



Regular Meeting of the Planning Commission

Tuesday, October 24, 2017, 2017

7 pm Regular Meeting

1307 Cloquet Ave, Cloquet, MN 55720

OATH OF OFFICE – Elizabeth Polling

AGENDA

1. Call to Order
2. Roll Call
3. Additions/Changes to the Agenda
4. Minutes from the July 11, 2017 Planning Commission meeting
- _____
5. Zoning Case 17-16: Radouch Holdings LLC, Easement Vacation
- _____
6. Zoning Case 17-15: Annual Gravel Pit Renewals
- _____
7. Commissioner's Questions/Comments
8. Adjourn

NEXT MEETING:

November 14th@ 7 pm



Regular Meeting of the Planning Commission

Tuesday, July 11, 2017

7:00 p.m.

1307 Cloquet Ave, Cloquet, MN 55720

CALL TO ORDER

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

ROLL CALL

Attending: Planning Commission members: Uriah Wilkinson, Jesse Berglund, John Sanders, Kelly Johnson, Terri Lyytinen and Nathaniel Wilkinson; City: Al Cottingham.

Absent: None.

Others Present: John and Kim Napoli.

ADDITIONS/CHANGES TO THE AGENDA

None.

AGENDA ITEMS

June 13, 2017 Meeting Minutes

Chairman Wilkinson asked for any corrections or additions.

Motion: Commissioner Johnson made a motion to approve the Planning Commission meeting minutes from June 13, 2017, Commissioner Lyytinen seconded. (Motion was approved 6-0).

Zoning Case 17-14: Variance for John Napoli

Chairman Wilkinson reviewed the public hearing procedures and format and opened the public hearing for Zoning Case 17-14, Variance to minimum side yard setback for John Napoli. He asked Mr. Cottingham to provide an overview of the topic. Mr. Cottingham stated Mr. Napoli is seeking a variance from the minimum side yard setback in the R2 – One and Two Family Residence District. Mr. Napoli is proposing to remove his existing attached garage and replace it with the same size garage in the same location. A legal notice was published in the Pine Journal on June 29, 2017 and property owners within 350 feet were sent notice of the public hearing. Mr. Napoli was present to answer any questions the Commission may have.

Mr. Napoli stated he did not have anything to add but would answer any questions the Commission might have.



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The Commission discussed the request noting the setback would be the same as the existing garage and that it met the variance criteria.

Motion: Commissioner Sanders made a motion to approve Resolution No. 17-14, A Resolution Approving a Variance from the Minimum Side Yard Setback in the R2 – One and Two Family Residence District for John Napoli, Commissioner Johnson seconded. (Motion was approved 6-0)

Commissioner's Questions/Comment

Mr. Cottingham updated the Commission on the City Administrator hiring process noting that interviews were scheduled for next week.

Next Meeting

August 8, 2017

Meeting adjourned 7:07 p.m.

Respectfully submitted,

Al Cottingham, City Planner/Zoning Administrator



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: October 18, 2017

**ITEM DESCRIPTION: ZONING CASE 17-16: EASEMENT VACATION –
VACATING A PORTION OF THE EAST/WEST
EASEMENT LYING SOUTH OF 2005 GRANT AVENUE**

Background

Nathan Radoush is proposing to vacate a portion of the east/west drainage and utility easement lying south of 2005 Grant Avenue. This is being requested since a portion of the right-of-way for Grant Avenue west of 21st Street was vacated in 2004 but the easement was preserved since there were utilities located within the right-of-way. Mr. Radoush is proposing to vacate the south 20 feet of the total easement leaving 40 feet of the easement. There are no utilities located within this 20 feet.

The right-of-way for Grant Avenue between 20th Street and 21st Street was vacated at two separate times. In 2002 the westerly portion was vacated along with the utility easement since there were no utilities in this portion of the right-of-way. In 2004 the westerly 100 feet of the easterly portion was vacated, however, a utility easement was maintained over the entire 60 feet because different utilities were located within the right-of-way. These utilities consisted of a gas line, sewer and water lines and a phone line located in a portion of the right-of-way. The gas line has been removed and the other utilities are located in the northern portion of the easement.

