

## PLANNING COMMISSION

Tuesday, May 13, 2014

Vice Chairman James Norwood called the special meeting of the Brainerd Planning Commission to order at 5:05 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Pritschet, Matten, Hayden, and Norwood. Commissioners Plantenberg, Cole, and Straw were noted absent. Also present was City Planner Ostgarden, City Engineer Hulsether, City Administrator Wussow, Building Official Tim Caughey, Superintendent Scott Magnuson, and City Attorney Eric Quiring.

### #1 **NEW BUSINESS**

#### **a. Public Hearing – Interim Use Permit – Submittal from Renu Recycling, 12065 Telegraph Rd, Redford, MI 48239, for the Decommission of the Wausau Site at 1801 Mill Avenue.**

The public hearing was opened at 5:06 p.m.

City Planner Ostgarden gave a presentation. The following items were presented.

- Decommissioning definition/process and Interim Use Permit process
- Characteristics of the Wausau site including buildings, transportation, utilities, topography and Shoreland regulations
- Neighborhood characteristics
- The review procedure and criteria
- Decommissioning process issues
- Communication with the neighborhood and hours of operation
- Transportation of demolition debris from the site, noting the County may impose their own hauling hours and weight restrictions on Mill Avenue
- Site contamination and the environmental reports that have been completed
- Building and structure removals – noting all above grade and below grade structures (with a few exceptions)
- Site restoration including the requirement of native vegetation
- Performance bonds
- Extensions

City Engineer Hulsether reviewed testing requirements and criteria for noise, vibration, dust, and odors noting these will be conducted by a third party with proper credentials. He also reviewed fill requirements and compact density to support future redevelopment which include Class 7 fill and 95% density.

Brainerd Public Utilities Superintendent Scott Magnuson gave a review of the utility separations and easements needed along with access to the dam during the decommissioning. He also reviewed water usage for dust control.

Building Official Tim Caughey reviewed what buildings may possibly remain on the site and the Building Code/structural requirements for those buildings remaining.

The following conditions have been recommended by City staff:

- **Decommissioning Approval Period.** The Interim Use Permit for all decommissioning activity (except site restoration) shall be in effect for 1 year from the date of the Interim Use Permit approval.
- **Town Meeting.** Prior to beginning the decommissioning process, Renu will conduct a neighborhood meeting to review the decommissioning plan.
- **Statement of Financial Capability.** Renu shall submit verification that it has the financial capability to perform the decommissioning process.
- **Decommissioning Meeting.** Prior to beginning the process, a decommissioning meeting shall occur with all parties involved to review the decommissioning work plan.
- **Decommissioning Process.** The decommissioning process shall not commence and a City of Brainerd Building Permit will not be issued until all of the applicable submittal requirements specified herein have been submitted and approved by the City of Brainerd.
- **Document Submittal.** Any and all documents that need to be submitted and revised to be in compliance with the conditions, terms and performance standards of this Interim Use Permit shall be submitted to the City prior to the issuance of a building permit.
- **Project Contact Person.** The owner must designate and maintain throughout the term of the project a site representative with final decision making authority to field questions and complaints from the public and must make this person's name and contact information available to the City and the public before permits are issued for the work shown on the approved plans. The City of Brainerd will designate the Building Official as the contact person on behalf of the City.
- **Security Agreements.** Renu grants the City of Brainerd the authority to require Security Agreements to ensure that the performance standards are completed as provided in the approved Interim Use Permit. The owner must submit Security Agreements in the form of complete Performance Bonds or Letters of Credit in the amounts specified by the City of Brainerd. Such amounts shall be 110% of the estimated costs prior to the issuance of any demolition/building permits for work included in all phases of the decommissioning and demolition activities referenced under the Interim Use Permit documents and Storm Water Pollution Prevention Plan as amended.
- **Escrow Account.** Renu shall maintain an escrow in the amount of \$5,000 to cover the cost of testing during the decommissioning process (not including restoration which is addressed herein), staff time associated with the decommissioning process and for any other unintended damages or needs that arise during the decommissioning process. The unused escrow amount will be returned upon completion of the decommissioning process.
- **Inspection.** The City Administrator and his designee(s) shall have the right to inspect the premises for compliance purposes at any time upon reasonable request.
- **Demolition Inspections and Reports.** The owner must maintain a record on site of all inspections for review by the City of Brainerd or other regulating agencies. Inspection reports include, but are not limited to, inspections performed by the City of Brainerd as required by the Building and Interim Use Permits and inspection reports prepared by the contractors Erosion Control Supervisor.
- **Environmental Inspection and Reports.** The owner shall provide a copy of the renovation/demolition environmental checklist to the City of Brainerd along with certifications that the hazardous materials have been removed and properly disposed of.

