

**GREATER BEMIDJI AREA  
REGULAR JOINT PLANNING COMMISSION MEETING**

**Thursday, January 28, 2016  
6:00 P.M.**

**Council Chambers, City Hall  
317 4<sup>th</sup> ST NW  
Bemidji, MN 56601**

**AGENDA**

- |                                                      |              |
|------------------------------------------------------|--------------|
| <p>➤ <b>Call to Order/Roll Call</b></p>              | <b>Chair</b> |
| ➤ <b>Pledge of Allegiance</b>                        |              |
| ➤ <b>Approve Agenda</b>                              |              |
| ➤ <b>Approve Minutes</b>                             |              |
| • <b>Thursday, December 17, 2015 Regular Meeting</b> |              |

**NEW BUSINESS**

**Public Hearings**

- |                                                                           |          |
|---------------------------------------------------------------------------|----------|
| 1. <b><u>City of Bemidji</u> – CUP – 16-80.00453.01 – Beltrami County</b> | <b>D</b> |
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**OTHER BUSINESS**

- |                                                                     |              |
|---------------------------------------------------------------------|--------------|
| 1. <b>Visitors</b>                                                  | <b>Chair</b> |
| 2. <b>Administrator Report</b>                                      | <b>M</b>     |
| 3. <b>Upcoming Meetings</b>                                         | <b>Chair</b> |
| • February 10, 2016   6:00 pm                   JPB Regular Meeting |              |
| • February 25, 2016   6:00 pm                   JPC Regular Meeting |              |
| • March 9, 2016       6:00 pm                   JPB Regular Meeting |              |
| • March 24, 2016      6:00 pm                   JPC Regular Meeting |              |
| 4. <b>Adjourn</b>                                                   | <b>Chair</b> |

**MINUTES  
GREATER BEMIDJI AREA  
REGULAR PLANNING COMMISSION MEETING**

January 28, 2016  
6:00 p.m.

City Hall  
Council Chambers

**CALL TO ORDER:** Chair, Jess Frenzel called the regular meeting of the Greater Bemidji Area Joint Planning Commission to order at 6:00 p.m. Roll call was taken and the pledge of allegiance was recited

**MEMBERS PRESENT:** Berg, Kramka, Steffen, David, Boushee, Frenzel, Lemmer, Smith  
**MEMBERS ABSENT:** McGuire

**STAFF PRESENT:** Mayana Rice, Dustin Severs, Terri Ball

**OTHERS:** Jim Molme, Rod Ambrosie

**APPROVAL OF AGENDA:**

Added one item to New Business.

Motion by Lemmer, second by Steffen, to approve the amended Agenda as presented.  
Motion carried unanimously

**APPROVAL OF MINUTES:**

Motion by Lemmer, second by Steffen, to approve minutes from the December 17, 2015 Greater Bemidji Area Regular Joint Planning Commission as written. Motion carried unanimously

**NEW BUSINESS:**

**Public Hearing:**

**Severs presented the first case as follows:**

**PLANNING CASE – CUP-16-80.00453.01 – Beltrami County**

Applicant is requesting a Conditional Use Permit (CUP) in order to operate a transfer station for solid waste on the property located off of Carr Lake Rd. SE in the I-1 Light Industrial District of the City of Bemidji.

**BACKGROUND**

Planning Commission Meeting, January 28, 2016

The Beltrami County Board of Commissioners approved the building of a new solid waste transfer station in 2015 as part of a larger multi-county plan led by the Polk County Solid Waste Advisory Board. The plan also includes the construction of two other transfer stations in Hubbard and Polk Counties. During the 2015 legislative session, funds were appropriated to the Polk County Solid Waste Advisory Board for phase one of the plan, which included the Beltrami County Transfer Station. The Beltrami County Board of Commissioners explored several potential locations for the transfer station, ultimately settling on the City of Bemidji's Industrial Park as the ideal location. Beltrami County has a purchase agreement for the subject location which consists of two (2) contiguous parcels, totaling 19,340 s.f., located off of Carr Lake Dr. SE in the City of Bemidji's Industrial Park. The subject parcels are currently owned by Security Bank USA, with Beltrami County's purchase agreement contingent on zoning approval.

Currently, Waste Management of Bemidji, located at 751 Industrial Park Drive SE in the Industrial Park just 1,460 ft. north of the subject parcel (see image below), serves as the solid waste transfer station for the Greater Bemidji Area. Beltrami County contracts with Waste Management of Bemidji which provides trash collection service for commercial customers within the City of Bemidji, and serves residential and commercial customers outside of the City limits of Bemidji. Refuse service for residential properties within the city limits of Bemidji are hauled by the City of Bemidji collection trucks which uses Waste Management of Bemidji's transfer station facility as the off-loading site.