It is anticipated that a petition will be submitted to vacate the rest of Grant Avenue west of 21st Street in the near future. In 2004 when the portion was vacated Grant Avenue had not been constructed and there was discussion that a temporary cul-de-sac might be constructed and thus a portion of the right-of-way west of 21st Street was preserved.

A public hearing will be held on Tuesday, October 24, 2017 to consider a possible easement vacation. A legal notice was published in the Pine Journal on October 5, 2017 and effected property owners were sent notices of the public hearing.

Policy Objectives

There is no formal requirement on determining if an easement should be vacated. It is really up to a common-sense approach as to whether there is currently or will be in the future a need for the easement that is being vacated.



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Financial Impacts

The filing fee for the vacation of an alley is \$350.00. The applicant has paid that fee.

Advisory Committee Action Requested

The Planning Commission should listen to the testimony that is presented at the public hearing for the vacation. Following this testimony, the Planning Commission should review the vacation and either recommend approval or denial the vacation as submitted.

Staff Recommendation

Staff has reviewed the vacation request and would recommend approval of the vacation of the south 20 feet of the drainage and utility easement.

Supporting Documents Attachments

- Resolution No. 17-16
- Location Map
- Lot Survey

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 17-16

**A RESOLUTION RECOMMENDING APPROVAL OF THE VACATION OF THE
EAST/WEST DRAINAGE AND UTILITY EASEMENT LYING SOUTH OF 2005
GRANT AVENUE**

WHEREAS, Nathan Radoush is proposing to vacate the east/west drainage and utility easement lying south of 2005 Grant Avenue; and

WHEREAS, As required by ordinance, notification was advertised in the Pine Journal and effected property owners have been notified. A public hearing was held to consider the application at the regular meeting of the Cloquet Planning Commission on October 24, 2017 at which time Zoning Case / Development Review No. 17-16 was heard and discussed; and

WHEREAS, the property of the proposed Drainage and Utility Easement Vacation is located south of 2005 Grant Avenue and is legally described as follows:

The south 20 feet of the vacated portion of Grant Avenue adjacent to Lot 1, Block 4, Southside Addition to Cloquet, Carlton County, Minnesota. And,

WHEREAS, the Planning Commission reviewed the staff report and recommends approval of the vacation.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that the Planning Commission recommends approval of Zoning Case 17-16 for a vacation of the east/west drainage and utility easement lying south of 2005 Grant Avenue.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: ____ NAY: ____ ABSENT: ____

| | | | |
|---------------------|-------|-----------------|-------|
| KELLY JOHNSON | _____ | TERRI LYYTINEN | _____ |
| ELIZABETH POLLING | _____ | JOHN SANDERS | _____ |
| NATHANIEL WILKINSON | _____ | URIAH WILKINSON | _____ |

Passed and adopted this 24th day of October 2017.

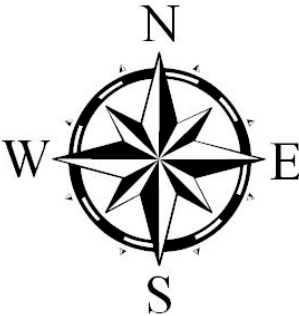
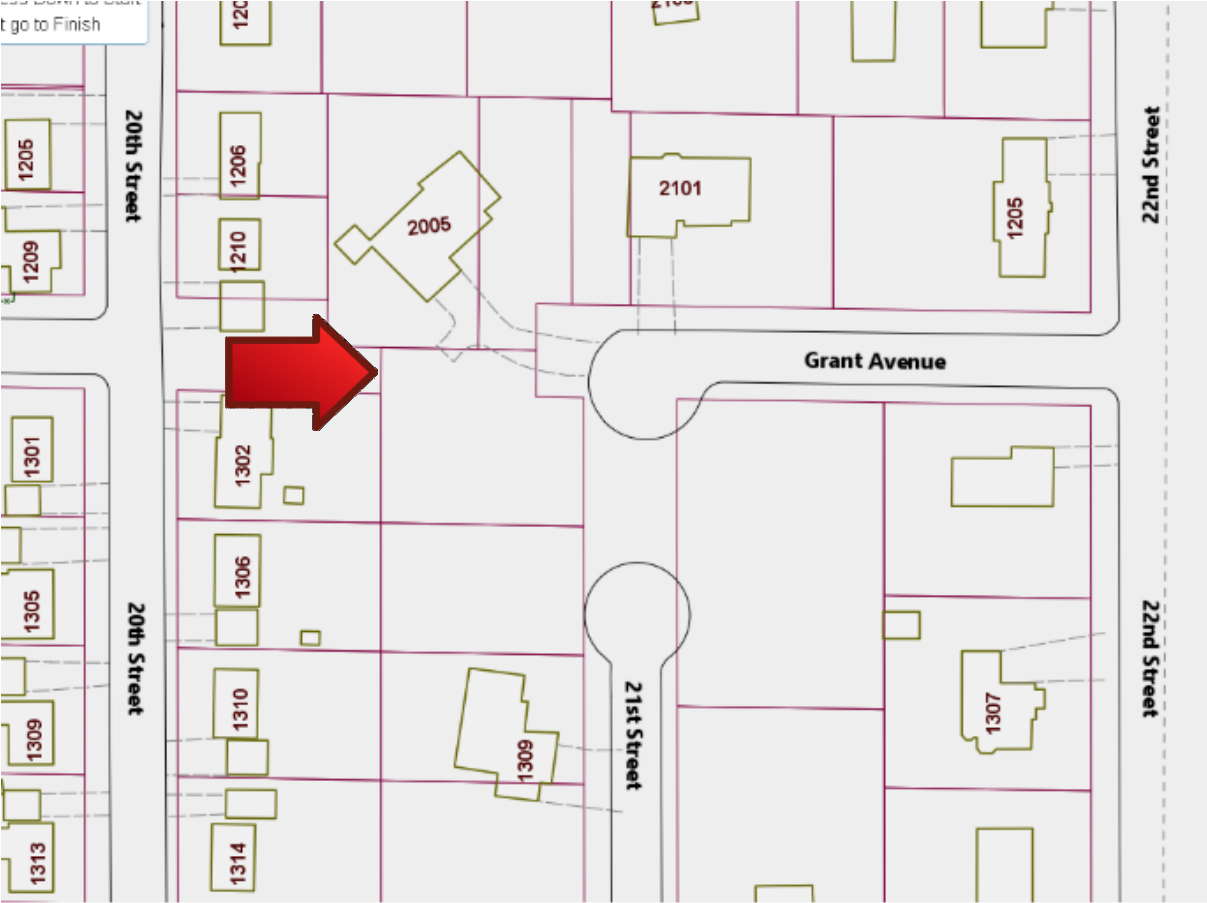
CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

Location Map

Radoush



No Scale



Community Development Department

1307 Cloquet Avenue • Cloquet MN 55720
Phone: 218-879-2507 • Fax: 218-879-6555

To: Planning Commission
From: Al Cottingham, City Planner/Zoning Administrator
Date: October 18, 2017

ITEM DESCRIPTION: Gravel Mining Excavation Permit Renewals for 2018

Background

All sand and gravel mining and processing operations require an annual excavation permit. The excavation permit is an annual permit issued at the discretion of the City and does not confer or grant a property right. Prior to renewal of these permits, staff visits each pit to examine the conditions to ensure that zoning ordinance requirements are being met. The excavation permits will be considered at the regular Planning Commission meeting on October 24, 2017.

Policy Objectives

Inspections of active gravel mining operations were conducted in October in accordance with Chapter 17 Section 6.20 Subdivision 8 of the Cloquet Zoning Ordinance. Attached Commissioners will find reports on the annual gravel mine inspections for the four operating within the City.

Upon inspection of the Zack Sand and Gravel Pit it is noted that the approved haul/access road from the pit to the intersection of Stark and Freeman Roads is working very well. Staff has not received any complaints regarding this pit.

The Ulland pit had an asphalt plant located in the pit at various times this summer. Staff did receive any complaints about the odor from the asphalt plant on certain days but none about the other operations.

The KGM pit is used primarily for KGM and the wood chip operation for Sappi. They had a large amount of activity from this pit this year. They also had an asphalt plant located in the pit at various times this summer. The City received no complaints on the KGM pit.

The Carlton County pit is used primarily for stockpiling of material and not much mining anymore. The millings from different projects have been stored there. The City received no complaints on the County pit.

Financial Impacts

The Annual Excavation Permit renewal fee is \$300. An updated bond is required of all applicants, along with a questionnaire, and on-site inspection with City staff.



Community Development Department

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Advisory Committee Action Requested

That the below four excavation permits be renewed for 2018, subject to the conditions established with the original permits and the filing of appropriate bonds as stipulated in the Cloquet Zoning Ordinance.

- Abramson Construction, Inc. / KGM (Permits #76-18, 95-2)
- Carlton County Highway Department (Permit #75-3)
- Ulland Brothers, Inc. (Permits #75-1, 75-5, and 79-7)
- Zack Sand and Gravel (Permit #08-01)

Staff Recommendation

Staff recommends the Planning Commission move to adopt Resolution No. 17-15, A Resolution Approving Gravel Mine Renewals for 2018.

Supporting Documents Attachments

- Resolution No. 17-15
- Pit Inspection Sheets

STATE OF MINNESOTA

COUNTY OF CARLTON

CITY OF CLOQUET

Commissioner _____ offered the following Resolution and moved its adoption.

RESOLUTION NO. 17-15

**A RESOLUTION RECOMMENDING THE CITY COUNCIL OF
CLOQUET APPROVE THE ANNUAL EXCAVATION PERMITS FOR
2018**

WHEREAS, the following gravel mine operators have submitted request for renewal of their Excavation and Operating Permits for the year 2018:

- Abramson Construction, Inc./KGM (Permits #76-18 and 95-2)
- Carlton County Highway Department (Permit #75-3)
- Ulland Brothers, Inc. (Permits #75-1, 75-5 and 79-7)
- Zack Sand and Gravel (Permit #08-01); and,

WHEREAS, said renewals were considered at the regular meeting of the Cloquet Planning Commission on October 24, 2017, at which time information was reviewed relative to said renewals, and questions were asked of those gravel mine operator representatives in attendance; and,

WHEREAS, no changes were proposed by any of the operators for their operations; and,

WHEREAS, the Planning Commission found that renewal is in order at this time for all operations listed above; and,

WHEREAS, the Commission recommends the renewal of the gravel mining Excavation Permits subject to the conditions established with the original permits and the filing of appropriate bonds as stipulated in the Cloquet Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF CLOQUET, MINNESOTA, that it recommends to the City Council approval of the renewal of the gravel mining Excavation and Operating Permits subject to the conditions established with the original permits and the filing of appropriate bonds as stipulated in the Cloquet Zoning Ordinance.

The foregoing motion was duly seconded by Commissioner _____ and being put to vote members voted: AYE: ____ NAY: ____ ABSENT: ____

| | | | |
|---------------------|-------|-----------------|-------|
| KELLY JOHNSON | _____ | TERRI LYYTINEN | _____ |
| ELIZABETH POLLING | _____ | JOHN SANDERS | _____ |
| NATHANIEL WILKINSON | _____ | URIAH WILKINSON | _____ |

Passed and adopted this 24th day of October 2017.

