



CITY OF RANIER

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Gateway City to Voyageur's National Park

**CITY OF RANIER
LAND USE PLANNING COMMISSION
MEETING MINUTES
MARCH 29, 2018**

Present:

**Land Use Planning and Zoning Commissioners: Sue Swendsen, Jeff McHarg, and Ron Wilcox,
Land Use Administrator Sherril Gautreaux.**

KOOCHICHING COUNTY: County Engineer Joe Sutherland, County Commissioner Wade Pavleck

**RE: ZONING VARIANCE REQUEST – PARCELS # 98-051-0061, 98-051-00620, 98-031-00100,
98-031-21100 ABUTTING CR 144 AND CR 113**

1. LAND USE PLANNING COMMISSION- Introductions and meeting purpose.

The City of International Falls (CIF) and Koochiching County (KC) are joint fee owners of the property known as the Foreign Trade Zone (FTZ) site – between CR 144 and CN Railway, South of TH 11, north of old CR 92. Prior to making the FTZ site available for purchase or lease KC & CIF would like to update or amend CUP 1106 which was approved by Koochiching County prior to Ranier implementing its Unified Land Use Ordinance.

Under the city of Ranier's Land Use Ordinance, the property is located in the Industrial Zoning District which is established for light and general impact industrial, warehousing and logistics activities.

2. KOOCHICHING COUNTY & CITY OF I'FALLS – Conditional Use Applicant Proposal.

Sutherland gave background information on the parcels which were jointly purchased in 2002 and reason for the request. In 2011, prior to the implementation of Ranier's Unified Land Use Ordinance, Koochiching County granted a CUP for quarrying. Koochiching County and I'Falls are now interested in selling the property. The highest and best use of the property is as a quarry. KC and CIF would like to sell it and capture funds from sale. They would like to build on CUP that county granted in 2011. They would like to amend and/or supplement the 2011 CUP now. Having the CUP in place would make the property more marketable. Otherwise, feel like it would be harder to sell the property. They are asking that the CUP would be transferable.

Sutherland called attention to some provisions that would normally be in a CUP and feels like contractor would be able to get aggregate without affecting near-by property owners. The CUP would contain provisions that comply with MSHA standards. Preblast condition surveys of houses within ¼ mile of quarry site would be performed. Post blast surveys would also be performed. Blasting notification to property owners at least one week or less prior to blasting. The depth of the quarry is not to exceed 60 feet. Buffer edge site screening would be in place. Processing boundaries – processing of mined materials would not be conducted within 100 feet to the property line or 500 feet from any residential dwelling. Run-off and drainage would be contained on the site. Seismic limits would be put in place. Sutherland stated that the project can be managed and get an outcome that everyone would like. How much aggregate would be quarried in a year? Maybe 10 days drilling, 3 days of blasting and 30 days of hauling a year. There would be a reclamation plan, dust control and haul road restrictions. Noise would be limited to a 65 db threshold. Insurance requirements would be specific. Sutherland believed that if implemented and monitored that could have a successful operation.

(SEE ATTACHED SPECIAL PROVISIONS HANDOUT)

3. **LAND USE PLANNING COMMISSION** – questions and comments.

Swendsen - was it tax forfeited property or was it purchased by Koochiching County and I' Falls?

Sutherland – not sure.

McHarg – for the last 7 years since moving back and attending council meeting he has heard constant complaints at council meetings about blasting and dust on Moonlight Rock Road.

Sutherland – County and Ranier would work together on a road agreement.

McHarg - County is stating that it is grandfathered in? How do you think this works?

Sutherland – believes that the 2011 CUP is still applicable. If can't get a transferable CUP from Ranier, then will fall back on the 2011 CUP.

Wilcox and Swendsen – are CUP's expirable?

Sutherland - Do not believe that they have sunset clauses?

Wagner – if county were to go ahead and fall back on CUP 2011 which regulations would you apply?

Sutherland – The 2011 are different than rules that would be proposed and are less restrictive.

Steve Blair – A CUP does not expire.

McHarg – do you have potential buyers?

Sutherland - Have reached out to construction companies. They are watching to see if can secure CUP prior to sale.

McHarg – feels like you are putting the cart before the horse.

Swendsen – would want ½ mile not ¼ mile away surveys.

Sutherland – This is certainly one of the issues to consider. Believe seismic vibrations can be contained to 500 feet.

Wilcox - feel that we should be dealing with the new owners. Who would Ranier hold accountable?

Sutherland – enforcement could be city/county agreement. CUP could stipulate contractor requires seismic data and monitoring that would lead to enforcement. County could help with enforcement.

Swendsen – this is a large parcel. Blasting would affect a large amount of people.

McHarg – who would buyer be and would they be local jobs?

Sutherland – the sale has to put out for bid

McHarg - but may cut into local quarrying business?

Sutherland – this sale is not based on whether we need more quarries but based on the merits of application. Parcel is 88 acres – only 15 acres of rock outcrop. Rock is as far away from houses as it could be.

Swendsen – how would it impact Hwy 11 and RR?

Sutherland – Bowman has a quarry near RR. Wish we would have been here 6-8 months ago for a source of aggregate in TH11.

McHarg – doesn't feel like a project that we would want to support.

Wilcox – is it to be leveled off?

Sutherland – would make a large hole up to 60 feet. Marketability goes up with the amount of rock that could be quarried.

Swendsen – 30 trucks a day is a lot of trucks for those living on CR 113.

Sutherland – traffic would be of a short duration and compressed time table.

Wilcox – could there be a way for trucks to go along RR ROW?

Sutherland – is a private road owned by MDW and have resisted making it available to trucks.

McHarg – understanding how it benefits County/I'Falls but how does it benefit the citizens of Ranier?

Sutherland – lowering of price of gravel. Brings it back on the tax rolls. Know the road needs an upgrade that would be multi-million dollar project for which there is no money.

Pavleck – who benefits? During the annexation process, County was a proponent of getting the FTZ into Ranier. KEDA has been an overseer of the parcel. Any money would go back to economic development of Koochiching County. Ranier has greatly benefited from Koochiching County for economic development. Would be very concerned about control without the proposed agreement. An outside contractor could buy property and then Ranier would have to enforce. In this instance, Kooch Co and Ranier could work together to enforce.

Wilcox – how long could it be harvested?

Sutherland – not exactly sure – feel like it could go deep. Supply and demand. But more marketable if had a CUP.

Swendsen – how many residents do you think would be impacted within 1/4 mile.

Sutherland - around 73 dwellings.

4. PUBLIC COMMENT PERIOD – Each commenter is limited to 3 minutes. Please respect the time.

Glennie – CR 144 – brought in a picture of dust on the road. Have been having Bowman dynamiting for a long time and have lots of damage in house. Would the blasting be behind the yellow gate?

Sutherland – fair point about dust – there are ways to contain dust on site.

McHarg – more complaints of dust on road.

Sutherland – believes that could be part of the CUP.

Randolph – Lives at CR 113 and 144. Concerned about the road usage – CR 113 is so tight – can barely let a car pass a bus or garbage truck. Maintenance has always been an issue. Have tried

to work with Bowman and Wagner over the years to maintain the road. The road condition does not support road traffic. Last Wednesday was a blast that was felt all the way to 2nd bridge at 2:30 in afternoon. Main concern is roads.

Holmstead – when sell the land? Who would buy it? After sell it who would be collecting taxes on it.

Bruggeman – question whether it is a big enough money maker compared to the blow back and the enforcement part of it.

Sutherland – not exactly sure what the property would go for. Worth more than \$88,000. Highest and best use is as a rock quarry.

Hoopingarner – says her house has been destroyed by blasts. Have been waiting for assistance from Ranier Council. Radon is connected to blasting. Dust was so bad that thought it was a fire. Worried about health of residents. House is cracking apart. Absolutely does not support blasting. Is contacting 2 attorneys about blasting damage.

Wagner – currently issues come from grandfathered permit. County problem. And is where most concerns come from. These new rules and regulations would address the issues in a better way and could be better enforced.

Whiteford – children living around area. The traffic from the CN trucks is already too much. Worried about the safety of kid around the traffic. Is it worth \$100,000 for all of the traffic and upset?

McCormick – are some type of impact studies available? Is it required by law?

Sutherland – Can require pre-blast surveys. Specialty contractor would inspect each home. Hale - How would you get insurance information?

Sutherland – insurance information would be on file as part of the CUP.

Pavleck – would be accessible at City or County.

Pavleck – existing rules are set. But where we are today, we can make better rules. Sewer project – blasting next to houses and no damage but have more control over.

Abrams – why are we talking about this when we don't have a buyer. Will be buried in red tape and bureaucracy. Don't want to feel blasts. Getting damage from vibration. Adding one more piece to a bad puzzle.

Blair – sheriff doesn't require notification of blasting but do require identification of dynamite storage. Can set a sunset clause with an interim use permit with a timeframe.

Gouin – an interim use permit. Can do one and see how it works and maybe grant another one if conditions are satisfactorily met.

Swendsen – what is the geology?

Gouin – not sure.

Wagner – concerns that Mr. Abrams has – if this is not approved – will still have the existing problems. With new permit rules – would address the issues. Ranier council would have to decide whether it would challenge the grandfathered CUP.

Pavleck – any agreement would supersede new elected officials.

Bruggeman – will be legitimate complaints – would there be fines built into the agreement? Too messy and not enough can be done.

Wilcox – if we do nothing then County will go ahead with old CUP?

Sutherland – items highlighted in yellow – a lot of research into safe blasting and would work with city to implement enforceable provisions. County could shut down the contractor if in

non-compliance. Would rather not have interim use permit because would restrict marketability.

Glennie – worried about damages to her home.

Holmstead – what entity would get the complaint?

Pavleck – city would get complaint.

Whiteford – who has seen rock? He has. Not very far off the county road. Doesn't see CR 113 and 144 handling the traffic. If blasting has to happen, the traffic has to be rerouted.

McCormick – should require owner to conduct a study that would address conditions.

Lessard – Moonlight Rock landfill would it be interrupted? Isn't there a better place to quarry?

Randolph – wasn't there a proposal for local contractors to quarry in the past few years?

Pavleck – KEDA discussions. Good issues about dump at Moonlight Rock.

Bowman – don't know where a city has ever granted a permit inside city limits. Bowman stated that this is not a good site and not a good idea.

Blair – have been dealing with complaints for 15 years. Should put it in agreement that sheriff be notified.

The commission finds that after review and evaluation of potential impacts on surrounding properties and in light of all the information brought forward that it will table a recommendation and meet next week with the full Land Use Commission.

Meeting adjourned at 7:06 pm.