Beltrami County's contract with Waste Management of Bemidji expires at the end of 2019. At that point, it is the intent of Beltrami County that their new transfer station will assume many of the services previously provided by Waste Management of Bemidji.

### **Planning Considerations**

Solid waste transfer stations act as temporary storage areas for waste and can bring many problems to a community if they are not managed correctly. In addition to quality of life issues such as noise, odor, litter, and traffic, solid waste transfer stations can cause environmental concerns associated with poor air quality (from idling diesel-fueled trucks and from particulate matter such as dust and glass) and disease-carrying vectors such as rodents and roaches.

Unlike the I-2 industrial district, I-1 *Light Industrial* parcels and their permitted uses are allowed to abut residential properties. However, transfers stations are allowed in the I-1 district solely pursuant a CUP. This measure was established in the zoning ordinance Planning Commission Meeting, January 28, 2016

to assure that the potential location of any transfer station will not cause an unreasonable level of disturbance to residences within the surrounding area, and will not adversely affect the health, safety, or welfare of the surrounding residential properties. Additionally, the requirement of a CUP for a transfer station affords neighbors and other concerned citizens the ability to voice any concerns that they may have to the JPB.

Certainly, the nature of the work performed at a solid waste transfer station can impact a residential neighborhood in terms of an increase in the volume of traffic, noises, and potential odors emanating from the site. It is the task of the JPB to make the determination, if this particular location, in its relation to the residential properties within the surrounding area, presents an unreasonable level of disturbance to these residents.

Cited in the attached application, the applicant states that, *"As a solid waste transfer station the facility could cause noise and potentially generate odor and blowing litter. Best management practices will be utilized to minimize the potential for these items."*

Many of the inevitable impacts of a solid waste transfer station can be mitigated or even eliminated with effective best management practices which address health, safety, and environmental impacts.

An itemized evaluation of the potential impacts of a solid waste transfer station, and the best management practices that can be employed to mitigate them, are as follows:

**Traffic**

Restrict trucks to designated routes. Designate inbound and outbound truck traffic routes and ensure that drivers follow these routes. Pave all traffic carrying surfaces (dust prevention).

**Screening**

Green buffer zones and natural (landscape, trees) or artificial (fencing/netting) screening should be employed to enhance neighborhood aesthetics and to mitigate potential air emissions (noise and odor) problems, and to control blowing litter.

The location of the parcel is not directly adjacent, yet it does fall into the within 100 feet of property zoned for residential uses. We will want to see a screening along the 400 feet of driveway adjacent to the southwestern edge of the property.

Another concern for staff is the trail system that runs adjacent to the northern boundary of the property. A buffer of trees should remain or be planted to provide appropriate screening to this feature.

### **Tree Requirements**

Industrial zoning districts require 1 tree per 3,800 SF of required pervious site surface.

The open space requirement on this site is 20%.

Therefore the tree calculation is:  $19.25 \text{ AC} \times 43,560 \text{ SF} \times 20\% / 3,800 \text{ SF} = 44$  total trees are required on site.

The screening along the southwestern edge will be counted in this requirement.

### **Waste/pollutants**

Clearly this site has been monitored by the USDA for a number of years for the previous actions (creosote) on the property. Post clean up the JPB will expect the site to function in a way that does not continue or reinstate this site as an environmental concern. No on the ground sorting without secondary containment will be allowed. No liquids (food, cars, equipment etc) shall be discarded directly on the soil. All hazardous wastes (oil, paints, computer parts, thermometers, hospital waste, chemicals etc) will be held within containers and disposed of by a licensed hauler. Food composting and other alternative waste processes will be presented to the JPB staff for record keeping.

### **Storm water/runoff**

A full stormwater master plan will need to be submitted for final approval by the City of Bemidji Engineering Department. Grading, drainage and utilities will be clearly depicted and comply with the requirements of the code.

### **Emergency Management**

Due to the nature of the products (volatile, chemicals, mixing of substances, dust etc) disposed of at this site, there is a risk for fire. The Bemidji Fire Department will be required to provide a final review of the site for compliance by the applicant with any and all regulations as outlined by the State and Local requirements.

### **Neighboring Property Owner Input**

There has been several calls and letters to the editor that have indicated a resistance to this location and this use. The specifics included primarily to two things: 1. Location in relation to the rest of the County 2. Location in relation to the existing transfer station.

Greg Ebert, owner of the Frito-Lay manufacturing building located at 2314 Cram Ave SE in the Industrial Park, expressed opposition to the proposed location of the transfer station citing general concerns of traffic, noise, and smell.

Brad Davis, Owner of Davis Drywall located at 1100 Industrial Park Dr. SE in the Bemidji Industrial Park expressed concerns with the possible removal of trees north of the subject property which act as an effective buffer between the two respective properties. Mr. Davis was not opposed to the location, but requested a condition be placed on the approval of the CUP requiring the preservation of existing trees, or the planting of new trees, to maintain the buffer.

At the time of this writing, staff has received no concerns from any of the residential property owners in the surrounding area.

### **RECOMMENDATION**

Staff recommends approval of a Conditional Use Permit (CUP) for Beltrami County to operate a transfer station for solid waste on the property located off of Carr Lake Rd. SE in the I-1 Light Industrial District of the City of Bemidji, with the following conditions:

1. The lots shall be combined to create one site.
2. Screening shall occur on the southwestern edge of the property that falls within 100 feet of residential.
3. Landscaping will require that 44 trees either remain or be planted on the site.
4. A buffer of trees shall remain or be planted to provide appropriate screening to the trail running the length of the northeastern diagonal boundary.
5. Compliance report from Dept. of Ag (contamination issues) shall be provided to the JPB staff for the records.
6. No on the ground sorting without secondary containment will be allowed.
7. No liquids (food, cars, equipment etc) shall be discarded directly on the soil.
8. All hazardous wastes (oil, paints, computer parts, thermometers, hospital waste, chemicals etc) will be held within containers and disposed of by a licensed hauler.

9. Food composting and other alternative waste processes will be presented to the JPB staff for record keeping.
10. Any and all environmental analysis on the site shall be provided to JPB staff for the records.
11. The City of Bemidji's engineering department shall be provided a full grading and drainage plan for approval.
12. The City of Bemidji Fire Department will review any final plans for emergency management purposes.

**Public Hearing opened at 6:24 p.m.**

Beltrami County Environmental Director, Bill Patnaude, told the Commission he was pleased with the layout of the proposed transfer station, specifically the public traffic pattern and the separation of private vehicle parking. Patnaude stated that public likely questions why there is a need for a transfer station right next to a waste disposal facility. He answered that the city has no infrastructure thus making us rely upon contracted services. Waste Management controls fees which are based upon corporate standards. The bonding money available with Polk County can only be used to build a facility not to purchase existing, and the 3 – 1 funding from the state is a rare opportunity and cannot be passed up. Commissioner Smith questioned applicant as to why this site and not others in the industrial park or surrounding areas. Applicant explained it was a matter of making the best decision for the tax payers, and other sites were more expensive or would involve longer travel distance. Commissioner Lemmer asked if recycling bins around town would be eliminated, but Patnaude assured they would remain. He also clarified that planning priorities include locating the facility in an urban area, close to collection routes. Discussion about composting, which was explained by applicant to not be available at this facility. It will have a materials recovery system which will sort on site and send off organic items to other facilities. Commissioner Frenzel asked about the time frame for hauling waste, and if smell is an issue. Patnaude said waste stays less than 24 hours due to the size of the tip floor, and smell is not usually an issue unless the weather is very humid or if resort trash containing fish guts is delivered. It will be a full service facility which includes appliances and electronics. Commissioner Berg stated it was irresponsible to have two facilities so close to each other. Patnaude stated a facility located further from town would also create problems. He assured commission that it is not the county's intent to sever the contract with Waste Management and explained that Waste Management needs their facility for a place to house their equipment, as well as they have contracts outside of Beltrami County and with local commercial recycling. Patnaude further stressed the importance of establishing this infrastructure to be competitive when service contracts

come up. The county is trying to help its tax payers as costs and fees keep rising and would be at the mercy of a large corporation. Commissioner Frenzel asked the number of area counties with a privately operated transfer station, to which Patnaude listed Hubbard and Polk counties.

**Public Hearing closed at 6:44p.m.**

**Public Hearing re-opened at 6:45 p.m.**

Commissioner Smith questioned lack of neighbor comments and stated his appreciation for the county's fiduciary concerns. Patnaude explained that lobbying efforts secured Phase One bond money. Commissioner Berg asked if there would be screening on south corner. Patnaude stated a security fence is planned, but no other specifics on landscaping are finalized. Commissioner Frenzel reminded commissioners that the focus needs to be if this is the right spot for a transfer station, not if the facility is needed. Discussion about landscaping beyond the required 44 trees. Staff reiterated pertinent conditions.

