



Regular Meeting of the Planning Commission

Tuesday, January 10, 2017

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

CALL TO ORDER

Acting Chairperson Wilkinson called the meeting to order at 7:00 p.m.

ROLL CALL

Attending: Planning Commission members: Jesse Berglund (arrived 7:24), John Sanders, Bryan Bosto, Kelly Johnson and Uriah Wilkinson; City: Al Cottingham and Holly Hansen.

Absent: Commission members: None.

Others Present: Karla Southworth, Arnela Southworth, Dick and Nancy Stevens, Barb Wyman, Steve Sather, John Badger, Clarence Badger, Kyle Backstrom, David Wiggins, Geoff Strack and Fred Doran.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Acting Chairperson Wilkinson requested nominations for a Chairperson, Uriah Wilkinson was nominated. There were no other nominations, Vote 4 – 0.

Chairperson Wilkinson requested nominations for a Vice Chairperson, Jesse Berglund was nominated. There were no other nominations, Vote 3 – 0 Commissioner Sanders voted present.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

December 13, 2016 Meeting Minutes

Chairperson Wilkinson asked for any corrections or additions.

Motion: Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from December 13, 2016, Commissioner Bosto seconded. (Motion was approved 4-0).

Zoning Case 16-20: Conditional Use Permit Amendment for SKB Environmental Cloquet Landfill, Inc.

Chairperson Wilkinson reminded the audience that this was not a public hearing since the public hearing was held on December 13, 2016 and closed at that meeting. There would be discussion between the Commission, staff and the developer for Zoning Case 16-20, Conditional Use Permit Amendment for SKB Environmental/Cloquet Landfill, Inc. He asked Mr. Cottingham to



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provide an overview of the topic. Mr. Cottingham noted SKB is proposing to amend their hours of operation to be open from 7:00 am to 7:00 pm seven days a week. They are also proposing to remove the 20% cap of the total volume of paper sludge waste and to allow the acceptance of this material on a 24 hour basis. The heavy equipment on site would not be used after 7:00 pm or on Sundays to help with possible noise issues. He referenced that there were representatives from SKB present along with Fred Doran, Burns and McDonnell the cities landfill consultant. He noted this was tabled at the last meeting with direction for more information on the methane gas and the MPCA review. He stated Mr. Doran had a presentation that he would go through and then open things up to questions.

Mr. Doran went through a power point presentation addressing concerns and questions that were raised at the previous meeting. He noted that the MPCA had not reviewed the application, they had no regulation limiting paper sludge acceptance rates. He noted that SKB was looking to install gas vents with the increase in paper sludge acceptance. He noted he is aware of two other paper sludge landfills that have passive gas vents like they SKB is proposing; Potlatch in Brainerd and SAPPI in Cloquet. He had a graph showing the landfill gas production comparison between an MSW landfill and an Industrial Landfill. He noted that the gas production for an industrial landfill is significantly less than an MSW landfill. He reviewed the testing procedure that was done on the paper sludge prior to disposal. He noted that SKB had brought in samples of the paper sludge so the Commission could see what the product was.

Chairman Wilkinson open discussion between the Commission, staff Mr. Doran and representatives of SKB.

Commissioner Sanders inquired as the gas migrating out of the landfill and off site.

Mr. Doran noted with the cells lined the migration of the gas would be to the surface and not out through the sides or the bottom.

Commissioner Sanders inquired as to the odors hanging down around the site and neighborhood rather than dissipating into the air.

Mr. Doran noted this doesn't happen very often and when it does is usually in the winter months. Typically you would notice the odors from an MSW landfill and not an industrial landfill because the higher generation of gas.

Commissioner Sanders inquired as to who monitors and reviews the reports that are generated.

Mr. Doran noted at the MPCA does but the City can also request copies of the reports so they can be checking on the gas levels also.

Commissioner Sanders was concerned with the future use of the property as playing fields with gas vents sticking out or with a collection system and the flameout area.



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Mr. Doran noted that the vents are usually placed around the site taking the future use into consideration so as to not interfere with the possible uses.