- **Contractor's License.** Party's contracting to perform demolition will be required to be licensed as a contractor in the City of Brainerd.
  - The Contractor's License fee is \$50.00.
  - The Contractor shall take out and maintain throughout the decommissioning/demolition period insurance in the following minimum requirements.
  - Workers compensation insurance covering all employees in statutory limits who perform any of the obligations assumed by the Contractor under this contract.
  - Public liability, property damage liability insurance covering all operations under the contract. Limits for bodily injury or death not less than \$500,000 for any person and \$1,000,000 for each accident and \$500,000 property damage limit for each accident.
  - Automobile liability insurance on all self-propelled vehicles used in connection with the contract, whether owned, non-owned or hired; public liability limits of not less than \$500,000 for one person and \$1,000,000 each accident; property damage limit of \$500,000 for each accident.
  - The Owner/Contractor shall provide the City of Brainerd with a certificate of said insurance which shall list the City of Brainerd as additional insured.
  - In lieu of the requirement for a contractor's bond the City will accept the owner/general contractor's performance bond required in the IUP. Other contractors shall provide the usual contractor's bond.
- **Easements.** Easements that have been granted to the City of Brainerd shall remain. If needed, new easements shall be in a location and size acceptable to the City of Brainerd. Documents for any new easements shall be prepared by the property owner and reviewed by the City of Brainerd. Easements shall be recorded at the Crow Wing County Register of Deeds office at the property owner's expense.
- **Utility Connections.** All connections to City services shall be mechanically capped or bulkheaded as required by the City Engineer's office.
- **Asphalt Surfaces.** All asphalt surfaces are to be removed except for those surfaces located within the existing easements. Should the City of Brainerd determine the asphalt surface within the easements has been disrupted they shall be replaced at the owner's expense.
- **Foundation Removal.** After much discussion about what is best for the community going forward, complete wall, foundation and floor removal of all buildings and structures is recommended. Anything less than complete removal leaves behind obstacles that will create site redevelopment problems and could cost the tax payers money to be removed.
- **Building and Structure Removal.** All above grade structures shall be removed including, but not limited to, buildings, sheds, waste water treatment plant, surge tank, water tower, parking lots (except drive isles), and railroad spurs and sidings, with the exception of facilities located on parcels currently being leased by the City of Brainerd for recreational purposes.

All other structures on the property shall be removed in their entirety including all underground utilities, rail facilities, and paved surfaces (exception of drive isles). Should a 3<sup>rd</sup> party purchaser request that a structure(s) remain, a bond shall be posted or retained to provide for the complete demolition of the structure(s) or until such time that the structure(s) has either been removed or the ownership of the property has been transferred to the 3<sup>rd</sup> party.

In the event that a portion of the main building remains, as part of the building/demolition permit application submittal, an engineered structural solution shall be

submitted for the separation as well as detailed structural restoration plans for the remaining building.