**Public Hearing closed at 6:48 p.m.**

Motion by Lemmer, second by Steffen to approve recommendation of CUP-16-80.00453.01 with the following conditions:

1. The lots shall be combined to create one site.
2. Screening shall occur on the southwestern edge of the property that falls within 100 feet of residential.
3. Landscaping will require that 44 trees either remain or be planted on the site.
4. A buffer of trees shall remain or be planted to provide appropriate screening to the trail running the length of the northeastern diagonal boundary.
5. Compliance report from Dept. of Ag (contamination issues) shall be provided to the JPB staff for the records.
6. No on the ground sorting without secondary containment will be allowed.
7. No liquids (food, cars, equipment etc) shall be discarded directly on the soil.
8. All hazardous wastes (oil, paints, computer parts, thermometers, hospital waste, chemicals etc) will be held within containers and disposed of by a licensed hauler.
9. Food composting and other alternative waste processes will be presented to the JPB staff for record keeping.
10. Any and all environmental analysis on the site shall be provided to JPB staff for the records.
11. The City of Bemidji's engineering department shall be provided a full grading and drainage plan for approval.
12. The City of Bemidji Fire Department will review any final plans for emergency management purposes.
13. Landscaping plan is required.



And based on the findings:

**1. Whether the proposed use adversely affects the public safety, health, morals, convenience and general welfare of the occupants of the surrounding land.**

Staff feels that the proposed use will not create an unreasonable level of disturbance to either the other business in the Industrial Park or the residential properties in the surrounding area. Potentially negative impacts of the transfer station will be mitigated or even eliminated with effective best management practices. The subject parcel is appropriately zoned for the proposed use.

**2. Whether the proposed use adversely affects traffic conditions and parking on adjacent streets and land.**

All parking associated with the transfer station will be provided off-street. Designated travel routes for inbound and outbound trucks of the facility will effectively mitigate any potential adverse affects to the surrounding area with the increase and intensification of traffic as a result of the transfer station.

**3. Whether the proposed use adversely affects property in the surrounding area.**

Staff feels that the proposed use will not create an unreasonable level of disturbance to either the other business in the Industrial Park or the residential properties in the surrounding area. Potentially negative impacts of the transfer station will be mitigated or even eliminated with effective best management practices. The subject parcel is appropriately zoned for the proposed use.

**4. Whether the proposed use is in conformance with the community's Comprehensive Plan or Land Use Plan.**

The proposed use is consistent with the goals and policies of the JPB Land Use Plan. Per the GBAJPB Zoning Ordinance, the subject parcel is appropriately zoned for the proposed use.

**5. Whether adequate utility, drainage and other such necessary facilities have been or can be provided.**

The location is serviced by municipal water and sewer. Full drainage and stormwater plans will be submitted prior to the issuance of a building permit from the City of Bemidji.

Roll call vote:

Ayes: Smith, Lemmer, Frenzel, Boushee, David, Steffen, Kramka, Berg.

Nayes: None

Abstain: None

Absent: McGuire

Motion carried unanimously.

**OTHER BUSINESS**

**ELECTION OF 2016 CHAIR:**

Motion by Lemmer, second by Steffen to nominate Jess Frenzel as Chair.  
Motion carried unanimously.

Motion by Berg, second by Steffen to nominate Nicki Lemmer as Vice Chair.  
Motion carried unanimously.

**ADMINISTRATOR REPORT:**

- Rice presented her Year End Report reviewing the accomplishments, permit totals, financial standing of fifth year under budget, and the prospect of another busy year for 2016.

Josh's Site Analyst report is included in packet.

**UPCOMING MEETING DATES:**

February 10, 2016	6:00 pm	JPB Regular Meeting
February 25, 2016	6:00 pm	JPC Regular Meeting
March 9, 2016	6:00 pm	JPB Regular Meeting
March 24, 2016	6:00 pm	JPC Regular Meeting

**ADJOURNMENT:**

There being no further business, motion by Lemmer, second by Steffen to adjourn the Regular Planning Commission meeting at 7:10 p.m.

Motion carried unanimously.

Respectfully submitted.  
Terri Ball  
Planning Assistant

Approved and attested by:   
Joint Planning Commission Representative