIAL MEETING  
Planning Commission-Council Chambers  
October 7, 2014

The Norfolk Planning Commission of the City of Norfolk conducted a public meeting in the City Council Chambers, 309 N. 5th Street, on the 7th day of October, 2014.

Vice Chair Lundy called the meeting to order at 7:30 a.m. The following members answered roll call: Davis, Marsh, Beckman, Lundy, Ohl, and Griffith.

Staff Present: Trent Howard, Dennis Smith, Mark Dolechek and Faythe Petersen.

Commissioner Ohl moved and Griffith seconded to approve the October 7, 2014 agenda.

AYE: Davis, Marsh, Beckman, Lundy, Griffith, and Ohl

NAY: ABSENT: Snodgrass, Milander and Fisher Motion carried.

Beckman moved and Marsh seconded to approve the September 23, 2014 minutes.

AYE: Davis, Marsh, Beckman, Lundy, Griffith, and Ohl

NAY: ABSENT: Snodgrass, Milander and Fisher Motion carried.

#### CURRENT BUSINESS

Discussion and action on the request of Verizon Wireless for a CUP for a cellular tower at 1337 W. Maple Avenue. Public hearing was held at the September 16, 2014 meeting.

Vice Chair Lundy read the conditions into the record and asked for discussion from the commissioners.

In condition #2, the word "year" will be added after twenty (25).

Commissioner Ohl moved and Davis seconded to approve the CUP for a cellular tower at 1337 W. Maple Avenue.

AYE: Davis, Marsh, Beckman, Lundy, Griffith, and Ohl

NAY: ABSENT: Snodgrass, Milander and Fisher Motion carried.

Public hearing at the request of Porter Pit LLC for a concrete crushing and material stockpile at 2300 South Victory Road.

Vice Chair Lundy opened the hearing at 7:36 a.m. and asked for anyone in favor of the permit to speak.

Dick Johnson, representing Porter Pit LLC, said that Mr. Porter wants to operate a concrete crusher and with stockpiling. Mr. Porter is moving the crusher to a different location on his property and the neighbors shouldn't see any difference in the operation. He advised they would improve the control of dust. The buildings aren't permanent. Mr. Porter attempted a zone change to I-2 which wasn't approved, so they are now requesting this CUP.

Eldon Mundorf, abutting property owner, said that he is not in opposition to the permit however he feels some conditions should be considered. Those conditions include the hours of operation; a list of material stockpiled; changing the permit from perpetual to ten years; moving the crusher as far to the southwest as possible, observing 400' setback from Victory Road; maximum height of piles and their setback from the Mundorf property.

Sheila Dreismeier, abutting property owner, also said she is not in opposition to the operation however she would like the crusher to be moved to the west and she feels the stockpiles are unsightly. She is asking for dust regulations for the operation.

Kenneth Porter, owner, said that he is developing an irrigation system to manage the dust. He crushes concrete and redistributes it throughout Northeast Nebraska. He said if he were required to move the crusher, he would have to move all of his equipment. He also feels moving the equipment further into his lot is not conducive to his customers. He will be putting up a chain link fence and yard lights.

Vice Chair Lundy closed the hearing for discussion and action at 8:14 a.m.

The commissioners discussed conditions and agreed on the hours and days of operation, concrete on the Right of Way with track out verbiage; fencing as per the site plan; piles no higher than 12 feet and a ten (10) year permit.

Commissioner Ohl moved and Davis seconded to table the Conditional Use Permit for Porter Pit, L.L.C. at 2300 S. Victory Road.

AYE: Davis, Marsh, Beckman, Lundy, Griffith, and Ohl

NAY: ABSENT: Snodgrass, Milander and Fisher Motion carried.

Farm Credit Services of America Subdivision-Final Plat

Karen Larson, JEO, representing Farm Credit Services of America said this was originally platted into four lots and they are reducing it to one. There have been several lot boundary changes approved on these lots. In order to clean up the platting, they are requesting a vacation of the existing lots and platting again as a one lot subdivision. The setback question that arose at the subcommittee meeting was resolved and Karen distributed a new plat. All other items have been submitted.

Commissioner Davis moved and Beckman seconded to recommend approval of Farm Credit Services of America Subdivision final plat and subdivision agreement.

AYE: Davis, Marsh, Beckman, Lundy, Griffith, and Ohl

NAY: ABSENT: Snodgrass, Milander and Fisher Motion carried.

JMHS L.L.C.'s Subdivision-Final Plat

Lavern Schroeder, representing Chris Merkel, said this plat is on South 37<sup>th</sup> Street where it runs into the river. This is a three-lot subdivision on 80 acres. There had been discussion about moving the access to the north along the quarter section line but that was rejected since the county wasn't in favor of additional right of way to maintain. All other items have been submitted.

Commissioner Ohl moved and Beckman seconded to recommend approval of the final plat of JMHS L.L.C.'s Subdivision.

AYE: Davis, Marsh, Beckman, Lundy, Griffith, and Ohl

NAY: ABSENT: Snodgrass, Milander and Fisher Motion carried.

Request for a Sidewalk Waiver for JMHS L.L.C.'s Subdivision

Lavern Schroeder, representing Chris Merkel, is requesting a sidewalk waiver for JMHS L.L.C.'s Subdivision until sidewalks are within the area.

Commissioner Ohl moved and Griffith seconded to recommend approval of a sidewalk waiver for JMHS L.L.C.'s Subdivision.

AYE: Davis, Marsh, Beckman, Lundy, Griffith, and Ohl

NAY: ABSENT: Snodgrass, Milander and Fisher Motion carried.

There was no other discussion and Marsh moved to adjourn and Beckman seconded. Adjourned at 8:41 a.m.



Faythe Petersen, Secretary/Norfolk Planning Commission