- **Fill.** Fill to be either a granular backfill or Class 7 crushed concrete compacted to a 95% maximum density.
- **Noise.** Activities that generate continuous noise, such as concrete crushing and hydraulic hammering, may not exceed the noise standards as established by the Minnesota Pollution Control Agency (MPCA) on various land uses within audible distances of the activities. Noise measurements will be conducted as soon as weather conditions permit following the commencement of the activity. A sufficient number of spot measurements will be taken to test residential properties located radially from the site. If the noise levels fall within acceptable MPCA guidelines, additional measurements will not be necessary unless there is a change of activity location, a change in noise abatement features, or complaints from the public.
- **Vibration.** Measurements at adjacent property lines should not exceed a Peak Particle Velocity (PPV) of 0.5 inches per second. If measurements are greater than 0.5 inches per second, additional readings should be taken to determine a safe distance from the activity. Renu shall submit pre-demolition vibration readings. The owner will provide, upon request by the City of Brainerd vibration readings to the City Engineering Department.
- **Testing Credentials.** All testing will be conducted by a 3<sup>rd</sup> party with proper credentials to perform such testing. Information about who will do the testing and test results shall be provided to the City of Brainerd.
- **Waste.** All disposal debris will be hauled to a licensed demolition landfill. The handling and disposal of construction and demolition debris shall be done in accordance with all federal, state and local laws and ordinances. Items, parts and/or debris removed during decommissioning shall not be kept within 200' of the Mill Avenue property line.
- **Fire Safety.** The owner shall comply with Section 14 of the State of MN Fire code. An onsite walk through inspection by the City of Brainerd Fire Department will be required prior to starting the decommissioning process.
- **Hours and Days of Operation.** All decommissioning related activity must be limited to the hours of 7 a.m. - 7 p.m. Monday-Friday and 9 a.m. to 5 p.m. on Saturdays. Hours of operation must be posted on the site and at all entrances and exits, along with site contact information. Hours of operation includes any activity associate with the process including but not limited to, dismantling equipment salvaging scrap, demolition, crushing, stockpiling and hauling, etc. Trucks leaving the site and travelling through the City of Brainerd shall not occur between the hours of 9:00 p.m. and 8:30 a.m. and 3:00 p.m. to 6:00 p.m Monday through Friday. Saturday hauling is not permitted from Memorial Day to Labor Day.
- **Site Amenities.** A minimum of 2 portable toilets shall be provided on site throughout the decommissioning process.
- **Transportation.** All demolition and debris truck traffic into and out of the site will use the Mill Avenue entrance. Truck traffic on residential streets is prohibited.
- **Trucking Route.** Should Crow Wing County agree, truck traffic not using the Crow Wing County landfill shall go north on Mill Avenue to gain access to Hwy 371.
- **Site Buffer/Security.** The existing visual buffer shall be retained and the site must be enclosed with existing or new fence until site restoration is completed.
- **Site Restoration.** Restoration will include a plan prepared by a professional with credentials to restore the site with native landscaping. Such plan shall be submitted to the City of Brainerd.

- **Approvals by Other Agencies.** The owner must obtain approvals and appropriate documentation for the demolition and restoration from all other agencies having jurisdiction, including but not limited to the Minnesota Department of Natural Resources, the Minnesota Pollution Control Agency, State Historic Preservation Office, and Environmental Protection Agency. Work must be performed as specified in these approvals. The City of Brainerd is not responsible for Renu's approval by these agencies and/or ensuring Renu complies with these agency rules and regulations
- **Extension.** One 6 month extension may be requested in writing and filed with the City of Brainerd at least thirty (30) days before the expiration of the original Interim Use Permit. The request for extension shall state facts showing a good faith attempt to complete or utilize the use permitted in the Interim Use Permit. Such petition shall be presented to the Planning Commission for a recommendation to the Council and acted upon by the Council.
- **Termination.** The Interim Use Permit shall terminate upon the occurrence of any of the following events, whichever first occurs:
  - a) The date specified in the permit (Condition #1);
  - b) A violation of the conditions under which the permit was issued; or
  - c) A change in the City's zoning regulations; however, the City may provide a period of relief for up to a year if warranted.
  - d) Work on the site authorized by such permit is not commenced within \_\_\_\_ days of issuance or the work authorized on the site by such permit is suspended or abandoned for \_\_\_\_ days after the time the work is commenced.
  - e) A certified copy of any order terminating the Interim Use Permit shall be filed with the Crow Wing County Recorder for recording.
- **Compliance.** Any use permitted under the terms of any Interim Use Permit shall be established and conducted in conformity with the terms of such permit and of any conditions designated in connection therewith, and the Interim Use Permit shall remain in effect only so long as the terms and conditions agreed upon are observed and/or until the specified termination date/event occurs.
- **Indemnification.** The Owner/Contractor shall indemnify and save harmless the City of Brainerd from loss of damage caused to any person or property by reason of any carelessness or neglect in the doing or making of this decommissioning/demolition or furnishing material and by reason of failure to pay all laborers, mechanics, subcontractors and material, men, and all persons supplies for the performance and completion of said decommissioning to promptly pay all just debts, dues and demands incurred in the performance of said work, and of and from all expense of inspection and engineering or of whatever kind of nature, which shall be caused by delay or failure in the performance and completion of this work, and further to indemnify and save harmless of and from all suit and action the City of Brainerd on account of any injuries or damages sustained by any person or persons by reason of any act, omission or negligence, or by the use of improper methods or materials on the part of said Contractor in the performance of any part of this work, and further to indemnify and protect and save the City of Brainerd harmless against any and all demands, fees, or royalties for any patented invention, materials, methods, arrangements or process of manufacture of any infringement thereon, that may be used or be in any matter connected with the decommissioning, demolition or maintenance of the work, materials or any part thereof, embraced in this project.

