

**MINUTES OF A PUBLIC HEARING CONDUCTED BY THE ST. LOUIS COUNTY PLANNING COMMISSION HELD VIRTUALLY ON THURSDAY, SEPTEMBER 10, 2020.**

9:00 AM – 10:35 AM

Planning Commission members in attendance: David Anderson  
Steve Filipovich  
Daniel Manick  
Commissioner Keith Nelson  
Sonya Pineo, Chair  
Dave Pollock  
Roger Skraba  
Ray Svatos  
Diana Werschay

Planning Commission members absent: None

Also present: Thomas Stanley, St. Louis County Attorney’s Office

**Decision/Minutes for the following public hearing matters are attached:**

**NEW BUSINESS:**

- A. Enbridge Energy Limited Partnership, a conditional use permit to expand the hours of operation for an approved equipment staging site as an Industrial Use – Class II.
- B. Precision Pipeline LLC, a conditional use permit to establish an equipment staging site as an Industrial Use – Class II.
- C. Superior Fuel Company, a conditional use permit for a bulk propane business as an Industrial Use – Class II.

**OTHER BUSINESS:**

**Motion by Skraba/Filipovich** to approve the minutes of the August 13, 2020 meeting.

**In Favor:** Anderson, Filipovich, Manick, Nelson, Pollock, Skraba, Svatos, Werschay – 8

**Opposed:** None – 0

**Abstained:** Pineo - 1

**Motion carried 8-0-1**

Commissioner *Nelson* briefly updated the Planning Commission regarding the status of the LTI Holdings borrow pit in Fredenberg Township.

**Duluth International Airport Zoning Ordinance Discussion**

*Thomas Stanley*, St. Louis County Attorney’s Office, gave an update to the Duluth International Airport Zoning Ordinance changes. The current zoning ordinance dates back to 1988. During the past few years, there have been legislative changes that allowed airports to make zoning changes throughout the state. This way the zoning would have a better balance with the zoning on properties around the airport. What DIA has proposed is that the four entities: city of Duluth, city of

Hermantown, city of Rice Lake and St. Louis County (as the zoning authority for Canosia Township) implement the airport zoning ordinance into the individual comprehensive plans. If there was a project moving forward around the airport, the county planning staff would look at the application to determine if the application was consistent with current standards as well as the airport ordinance standards. The draft ordinance has been out for public review. There is a public hearing for the ordinance scheduled September 24, 2020 at 6:00 p.m. in Duluth.

Once the Joint Airport Zoning Board (JAZB) determines what they want, it will be given to the DIA and the Minnesota Department of Transportation (MNDOT). MNDOT needs to review and approve the ordinance before it goes into effect. After that approval, it would be the wish of the DIA to ask the four surrounding entities to adopt the new ordinance into the existing ordinances. For St. Louis County, it would mean amending the airport zoning ordinance provisions into Ordinance 62.

The *Planning Commission* discussed the following:

- A. Commission member *Skraba* stated there are a number of typos and corrections in the draft, but if there is another version these might have been taken care of.
- B. Variances would not go to the St. Louis County Board of Adjustment, but they would go before the Joint Airport Zoning Board.
- C. Commission member *Filipovich* asked if there are any changes being proposed for the safety zones. *Thomas Stanley* stated there are some changes being proposed. These changes might not be significant due to the distance from the runway to these areas. The main concern would be height.
- D. Commissioner *Nelson* asked if the expansion for potential fighter jets to replace F-16s are included in this proposal. *Thomas Stanley* stated that the airport is planning for the future and the potential runway use in the future.

## **NEW BUSINESS:**

### **Enbridge Energy**

The first hearing item was for Enbridge Energy Limited Partnership, a conditional use permit to expand the hours of operation for an approved equipment staging site as an Industrial Use – Class II. The property is located in S17, T51N, R20W (Floodwood). *Mark Lindhorst*, St. Louis County Senior Planner, reviewed the staff report as follows:

- A. The applicant is requesting to expand the hours of operation for an existing equipment staging site that received conditional use permit approval in February 2013. The request is to expand the hours of operation to 24 hours per day, 7 days per week.
- B. The hours of operation under the approved conditional use permit was Monday through Saturday, 7 a.m. until 8 p.m.
- C. The property is currently leased from a private landowner.