CITY OF CLOQUET

URIAH WILKINSON
CHAIR

ATTEST: _____
Alan Cottingham
City Planner/Zoning Administrator

GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **KGM**

DATE OF INSPECTION: **October 12, 2017** TIME OF DAY: **3:00 pm**

WEATHER CONDITIONS: **Cloudy, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

| | OK | Not OK | |
|-----|--------------------------|-----------------------------|--|
| 1. | X | <input type="checkbox"/> | Steep slopes (1:1 or greater) protected. |
| 2. | X | <input type="checkbox"/> | Security gate installed and used. |
| 3. | X | <input type="checkbox"/> | Operating hours honored. |
| 4. | X | <input type="checkbox"/> | Inactive slopes maintained. |
| 5. | X | <input type="checkbox"/> | Setbacks satisfactory (old @ 200' res.; 50' non-res.). |
| 6. | X | <input type="checkbox"/> | Stockpiles @ 500' (100' non-res.); height @ 40'. |
| 7. | X | <input type="checkbox"/> | Excavation @ 500' (100' non-res.). |
| 8. | X | <input type="checkbox"/> | Asphalt plant @ 2,600' (1,000' non-res.; 500' old). |
| 9. | <input type="checkbox"/> | <input type="checkbox"/> NA | Crushing plant on pit floor. |
| 10. | X | <input type="checkbox"/> | Erosion/drainage controlled; no standing water. |
| 11. | X | <input type="checkbox"/> | Dust control. |
| 12. | X | <input type="checkbox"/> | Level bottom in non-active areas. |
| 13. | X | <input type="checkbox"/> | Noise levels not exceeded. |
| 14. | X | <input type="checkbox"/> | Reclamation of mined-out sections. |
| 15. | X | <input type="checkbox"/> | Recyclable materials present over 2 years. |

COMMENTS

The KGM pit is owned and operated from the main office in Angora, MN. The property is zoned Heavy Industrial.

Carlson Timber remains active in the pit chipping wood and loading semi trucks to haul the wood chips to Sappi. Very active with chips being brought in and being hauled out.

KGM had a fair amount of activity this year from their pit. The major pit faces have been worked this year with over 49,000 cubic yards removed by the end of August with lots of material still being hauled out.





GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Carlton County – Airport Road**

DATE OF INSPECTION: **October 12, 2017** TIME OF DAY: **2:30 pm**

WEATHER CONDITIONS: **Cloudy, 55 degrees, early fall**

PRESENT: **Al Cottingham and Caleb Peterson**

| | OK | Not OK | |
|-----|--------------------------|-----------------------------|--|
| 1. | X | <input type="checkbox"/> | Steep slopes (1:1 or greater) protected. |
| 2. | X | <input type="checkbox"/> | Security gate installed and used. |
| 3. | X | <input type="checkbox"/> | Operating hours honored. |
| 4. | X | <input type="checkbox"/> | Inactive slopes maintained. |
| 5. | X | <input type="checkbox"/> | Setbacks satisfactory (old @ 200' res.; 50' non-res.). |
| 6. | X | <input type="checkbox"/> | Stockpiles @ 500' (100' non-res.); height @ 40'. |
| 7. | X | <input type="checkbox"/> | Excavation @ 500' (100' non-res.). |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> NA | Asphalt plant @ 2,600' (1,000' non-res.; 500' old). |
| 9. | <input type="checkbox"/> | <input type="checkbox"/> NA | Crushing plant on pit floor. |
| 10. | X | <input type="checkbox"/> | Erosion/drainage controlled; no standing water. |
| 11. | X | <input type="checkbox"/> | Dust control. |
| 12. | X | <input type="checkbox"/> | Level bottom in non-active areas. |
| 13. | X | <input type="checkbox"/> | Noise levels not exceeded. |
| 14. | X | <input type="checkbox"/> | Reclamation of mined-out sections. |
| 15. | X | <input type="checkbox"/> | Recyclable materials present over 2 years. |

COMMENTS

There was little activity in the County pit this year with approximately 5,000 cubic yards of material being removed. There is a security gate at Airport Road that is used as required, the FDL Reservation Pit is adjacent and to the direct east of this pit. They use this pit for County Road projects in the area and will stockpile blacktop from some of the road projects for use in the future.





GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Ulland Sand and Gravel Pit**

DATE OF INSPECTION: **October 12, 2017** TIME OF DAY: **2:45 pm**

WEATHER CONDITIONS: **Cloudy, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

| | OK | Not OK | |
|-----|--------------------------|--------------------------|--|
| 1. | X | <input type="checkbox"/> | Steep slopes (1:1 or greater) protected. |
| 2. | X | <input type="checkbox"/> | Security gate installed and used. |
| 3. | X | <input type="checkbox"/> | Operating hours honored. |
| 4. | X | <input type="checkbox"/> | Inactive slopes maintained. |
| 5. | X | <input type="checkbox"/> | Setbacks satisfactory (old @ 200' res.; 50' non-res.). |
| 6. | X | <input type="checkbox"/> | Stockpiles @ 500' (100' non-res.); height @ 40'. |
| 7. | X | <input type="checkbox"/> | Excavation @ 500' (100' non-res.). |
| 8. | X | <input type="checkbox"/> | Asphalt plant @ 2,600' (1,000' non-res.; 500' old). |
| 9. | <input type="checkbox"/> | NA | Crushing plant on pit floor. |
| 10. | X | <input type="checkbox"/> | Erosion/drainage controlled; no standing water. |
| 11. | X | <input type="checkbox"/> | Dust control. |
| 12. | X | <input type="checkbox"/> | Level bottom in non-active areas. |
| 13. | X | <input type="checkbox"/> | Noise levels not exceeded. |
| 14. | X | <input type="checkbox"/> | Reclamation of mined-out sections. |
| 15. | X | <input type="checkbox"/> | Recyclable materials present over 2 years. |

COMMENTS

The Ulland Pit is located south of I-35 and west of Hwy 45. The property is zoned Heavy Industrial.

They have had an asphalt plant set up in June and then beginning in mid-September in the pit. They had removed approximately 28,000 tons of material from the site through mid-September. They noted it is difficult to identify the amount of material that will leave the pit next year since they do not have any contracts yet.







GRAVEL MINE ANNUAL INSPECTION CHECKLIST

SITE IDENTIFICATION: **Zack Sand and Gravel – Stark Road**

DATE OF INSPECTION: **October 12, 2017** TIME OF DAY: **2:15 pm**

WEATHER CONDITIONS: **Cloudy, 55 degrees, early Fall**

PRESENT: **Al Cottingham and Caleb Peterson**

| | OK | Not OK | |
|-----|--------------------------|-----------------------------|--|
| 1. | X | <input type="checkbox"/> | Steep slopes (1:1 or greater) protected. |
| 2. | X | <input type="checkbox"/> | Security gate installed and used. |
| 3. | X | <input type="checkbox"/> | Operating hours honored. |
| 4. | X | <input type="checkbox"/> | Inactive slopes maintained. |
| 5. | X | <input type="checkbox"/> | Setbacks satisfactory (old @ 200' res.; 50' non-res.). |
| 6. | X | <input type="checkbox"/> | Stockpiles @ 500' (100' non-res.); height @ 40'. |
| 7. | X | <input type="checkbox"/> | Excavation @ 500' (100' non-res.). |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> NA | Asphalt plant @ 2,600' (1,000' non-res.; 500' old). |
| 9. | <input type="checkbox"/> | <input type="checkbox"/> NA | Crushing plant on pit floor. |
| 10. | X | <input type="checkbox"/> | Erosion/drainage controlled; no standing water. |
| 11. | X | <input type="checkbox"/> | Dust control. |
| 12. | X | <input type="checkbox"/> | Level bottom in non-active areas. |
| 13. | X | <input type="checkbox"/> | Noise levels not exceeded. |
| 14. | X | <input type="checkbox"/> | Reclamation of mined-out sections. |
| 15. | X | <input type="checkbox"/> | Recyclable materials present over 2 years. |

COMMENTS

The Zack Sand and Gravel pit is located behind the Cloquet Business Park off of Stark Road. This property is zoned Farm Residential.

Mr. Zack reports this has been a pretty good year. They have removed approximately 10,000 cubic yards of material so far this. The access road is in great shape with a little slope work needing to be done. We have received no complaints on the operations.



