



7/1/2024 - PLANNING COMMISSION MEETING

MONDAY, JULY 01, 2024 at 7:00 PM

COUNCIL CHAMBERS, ALBION CITY HALL, 420 W MARKET ST. ALBION, NE 68620

AGENDA

CALL TO ORDER

A copy of the open meetings act is posted and is provided for the public on the billboard of the Council Chambers

ROLL CALL

APPROVAL OF MINUTES

1. [APPROVAL OF MINUTES OF THE MAY 7, 2024 PLANNING COMMISSION MEETING](#)

OLD BUSINESS

2. NONE

NEW BUSINESS

3. [DISCUSS POTENTIAL RECOMMENDATION TO CITY COUNCIL REGARDING THE ALBION COMMUNITY BURN SITE](#)

ITEMS TO BE PUT ON NEXT MEETING AGENDA

4. PUBLIC COMMENT FOR FUTURE CONSIDERATION
5. Next Regular Planning Commission Meeting - Monday, August 5, 2024 7pm

ADJOURNMENT

[***THE COUNCIL RESERVES THE RIGHT TO ENTER INTO EXECUTIVE SESSION ONLY AS PROVIDED IN R.S.N. 84-1410***](#)



AGENDA MEMO

MEETING NAME: Albion Planning Commission

DATE: July 1, 2024

ITEM NAME: APPROVAL OF MINUTES OF THE MAY 7, 2024 PLANNING COMMISSION MEETING

PRESENTER(S):

BACKGROUND INFORMATION:

Minutes are enclosed for review.

DISCUSSION:

MOTION: To approve the minutes of the May 7, 2024 Planning Commission Meeting

BY:

2ND:

ROLL CALL: Dailey _____ Thorberg _____ Fick _____ Gragert _____

Wynn _____ Nathan _____ Schafer _____ Vacant _____

SUMMARY OF DECISION:



5/7/2024 - PLANNING COMMISSION MEETING

TUESDAY, MAY 07, 2024 at 7:00 PM

COUNCIL CHAMBERS, ALBION CITY HALL, 420 W MARKET ST. ALBION, NE 68620

MINUTES

CALL TO ORDER

A Regular Meeting of the Albion Planning Commission of the City of Albion, Nebraska was convened in open and public session at 7:00 p.m. on May 7, 2024 at the Albion City Hall, 420 West Market Street, Albion, NE. The meeting was called to order by Chairman Fick at 7:00 p.m. Chairman Fick informed the public about the location of the current copy of the Open Meetings Act posted in the Council Chambers. Notice of this meeting along with the agenda was simultaneously given in advance to all members of the Commission. Notice of this meeting was given in advance by publication, a designated method for giving notice; a copy of proof of publication is attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The meeting was recorded using an audio recording device and such recording is available for inspection at the office of the City Clerk.

ROLL CALL

Commission members present were: Brian Nathan, Bev Dailey, Steven Ruzek, Tom Fick, Steve Gragert, and Don Thorberg. Absent were: Gale Schafer and Todd Wynn. City staff present were: Secretary Andrew Devine and Building Inspector Warren Myers.

APPROVAL OF MINUTES

1. CONSIDER MINUTES OF THE FEBRUARY 5, 2024 PLANNING COMMISSION MEETING FOR APPROVAL

Commissioner Dailey made a motion to approve the minutes of the February 5, 2024 Planning Commission meeting; seconded by Nathan. Voting Yea: Nathan, Gragert, Dailey, Ruzek, Thorberg, Fick. Voting Nay: None. Absent, Schafer, Wynn. Motion carried.

NEW BUSINESS

2. CONSIDER ADMINISTRATIVE PLAT/BOUNDARY CORRECTION APPLICATION OF JERRY H. NIEWOHNER, TRUSTEE OF THE DELBERT H. NIEWOHNER FAMILY TRUST

Planning Commissioners reviewed the application and Administrative Replat of Lot 1, Block "B" of the Golf Course View Subdivision. Secretary Devine explained that the application is to adjust the boundary

line of Lot 1 to square it off. Devine noted that Fairway Lane and Mulligan Street are owned by the Niewohner Trust and have not been dedicated to the county as public roadways. Devine stated this application meets all requirements for administrative boundary corrections. Commissioners agreed that it makes sense to square off the boundary line.

Commissioner Ruzek made a motion to approve the Administrative Plat/Boundary Correction Application of Jerry H. Niewohner, Trustee of the Delbert H. Niewohner Family Trust; seconded by Nathan. Voting Yea: Nathan, Thorberg, Ruzek, Dailey, Fick, Gragert. Voting Nay: None. Absent: Wynn, Schafer. Motion carried.

ITEMS TO BE PUT ON NEXT MEETING AGENDA

3. PUBLIC COMMENT FOR FUTURE CONSIDERATION

None.

