

**MINUTES OF A PUBLIC HEARING CONDUCTED BY THE ST. LOUIS COUNTY PLANNING COMMISSION HELD VIRTUALLY VIA WEBEX AND IN-PERSON AT THE ST. LOUIS COUNTY GOVERNMENT SERVICES CENTER, LIZ PREBICH ROOM, VIRGINIA, MN ON THURSDAY, MARCH 14, 2024.**

9:00 AM – 9:17 AM

Planning Commission members in attendance: Tom Coombe  
Steve Filipovich  
Dan Manick  
Pat McKenzie, Chair  
Commissioner Keith Nelson  
Ross Petersen  
Dave Pollock  
Diana Werschay  
Andrea Zupancich

Planning Commission members absent: None - 0

Also present: Kristen E. Swanson, St. Louis County Attorney's Office  
Ryan Logan, Director of St. Louis County Planning and Zoning

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

**NEW BUSINESS:**

1. Northland Constructors of Duluth, a conditional use permit for an expansion of an existing general purpose borrow pit as an Extractive Use - Class II to include additional property.

**OTHER BUSINESS:**

**Motion by Nelson/Manick** to approve the minutes of the February 8, 2024 meeting.

**In Favor:** Coombe, Filipovich, Manick, McKenzie, Nelson, Pollock, Werschay, Zupancich - 8

**Opposed:** None - 0

**Abstained:** Petersen - 1

**Motion carried 8-0-1**

**NEW BUSINESS:**

**Northland Constructors**

The only hearing item is for Northland Constructors of Duluth, a conditional use permit for an expansion of an existing general purpose borrow pit as an Extractive Use - Class II to include additional property. The property is located in S10, T51N, R17W (Industrial).

*Donald Rigney*, Land Use Manager, stated that notice was received by the Planning and Zoning Department from the Environmental Quality Board (EQB) that a citizen's petition for an Environmental Assessment Worksheet (EAW) had been received on March 11, 2024. St. Louis

County was found to be the local government unit (LGU) on March 12, 2024. Because of this petition, a decision cannot be made on this request until it is determined if an EAW is required. The current request for a borrow pit will need to be tabled before that determination is made. A decision on the EAW will not be made today because of the notice requirements.

## **DECISION**

**Motion by Nelson/Manick** to table a decision for a conditional use permit for an expansion of an existing general purpose borrow pit as an Extractive Use - Class II to include additional property until a determination on whether an Environmental Assessment Worksheet (EAW) is required is made.

After the decision to table this decision was made, Commission member *McKenzie* asked if the audience had any questions about what happened.

- A. Commission member *McKenzie* stated he does not know how long the EAW determination process takes.
- B. Audience members asked to be notified of what is going on because the notification area for this conditional use permit only included one landowner on Sunset Lake. Commission member *McKenzie* stated that Ordinance 62 states that the notification area for a conditional use permit is one-quarter mile.
- C. Audience members left their names and email addresses to create a notification list.
- D. Any correspondence received prior to this hearing will be continued forward. Any correspondence received after this hearing will be held for when this conditional use permit is heard again.
- E. The Planning Commission will make the decision on if an EAW is required. This will be a public hearing.
- F. This process may halt the conditional use permit process but the existing borrow pit can still operate. The audience was encouraged to submit a complaint form if there is an issue with the existing borrow pit.
- G. Part of the EAW process includes contact with the Minnesota Department of Natural Resources (MN DNR) and the Minnesota Pollution Control Agency (MPCA).

**Motion to adjourn by Commissioner Nelson. The meeting was adjourned at 9:17 AM.**