*Mark Lindhorst* reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
  - 1. Zoning Ordinance 62, Article V, Section 5.6 requires a conditional use permit for an Industrial Use Class-II.

2. The St. Louis County Comprehensive Land Use Plan specifically addresses industrial development as it relates to the future land use map. Industrial sites should have direct access to an arterial or collector road or railroad spur, avoid wetlands, residential areas and are located where there has been extensive ground disturbance from previous industrial development or gravel operations.
  - a. The proposed site has direct access within 200 feet of an arterial road, no wetland impacts are anticipated, there is limited residential development and the site has existing approval for use as an industrial site.

B. Neighborhood Compatibility:

1. The property is zoned Multiple Use (MU)-4 which allows for multiple uses including commercial, industrial and residential.
2. Other than the existing on-site residence, there are no residential developments within one-quarter mile.
3. The surrounding area consists of large tracts of forested and agricultural land. There are no anticipated impacts associated with dust, smoke, odor or pollution from the proposal.
4. Noise from the activity consists of truck traffic and loading and unloading equipment.

C. Orderly Development:

1. The area consists of large tracts of land with limited development.
2. The property access is within 200 feet of an arterial road.

D. Desired Pattern of Development:

1. The location and character of the proposal is consistent with a desirable pattern of development because this area consists of large tracts of land. The nearest residence is over one-quarter mile away. As stated in the previous approval, once the maintenance activities are completed, the site will be restored back to its original state, which was an open hay field, and is consistent with the normal pattern of development in the area.

E. Other Factor:

1. This type of use is best suited as an interim use per St. Louis County Zoning Ordinance 62, Article VIII, Section 8.3. It is recommended that an ordinance amendment be considered in the future to address temporary industrial sites.

*Mark Lindhorst* noted one item of correspondence from the Town of Floodwood that was provided to the Planning Commission prior to the hearing with no objections to the proposal.

**STAFF RECOMMENDATION**

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow extended hours of operation to 24 hours per day, 7 days per week for an equipment staging site as an Industrial Use – Class II, the following standards shall apply:

Conditions Concurrent:

1. The conditional use permit for the Industrial Use – Class II shall expire upon completion of the construction phase of the pipeline project.
2. Waste shall be disposed in a manner acceptable to St. Louis County Solid Waste Ordinance 45.
3. Lighting shall be directed downward in accordance with dark sky standards.
4. The property shall be kept in a neat and orderly manner.
5. The applicant shall comply with all county, state and federal regulations.

*Valerie Bordson*, Enbridge Energy, deferred to Trevor Lindblom.

*Trevor Lindblom*, Enbridge Energy, stated the 24/7 access will not be continuous through the whole project. It would likely start at the onset of the project for a few months and then intermittently after that. This will be used to support their winter construction activities and they will freeze down ice roads on some of the swamps in the area. The terrain in this area is very wet and the timber tie mats are there to access way down the right-of-way. They did do wetland delineation studies in order to avoid the wetlands that are there. The mats were there to prevent rutting on the land.

No audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Filipovich* asked if there was any issue with overlap between what the applicant is leasing and what the landowner has. *Mark Lindhorst* stated that a new lease was signed this year and there are no concerns with the landowner. The conditional use permit would only be approved for the 40 acre parcel, even if the amount of leased land is smaller.
- B. Commission member *Svatos* asked about the number of timber tie roads. *Mark Lindhorst* stated this is old farmland that is almost entirely wet. The timber ties will be used as temporary fill and once the project is done, the timber ties will be pulled up and the field will likely be reverted to its previous use. The applicant would otherwise need to apply for a wetland replacement plan for the fill on the property.

## **DECISION**

**Motion by Skraba/Manick** to approve a conditional use permit to allow extended hours of operation to 24/7 for an equipment staging site as an Industrial Use – Class II, based on the following staff facts and findings:

- A. Plans and Official Controls:
  1. Zoning Ordinance 62, Article V, Section 5.6 requires a conditional use permit for an Industrial Use Class-II.
  2. The St. Louis County Comprehensive Land Use Plan specifically addresses industrial development as it relates to the future land use map. Industrial sites should have direct access to an arterial or collector road or railroad spur, avoid wetlands, residential areas and are located where there has been extensive ground disturbance from previous industrial development or gravel operations.

- a. The proposed site has direct access within 200 feet of an arterial road, no wetland impacts are anticipated, there is limited residential development and the site has existing approval for use as an industrial site.

B. Neighborhood Compatibility:

1. The property is zoned Multiple Use (MU)-4 which allows for multiple uses including commercial, industrial and residential.
2. Other than the existing on-site residence, there are no residential developments within one-quarter mile.
3. The surrounding area consists of large tracts of forested and agricultural land. There are no anticipated impacts associated with dust, smoke, odor or pollution from the proposal.
4. Noise from the activity consists of truck traffic and loading and unloading equipment.

C. Orderly Development:

1. The area consists of large tracts of land with limited development.
2. The property access is within 200 feet of an arterial road.

D. Desired Pattern of Development:

1. The location and character of the proposal is consistent with a desirable pattern of development because this area consists of large tracts of land. The nearest residence is over one-quarter mile away. As stated in the previous approval, once the maintenance activities are completed, the site will be restored back to its original state, which was an open hay field, and is consistent with the normal pattern of development in the area.

E. Other Factor:

1. This type of use is best suited as an interim use per St. Louis County Zoning Ordinance 62, Article VIII, Section 8.3. It is recommended that an ordinance amendment be considered in the future to address temporary industrial sites.

The following conditions shall apply:

Conditions Concurrent:

1. The conditional use permit for the Industrial Use – Class II shall expire upon completion of the construction phase of the pipeline project.
2. Waste shall be disposed in a manner acceptable to St. Louis County Solid Waste Ordinance 45.
3. Lighting shall be directed downward in accordance with dark sky standards.
4. The property shall be kept in a neat and orderly manner.
5. The applicant shall comply with all county, state and federal regulations.

**In Favor:** Anderson, Filipovich, Manick, Nelson, Pineo, Pollock, Skraba, Svatos, Werschay - 9

**Opposed:** None - 0

**Motion carries 9-0**

**Precision Pipeline LLC**

The second hearing item was for Precision Pipeline LLC, a conditional use permit to establish an equipment staging site as an Industrial Use – Class II. The property is located in S23, T50N, R17W (Brevator). *Mark Lindhorst*, St. Louis County Senior Planner, reviewed the staff report as follows:

- A. The applicant is proposing to establish a temporary contractor construction yard.
- B. The yard will be used for material, supplies and equipment storage along with employee parking and meetings.
- C. Other onsite activities may include welding, concrete coating pipe, fuel storage and fueling.
- D. The site will have lighting.
- E. The hours of operation will be 24 hours per day, 7 days per week.

*Mark Lindhorst* reviewed staff facts and findings as follows:

A. Plans and Official Controls:

1. Zoning Ordinance 62, Article V, Section 5.6A requires a conditional use permit for an Industrial Use – Class II.
2. The St. Louis County Comprehensive Land Use Plan specifically addresses industrial development as it relates to the future land use map. Industrial sites should have direct access to an arterial or collector road or railroad spur, avoid wetlands, residential areas and are located where there has been extensive ground disturbance from previous industrial development or gravel operations.
  - a. The proposed site has a direct access to an arterial road, no wetland impacts are anticipated, there is limited residential development and the site is located on a previously permitted borrow pit thereby meeting the criteria for an industrial site.
3. Goal LU-8 of the St. Louis County Comprehensive Land Use Plan is to provide sufficient opportunities for industrial development within the county.
4. Objective 8.1 of the St. Louis County Comprehensive Land Use Plan is to retain large-acreage sites that are located adjacent to existing industry and/or freight corridors to enable facility expansion or attract compatible industries.

B. Neighborhood Compatibility:

1. The property is zoned Forest Agricultural Management (FAM)-3 which allows for multiple uses including commercial, industrial and residential.
2. There are six residential properties and a public cemetery within one-quarter mile of the planned site.
3. The proposal is located within an area that was twice previously permitted as a public works borrow pit. The site has a cell tower and a conditional use permit on file for a solid waste facility.
4. The adjoining parcel to the south has a cell tower, tire recycling facility and a temporary contractor yard.
5. The adjoining parcel to the north has an active borrow pit.

C. Orderly Development:

1. The area consists of commercial, industrial, extractive uses, limited residential development and large tracts of undeveloped land to the west.
2. The proposal will utilize an existing commercial access onto an arterial road currently servicing an existing borrow pit, tire recycling facility and temporary contractor yard.

3. The property is accessed by a State Highway engineered for the proposed truck traffic.

D. Desired Pattern of Development:

1. The development is predominately large tracts of forest land to the west, commercial, industrial and limited residential development to the south, extractive uses to the north and State Highway 33 borders the property to the east.
2. The proposed use is located within a previously permitted borrow pit and will likely not significantly change the pattern of development in the area.
3. The proposed site location meets the access and environmental criteria for an industrial site outlined in the St. Louis County Comprehensive Land Use Plan.

E. Other Factors:

1. A conditional use permit was issued to Precision Pipeline LLC in 2009 on the adjoining parcel to the south to provide office space for staff, parking area and storage of materials and equipment necessary to install a pipeline.
2. The conditional use permit has since been revoked as a condition of the tire recycling facility conditional use permit granted on the parcel in 2014.
3. A conditional use permit to establish an equipment staging site as an Industrial Use – Class II was granted in July 2020 on the adjoining parcel to the south.
4. This type of use is best suited as an interim use per St. Louis County Zoning Ordinance 62, Article VIII, Section 8.3. It is recommended that an ordinance amendment be considered in the future to address temporary industrial sites.

*Mark Lindhorst* noted a resolution from the Town of Brevator opposed to the proposal that was provided to the Planning Commission prior to the hearing.

### **STAFF RECOMMENDATION**

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow an equipment staging site as an Industrial Use – Class II, the following conditions shall apply:

Condition precedent:

1. Applicant shall obtain approval for access from the appropriate road authority.

Conditions concurrent:

1. The conditional use permit for the Industrial Use – Class II shall expire upon completion of the construction phase of the pipeline project.
2. Waste shall be disposed in a manner acceptable to St. Louis County Solid Waste Ordinance 45.
3. Lighting shall be directed downward in accordance with dark sky standards.
4. The property shall be kept in a neat and orderly manner.
5. The applicant shall comply with all county, state and federal regulations.

*Mitch Repka*, the applicant, stated they have an approved stormwater pollution plan for this site through the Minnesota Pollution Control Agency (MPCA). The plan indicates the locations of

environmental control devices, such as silt fences, that will be installed to ensure the wetlands are protected throughout the operations should there be any type of impact. As far as the number of vehicles, this 24/7 activity will be primarily through the winter months and will taper off as the winter portion of the work is completed.

No audience members spoke.

The *Planning Commission* discussed the following:

- A. Commission member *Filipovich* asked if there is a limit to the number of vehicles that can use a driveway. *Mark Lindhorst* stated that there is nothing in the ordinance that limits road activity. The Minnesota Department of Transportation, the road authority, would determine the limits to the amount of traffic coming in and out of that property.
- B. Commission member *Filipovich* asked about the ponds and if there are any protections for them. *Mark Lindhorst* stated that these ponds are replacement wetlands for work that was done on Highway 33 years ago. There is a berm that runs along the pond. As long as the pond is not impacted with drain and fill, these wetlands would continue to function. The applicant would require wetland replacement if they were to impact these ponds.
- C. Commission member *Skraba* stated that interim use permits should be considered in the future if more temporary uses are applied for.

## **DECISION**

**Motion by *Skraba/Manick*** to approve a conditional use permit to allow an equipment staging site as an Industrial Use – Class II, based on the following staff facts and findings:

- A. Plans and Official Controls:
  1. Zoning Ordinance 62, Article V, Section 5.6A requires a conditional use permit for an Industrial Use – Class II.
  2. The St. Louis County Comprehensive Land Use Plan specifically addresses industrial development as it relates to the future land use map. Industrial sites should have direct access to an arterial or collector road or railroad spur, avoid wetlands, residential areas and are located where there has been extensive ground disturbance from previous industrial development or gravel operations.
    - a. The proposed site has a direct access to an arterial road, no wetland impacts are anticipated, there is limited residential development and the site is located on a previously permitted borrow pit thereby meeting the criteria for an industrial site.
  3. Goal LU-8 of the St. Louis County Comprehensive Land Use Plan is to provide sufficient opportunities for industrial development within the county.
  4. Objective 8.1 of the St. Louis County Comprehensive Land Use Plan is to retain large-acreage sites that are located adjacent to existing industry and/or freight corridors to enable facility expansion or attract compatible industries.
- B. Neighborhood Compatibility:
  1. The property is zoned Forest Agricultural Management (FAM)-3 which allows for multiple uses including commercial, industrial and residential.
  2. There are six residential properties and a public cemetery within one-quarter mile of the planned site.



3. The proposal is located within an area that was twice previously permitted as a public works borrow pit. The site has a cell tower and a conditional use permit on file for a solid waste facility.
4. The adjoining parcel to the south has a cell tower, tire recycling facility and a temporary contractor yard.
5. The adjoining parcel to the north has an active borrow pit.

C. Orderly Development:

1. The area consists of commercial, industrial, extractive uses, limited residential development and large tracts of undeveloped land to the west.
2. The proposal will utilize an existing commercial access onto an arterial road currently servicing an existing borrow pit, tire recycling facility and temporary contractor yard.
3. The property is accessed by a State Highway engineered for the proposed truck traffic.

D. Desired Pattern of Development:

1. The development is predominately large tracts of forest land to the west, commercial, industrial and limited residential development to the south, extractive uses to the north and State Highway 33 borders the property to the east.
2. The proposed use is located within a previously permitted borrow pit and will likely not significantly change the pattern of development in the area.
3. The proposed site location meets the access and environmental criteria for an industrial site outlined in the St. Louis County Comprehensive Land Use Plan.

E. Other Factors:

1. A conditional use permit was issued to Precision Pipeline LLC in 2009 on the adjoining parcel to the south to provide office space for staff, parking area and storage of materials and equipment necessary to install a pipeline.
2. The conditional use permit has since been revoked as a condition of the tire recycling facility conditional use permit granted on the parcel in 2014.
3. A conditional use permit to establish an equipment staging site as an Industrial Use – Class II was granted in July 2020 on the adjoining parcel to the south.
4. This type of use is best suited as an interim use per St. Louis County Zoning Ordinance 62, Article VIII, Section 8.3. It is recommended that an ordinance amendment be considered in the future to address temporary industrial sites.

The following conditions shall apply:

Condition precedent:

1. Applicant shall obtain approval for access from the appropriate road authority.

Conditions concurrent:

1. The conditional use permit for the Industrial Use – Class II shall expire upon completion of the construction phase of the pipeline project.
2. Waste shall be disposed in a manner acceptable to St. Louis County Solid Waste Ordinance 45.
3. Lighting shall be directed downward in accordance with dark sky standards.

4. The property shall be kept in a neat and orderly manner.
5. The applicant shall comply with all county, state and federal regulations.

**In Favor:** Anderson, Filipovich, Manick, Nelson, Pineo, Pollock, Skraba, Svatos, Werschay - 9  
**Opposed:** None - 0

**Motion carries 9-0**

**Superior Fuel**

The third hearing item was for Superior Fuel Company, a conditional use permit for a bulk propane business as an Industrial Use – Class II. The property is located in S31, T63N, R12W (Morse).

*Stephen Erickson*, St. Louis County Planner, reviewed the staff report as follows:

- A. The applicant is proposing a bulk propane business as an Industrial Use – Class II.
- B. The request is for a 70 foot by 10 foot bulk storage tank.
- C. The hours of operation will be 7 a.m. until 5 p.m. Monday through Friday with occasional use on Saturday and Sunday.
- D. Less than 10 trucks will enter/exit the site per day.
- E. A minor boundary adjustment will be completed to gain additional acreage and access to Raven Lane.

*Stephen Erickson* reviewed staff facts and findings as follows:

- A. Plans and Official Controls:
  1. Zoning Ordinance 62, Article V, Section 5.6 B., indicates bulk storage tanks as an allowed use with a conditional use permit. The property falls within the Forest and Agriculture land use category of the Comprehensive Land Use Plan.
    - a. Goal LU-7 of the Plan is to provide sufficient opportunities for commercial development to serve local and regional markets throughout the county.
- B. Neighborhood Compatibility:
  1. The surrounding parcels to the south, east and west are mostly 20 to 40 acres in size. The parcels across Highway 169 to the north vary in size from two to seven acres.
  2. There is one residence approximately 1,200 feet southeast of the proposal and two residences approximately 1,200 northeast of the proposed use.
  3. There is an existing approved gravel pit to the north of the proposal.
- C. Orderly Development:
  1. The proposal is bordered by rural vacant land to the south, east, and west.
  2. The area south of 169 is mostly rural vacant land with multiple industrial/commercial uses. The area north is mainly residential and rural vacant land.
  3. Within a mile of the proposal there has been an approved masonry business, mini-storage and roll-off business through conditional use permits.
- D. Desired Pattern of Development:
  1. The subject parcel, as well as a majority of the surrounding area, is zoned Multiple Use.
  2. Multiple Use zone districts allow a wide range of uses.