4. NEXT MEETING: JUNE 3, 2024 7:00PM

Water/Sewer Extensions

Potential Conditional Use Permit

Nuisance Report

ADJOURNMENT

At 7:19 p.m. Commissioner Ruzek made a motion to adjourn, seconded by Thorberg. Voting Yea: Nathan, Fick, Thorberg, Ruzek, Gragert, Dailey. Voting Nay: None. Absent: Wynn, Schafer. Motion carried.

*****THE COUNCIL RESERVES THE RIGHT TO ENTER INTO EXECUTIVE SESSION ONLY AS PROVIDED IN R.S.N. 84-1410*****



AGENDA MEMO

MEETING NAME: Albion Planning Commission

DATE: July 1, 2024

ITEM NAME: **DISCUSS POTENTIAL RECOMMENDATION TO CITY COUNCIL REGARDING THE ALBION COMMUNITY BURN SITE**

PRESENTER(S):

Planning Commission Member requested that the planning commission discuss the location of the Albion Community Burn Site as it poses a risk to the lumber yard.

BACKGROUND INFORMATION:

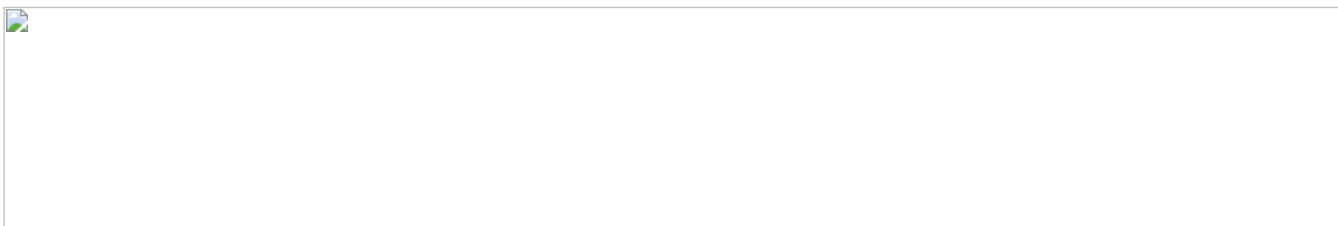
The City of Albion maintains a State Permitted Community Burn Site. NDEE maintains authority of this program and monitors the community site on a regular basis. Enclosed is an information sheet regarding the NDEE Community Burn Site Program

DISCUSSION:

MOTION: No Action at this time – discussion item only

NDEE News

For more information,
contact NDEE's Public Information Office, (402) 471-4223 or (402) 471-4243



All About NDEE: Community Burn Sites

Burning can be a convenient way to remove overgrown brush or fallen tree limbs from a property, especially in the wake of late-summer and early-fall storms that can often pop up across Nebraska.

Open fires, though, are prohibited by [Nebraska state law](#) as a means to protect air quality and the health and well-being of Nebraska residents.

While open fires are prohibited statewide, the Nebraska Department of Environment and Energy (NDEE) may issue a written permit on a case-by-case basis for some open-fire exceptions, which are regulated under [Title 129-Nebraska Air Quality Regulations](#). One of the most notable exceptions is for community burn sites.

Even if a community burn site is permitted by NDEE, a second permit issued by the local fire authority is required for each burning event. In some communities, however, local ordinances prohibit community burn sites and offer wood chipping programs as a substitute.

If local ordinances allow community burn sites, NDEE only permits the burning of tree branches, brush, and untreated wood. NDEE also evaluates the burn pile location and the distance from the nearest downwind roadway or occupied structure.

Items such as leaves, grass clippings, creosoted wood, treated lumber, painted wood, building demolition materials, and tires cannot be burned.

Burning of prohibited materials at a community burn site may result in withdrawal of the permit, and it also changes disposal requirements for the remnant ash. Under [Title 132-Integrated Solid Waste Management Regulations](#), ash produced from any material other than untreated wood, branches, or brush is required to be disposed of at a landfill.

NDEE performs regular inspections of community burn sites to ensure compliance with Title 129.

Provided they do not create a nuisance or hazard, fires set solely as part of a religious activity, small fires for recreational purposes, and fires used in outdoor cooking devices are not regulated as open fires by NDEE.

NDEE also does not regulate the use of burn barrels for the destruction of household refuse on residential premises containing ten or less dwelling units. Many communities, however, have local ordinances that prohibit this practice.



AGENDA MEMO

MEETING NAME: Albion Planning Commission

DATE: July 1, 2024

ITEM NAME: **ADJOURNMENT**

MOTION: To adjourn the meeting at _____ p.m.

BY:

2ND:

ROLL CALL: Nathan _____ Schafer _____ Dailey _____ Gragert _____

Thorberg _____ Wynn _____ Fick _____ Vacant _____

SUMMARY OF DECISION: