

THE MORTON COUNTY PLANNING AND ZONING COMMISSION MINUTES

Acting Chairman Zachmeier called the Morton County Planning and Zoning Commission meeting to order at 5:30 P.M. June 22, 2023, in the Morton County Commission Room, 210 2nd Ave NW, Mandan, North Dakota. Commissioners present were Rohr, Tomac, Wald and Ell Jr (virtually) also present were County Planner Natalie Pierce and Deputy Auditor Eckroth. Absent Berger, Braun, Kist and Buckley

Rohr moved and Tomac seconded to approve the agenda. All voting aye, motion carried.

Rohr moved and Wald seconded to approve the minutes from May 25, 2023. All voting aye, motion carried.

Chairman Zachmeier opened the Public Hearing – request from Dan Belohlavek for the final plat of a short-form subdivision known as Belohlavek Second Subdivision on 5.5 acres, and a zoning map amendment from Agricultural to Residential, in the W ½ of Section 18, Township 137N, Range 80W, Morton County.

Tomac moved and Rohr seconded to recommend approval of the final plat of the short-form subdivision known as Belohlavek Second Subdivision and a zoning map amendment from Agricultural and Residential district, as the subdivision conforms to the regulations established in Article 7 of the Morton County Land Use Code and reasonably conforms to the land use priorities established in the 2045 Comprehensive Plan. All voting aye, motion carried.

Chairman Zachmeier opened the Public Hearing – request from MBR Properties LLC and Ski Haven LLP for the final plat of a long-form subdivision known as Honey Hills Estates First Subdivision and a zoning map amendment from Agricultural and Residential with the exception of Lot 1 Block 1 (from Agricultural to Commercial) on 46.85 acres, in the NE ¼ of Section 32 & NW ¼ of Section 33, Township 140N, Range 81W, Morton County.

Mark Issacs commented on the stormwater management plan and is in the process of being updated as per Jesse Kist suggestions, explained how the retention pond will work and indicated Missouri West Water will make changes to the size of the pipeline.

Jesse Hehr, had concerns with the water run-off and Missouri West Waters in how the water lines will tie together and who will incur the cost.

Dennis Markel, concerns with water supply from Missouri West Water. Concerns that residents of Schlosser's Subdivision paid to hard-surface the full length of Square Butte Road and after Honey Hills construction traffic impacts Square Butte Road, how will the cost of road repairs be split?

Dan Dorfschmidt, concerns with water run-off and the water supply from Missouri West Water.

John Haggerott, concerns with the water run-off and recommends a technical study of where the water would go.

Rohr moved and Tomac seconded to recommend to postpone Honey Hills Estates First until more information is gathered, a full board is present to look at some of the issues that were

presented to staff late. Voting aye Ell Jr, Rohr, Wald, Tomac and Zachmeier, motion carried.

Chairman Zachmeier opened the Public Hearing – request from MBR Properties LLC and Ski Haven LLP for the final plat of a long-form subdivision known as Honey Hills Estates Second and a zoning map amendment from Agricultural to Residential on 124.17 acres in the NE ¼ of Section 32 & NW ¼ of Section 33, Township 140N, Range 81W, Morton County.

Dan Dorfschmidt, opposed of the subdivision because it is in his back yard, referenced verbiage from the Morton County Comprehensive Plan. Stated that if the development is approved Square Butte Road should be extended to his property, a new 4 wire fence should be installed between his property and the developer's property at the developer's cost on the accurate property boundary, a vegetative buffer should be established on certain lots, and park land should be set aside within the development.

Rohr moved and Wald seconded to move consideration of Honey Hills Estates Second to another date in order for staff to investigate Mr. Dorfschmidt's four concerns. All voting aye, motion carried.

Staff disclosed, for purpose of evaluating potential for conflict of interest, that she has legal interest in one property that lies within the initially publicized project area for Next Era's New Salem Wind Project. Staff displayed representative images of wind turbines at various distances within the Oliver Wind III project.

Chairman Zachmeier opened the Public Hearing – amendments to the Morton County Land Use Code Section 5-180 Wind Energy Facility. Discussion was held, no motion made.

Rohr moved and Tomac seconded to adjourn the meeting at 9.29 pm. All voting aye, motion carried.