

CALL TO ORDER

The regular meeting of the Lincoln County Planning Commission was called to order by Chairman Jongeling on April 18, 2022 at 6:30 p.m. in the Commission Meeting Room of the Lincoln County Courthouse.

ROLL CALL

Planning Commission members present were Collin Enstad, Scott Green, Wendi Hogan, Mark Johnson, Erik Scott, and Mike Poppens. Staff present were Toby Brown and Jen Cleveland. Daisy Johnson, Turner County Zoning Director, was also present via phone.

APPROVAL OF THE MEETING MINUTES

- 1) Chairman Jongeling called for comments or corrections to the minutes from March 21, 2022. No one proposed any changes. A motion was made by Commissioner Johnson and seconded by Commissioner Green to approve the meeting minutes. A roll call vote was taken. Yeas: Enstad, Green, Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None.

APPROVAL OF THE MEETING AGENDA

Chairman Jongeling asked if there were any changes to the meeting agenda. No one proposed any changes. A motion was made by Commissioner Hogan and seconded by Commissioner Enstad to approve the meeting agenda. A roll call vote was taken. Yeas: Enstad, Green, Hogan, Johnson, Scott, Poppens, Jongeling. Nays: none. Motion carried.

PUBLIC INPUT ON NON-AGENDA ITEMS

Chairman Jongeling opened the floor for public comment. Gaylon Lems spoke regarding a proposed pipeline by Summit Carbon Pipeline. Craig Arnold spoke regarding a proposal to develop hangers near the Tea airport. Hearing no additional public comment, Chairman Jongeling closed the floor to public comment.

OLD BUSINESS

No unfinished business was discussed.

PUBLIC HEARINGS

- 1) Commissioner Poppens left the room prior to the public hearing. Toby Brown recused himself and left the room after introducing Daisy Johnson from Turner County, who was present via telephone. Daisy Johnson introduced the application and presented a brief summary of the staff report. Michael Nadolski was present on behalf of the applicant to speak and answer questions. Chairman Jongeling opened the floor to public comment. Gaylon Lems, address not written, spoke in favor of the application. Edward Fett, with Perry Township, address not written, Dana Hann, address not written, Lennis Hahn, address not written, Doug Galbavy, with LaValley Township, address not written, Cheryl Ziegler, address not written, Steve Renli, address not written, all spoke in opposition to the application. Chairman Jongeling read correspondence received from Cheyl Ziegler, with Perry Township, and allowed the Planning Commission members a moment to read letters received from Malenda Hoelscher, 27427 470th Ave, Lennox, and Mary Beth Haan, 11560 Edward James Ave, El Paso, Texas. Cory Gronewold, 27404 470th Ave, Lennox, spoke to answer questions from the Planning Commission. Hearing no additional comments, Chairman Jongeling closed the floor to public comment. A motion was made by Commissioner Green and seconded by Enstad to approve the application with the following conditions:

1. That the Conditional Use Permit applies only to the transfer of four (4) building eligibilities from the SE ¼ Section 12-T99N-R51W to NW ¼ (Ex. Parts Sold), Section 7 -T55N-R50W
2. That any future splitting of property within the receiving parcel, shall first meet the requirements.
3. That all access to public roads must be approved by the appropriate road authority.
4. That a right-to-farm notice covenant shall be placed on the deed prior to the issuance of a building permit for a single-family dwelling.
5. That appropriate building permits shall be obtained.

A roll call vote was taken. Yeas: Enstad, Hogan, Scott, Jongeling. Nays: Green, Johnson. Motion carried 4-2.

- 2) Toby Brown introduced the application and presented a brief summary of the staff report. Andy Hulscher was present on behalf of the applicant to speak and answer questions. Chairman Jongeling opened the floor to public comment. Hearing none, he closed the floor to public comment. A motion was made by Commissioner Johnson and seconded by Commissioner Enstad to approve the application with the following conditions:

1. That the fiber utility hut location shall adhere to the submitted site plan.
2. That all materials and equipment shall be stored in an enclosed building.
3. That there shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
4. That all access to public roads must be approved by the appropriate road authority.
5. That appropriate building permits shall be obtained.

A roll call vote was taken. Yeas: Enstad, Green, Hogan, Johnson, Scott, Jongeling. Nays: None. Motion carried.

- 3) Toby Brown introduced the application and presented a brief summary of the staff report. Cory Gronewold, 27404 470th Ave, Lennox, was present to speak and answer questions on behalf of the applicant. Chairman Jongeling opened the floor to public comment. Jerry and Mary Schilling, 46690 279th St, Lennox, spoke in opposition of the application. Hearing no additional public comments, the floor was closed to public comment. A motion was made by Commissioner Poppens and seconded by Green to approve with the following conditions:

1. That the accessory building/stable location shall adhere to the submitted site plan.
2. That the total area of all accessory buildings may not exceed 1,632 sq. ft.
3. That the building shall be an accessory use to the continued use of the property as a residential parcel.
4. That only personal storage and stabling of horses shall be allowed in the building and no commercial uses or commercial storage will be allowed at any time.
5. That there shall be no indication of offensive noise, odor, smoke, dust or glare at or beyond the property line.
6. That appropriate building permits shall be obtained.

7. The site is limited to four (4) horses.

A roll call vote was taken. Yeas: Enstad, Green, Hogan, Johnson, Scott, Poppens, Jongeling. Nays: None. Motion carried.

NEW BUSINESS

- 1) Toby Brown spoke regarding the history of density zoning and the requirements and process to transfer a building eligibility from one property to another. The floor was opened for public comment. Anthony Ventura, address not written, Arlan Hagena, with Grant Township, Galen Smidt, address not written, Cory Gronewold, 27404 470th Ave, Lennox, Gaylon Lems, address not written, Brett Merkle, address not written, Ron Albers, with Delapre Township, and Jason Vandentop with Dayton Township all spoke regarding the transfer of building eligibilities.

Toby Brown recommended continuing the discussion at the May 16, 2022 Planning Commission meeting and stated a letter would be sent to all Township officials informing them of the discussion.

- 2) Toby Brown updated the Planning Commission that the appeal of USE-0008-2022 was tabled by the Board of Commissioners at its meeting on April 5, 2022.

ADJOURNMENT

A motion was made by Commissioner Enstad and seconded by Commissioner Green to adjourn the meeting at 10.01 p.m. A voice vote was taken. Yeas: All. Nays: None. Motion carried.