



Shakopee Board of Adjustments and Appeals

Minutes

May 3, 2018

7:00 PM

Council Chambers

Presiding Chair Mark McQuillan

Chair McQuillan called the meeting to order.

1. Roll Call

Commissioners present: Lori Brandon, Jody Brennan, Steve Mangan, Mark McQuillan, Noreen Reding, Kent Robbins, Ashlee Sepulvado

City Staff present: Director of Planning & Development Michael Kerski, Senior Planner Kyle Sobota

2. Approval of Agenda

Commissioner Kent Robbins made a motion to approve the Agenda, seconded by Commissioner Jody Brennan and the motion passed.

7 - 0

3. Call for Notarized Affidavits, Proof of Neighborhood Meeting and Sign in Sheet for appropriate Public Hearings

Staff has received these.

4. Recognition by Board of Adjustment and Appeals of Interested Citizens

No one responded.

5. Consent Business - (All items listed in this section are anticipated to be routine. After a discussion by the Chair there will be an opportunity for members of the BOAA to remove any items from the consent agenda for individual discussion. Those items removed will be considered following the Public hearing portion of the agenda. Items remaining on the Consent Agenda will not be discussed and will be approved in one motion.)

None.

6. General Business

A. PUBLIC HEARING: Conditional Use Permit for Over-height Structures for Cameron's Coffee

Commissioner Kent Robbins made a motion to open the Public Hearing, seconded by

Commissioner Steve Mangan and the motion passed.

7 - 0

Senior Planner Kyle Sobota presented the staff report.

Mr. McQuillan asked if the applicant was looking to construct all 3 of these stacks at the same time, or if they would be phased in. Mr. Sobota answered that 2 of the stacks would be constructed right away and then one would be constructed at a later date. He stated that the applicant was present this evening and could speak to this.

Mr. Robert Waldron, representative for Cameron's Coffee, addressed the Board. He stated that Cameron's Coffee just picked up the private label business of Sprouts and that this would jump them up 20% in production next year. They would like to put in a 3rd roaster with 2 roof stacks. He stated that in the future, if their growth continued, if they had to put in a 4th roaster, then they would need an additional stack. Mr. Waldron also updated the Board on their expansion and which buildings were used for production.

Mr. Robbins asked if the Shakopee location was the home office for Cameron's Coffee and Mr. Waldron stated that this was correct. Mr. Robbins asked if the height of the stacks mitigated odor and Mr. Waldron answered that they follow OSHA rules on exhaust. He explained how they had experts measure the wind flow in Shakopee and how they follow these recommendations for stack height that is required for proper ventilation and release of steam and odor reduction. Mr. Robbins asked if there were any complaints and Mr. Waldron stated that in the last year he was not aware of any complaints. Mr. Waldron stated that when they changed their sign last year was when they had the most complaints.

Commissioner Jody Brennan made a motion to close the Public Hearing, seconded by Commissioner Kent Robbins and the motion passed.

7 - 0

Commissioner Kent Robbins made a motion to approve Conditional Use Permit for Over-height Structures for Cameron's Coffee, seconded by Commissioner Steve Mangan and the motion passed.

7 - 0

- B. PUBLIC HEARING -Conditional Use Permit Amendment for a recycling/waste sorting & transfer facility, exterior storage, and multiple principle structures on one lot

Commissioner Jody Brennan made a motion to open the Public Hearing, seconded by Commissioner Noreen Reding and the motion passed.

7 - 0

Michael Kerski presented the staff report.

Mr. Robbins asked what the current height was for allowing materials that are waiting to be moved and Mr. Kerski answered that the current resolution he believed, was 8 feet. Mr. Kerski explained what the applicant did and how the materials would be stored. Mr. Robbins asked for clarification on Condition #14 and Mr. Kerski did so.

Mr. Sobota commented that this was similar to Northwest Asphalt's operation. Mr. McQuillan asked if the material to be recycled was more than asphalt and Mr. Kerski clarified that the new building would be recycling construction materials that would not be stored outside.

Ms. Brandon asked for clarification on Condition #14 and if there was a chance that these materials could sit outside for extremely long periods of time and Mr. Kerski stated that this would not be likely. Mr. Sobota stated that it was in the company's best interest to cycle through this material.

Ms. Brennan asked if there were concerns about debris contaminating Quarry Lake and Mr. Kerski stated that they were not concerned about Quarry Lake; he went over the aerial layout of the site and how the applicant would keep the debris away from the lake.

Mr. Robbins asked if the city was OK with these things not contaminating the land and Mr. Kerski stated that the city was comfortable with the conditions on this CUP.

Mr. David Phillips, architect for Lloyd Construction, addressed the Board. He reiterated to the Board that Lloyd's was not in the storage business. He explained in detail how they cycle through their construction debris.

Mr. Kerski asked Mr. Phillips to clarify how tall the processed material would be and Mr. Phillips stated that the processed material being stored would not exceed 25 feet.

Mr. McQuillan asked how the dust would be controlled and Mr. Phillips explained this process in detail for him.

Mr. Robbins asked who Lloyd's sold their material to and how it was used and Mr. Phillips answered this for him.

Ms. Brandon asked Mr. Phillips what kind of assurance he could give to the Board that they would not come back before them for another revision. Mr. Phillips explained to Ms. Brandon how this happened. Mr. Kerski stated the applicant could have chosen to appeal the initial decision to the City Council, but preferred to come back before the Board again; Mr. Kerski also commented that the city appreciated this as well.

Mr. McQuillan asked if the site was staffed on weekends and Mr. Phillips stated that it may be staffed on weekends during construction time, but generally they were a Monday through Friday operation. Mr. McQuillan asked about Condition #2 and who would be

responsible for dust created on the weekend and if this should specifically be listed in the conditions. Mr. Kerski stated that the city does not issue the permit for pollution control, but that it is highly regulated by the state. The only time that they would create dust would be when the material was being crushed, most likely during the work week.

Mr. Robbins asked how many people were employed at the site, and Mr. Phillips answered that on site there would be between 2 and 10 people. He added that they employ around 200 truck drivers and went into detail how their operation works.

Commissioner Jody Brennan made a motion to close the Public Hearing, seconded by Commissioner Lori Brandon and the motion passed.

7 - 0

Commissioner Jody Brennan made a motion to approve Conditional Use Permit Amendment for a recycling/waste sorting & transfer facility, exterior storage, and multiple principle structures on one lot, with engineering conditions and Amendment 5 included, seconded by Commissioner Kent Robbins and the motion passed.

7 - 0

7. Other Business

None.

8. Adjourn to Thursday, June 7, 2018 at 7:00 p.m.

Commissioner Lori Brandon made a motion to adjourn at 7:44 pm, seconded by Commissioner Kent Robbins and the motion passed.

7 - 0