Commissioner Hayden asked about the current lease the City has for the ball fields and parking lot. City Planner Ostgarden stated the lease will transfer to the new owner and when the lease is up in five years, the City will have to renegotiate with the new owner. It was noted the stormwater pond is a permanent easement.

Commissioner Matten asked if the City's MS4 permit is part of this decommissioning and if the Mississippi Headwaters is involved.

City Planner Ostgarden stated the Mississippi Headwaters is not involved because their regulations do not apply within the City, however we have Shoreland Regulations that are based on the DNR regulations that do apply. He stated we will need to verify the Shoreland and Bluff impact zones.

City Engineer Hulsether stated it is not part of the City's MS4 permit it would be part of the owners NPDES permit. They would have to retain a consultant to prepare a NPDES permit and a SWPPP and within the plan they would document their erosion control and site stabilization along with how they will prevent run off from leaving the site. These will be a requirement prior to issuance of the demolition permit.

Discussion was held regarding the contractor's license, general contractor's bond, and licensing/bonding for sub-contractors.

Discussion was held regarding the third party interest and how it should relate to the conditions.

Mr. Carlos Avitia, Renu Recycling, stated he has concerns with some of the conditions regarding restoration of the site and complete removal of the foundations. He stated it is not cost effective to have these requirements. He feels it will be easier for someone that is going to build on the site in the future if they only remove part of the foundation. He stated it is the standard to only remove part of the foundations. He asked the Commission to look at Renu's proposal and consider changes to some of the recommended conditions.

Mr. Avitia stated the number of trucks and trains will not be determined until the project is started. He stated some of the materials will be presold to the mills and they won't know how those items will be transported. He stated most of the debris will be transported by truck but again numbers will not be known until the project gets started and will change throughout the project.

Commissioner Hayden asked about his concerns with the City's conditions. Mr. Avitia stated they had planned to remove the foundations to two feet below grade noting they work nationally and have never had to remove all of the foundations but only to remove two feet below grade. The backfill they are asking for a more national standard which is usually four inches and under. He stated they would like to leave the hard surfaces in place, and he stated they feel it is not time for landscaping until the new owner is in place.

Commissioner Matten asked if Renu was comfortable with the City's requirements and if they were able to answer the City's questions on missing information such as testing and number of trucks.

Mr. Avitia stated he is comfortable with the testing requirements and noted they plan to do testing and are required to do certain tests because of OSHA guidelines. He stated the number of trucks

cannot be determined right now and will be on a monthly basis. He noted the biggest issues at this time are the foundation removal, the fill, the bonding, and the landscaping.

Commissioner Matten asked about lead paint. Mr. Avitia stated Crow Wing County landfill will take items with lead based paint and asbestos.

Mr. Peter Avitia, Renu Recycling, stated the third party is not concrete, but they do have a letter of intent from the third party to purchase the property and are considered part of this project. He stated the issues with the foundation removal as the City has proposed will increase the cost to a point where they may not be able to do the project. He stated he is confident they will do a good job here. He stated the concerns with the bonding is that they are the ones putting out the money and investing and to require bonds for everyone working on site has not been required of them before. He stated the landscaping is also an issue as they feel it isn't necessary because of the future use.

Discussion was held regarding the concerns with the third party, why the City is putting certain requirements in place and why Renu has concerns with those requirements because of future use.

Mr. Gary Scheeler, 923 Lakeview Lane, stated he has concerns with the removal as it will change the tax base once removal is done. He stated he agrees with the recommended conditions. He stated the City has mirrored their requirements off of the City of Sartell and if Renu had been awarded that contract they would have had to follow the same guidelines.

Ms. Sheila Haverkamp, BLAEDC, stated the BLAEDC organization has been involved with the City and the paper plant task force and through the task force has reviewed Renu's application and the City's concerns. She stated the BLAEDC Board of Directors reviewed the information and concluded that they do not support the proposed broad and non-restrictive terms and conditions set forth in the Renu application due to the fact of some of the limitations it would not address for future redevelopment of the site. She stated they support terms and conditions like those proposed by staff that allow for the highest and best possible reuse without totally impairing the economic feasibility of the project.

Mayor James Wallin reviewed his concerns with the foundation removal and stated he agrees with the complete removal.

Mr. Dale Parks, Councilmember, stated he has heard a lot of good points and he hopes there can be a compromise on the foundation removal.

