

Bennet Planning Commission
Regular Meeting Minutes
September 20, 2023

The Bennet Planning Commission held a regular meeting on Wednesday, September 20, 2023, at 7:00 p.m. at City Hall, 685 Monroe Street in the City. The session was open to the public and proceeded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska by posting at the City Clerk Office, the Post Office, and First Nebraska Bank.

Chairperson Josh Buck called the meeting to order at 7:00 p.m. and announced the Open Meetings Act was posted. Michele Lincoln, City Clerk/Zoning Administrator conducted roll call and recorded the minutes. Roll call: Josh Buck, Kevin Hiatt, Marilyn Maney, Boyd Batterman present. Alternate Matthew Tyler & Greg Pohl absent. Greg Pohl arrived at 7:19 p.m.

Hiatt moved and Maney seconded a motion to approve the minutes from the August 16, 2023, Regular Meeting. Roll call vote: Buck, Maney, Hiatt, Batterman voted YES. Motion carried.

During communications Maney had submitted some information on the Nebraska Cooperative Development Center which assists communities with cooperative business development. Lincoln shared that the Daycare Survey would be available until September 22nd and that the Lancaster County Broadband survey is still available and could help us get interested carriers for Bennet.

Boyd Batterman explained his application for the Nemaha Ridge 3rd Addition Preliminary & Final Plats. Lot 1, Lot 3 and Outlot 'C' of the Nemaha Ridge 1st Addition and Lot 1 of the Nemaha Ridge Second Addition and the vacated public right-of-way of Coffeetree Court are created into Lots 1 and 2 and Outlot 'A' of the Nemaha Ridge 3rd Addition. Hiatt moved and Buck seconded a motion to recommend approval of the Nemaha Ridge 3rd Addition Preliminary Plat to the City Council, contingent on the vacation of Coffee Tree Court prior to Final Plat approval. Roll call vote: Buck, Maney, Hiatt voted YES. Batterman abstained. Motion carried. Hiatt moved and Buck seconded a motion to recommend approval of the Nemaha Ridge 3rd Addition Final Plat to the City Council, contingent on the vacation of Coffee Tree Court prior to Final Plat approval. Roll call vote: Buck, Maney, Hiatt voted YES. Batterman abstained. Motion carried.

Nate Burnett with Rega Engineering presented a design concept for the Henry Addition, a proposed plat of Lots 7-9, Block 42 and Lot 1A of the Shay & Smith Addition, known as 690 Madison and 420 Garden Street on behalf of Kelly Langer. The plan includes connecting the two existing buildings on 690 Madison and moving the lot lines between the two parcels to allow for a drive-thru and parking.

A Public Hearing was held for the purpose of hearing testimony regarding deleting 5.15.07 #8 of the Bennet Zoning Ordinance which states that lots along the highways shall be required to gain access through a paved service road in the F-1 Flex District. Buck opened the public hearing at 7:29 p.m. There being no public comment Buck closed the hearing at 7:33 p.m. Pohl moved and Batterman seconded a motion to move forward to the City Council the amendment to the Bennet Zoning Ordinance deleting section 5.15.07 #8 which states that lots along the highways shall be required to gain access through a paved service road in the F-1 Flex District. Roll call vote: Buck, Maney, Hiatt, Batterman, Pohl voted YES. Motion carried.

After concerns expressed during a public hearing before the City Council regarding fence requirements for above ground pools, the Council requested the Planning Commission review 4.23 #2 (B) of the Bennet Zoning Ordinance, "sides of above-ground pools are acceptable as integral barriers, provided, the sides extend not less than four feet above the outside ground at all points....that access steps or ladders are capable of being rendered inaccessible by being removed or raised more than four feet above the outside grade". Justin Dorn of 30 Tallgrass Circle stated that he was against changing the regulations that allow the side wall of an above ground pool of four feet as barriers and did not think a four feet fence should be required. Adam Kosch of 865 Hackberry agreed with Dorn's opinion and elaborated with statistical data regarding child deaths and drowning. He stated that allowing the four-foot wall to be an appropriate barrier aligned with what is common across the United States. Emilie Long of 845 Hackberry said she wanted clarification regarding what the current code said.

Lincoln announced that the Open House/Town Hall Meeting for the Downtown Revitalization/Community Economic Development Plan will be October 10th, from 6pm – 8pm at the Bennet American Legion.

Mason Herrman with Marvin Planning Consultants (MPC) had submitted Chapter 3 Population, Chapter 4 Housing, and Chapter 6 Public Facilities for the Planning Commission's review at their October meeting. He will have additional chapters for their review to them a couple weeks prior to the meeting. The UNL students working on the Downtown Project and MPC have created a plan for the Open House on October 10th.

Buck moved and Pohl seconded a motion to adjourn at 8:00 p.m. Roll call vote: Buck, Pohl, Maney, Hiatt, Batterman voted YES. Motion carried.

The next regular meeting is scheduled for October 18, 2023, at 7:00 pm at City Hall.

Michele Lincoln, CMC
City Clerk/Zoning Administrator