

WASHINGTON COUNTY PLANNING COMMISSION MINUTES

March 5, 2015

7:00 p.m.

Supervisors Room, County Courthouse, 1555 Colfax Street, Blair, Nebraska

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“All Commission members receive staff reports approximately one week prior to the meeting”

MEMBERS PRESENT

Gary Lambrecht, President
Matt Mathiesen, Vice Chairman
Steve Neuverth
Wes Petznick
Lyle Schjodt

STAFF PRESENT

Tanna Wirtz
Teresa McBride
Terri Stanford

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COMMISSION ACTION:

Chairman Lambrecht called the meeting to order at 7:00 p.m.

With regard to the February 5, 2015 minutes, the following action was taken:

MOTION: Schjodt
I move the minutes be approved as presented
SECOND: Neuverth
VOTE: Aye –Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none MOTION CARRIED

With regard to the agenda, the following action was taken:

MOTION: Petznick
I move the agenda be approved
SECOND: Mathiesen
VOTE: Aye –Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none MOTION CARRIED

With regard to the election of Officers, the following action was taken:

Mathiesen nominated Lambrecht for Chairman. No other nominations were presented.

MOTION: Neuverth
I move that nominations close and a unanimous ballot be cast for Gary Lambrecht as Chairman.
SECOND: Mathiesen
VOTE: Aye - Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none MOTION CARRIED

Lambrecht nominated Mathiesen for Vice-Chairman. No other nominations were presented.

MOTION: Petznick
I move that nominations close and a unanimous ballot be cast for Matt Mathiesen as Vice-Chairman.
SECOND: Schjodt
VOTE: Aye - Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none MOTION CARRIED

Chairman Lambrecht welcomed everyone and stated this meeting will be conducted in accordance with the Nebraska Open Meetings Act and a copy of that Act is posted in the room; and noted that copies of material the Commission has is also available on the table in the hall.

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OLD BUSINESS/RENEWALS

Conditional Use Permit reviews for March: Approved Administratively per County Zoning Regulations Section 6.14 and 6.18

Hoegermeyer Farms	98-07	sludge	Renew 1 year
Allen Trumble	98-09	sludge	Renew 1 year
John Tyson	07-04	Corn milling bio-solids	Renew 1 year
Robert Peterson	07-06	Corn milling bio-solids	Renew 1 year
Neale Family Farms	07-07	sludge	Renew 1 year
Randy Blomker	07-08	corn milling bio-solids	Renew 1 year
Camp Fontenelle	09-02	RV Park	Renew 1 year
Dan Knapp	11-07	acc building before home	Renew 1 year

Hoier/Botteger/Hoier	14-03	corn milling bio-solids	Renew 1 year
Neale Shaner	14-04	sludge	Renew 1 year
Kriete Farms	14-05	sludge	Renew 1 year
Shaner Family Farms	14-06	Corn milling bio-solids	Renew 1 year

PUBLIC HEARINGS

CONDITIONAL USE PERMIT

1. Tietz Farms, Inc.

Request to allow for two principal buildings on one lot of record during the building process for a new home on a 3.285 acre tract in Section 31 Township 17 North Range 13 East of the Sixth P.M. (location: 4486 Co. Rd. P40, Omaha, NE)

Richard Tietz advised the Commission that they wish to build a new house and that the existing “old” house will be demolished or moved out upon completion of the new house.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Petznick
 I move to approve the Conditional Use Permit request for Tietz Farms, Inc. with a one year review.
 SECOND: Mathiesen
 VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
 Nay – none

MOTION CARRIED

CONDITIONAL USE PERMIT

2. Rodney and Patricia Bloodworth

Request is to operate a winery on 10.015 acre tract, of Tax Lot 126, Section 29, Township 17, North Range 13, East of the Sixth P.M. (general location: 2828 Co. Rd. P49, Omaha, NE)

Rodney Bloodworth advised that the family is requesting a Conditional Use Permit for a wine tasting room on property. Vineyard is being established. Bloodworth stated that their goal is to open a wine tasting room, so that people can come out to their property enjoy some wine, maybe have a little music on weekends.

Patricia Bloodworth states that they are not going to be a winery. They are not actually going to process their own wine, just grow the grapes and sell wine there. Just a wine tasting room. Rodney explains that they will never process wine on the property. It will be Nebraska wines, some non-Nebraska wines, plan to offer micro-brews, cheese, crackers, stuff like that.

Lambrecht asks if the paperwork has been started with the Nebraska liquor Commission? Rodney stated "No".

Mathiesen asks "what size is the building you plan on putting up"? Rodney states that it is 36' x 56' building. Mathiesen inquires as to the parking on the property. Rodney advises there would be parking for roughly 30 vehicles. The building would sit approximately 500 yards off road. Rodney explains area of land surrounding the proposed building and their property.

Wirtz asks if this is a gravel road to your property? Rodney states "Yes". Wirtz inquires about the traffic now and how traffic would increase on the road from the business. Patricia states that they are hoping to get roughly 40 people. Rodney states there may be 20 extra vehicles.

Petznick inquires as to the hours and days they plan to be open. Rodney states that they will not be open on Mondays and Tuesdays. They plan to be open Wednesday and Thursday from 12:00 pm to 6:00 pm and then Friday & Saturday from 12:00 pm to 9:00 pm. Bloodworth's mission is to allow people to come out, have some wine, relax and not have a bar atmosphere.

Petznick questions the definition of winery, since Bloodworth's have stated that they are not a winery. Wirtz reads the definition of a winery. Petznick asks how does the micro-brew fit into the definition? Commission discusses amongst themselves other local winery and the roads.

Wirtz asks "you plan on growing the grapes yourselves and shipping them out to be processed into wine"? Patricia states "Yes, eventually someone will process the wine for them". It takes about 4 years roughly for the grapes to be established.

Chairman Lambrecht opened the public hearing.

Tom Gepson, neighbor has numerous concerns with parties, outdoor events, and glamour camping (tents, teepees, etc). He also had concerns about live music, traffic, noise, guest and/or pets wandering, etc., as well as the sewage, as the area is on a rural water system. What about signage for advertising along the roads?

Mathiesen asks Gepson "where does your property lie in adjacent to the Bloodworth's property"? Gepson states that it is north of the Bloodworth property.

Jim Townley, neighbor south of the Bloodworth property spoke. Townley has about 12.5 acres of land just south of the property line. His concern is that he grows hay and sprays chemicals for weeds and how this is going to affect the vineyards. Will this lead to higher taxes? How is the area zoned and will the zoning have to be rezoned because of this? Townley, like Gepson, is also concerned about the events, glamour camping, sewage, etc.

Wirtz explains that currently what the county has for wineries is small scale. Not more than a dozen people at an event. Wirtz states that she has concerns with the gravel road and the volume of traffic. Wirtz states this must be compatible with the area, which is zoned agricultural.

Petznick questions the sewage/rural water and the building. Wirtz explains conditions that must be met when dealing with a building that will be used for the public.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

Schjodt questions Wirtz as to the definition of Winery under the regulations, since the Bloodworth's do not intend to produce wine on the property. Lambrecht states that growing grapes is part of the process, not just the distilling of the wine.

Lambrecht states that his concern is with the infrastructure on the roads, the live music effecting the neighbors and that the Bloodworth's would be locked down to at least 75% of the finished product being from Nebraska based under the regulations. Also, the Conditional Use Permit would have a one year review and if after that one year there were concerns, the Conditional Use Permit can be revoked.

Mathiesen's concern is that it sounds more like a commercial property then a winery by his understanding of the definition, as they would not be processing wine, only selling. Mathiesen also inquires as to the micro-brews and where that fits in to the regulation. Mathiesen also has concerns as to the infrastructure of the road and issues that may arise in the future.

Rodney advises that before they considered this, they researched and visited various tasting rooms/wineries throughout Nebraska. He stated that 95% of the roads were gravel and it was a distance down these roads.

Petznick asks if the Roads Department has been contacted and if there are any concerns from them". Wirtz states "No, they had not been contacted".

Schjodt questions the tasting room vs. winery. Wirtz advises that County Regulations only cover the definition for a winery, there is no definition for a tasting room. Commission discusses tasting room, winery and where micro-brews fit in to it.

Lambrecht moves to approve the Conditional Use Permit for a winery on the property with the following conditions: at least seventy-five percent or more of the finished products are grown in Nebraska, no camping allowed, live music allowed only one day per weekend with review in one year. Lambrecht calls for a second Motion. Motion fails due to the lack of a second motion.

Commission discusses the definition of live music and explains why the review of Conditional Use Permits are necessary to the applicant.

Schjodt explains why he still does not think Bloodworth's request for a Conditional Use Permit falls under the definition or regulations. Schjodt states that he understands that Bloodworth's are growing the grapes, but they are not producing the end product of wine. Schjodt believes that is what the regulation was intended for.

Neuverth explains to Bloodworth that it would be like the local farmers taking their corn to local mills and having it processed and then selling it from their farm properties. Neuverth considers this more of a retail outlet.

Commission discusses how micro-brews fit in to it and how does one police it. Lambrecht does not believe there is a way to police it, as the liquor license would be under control of the Nebraska Liquor Commission.

Commission discusses the issues further.

MOTION: Lambrecht
I move to approve the Conditional Use Permit with the following conditions: at least seventy-five percent or more of the finished products are grown in Nebraska, no camping allowed, live music allowed only one day per weekend with review in one year.

SECOND: Schjodt

VOTE: Aye – Lambrecht, Mathiesen, Petznick
Nay – Neuverth, Schjodt

MOTION CARRIED

CONDITIONAL USE PERMIT

3. Jeff and Maria Bledsoe

Conditional use permit request is to increase the size and height of the existing sign due to the relocation of the sign required by the Hwy 133 expansion. (Proposed sign 9' x 13' x 25' tall with flood lights), on Tax Lot 31, 18.12 acres, Section 24-Township 17 North-Range 11 East of the Sixth P.M. (address: 3935 State Highway 133)

Jeff and Maria Bledsoe, owners and operators of Skinny Bones, advise that because they were required to move the Skinny Bones sign further west, it is needing to be improved.

Neuverth asks if the lighting on the sign is seasonal now? Jeff states that "Yes, it is seasonal now", but they would like to illuminate it year round, if possible.

Petznick asks what is the size of the sign now? Jeff states that it is approximately 5' x 10'.

Schjodt inquires whether there is any State regulations that Skinny Bones is required to meet. Bledsoe's states that they will contact the State to find out prior to constructing a new sign to confirm. Wirtz reads the regulations and explains that the new sign does fall within the requirements.

Discussion is had as to location of new sign and lighting on it.

Chairman Lambrecht opened the public hearing.

Scott Lund, Farm Manager at Santa's Woods states that the new sign size request from Skinny Bones is right in line with the size of their sign. Lund explains that they use 150 watt lights on each side of their sign due to the fact that the 55 watt lights do not illuminate the sign as well. Neuverth asks Lund, if the Santa Wood's sign is lit year round or seasonal? Lund states year round and that the lights are on a timer.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

Schjodt inquires as to the lighting regulations as to zoning. Wirtz explains the lighting, watts and the zoning, when it comes to different areas around the county.

MOTION: Schjodt
I move to approve the Conditional Use Permit request for Jeff and Maria Bledsoe dba Skinny Bones with the following waivers: waiver of the 50 watt light limit allowing 150 watt light and lighting year round with a one year review

SECOND: Mathiesen

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none

MOTION CARRIED

CONDITIONAL USE PERMIT

4. Cottonwood Marina, Inc./Steve Lupardus/Steve & Mike Lupardus

Conditional use permit request is for Modifications of CUP to conform with the Zoning Regulation definitions for 2.03.221 Recreational Vehicle (RV) Park Complex. The complex may include the following services: restaurant, liquor sales, marina, RV and boat repair, fuel sales and convenience store. TL 43 and part of Lot 1 & part of Lot 2 River Shores Sub. in 29-19-12; TL 24 and part of Lot 1 & part of Lot 2 River Shores Sub. in 30-19-12; TL 27 in 30-19-12. (General location: 10270 Riverside Lane, Blair, NE).

Mike Lupardus , co-owner of Cottonwood Marina addressed the Commission. We are asking the Conditional Use Permit be updated to reflect the Regulations and Matrix. Wirtz asks if Cottonwood Marina proposes to request all the activities listed. Lupardus answers "Yes".

Chairman Lambrecht opened the public hearing.

Bob French, resident of Cottonwood Marina, states that Steve and Mike Lupardus are responsible, hard working guys and that he has no problems with the modifications to the Conditional Use Permit.

Randy Martin, resident of Cottonwood Marina, agrees with Mr. French's statement.

Sharon Young, resident, is glad to have Steve and Mike Lupardus updating and getting things fixed.

Lois Gnuse, affiliated with the Cottonwood Association stated that Lupardus's have done a great job and they have the equipment to get the updates handled. Wirtz advises that there are no complaints against the property.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

Neuverth inquires about existing/future buildings and where they can built. Wirtz explains what is floodway/floodplain and what can be built and whether permits will be needed.

MOTION: Mathiesen
I move to approve the Conditional Use Permit with the Modifications of CUP to conform with the Zoning Regulation definitions for 2.03.221 Recreational Vehicle (RV) Park Complex. The complex may include the following services: restaurant, liquor sales, marina, RV and boat repair, fuel sales and convenience store with a twenty year review.

SECOND: Petznick

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none

MOTION CARRIED

CONDITIONAL USE PERMIT

5. Riverview RV Park, LLC - Jason Armstrong

Conditional use permit request is for Modifications of CUP to conform with the Zoning Regulation definitions for 2.03.221 Recreational Vehicle (RV) Park Complex. The complex may include the following services: restaurant, liquor sales, marina, RV and boat repair, fuel sales and convenience store. TL's 34, 36, 39 & 40 in 29-19-12. (General location 10022 Riverside Lane, Blair, NE)

Lambrecht asks if there is a representative for Riverview present. Wirtz advises that there does not appear to be a representative in attendance and there is no signed Conditional Use Permit Renewal in the file. Mathiesen made a motion to continue.

MOTION: Mathiesen
I move to continue the Conditional Use Permit for Riverview RV Park, LLC - Jason Armstrong to the April 2, 2015 PC meeting so that a representative can be present.

SECOND: Neuverth

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none

MOTION CARRIED

WASHINGTON COUNTY

6. Washington County

Adoption of the Energy Element as part of the Comprehensive Plan required by State Statute.

Wirtz explains that this was presented to the Planning Commission back in December 2014. The County Board questioned whether or not it should be adopted and the County Attorney stated that it should be adopted as part of the Comprehensive Plan .

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

MOTION: Lambrecht
I move to adopt the Energy Element as part of the Comprehensive Plan required by State Statute.

SECOND: Mathiesen

VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none

MOTION CARRIED

PRELIMINARY PLAT

7. Preliminary request of Bob Sheets

Preliminary Plat of Sheets Hilltop Acres Subdivision, a proposed 2 lot residential subdivision of approx. 3.010 and 8.507 acre tracts, a subdivision of Tax Lot 14, Section 17, Township 19, North Range 11, East of the Sixth P.M. (General location: 15239 County Road P10, Blair, NE).

Wirtz advises that Gary Tinkham is representing Sheets, but due to a meeting this evening Tinkham was unable to make it.

Chairman Lambrecht opened the public hearing.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for any comments or a motion from the Commission.

Wirtz advises that there was discussion at a Six Pack Meeting. Lambrecht asks Mathiesen to inform the other Planning Commission Members what was discussed at that Six Pack Meeting.

Mathiesen explains that at the Six Pack Meeting it was discussed as to whether or not ten acre lots should be allowed to be divided up in to subdivisions. Mathiesen stated that the decision was made that unless they are on a paved road, they would not be eligible to be split into a subdivision situation. Lambrecht stated that they had also discussed rural water would be required. Wirtz explains that the regulations will need to be rewritten to conform.

Commission discussed the issues further

- MOTION: Petznick
I move to approve the Preliminary Plat of Sheets Hilltop Acres Subdivision with the following waivers: Waiver of the public water requirements. No public water system exists in this area; Waiver of internal road requirements for RS-1 Zoning. The lot that is to be zoned RS-1 already has access to the County Road. An additional driveway has been requested and approved for the 8.5 Acre lot that is to be zoned RS-2. This includes items 1, 3, 4, 5 SID/HOA, 6, 7, 8, 9, 10, 12, 14 Bond, 15, 16, 19 Bus and Mail area, 20 and 21; Waiver of Green Space; Waiver of Street Standards as no road is proposed; Waiver of Percolation Test - One septic system exists and there is 8.5 acre lot for the second; and that by waiving and not requiring an internal road this should not set precedence for future subdivisions.
- SECOND: Mathiesen
- VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none

MOTION CARRIED

NEW BUSINESS

Wirtz advises Commission that she has been researching additional information on Livestock Friendly. Lambrecht informs Planning Commission members that he and Wirtz went to Legislative to speak about LB106.

REPORTS FROM STAFF

ITEMS FROM THE MEMBERSHIP

Petznick questions the accessory building that is going up on P35 and whether it is for commercial business or personal use. Discussion is had as to if there was a permit obtained, if setbacks where met and how the building will be used. Wirtz advises that it will be looked at.

ITEMS FROM THE PUBLIC

ADJOURNMENT

- MOTION: Schjodt
I move to adjourn the meeting.
- SECOND: Mathiesen
- VOTE: Aye – Lambrecht, Mathiesen, Neuverth, Petznick, Schjodt
Nay – none

The meeting was adjourned at 8:45 p.m.

Gary Lambrecht, Chairman