

Sidney, Nebraska, February 16, 2021

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 P.M. on February 16, 2021 in the City Council Chambers, located at 1115 13<sup>th</sup> Avenue. Present were: Chairman Smith and Commissioners: Benzel, England, Loghry, Long, Schmitt, and Sweetser. Absent: Glenn. Others present: Chief Building Official Kubo and City Clerk Heilbrun. Notice of the meeting was given in advance thereof by publication in The Sidney Sun Telegraph, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Chairman and all members of the Commission, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Smith announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Schmitt moved, Benzel seconded "That the minutes of the September 21, 2020 meeting be approved." Roll call vote: Yeas: Benzel, Long, Schmitt, Smith and Sweetser. Nays: None. Abstain: England and Loghry. Absent: Glenn.

Chairman Smith announced "That the Planning Commission would now hold a public hearing at 5:33 p.m. to consider the Conditional Use Permit of Wieser Properties/Sporer Land Development, Inc. to Process/Crush Concrete Pavement for the L17J Link Project on a 3-acre tract of land located in the Part of the South Half of Section 4, Township 13N, Range 49W, Sidney, Nebraska of; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections."

The following filed written objections: None. The following appeared in person or by agent or attorney and were heard: Mike Wieser, Ty Elias of Sporer Land Development, Inc., and Brian Engel of Paulsen Inc.

Chief Building Official Kevin Kubo noted that this property is zoned Agricultural which allows for this type of Conditional Use if approved by the Planning Commission.

Mike Wieser, property owner at 1865 Rd 117, stated that he had been approached by the two companies, Sporer Land Development, Inc. and Paulsen Inc., to lease a site on his property for the Link 17J project. He explained that the road access to this parcel of land is directly across from the Woodis property with limited visibility from the highway. This prompted him, as property owner, to request the Conditional Use Permits to aid in the project.

Ty Elias of Sporer Land Development stated that they will begin to strip the concrete sometime in March, crush the concrete at their site and use for the concrete road base in the resurfacing. His projected time frame for the total project was the end of November, pending delays for weather, followed by clean-up at the site. He noted that the batch plant would be the last piece of the project.

Chief Building Official advised that the Planning Commission could put an expiration date on the permit(s), such as a year from the start date, i.e., March 1, 2021 through March 1, 2022. If the project runs longer than that the applicant would have to come back to the Commission for an extension to the permit. He noted that the agreement the companies have with Mr. Wieser requires them to return the land as they found it.

There being no further questions or comments, Chairman Smith closed the public hearing at 5:38 p.m. and asked for a motion on the request.

Smith moved, England seconded “That the Conditional Use Permit of Wieser Properties/Sporer Land Development, Inc. to Process/Crush Concrete Pavement for the L17J Link Project on a 3- acre tract of land located in the Part of the South Half of Section 4, Township 13N, Range 49W, Sidney, Nebraska, be approved for a period of one year commencing on or about March 1, 2021 through March 1, 2022.” Roll call vote: Yeas: All Commissioners present. Absent: Glenn.

Chairman Smith announced “That the Planning Commission would now hold a public hearing at 5:39 p.m. to consider the Conditional Use Permit of Wieser Properties/Paulsen Inc. for a Concrete Batch Plant, to store aggregate and other materials to produce concrete for NDOT Project #STP-L17J(107), Sidney Link, on a 5-acre tract of land located in the Part of the South Half of Section 4, Township 13N, Range 49W, Sidney, Nebraska; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Mike Wieser and Brian Engel, Paulsen Inc.

Mr. Engel stated that his company is the general contractor for the L17J project. He stated that the Nebraska Department of Roads requires a mobile office at the job site. There will also be stockpiling of material for a batch plant, as well as staging equipment. They will be replacing the concrete from a batch plant at the site once the demolition and preparations are finished. He could not predict an actual end date for the project due to weather, cleanup, etc., but noted that they should be out of the area 30 days after the end of construction.

There being no further questions or comments, Chairman Smith closed the public hearing at 5:42 p.m. and asked for a motion on the request.

England moved, Long seconded “That the Conditional Use Permit of Wieser Properties/Paulsen Inc. for a Concrete Batch Plant, to store aggregate and other materials to produce concrete for NDOT Project #STP-L17J(107), Sidney Link, on a 5-acre tract of land located in the Part of the South Half of Section 4, Township 13N, Range 49W, Sidney, Nebraska, be approved for a period of one year commencing on or about March 1, 2021 through March 1, 2022 .” Roll call vote: Yeas: All Commissioners present. Absent: Glenn.

The meeting adjourned at 5:42 p.m.

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CHAIRMAN

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CITY CLERK