Commissioner Sanders inquired if Mr. Doran was aware of any explosions from the gas like the one in 1994 that killed a person and injured a number of others at a soccer game.

Mr. Doran noted he was aware of some of these occurring at an MSW landfill but not at an Industrial landfill since the amount of gas is substantially less than at an MSW.

Commissioner Sanders inquired as the flammability of the product as it exist.

Mr. Doran stated it was not flammable as it exists.

Commissioner Sanders inquired as to how many employees are at the landfill not including the trucking operation.

Mr. Backstrom stated they have four employees.

Commissioner Sanders inquired how the dumping of loads was not considered heavy equipment.

Mr. Backstrom noted that the noise studies that were done did not pick up any noise from the dumping of materials.

Commissioner Sanders read a prepared statement with his concerns with approving the request and how the propose changes did not meet the approval criteria for a conditional use.

Chairman Wilkinson inquired if there were any other questions from the Commission. There being no further questions he looked for a motion.

Motion: Commissioner Sanders made a motion to deny Resolution No. 16-20 Hours A Resolution Recommending Approval of a Conditional Use Permit Amendment to Allow the Expanded Hours of Operation for Shamrock Landfill, Motion died for lack of a second.

Motion: Commissioner Berglund made a motion to approve Resolution No. 16-20 Hours A Resolution Recommending Approval of a Conditional Use Permit Amendment to Allow the Expanded Hours of Operation for Shamrock Landfill, Commissioner Wilkinson seconded. (Motion was approved 4 – 1 Sanders)

Commissioner Berglund noted that he was satisfied by the noise studies and that the noise did not impact the neighborhood and the City had received no complaints from the neighbors.



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Motion: Commissioner Sanders made a motion to deny Resolution No. 16-20 Paper Sludge A Resolution Recommending Approval of a Conditional Use Permit Amendment to Remove the Limits of Allowed Paper Sludge Waste for Shamrock Landfill, Commissioner Johnson seconded. (Motion failed 2–3, Bosto, Berglund and Wilkinson).

Motion: Commissioner Berglund made a motion to approve Resolution No. 16-20 Paper Sludge A Resolution Recommending Approval of a Conditional Use Permit Amendment to Remove the Limits of Allowed Paper Sludge Waste for Shamrock Landfill adding a third condition limiting the amount of paper sludge waste to 40 % of the volume, Commissioner Bosto seconded. (Motion was approved 3–2, Sanders and Johnson).

Commissioner Berglund believed the increase wasn't significant and that there will be a monitoring system installed that doesn't exist today.

Cottingham noted that these items would be forwarded to the City Council for their meeting on Tuesday, January 17th.

Property Owner Notification Distance

Mr. Cottingham stated that following the last meeting Councilmember Rock had inquired about the notification distance and the lack of notification sent to property owners who were concerned about the landfill application. He noted that the state statute requires notification to property owners within 350 feet for conditional use permit request and the City sent notices to property owners within 1,320 feet. He noted one city that he had worked in placed a sign on the property referencing the proposal. He noted that wouldn't work in this case since the property is not visible from a road. He said regardless of what distance you used someone would not be happy. He suggested looking at each case and deciding on a distance at that time.

The Commission discussed this and felt that the distance should be discussed with the Chairman so it was not just a staff decision.

Ed's Bakery – Design Standards

Mr. Cottingham noted that the EDA was looking at expending funds to help eliminate the slum and blight condition of the Ed's Bakery building at 1013 Cloquet Avenue. The proposal that they received was to place metal on the east side of the building. He noted the design standards required the front and portion of the building that was visible from Cloquet Avenue needed to be of a masonry material. The EDA was wondering about the possibility for support for a variance or an Ordinance amendment to the design standards.



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The Commission discusses this and felt there was not anything special about this property to support a variance and if the design standards were amended it would open up a number of parcels that would not have to install masonry. They did not feel this was fair to businesses that followed the standards. They were not in favor of either option and the remodel should work within the dollars being given.

Commissioner's Questions/Comment

None.

Next Meeting

February 14, 2017

Meeting adjourned 8:30 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator