

SPECIAL PLANNING & ZONING MEETING MINUTES

October 28th, 2022

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OPENING CEREMONIES AND PRESENTATIONS

CALL TO ORDER

Chairman, Jason Fridrich, called the meeting to order at approximately, 7:10.

ROLL CALL

Present Were:

Chairman: Jason Fridrich

Vice Chairman: Scott Bullinger

Commissioners: Troy Bosch, Val Decker, Dean Franchuk, Aaron Johansen, Mike Schwab, Rick Haugen, Jo Marie Kadrmas

Absent: Troy Bosch, Rick Haugen, Jo Marie Kadrmas

Ex-Officio Members: Mayor Scott Decker, City Attorney Christina Wenko, City/County Planner Steve Josephson

Also Present Were: Engineering and Community Development Director, Josh Skluzacek, Building Official, Leonard Schwindt

I. ORDER OF BUSINESS

Chairman Fridrich asks if there were any additions or corrections to the Order of Business.
No changes to the order of business.

MOTION BY: Aaron Johansen

SECONDED BY: Scott Bullinger

DISPOSITION: Vote... Aye 6, Nay 0, Absent 3

Motion carried unanimously.

II. MINUTES – No Minutes

III. AGENDA – ACTION ITEMS

1. **SPECIAL USE PERMIT (SUP-009-2022)** - To consider a Special Use Permit for Geo Chemicals LLC for chemical storage at 2367 West Villard generally located in the S ½, S ½ Section 5, Township 139, Range 96W. The site consists of +/- 7.57 acres.

Mr. Skuzacek presents the request for SUP for chemical storage. He states this is in city limits and they will be renting the building and land. The chemicals being stored are generally for oil and gas related purposes. They have completed all the necessary requirements, and staff does have conditions for the SUP. Building and fire departments have no concerns. He adds that they do not plan to store any chemicals in the building; the building has not been evaluated for chemical storage. The zoning ordinance states if there is a residence or commercial zoned district 1000 ft from the place that chemicals are stored will require a variance in the

SPECIAL PLANNING & ZONING MEETING MINUTES

October 28th, 2022

future; he states they are not storing within that range. If they decide to change that that they can come in to change their request. He speaks on changes we are looking at in the municipal code regarding that.

Bill Kainz from Geochemicals is present. Mr. Fridrich asks if they are in agreement with the conditions, Mr. Kainz states they are.

Chairman Fridrich opens the public hearing. There being no comment, the public hearing is closed.

I move the City of Dickinson Planning and Zoning Commission recommend Approval of SUP 009-2022 the Geo Chemical Special Use Permit, subject to the conditions above, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare. (AND) the following additional requirements:

- Hazardous materials to be stored on site shall be limited to the ones listed in Attachment A;
- Development and on-site operations of hazardous materials shall be as described in this staff report as well as in the material found in Attachment A;
- No more than 25,000 gallons of chemicals shall be stored within 50 feet of any structure of human habitation;
- No more than 25,000 gallons of chemicals shall be stored within 1,000 feet of any Residential or Commercial zoning districts;
- As part of the development process, and to facilitate public safety, the applicant shall coordinate with law enforcement and emergency responders, including the City of Dickinson Police Department, the City of Dickinson Fire Department, and the Stark County Emergency Management Department;
- To ensure compliance with the all applicable regulations as well as the conditions of the special use permit, the applicant shall arrange for annual inspections by the City of Dickinson Community Development as well as other appropriate agencies. The first inspection shall occur no later than one year after approval of the special use permit.
- The SUP approval shall expire with any change in ownership. All subsequent owners of the property shall be required to reapply for SUP approval.
- On-site storage of hazardous materials shall comply with all applicable City, County, State and Federal regulations.

MOTION BY: Aaron Johansen

SECONDED BY: Scott Bullinger

DISPOSITION: Vote... Aye 6, Nay 0, Absent

Motion carried unanimously.

2. **SPECIAL USE PERMIT (SUP-010-2022)** – To consider a Special Use Permit for Jacam Catalyst LLC for chemical storage at 11108 32nd Street SW a site generally located in Section 16, Township 140, Range 96W located in the City of Dickinson’s Extraterritorial Zone. The site consists of +/- 17.05 acres.

Mr. Skluzacek presents the request for SUP for chemical storage. He states this building is in the ETZ and it has been built to accommodate chemicals inside the building. The state fire marshal has given his approval. Franchuk asks how far away the residents to the west are; it is over 1000.

Boyd Meduna, with Jacam Catalysts is present to answer any questions. Mr. Bullinger asks if they have read conditions and Mr. Meduna states they have and are ok with the conditions.

I move the City of Dickinson Planning and Zoning Commission recommend Approval of SUP 010-2022 the Jacam Catalyst LLC Special Use Permit, subject to the conditions above, as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare. (AND) the following additional requirements:

SPECIAL PLANNING & ZONING MEETING MINUTES

October 28th, 2022

- Hazardous materials to be stored on site shall be limited to the ones listed in the application received on October 12, 2022;
- Development and on-site operations of hazardous materials shall be as described in this staff report as well as in the materials found in Attachment A;
- No more than 25,000 gallons of chemicals shall be stored within 50 feet of any structure of human habitation;
- No more than 25,000 gallons of chemicals shall be stored within 1,000 feet of any Residential or Commercial zoning districts;
- Prior to final approval the applicant shall submit a revised site plan indicating where chemical store will take place on the property;
- As part of the development process, and to facilitate public safety, the applicant shall coordinate with law enforcement and emergency responders, including the Stark County Sheriff's Office, the Dickinson Rural Fire Department, and the Stark County Emergency Management Department;
- To ensure compliance with the all applicable regulations as well as the conditions of the special use permit, the applicant shall arrange for annual inspections by the City of Dickinson Community Development as well as other appropriate agencies. The first inspection shall occur no later than one year after approval of the special use permit.
- The SUP approval shall expire with any change in ownership. All subsequent owners of the property shall be required to reapply for SUP approval.
- On-site storage of hazardous materials shall comply with all applicable City, County, State and Federal regulations.

MOTION BY: Val Decker

SECONDED BY: Dean Franchuk

DISPOSITION: Vote... Aye 6, Nay 0, Absent 3

Motion carried unanimously.

IV. PUBLIC ISSUES OF CITY CONCERN NOT ON THE AGENDA

V. ITEMS NOT ON THE AGENDA

VI. WORK SESSION

VII. ADJOURNMENT

MOTION BY: Scott Bullinger

SECONDED BY: Aaron Johansen

Adjournment of the meeting at approximately 7:23

DISPOSITION: Motion carried unanimously.

SPECIAL PLANNING & ZONING MEETING MINUTES

October 28th, 2022

PREPARED BY:

Sylvia Miller

APPROVED BY:
