

AGENDA
GREATER BEMIDJI AREA JOINT PLANNING BOARD
317 4th Street NW

Wednesday, February 10, 2016 REGULAR MEETING – 6:00 p.m.

- **Roll Call** **Chair**
- **Pledge of Allegiance**
- **Approval of the Agenda**

A. MINUTES **Chair**
Approval of January 13, 2016 Minutes

B. CONSENT AGENDA
Items in the Consent Agenda are approved with one motion without discussion/debate. The Chairman will ask if any Board member wishes to remove an item. If no items are to be removed, the chairman will then ask for a motion to approve the consent Agenda.

- 1. Approve/Pay Bills (see attached list of bills) **Chair**

C. NEW BUSINESS
1. City of Bemidji – Resolution No. 2016-06 –CUP-16-80.00453.01 – Beltrami County **D**

D. OTHER BUSINESS
1. Fee Schedule – Ordinance No. 2016-03

E. VISITORS **Chair**

F. ADMINISTRATOR’S REPORT **M**
1. Site Plan Analyst Report

G. UPCOMING MEETINGS **Chair**

| | | |
|----------------------|---------|---------------------|
| 1. February 25, 2016 | 6:00 pm | JPC Regular Meeting |
| 2. March 9, 2016 | 6:00 pm | JPB Regular Meeting |
| 3. March 24, 2016 | 6:00 pm | JPC Regular Meeting |
| 4. April 13, 2016 | 6:00 pm | JPB Regular Meeting |

H. ADJOURN **Chair**

GREATER BEMIDJI AREA JOINT PLANNING BOARD
Meeting Minutes
February 10, 2016

Pursuant to due call and notice a regular meeting of the Greater Bemidji Area Joint Planning Board, Beltrami County, Minnesota, was held on Wednesday, February 10, 2016, at 6:00 p.m. in City Hall. Chair Olson presiding called the meeting to order and roll call was taken.

Upon roll call, the following members were declared present: Albrecht, Kelly, Johnson, Olson, Erickson

Members absent: Heuer, Merschman, Mountain

Staff present: Dustin Severs, Josh Stearns, Terri Ball

Others in attendance: William Patnaude

Pledge of Allegiance was performed.

AGENDA

Motion by Johnson, second by Erickson to approve the agenda.

Motion carried unanimously.

MINUTES

Motion by Albrecht, second by Johnson to approve the January 13, 2016 JPB minutes.

Motion carried unanimously.

CONSENT AGENDA

- 1) Bills for the total amount of \$7,487.06 (Check No. 1948 through 1955) were presented for payment.

Motion by Erickson, second by Albrecht to approve Consent Agenda.

Motion passed unanimously.

NEW BUSINESS

RESOLUTION 2016-06 – 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

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. During the 2015 legislative session, funds were appropriated to the Polk County Solid Waste Advisory Board for phase one of the plan. 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 acres, 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 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, transfer stations are allowed in the I-1 district solely pursuant to a CUP. This measure was established in the zoning ordinance 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.

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

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.

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.
13. Landscaping plan is required.

Board members had the following concerns:

- Erickson asked staff about the left turn only lane. Staff explained that it was not discussed by JPC and staff has left topic open ended.
- Olson questioned if estimated daily trips is only the trucks hauling. Later learned from Bill Patnaude that is the case.
- Albrecht questioned traffic flow on diagram, the stormwater pond set back, when the lots where subdivided as that created flag lots, had contamination questions, and questions the parcels as part of the Industrial Park.
- Patnaude addressed the Board to answer questions. He began with explaining that a purchase agreement is in place with Security Bank and the two parcels are existing, not created from recent lot splits. Only the soil has been found to be contaminated and Beltrami County is working with Wenk Associates who created the Phase One environmental study. They await results and have every intention to monitor the contamination. The Department of Agriculture is the agency involved as the contaminant is considered to be agricultural.
- Erickson stated that years ago it was believed that the dip ponds were the source of contamination and were excavated, but then a leak occurred.
- Albrecht questioned if city sewer and water were available. Patnaude answered they are across the road on the south side of 404.

