

**CITY OF ISANTI
PLANNING COMMISSION
MEETING MINUTES
DECEMBER 14, 2010**

1. Meeting Opening.

A. Call to Order.

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

B. Pledge of Allegiance.

Everyone rose for the pledge of allegiance.

C. Roll Call.

Members Present: Sue Larson, Cindy Lind-Livingston, Ross Lorinser (arrived at 7:03 p.m.), Michael Streiff III, and Sean Stevens.

Members Absent: David Englund (gave prior notice) and Steve Rask (gave prior notice).

Staff Present: Lisa Wilson, City Planner

D. Agenda Modifications.

Wilson stated there were no modifications to the Agenda.

Stevens stated that he wanted to thank everyone for coming this evening. Stevens stated that the Planning Commission is a recommending body for the City Council. Stevens stated that when they hear the items this evening, they will take feedback from the audience. Stevens stated that if audience members have a question or a comment on an item, they must approach the podium to speak, so those comments can be recorded into the minutes. Stevens stated that each individual should state their name and address. Stevens stated that after hearing those items, the Planning Commission will then ask additional questions and hear conversations about the topics. Stevens stated after discussion, a recommendation to either approve or deny will be given. Stevens stated that those recommendations will be forwarded to the City Council for final review and approval.

2. Approval of Planning Commission Meeting Minutes.

A. Minutes from November 9, 2010 Regular Meeting of the Planning Commission.

Motion by Larson, second by Lorinser to approve the minutes from the November 9th, 2010 Regular Meeting of the Planning Commission. Motion was unanimously approved.

3. Public Hearings.

A. Request from Green Earth Recyclers LLC for a Conditional Use Permit for a Scrap Operation to be located on the property at 459 W Dual Blvd NE.

Wilson presented the staff memo and outlined the conditions as provided by City staff for Planning Commission consideration. Wilson stated that City staff is requesting a recommendation from the Commission, which will be presented to the City Council at their regularly scheduled meeting on December 21st.

Stevens questioned if the petitioner was present.

Dan Bjelland stated that he was present.

Kerk Oswell stated that he was also present on behalf of the business request.

Stevens questioned if they had a chance to review the staff memo and the recommendations. Stevens opened the public hearing at 7:07 p.m.

Bjelland stated that he had some questions. Bjelland questioned if the residents would be permitted to drop off items at the location. Bjelland questioned if the hours of operation could be further discussed. Bjelland stated that they have a 2nd or 3rd shift that could operate 24-hours a day on the property to dismantle the items, inside the facility. Bjelland stated that the hours as indicated in the staff memo would be when they are open to the public to bring stuff in. Bjelland stated that when it came to tearing these items down, they would like to be open later.

Lorinser questioned if it was mentioned that they had to have certain hours of operation.

Stevens stated that hours are mentioned in the staff memo.

Lorinser questioned if there were any loud noises that would seriously disrupt anyone.

Bjelland stated that they could keep the noise at a moderate level. Bjelland stated that it will be loud during the day, but could keep it in moderation during the evenings.

Lorinser questioned the zoning.

Wilson stated that it is zoned Industrial.

Lorinser stated that if the area is industrial and there are no residences nearby, in his opinion the noise for the zoning would be adequate. Lorinser stated that if the noise is not going to disrupt anyone at 3:00 a.m. and if they can keep people employed for 24-hours, then why not. Lorinser stated that there had been some issues in the past with noise at night, particularly the bituminous plant, but this is a whole different animal.

Stevens questioned the type of gear or machines used.

Bjelland stated that there would be hammers, air chisels, banging, etc.

Lorinser questioned if there was any reason for setting a time frame on the working schedule.

Wilson stated that the hours were provided based upon conversation with the applicant.

Lorinser stated that Ever Cat Fuels runs around the clock. Lorinser stated that in an industrial area, a 24-hour work day is very common.

Stevens stated that in terms of the pick-up and drop-off, he is not aware of anything in ordinance that would prevent that. Stevens questioned if staff had any concerns with the proposal.

Wilson stated that City staff's concerns were that it had to be indoors. Wilson stated that things cannot be dropped off and left outside. Wilson stated that if they are dropping stuff off during

the open hours and the items can be taken inside; that would be fine. Wilson stated that the items would need to be brought indoors. Wilson stated that the concern is that items will be dropped off and will just sit outside.

Kirk Oswell stated that they had a previous location but the landowner encouraged dumping at his facility, of which he himself had a problem with. Oswell stated that they want to have cameras to discourage dumping on the site. Oswell stated that he is very clean. Oswell stated that a clean environment is a safe environment. Oswell stated that he wanted to make sure that the area is kept nice. Oswell stated that the building and property is currently immaculate, and he wants to keep it that way.

Larson questioned how often the appliances with Freon would be transferred off site and where will the storage of them be while they are on-site.

Oswell stated that they are working close with RFW and they take refrigerators. Oswell stated that they would like to scrap these items too; however, they are more of a D manufacturer than a real scrap yard. Oswell stated that they deconstruct the items into their raw forms and each component has a market. Oswell stated that with the Freon issues, they do not have the space. Oswell stated that they would have to be shipped elsewhere.

Larson stated that they are looking to expand to almost double the initial space.

Oswell stated that the space is more for storage than anything. Oswell stated that they would like to store to the ceiling, if possible. Oswell stated this could be done with industrial pallet racking, so as to use as much of the space as possible. Oswell stated that this is product for them.

Stevens questioned if it is standard for them to hold the items until it reaches a certain quantity and then ship the items out.

Oswell stated that for motherboards, they ship out at 3,000 pounds. Oswell stated that with tin it varies. Oswell stated that they need almost 1,000 pounds of product, in order to make it worth their while to ship it out. Oswell stated that they need that type of storage for product. Oswell stated that they will not be taking apart monitors at this location, as there are too many hazardous materials involved. Oswell stated that the monitors would then need to be stored so that they would have a semi load to ship out.

Larson questioned if they deal with the MPCA.

Oswell stated yes. Oswell stated that they will also be working with OSHA. Oswell stated that they would be going after other certifications, so that they can get the business.

Lind-Livingston questioned if people would have to pay, if they dropped something off at the site.

Oswell stated that the general public would have to pay by the pound. Oswell stated that there is a cost to them to process the items.

Lind-Livingston stated that this would appear to be the argument against the dumping.

Oswell stated that because it does cost them money, yes.

Lind-Livingston questioned if truckloads would be coming in with items.

Oswell stated that there may be U-Hauls coming in with items that they will have to sort through and deconstruct.

Lind-Livingston questioned if there would be semis coming in and unloading; and then the product would sit there.

Oswell stated no. Oswell stated that when trucks come in they will be loaded and unloaded immediately. Oswell stated that there is a loading dock that they will keep a semi in and will be loading. Oswell stated that the semi would be loaded and once full would be removed from the property.

Lorinser stated that he did not think there was anything in ordinance that would prevent that from happening. Lorinser stated that the semi truck cannot be there permanently.

Wilson agreed.

Lorinser questioned how long they had been in business or if this is a new business.

Oswell stated that they had been doing this for about a year. Oswell stated that they are now working out of their garages.

Lorinser stated that they had one location and there were issues.

Oswell stated that they did have a previous location, but as mentioned there were issues.

Lorinser stated that his concerns are the dumping issues. Lorinser stated that if you have to pay, he can see people dropping stuff off to avoid having to pay.

Oswell stated that there will be cameras on the site, in an effort to prevent this from happening.

Streiff questioned if the issues with the roll-off bin had been resolved. Streiff stated that in the staff memo reference was made to this having to be indoors.

Oswell stated that it would be nice if it could be outside. Oswell stated that it would be for scrap tin and this would open up more area inside the building.

Streiff questioned the type of dumpster.

Oswell stated that they need something fairly large and nice looking because it would have to sit out front. Oswell stated that it would also need to be something that could lock.

Streiff stated that they were looking for it to be out front and not in back.

Oswell stated that there really is not any space in the back of the building for the bin; and he didn't believe there was access to the back.

Streiff stated that the risk would be that people are going to be dumping things in and around the bin.

Lorinser questioned the process for outdoor storage.

Wilson stated that normally it is a CUP process with screening requirements. Wilson stated that if it is a trash enclosure, like for a normal business garage and recyclables, then it must be screened in accordance with Ordinance.

Lorinser stated that the dumpster as proposed would not be an option.

Wilson stated no.

Stevens questioned the roll-off.

Oswell stated that if it has to be indoors it cannot be that big.

Stevens stated that just be aware that your typical garbage area (paper and trash) would need to be fenced accordingly. Stevens stated that if we are talking a roll-off, then the location needs to be in the building.

Stevens questioned if there were other questions or comments.

Jon Midthun approached with further information.

Stevens questioned how loud the operation is.

Midthun stated that generally it is hand tools and there will be some hammering noise. Midthun stated that the louder noises can be kept to a minimum until the Hockert Sales business has closed for the day, so as not to interrupt their business.

Stevens closed the public hearing at 7:23 p.m.

Motion by Lorinser, to recommend approval of the CUP with staff recommendations and modifying the hours of operation to 24 hours. Larson seconded, with modifications that any outside storage area be screened.

Lorinser questioned if that is a separate CUP.

Wilson stated that if they are looking to create a regular trash area, then the trash enclosure requirements would need to be met. Wilson stated that if we are talking about storage in the roll-off associated with the scrap operation that must be indoors. Wilson stated that we want to try as much as possible to eliminate the potential for dumping. Wilson stated that the ordinance lists scrap operations as indoor only.

Stevens questioned if Lorinser accepted the amendment by Larson.

Lorinser stated no based upon City staff's comments.