



**Regular Meeting of the Planning Commission**

Tuesday, October 11, 2022

7:00 p.m.

101 14<sup>th</sup> Street, Cloquet, MN 55720

**OATH OF OFFICE**

The Oath of Office was administered to Michelle Wick.

**CALL TO ORDER**

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

**ROLL CALL**

**Attending:** Planning Commission members: Terri Lyytinen, Elizabeth Polling (arrived at 7:02), Mark Cline and Michelle Wick; City: Al Cottingham.

**Absent:** Philip Demers.

**Others Present:** Robert Skalko, Toby Kuhlmann, Chris Balzer, Patti Arras, Chris Beck, Kyle Backstrom, Geoff Strack and Jana Peterson.

**AGENDA ITEMS**

**Additions/Changes to the Agenda**

None.

**August 10, 2022, Meeting Minutes**

Chairperson Lyytinen asked for any corrections or additions.

**Motion:** Commissioner Cline made a motion to approve the Planning Commission meeting minutes from August 10, 2022, Commissioner Wick seconded. (Motion was approved 4-0).

**Zoning Case 22-10: BBSC Holdings LLC, Lucky 7, Variances**

Chairperson Lyytinen introduced Zoning Case 22-10, Variances for BBSC Holdings LLC, Lucky 7 and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated Lucky 7 was proposing a variance at 201 Doddridge Avenue. The variance is from the maximum size and number of signs on a gasoline pump island canopy. The applicant proposes to place three3 signs on the canopy where the Ordinance allows only two and the size of the signs are to be four feet in height where the Ordinance allows three feet. This is a public hearing, and a legal notice was published in the Pine Knot on September 30<sup>th</sup> and property owners within 350 feet were notified. He referenced he had talked to one property to the south of the project who had concerns with the drainage from the site. Mr. Skalko was present to answer any questions.



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Mr. Skalko, Virginia, stated that the BP station in front of Walmart had signage that exceeded the height requirement. They were trying to keep with their branding at other stores they own. They were also trying to increase the visibility of the station/store. He stated that normally their signs are 5' by 5' and these would be 4' by 4'.

Commissioner Wick inquired if the proposal was similar to other sites.

Mr. Skalko stated it was.

There being no further discussion Chairperson Lyytinen closed the public hearing and called for a motion.

**Motion:** Commissioner Cline made a motion to denying a variance to the maximum size and number of signs on a gasoline pump island canopy in the RC – Regional Commercial District for BBSC Holdings LLC, Motion died for lack of a seconded.

**Motion:** Commissioner Polling made a motion approving a variance to the maximum size and number of signs on a gasoline pump island canopy in the RC – Regional Commercial District for BBSC Holdings LLC, Commissioner Wick seconded. (Motion passed 3-1, Cline)

**Zoning Case 22-11: MN DNR, Conditional Use Permit**

Chairperson Lyytinen introduced Zoning Case 22-11, Conditional Use Permit for MN DNR and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated the Minnesota Department of Natural Resources, MN DNR is proposing a conditional use permit. The conditional use permit is to allow a six-foot fence with a security arm for barb wire to a height of approximately 7.5 feet in the OM – Office/Manufacturing District. This is a public hearing, and a legal notice was published in the Pine Knot on September 30<sup>th</sup> and property owners within 350 feet were notified. Mr. Toby Kuhlmann was present to answer any questions.

Mr. Chris Balzer of MN DNR referenced that this was needed for the storage of boats, trailers and other materials used by the DNR.

Commissioner Wick inquired as to the appearance of the fence.

Mr. Kuhlman stated there would be slats placed in the chain link on the south and west sides of the area.

There being no further discussion Chairperson Lyytinen closed the public hearing and called for a motion.



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**Motion:** Commissioner Cline made a motion recommending the City Council approve the conditional use permit to allow a 6-foot fence with barb wire above that in the OM – Office/Manufacturing District for MN DNR, Commissioner Wick seconded. (Motion passed 4-0)

Mr. Cottingham noted this was a recommendation to the City Council and that it would be on their agenda on next Tuesday, October 18<sup>th</sup> at 6:00 pm.

**Zoning Case 22-12: Patti Arras, Variance**

Chairperson Lyytinen introduced Zoning Case 22-12, Variance for Patti Arras and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated Patti Arras is proposing a variance for property located at 1519 Airport Road. The variance is from the minimum lot size and width requirements in the FR – Farm Residential District. The proposed lot sizes would be approximately 4.7 and 1.3 acres in size versus the minimum of 5-acres and approximately 190 feet in width versus the minimum of 200 feet. This is a public hearing, and a legal notice was published in the Pine Knot on September 30<sup>th</sup> and property owners within 350 feet were notified. Ms. Arras was present to answer any questions.

Ms. Arras stated this area used to be a separate lot but combined it with the home site a number of years ago.

Christopher Beck, 983 Pinewood stated he and his neighbor were there to see how the property was proposed to be split and if it would have any impact on his property. He wondered about future subdivision of the property since the one parcel is over 4 acres.

Mr. Cottingham stated that it was not very likely since the back portion would probably not abut a public road and the city in the past hasn't been receptive in creating these lots. It would require a variance similar to the process we are currently going through with notices to property owners within 350 feet.

There being no further discussion Chairperson Lyytinen closed the public hearing and called for a motion.

**Motion:** Commissioner Polling made a motion approving a lot width and size variance in the FR – Farm Residential District for Patti Arras, Commissioner Cline seconded. (Motion passed 4-0)

**Zoning Case 22-13: SKB Environmental, Conditional Use Permit Amendment**

Chairperson Lyytinen introduced Zoning Case 22-13, Conditional Use Permit Amendment for SKB Environmental and opened the public hearing. She asked Mr. Cottingham to provide an overview. Mr. Cottingham stated SKB Environmental is proposing a conditional use permit



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amendment for property located at 761 Highway 45. The conditional use permit amendment is to amend the hours of operation to be open 24 hours per day, seven days per week solely for paper sludge material and coal ash being transported by individuals trained as a MPCA Licensed Landfill Operator. This is a public hearing, and a legal notice was published in the Pine Knot on September 30<sup>th</sup> and property owners within 350 feet were notified. Ms. Backstrom and Mr. Strack were present to answer any questions.

Mr. Backstrom gave an overview of a recent noise study that was conducted by the cities landfill consultant revealing the noise levels a quarter of a mile away from the site we within or below the industry standards. He noted that the closest homes were further away than this distance. He noted in the past that they have had to take these materials to the competitors' landfills since they were open and that is not a practice they wish to continue. It does not look good to their customers and are concerns with liability issues.

Commissioner Wick stated she was concerned if they allowed these additional hours of operation that the nearby gravel operations would want additional hours. She also wanted to contact other area landfills to see what their hours of operation were. She suggested tabling this until the next meeting since she just got the packet on Thursday and didn't have time to research things.

Mr. Backstrom noted that the three landfills in the area did not have restrictions on hours of operations. He could provide contact information for each of those facilities if needed.

Commissioner Cline inquired how many nights they were talking about.

Mr. Backstrom stated they would have 5 to 6 loads every night as long as the paper operations were going on. He noted it takes between 10 and 15 minutes from the time a load enters the site until it left the site.

The Commission discussed the noise study, Host Fee Payments and the use of them and impact to surrounding properties.

There being no further discussion Chairperson Lyytinen closed the public hearing and called for a motion.

**Motion:**        **Commissioner Polling made a motion recommending the City Council approve the conditional use permit amendment to allow for the expanded hours of operation for SKB, Commissioner Cline seconded. (Motion passed 3-1 Wick)**



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**Commissioner's Questions/Comment**

Mr. Cottingham made the Commission aware that Mr. Wilkinson had resigned from the Commission effect immediately. This meant that we are back to having two vacancies on the Commission.

He also noted that the next meeting falls on an election day and proposed the meeting be moved to the next day being Wednesday, November 9<sup>th</sup>.

**Next Meeting**

November 9, 2022

Meeting adjourned 8:07 p.m.

Respectfully submitted,

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Al Cottingham, City Planner/Zoning Administrator