Mr. Pat Medvecz, Wausau Paper, stated the foundation removal will be the item that will put an end to Renu's involvement in the process. He stated he has worked with Renu before and doesn't have any concerns with vibration and noise issues. He noted in other demolitions they have done, they have only removed to just below grade and it has worked well for future redevelopment.

Ms. Maureen Russom, 1301 8<sup>th</sup> Avenue NE, stated she feels no one has addressed the impact this will have on neighborhood residents as far as the vibrations and noise and the length of the project. She stated she is upset as she feels that things such as the impact on our eco system are not being looked at more closely.

The public hearing was closed at 7:05 p.m.

City Planner Ostgarden stated he wants to clarify that the City is only asking for a different method of establishing the area for the restoration and is not requiring an elaborate plan. The requirement would be seed to create a natural environment to allow wildflowers and natural grasses to grow that wouldn't require maintenance in the long run.

Commissioner Matten stated many of the ecological concerns that Ms. Russom mentioned she felt were not being addressed have not been discussed in detail as those types of things are regulated more strictly by other organizations such as the MPCA.

Commissioner Hayden asked about the change in the foundation removal requirement. City Engineer Hulsether explained how the City came to a six foot removal initially and why it was changed to full removal. He stated after a couple walkthroughs, a review of site drawings, and the concern with future use and installation of future utilities, it was agreed for safety and future use to require complete removal.

Commissioner Matten asked if the 95% compaction was standard and if testing were to be done with foundation walls left in place and undisturbed soil on both sides with 95% compaction, would it be sufficient.

Building Official Tim Caughey stated a soils engineer would not pass the inspection on something of that nature. City Engineer stated it is extremely difficult to compact to 95% next to a solid structure.

Commissioner Hayden asked what Sartell's requirements were for their decommissioning. City Planner Ostgarden stated he would have to verify but he does not believe there were substructures. He stated there was a foundation but no substructure.

Discussion was held on the following:

- Foundation removal
- Third party interest and how it effects the interim use permit
- Removal of all hard surfaces
- Would these standards/conditions be required of other interested parties
- Load limits on County roads, Mill Avenue bridge and the routes of the trucks
- Testing and ambient readings

Discussion was held on whether or not the Commission would like to move forward with a recommendation.

Mr. Peter Avitia reviewed Renu's concerns with the total foundation removal and restoration. He stated everything right now is set to move forward. He noted they are a green company and want to work with the community to make sure everyone is happy during the process.

Commissioner Norwood shared his thoughts and concerns with this project and interim use permit stating he feels more time and information is needed before making a recommendation.

Mr. Peter Avitia stated he would like to have all questions asked and a recommendation be made tonight as they are on a time limit and have reached the end of the limit.

City Planner Ostgarden read the findings-of-fact into the record as follows:

1. Renu, a Michigan Company, has an agreement with Wausau Paper to purchase the Brainerd facility located at 1801 Mill Avenue and has submitted an Interim Use Permit application to decommission the facility.
2. Wausau Paper has submitted a Letter of Authorization to Submit an Interim Use Permit
3. The site is approximately 80 acres and is located in an I-2 (General Industrial) District. Site decommissioning is allowed by Interim Use Permit in the I-2 District.
4. That the City of Brainerd Comprehensive Plan Future Land Use Map identifies the property as industrial land use.
5. The decommissioning is supported by Commercial/Industrial, Economic Development and Land Use Goals and Strategies.
6. Minnesota local government units have broad authority to condition or deny special use permits (e.g. interim uses) in order to protect public health, safety and welfare. When enacting the Municipal Planning Act ("MPA") in 1965, the Legislature found that "municipalities are faced with mounting problems in providing means of guiding future development of land so as to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities." So long as there is a rational basis for a zoning or land use decision by a local unit of government, the courts have affirmed the broad discretion local governments have in developing land use and zoning regulations and will not disturb a decision unless it is unsupported.
7. Minn. Stat. 462.3597, specifies City's may grant permission for an interim use of property if, among other things, the permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future. This grants the City the ability to set conditions or requirements for the IUP as deemed appropriate to better ensure the costs of demolition completion and to ensure that costs of environmental pollution would not flow through to the public.
8. This IUP does not include new development, therefore many of the typical standards for site plan review do not apply.
9. Renu will conduct a community meeting for the residents of the area.
10. The site has Mississippi Riverfront which will require compliance with applicable Shoreland Regulations.
11. The site is adjacent to a residential neighborhood requiring that issues such as vibration, noise and dust have prescribed methods for testing and compliance.
12. Renu is aware of the environmental findings in the following reports:
  - a. Phase I Environmental Property Assessment, Barr Engineering, June 2002
  - b. Phase II Environmental Investigation Report, Barr Engineering, Oct. 2002
  - c. Response Action Implementation Report, Barr Engineering, Dec. 2003
  - d. Supplemental Groundwater Investigation Report, Barr Engineering, January 2003
  - e. Phase I Environmental Site Assessment, Landmark Environmental, August 2013
13. All decommissioning related activity will be limited to 7:00am to 7:00pm Monday to Friday and 9:00am to 5:00pm on Saturdays. Hours of operation must be posted on the site and at all entrances and exits, along with site contact information. Hours of operation includes any activity associated with the process including but not limited to, dismantling equipment, salvaging scrap, demolition, crushing, stockpiling, hauling, etc.

Truck traffic entering or exiting the site and travel through the City of Brainerd shall not occur between the hours of 9:00pm and 8:30am and 3:00pm and 6:00pm Monday through Friday, no weekend hauling between Memorial Day and Labor Day, and weekend hauling outside of Memorial Day and Labor Day will be limited to Saturdays between 9:00am and 5:00pm with no hauling on Sundays.

14. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
15. Approximately \_\_ % of the demolition debris will be removed by truck and \_\_% by rail. That equates to approximately \_\_ trucks and \_\_ other cars and personal vehicles a day coming to the site. This number of vehicles per day will not create traffic congestion or a traffic hazard, which may result from the proposed use.
16. The site is accessible in accordance with the provisions of the Americans with Disabilities Act (ADA), including parking spaces, passenger loading zones and accessible routes where applicable.
17. A Storm Water Pollution Prevention Plan (SWPPP) will require that an Erosion Control Supervisor be identified. The SWPPP will address:
  - a. Erosion control sequencing
  - b. BMP inspection and maintenance
  - c. Pollution prevention management measures
  - d. Stabilization schedules
  - e. Temporary storm water quality measures, including silt fence, inlet protection, dust control
  - f. Permanent storm water management system
18. Access easement to the hydroelectric dam needs to be retained.
19. Renu will submit a Security Agreement in the form of Performance Bonds or Letters of Credit in the amount of 110% of the estimated costs before permits will be issued for work included in all phases of the decommissioning process.
20. Renu's submittal information includes a letter from Tom Haglin referring to interest in the property.
21. There are 35 recommended approval conditions to protect the community public health, safety and welfare.

The Commission agreed to add the following findings-of-fact: 22. The Executive Director of the Brainerd Lakes Area Economic Development Corporation stated that BLAEDC does not support the proposed broad and non-restrictive terms and conditions set forth in the Renu's decommissioning proposal and supports terms and conditions like those proposed by Staff that allow for the highest and best possible reuse of the property without totally impairing the economic feasibility of the project. 23. Three spoke in favor of staff's recommended conditions, one spoke requesting a compromise on the foundation removal, one resident of the neighborhood spoke with concerns about the environmental impact and total removal of the foundations, one resident of the neighborhood spoke in favor of the staff's report and the petitioner spoke on their proposal.

The Commission agreed to remove finding-of-fact fifteen (15) as it is currently unknown and also to remove that portion on the number/percentage of trucks from the condition regarding transportation.

MOTION AND SECONDED BY COMMISSIONERS HAYDEN AND PRITSCHET, DULY CARRIED, TO ACCEPT THE TWENTY-TWO (22) FINDINGS-OF-FACT.

MOTION AND SECONDED BY COMMISSIONERS MATTEN AND HAYDEN, DULY CARRIED, TO RECOMMEND APPROVAL OF THE INTERIM USE PERMIT SUBMITTED BY RENU RECYCLING FOR THE DECOMMISSIONING OF THE WAUSAU SITE LOCATED AT 1801 MILL AVENUE WITH THE TWENTY-TWO (22) FINDINGS-OF-FACT AND THE THIRTY-FOUR (34) CONDITIONS.

Commissioner Pritschet stated he hopes Renu will accept these conditions and he had hoped there would be more time available for Renu to have further discussions with the City.

#2 **Adjournment**

As there was no further business the meeting adjourned at 7:05 p.m.

Respectfully submitted,

---

Mark Ostgarden AICP  
City Planner

/lt