3. Bulk tank storage is an allowed use, in a Multiple Use zone district, with a conditional use permit.

E. Other Factor

1. Since January 2020, there have been three approved conditional use permit requests within this area of Highway 169.

*Stephen Erickson* noted two items of correspondence from J. Mueller opposed to the proposal and the Town of Morse in support so long as there be no cutting of trees between Highway 169 and the tank area so that the tank is not visible from the highway; that concerns over access on and off the highway be addressed; and that there is no run off in the trout stream area. These items were received the morning of the hearing and were read into the record.

**STAFF RECOMMENDATION**

In the event that the Planning Commission determines that the proposal meets the criteria for granting a conditional use permit to allow a bulk propane business as an Industrial Use – Class II, the following conditions shall apply:

Condition Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.

Conditions Concurrent:

1. The local fire department shall be made aware of the location of the new tanks.
2. All state and federal regulations for installation of a LP gas tank shall be followed.
3. A Parcel Review shall be recorded prior to the issuance of a Land Use Permit.
4. Lighting shall be directed downward in accordance with dark sky standards.

*Ryan Gunderson*, the applicant, stated they do not own the property between the right-of-way and their property. There is a rock outcropping in that strip of land. Even if they had to cut down trees to put the tank in there, it would not expose any visibility from the highway. The tank would also be a significant distance away from the creek and they would put up any silt fencing as needed. There should be no issues with runoff to the creek.

No audience members spoke.

Commission member *Skraba* stated that while the lighting for safety and security is important, a light placed up high is distracting, especially to drivers at night or in winter. If the light is at car level and downward, it would be distracting for drivers. He asked the applicant to consider lighting placement. *Ryan Gunderson* stated that lighting is required but they will keep it as minimal as possible.

**DECISION**

**Motion by *Skraba/Svatos*** to approve a conditional use permit to allow a bulk propane business as an Industrial Use – Class II, based on the following staff facts and findings:

- A. Plans and Official Controls:

1. Zoning Ordinance 62, Article V, Section 5.6 B., indicates bulk storage tanks as an allowed use with a conditional use permit. The property falls within the Forest and Agriculture land use category of the Comprehensive Land Use Plan.
  - a. Goal LU-7 of the Plan is to provide sufficient opportunities for commercial development to serve local and regional markets throughout the county.

B. Neighborhood Compatibility:

1. The surrounding parcels to the south, east and west are mostly 20 to 40 acres in size. The parcels across Highway 169 to the north vary in size from two to seven acres.
2. There is one residence approximately 1,200 feet southeast of the proposal and two residences approximately 1,200 northeast of the proposed use.
3. There is an existing approved gravel pit to the north of the proposal.

C. Orderly Development:

1. The proposal is bordered by rural vacant land to the south, east, and west.
2. The area south of 169 is mostly rural vacant land with multiple industrial/commercial uses. The area north is mainly residential and rural vacant land.
3. Within a mile of the proposal there has been an approved masonry business, mini-storage and roll-off business through conditional use permits.

D. Desired Pattern of Development:

1. The subject parcel, as well as a majority of the surrounding area, is zoned Multiple Use.
2. Multiple Use zone districts allow a wide range of uses.
3. Bulk tank storage is an allowed use, in a Multiple Use zone district, with a conditional use permit.

E. Other Factor

1. Since January 2020, there have been three approved conditional use permit requests within this area of Highway 169.

The following conditions shall apply:

Condition Precedent:

1. The applicant shall obtain access approval from the appropriate road authority.

Conditions Concurrent:

1. The local fire department shall be made aware of the location of the new tanks.
2. All state and federal regulations for installation of a LP gas tank shall be followed.
3. A Parcel Review shall be recorded prior to the issuance of a Land Use Permit.
4. Lighting shall be directed downward in accordance with dark sky standards.

**In Favor:** Anderson, Filipovich, Manick, Nelson, Pineo, Pollock, Skraba, Svatos, Werschay - 9

**Opposed:** None - 0

**Motion carries 9-0**

**Motion to adjourn by Skraba. The meeting was adjourned at 10:35 a.m.**