- Albrecht questioned Patnaude about the set back on the stormwater pond. He replied that the engineers designed it, but if the city had a requirement, they would comply.
- Albrecht commented that the facility design had a lot of offices, then questioned the number of staff expected. Patnaude explained that they were required to have certain numbers of offices, break rooms, and showers, and estimates 9-11 staff to be employed.
- Albrecht asked about composting at this facility. Patnaude said no composting would occur here, but could be hauled to Gentilly. Eventual compost collections are possible, but would require immediate transfer as there will not be storage on site.
- Albrecht questioned current annual household fee for residents. Patnaude said the fee increased 9% - from \$121 per year to \$132. When Albrecht asked if he expects to keep costs down for residents with a new facility, Patnaude answered to the affirmative, as they are at the complete mercy of Waste Management corporate fees currently.
- Albrecht asked if residents would be charged for hauling to the facility. Patnaude explained that fees are covered by annual taxes. There is also no tipping fee, so that would make it more attractive for WM and others to utilize the facility.
- Albrecht questioned the site plan and containers for recycling. Patnaude said plan separates them from Privately Owned Vehicles (POV) to avoid bottlenecking like at current facility. He stated that an average number of POV trips per day to be 11000-12000, which is not part of the daily trip number in planning report.
- Erickson asked if new facility will allow private drop off. Patnaude said nothing will change from the way it is now, but does hope the city would begin organized collections.
- Erickson further questioned if there is enough waste for two facilities only 1500 feet apart. Patnaude estimates involvement from Hubbard County, as their contract with a North Dakota handler expires in July, and they will then contract with Polk County.
- Discussion about who pays for the facility. Patnaude detailed four sources of revenue – solid waste, commercial, receipts from both transfer stations, and the state of Minnesota – which makes the facility sustainable without county revenue.
- Patnaude anticipates another boom to the area, which would increase waste tonage and thus costs. The county hopes to keep costs down with the new facility by opening RFP's for operation in 2018. Current metropolitan requirements do not allow for unprocessed waste in the

landfill, which the county is preparing to also become a reality at this facility.

- Phase Two, a materials recovery facility as explained by Patnaude, involves a single sort. All recyclables will be co-mingled. He also stated a state requirement for counties to recycle a minimum of 35% of their waste.
- Kelly asked Patnaude why this site was decided upon. Patnaude listed reasons including road quality, access points, a nearby exit onto Hwy 2. Also, the other sites did not have city utilities and would cost more for city residents.
- Kelly questioned how important city utilities are to this facility. Patnaude stated it to be very important!
- Johnson commented on opportunity for WM to not have a tipping fee at this facility.
- Kelly asked how facility would keep track of waste from other areas. Patnaude explained the use of scales and separation of the tipping floor piles. Staff is also trained to recognize suspicious material.
- Staff questioned Patnaude about buffering, and he replied that a chain link fence will be placed around the perimeter, and screening in the SW corner will include a berm with trees. Trees will be plentiful on site.
- Erickson asked about the trail. Patnaude described the parcel running along slope and vegetation will remain.

Motion by Erickson, second by Johnson to approve Resolution No. 2016-06 for parcels 80.00453.01 and 80.00456.00 with the 13 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 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.

Motion carried unanimously.

OTHER BUSINESS

ORDINANCE 2016-03 — Fee Schedule

Staff presented two options to the board. One would adopt a fee schedule for the entire JPB area, one would adopt a fee schedule that has a higher set of fees for Bemidji Township to cover the cost of their decision to set their contribution level to \$0.00.

Board members had the following concerns:

- Johnson asked if potential developers were aware of proposed fee increases for Bemidji Township. Staff informed board that no one has come in for any potential projects.
- Olson stated his shock that there have been no news articles about the proposed fee change.
- Erickson commented that BTS Board was properly informed by staff.
- Johnson questioned if this effects any projects in progress, if any "grandfathering" will be necessary. Staff said Oak Hills has been approved for their project but building will not occur for some time.
- Erickson stated that the only other option for fees is to not change, and that would be unfair for Northern Township and the City to continue to carry the burden.

Public Hearing opened at 7:18 p.m.

No one was in the audience.

Public Hearing closed at 7:18 p.m.

Motion by Kelly, second by Johnson to approve Ordinance No. 2016-03 amending the Greater Bemidji Area Joint Planning Board fee schedule which has a two part fee schedule with separate fees for Bemidji Township.

Motion carried unanimously.

Motion by Johnson, second by Erickson to approve Resolution No. 2016-05 adopting Ordinance 2016-03 establishing the 2016 Fee Schedule.

Motion carried unanimously.

ADMINISTRATOR REPORT

- Stearns presented his work for the month of January, and goals for February including virtualizing our records.
- Albrecht stated that Mayana did a nice job on the new newsletter. Erickson agreed.

UPCOMING MEETING DATES:

February 25, 2016 -- JPC Regular Meeting @ 6:00 p.m.
March 9, 2016 -- JPB Regular Meeting @ 6:00 p.m.
March 24, 2016 -- JPC Regular Meeting @ 6:00 p.m.
April 13, 2016 -- JPB Regular Meeting @ 6:00 p.m.

GBAJPB Minutes


February 10, 2016

ADJOURNMENT:

There being no further business, motion by Erickson, second by Johnson, to adjourn the Joint Planning Board meeting at 7:35 PM.

Motion carried unanimously.

Respectfully submitted,
Terri Ball
Planning Assistant

JPB Minutes Approved and attested by:  _____
Joint Planning Board Representative