

Sparks reported some indications seem to infer that it would be an easement, which would indicate that the proposed fencing and trees would be on the neighbor's property. The conditional use permit would also need to be on that property, as well. The facility being proposed is only explained through technical engineering drawings and bid sheets. No information on noise levels or other such impacts has been given. The plans show no design specification for the driveway. There is no indication of lighting being involved. The plans also do not show any information regarding the type and size of tree plantings. In correspondence with the applicant, they suggested that the trees would be 6 feet in height. Town Staff requested the applicant to revise the plans to show a mix of different species of evergreens (at least 50% spruce and 50% pine) with some deciduous trees planted as accents. However, the plan just shows "trees" with no information on species or size. In April 2021, the applicant received an amendment to the CUP, at this site. A condition of approval from the Township was a request for a landscaping plan to replace the required, missing screening trees on the site. No plan was ever submitted. Town Staff receives constant complaints from neighboring property owners about the condition of the screening trees at the existing site.

Sparks reported that May Township must ascertain that the proposed use will not be detrimental to the health, safety, or general welfare of the Town, nor will cause serious traffic congestion/hazards, nor will seriously depreciate surrounding property values, and that the proposed use is in harmony with the general purpose of the Zoning Ordinance and Comprehensive Plan. As it is an active application, the Town must act on it despite this notable deficiency. The applicant has also not provided any information about the potential impacts of the facility.

The landscaping plan is also lacking any sort of clarity. It is incumbent upon the applicant to provide clear and complete information for the Planning Commission and Town Board to conduct a thorough review and ensure that the proposal will not negatively impact other properties. Essential services, such as this, are permitted within this context. The proposed expansion requires further information but may be deemed acceptable with conditions.

Bryan Kurger, Daniel Gorman, Chris Pawlak, Adam Goll, and Steven Martinez were present on behalf of NNG, as well as their attorney, Howard Roston. Martinez wanted to address some of the comments made by Sparks. Arnason asked Martinez to explain the exact details of the facility, as well as what impacts it would have on the area. Martinez asked Pawlak to address to those items specifically. Pawlak explained the facility is an in-line inspection device is a tool that is injected into the gas stream so that they can clean and measure defects on the line. This launcher/receiver would give NNG the ability to view pipeline integrity. Arnason asked if this device would reduce the need to run the blower. Pawlak was not aware of that condition – he said it would only clean the lines and he does not think this will have an impact on noise, one way or the other. In day-to-day operations, this device would not cause noise or be operating – it is only used with inline inspections and those are done every seven years.

Martinez said regarding the previous landscaping items that were supposed to be added last year, he said NNG has significant projects that have occurred at this location and to reduce environmental waste, they decided to defer the planting of trees for the upcoming projects to a

later date. He stated the township was notified of this, which the township was not. Regarding trees that are missing, Martinez does have gaps in vegetation due to pipelines being underneath. Further, in the future, there will be gaps in vegetation as they will not be able to have a fully screened area. However, Martinez said NNG can look at planting “pipeline friendly items” such as low bushes with shallow root systems. He wants to keep a good relationship moving forward between NNG and the township. Regarding lighting, Martinez has not submitted a lighting plan because he said there will be no changes regarding lighting at this location. Therefore, he did not feel there was a need to add lighting. Regarding additional noise, Martinez stated the information that he has available to him is saying that this is just a “launching receiver site” they are installing and would not increase any noise. Martinez has an inquiry to NNG’s environmental team to make sure that is still the case, and he will provide those findings to the township.

Arnason asked if the facility has lighting – Martinez does not know so he deferred this question to Pawlak as Martinez has not been to this location in the evening. Pawlak said he “doesn’t think” there are exterior lights at this facility as he is based out of Omaha. There are internal lights within the compressor buildings. Martinez said he will get additional clarification for the township.

Rydeen asked if the screening will be in the right-of-way? With the parking lot, will there be lighting? Martinez said on the north side of the station, they currently have vegetational screening along the roadside. It falls within the right-of-way. Unfortunately, they would not be able to remove and setback that vegetation. However, NNG is committed to maintaining the vegetation and if the township or neighbors are not satisfied, NNG can look at changing. Sparks recommended NNG submit a detailed vegetation plan.

Nesse noted looking at the east side of the vegetation, it seems like there are gaps that do not correspond with line. Given previous complaints received regarding screening at the site, he recommends that as part of this project, NNG provides as complete as screening as is reasonable for the east side of the site.

Rolf asked for specific clarification on ownership of the property of the proposed expansion. Rolf noted the township is being asked to approve the expansion without complete explanation of ownership. Sparks noted that he had a discussion with Gorman and the documentation of the easement went through. Further, Sparks had a discussion with the neighboring property owner, and it was confirmed that the easement went through. Finally, Sparks noted at the time of his report to the Planning Commission on April 22, 2022, documentation had not been provided. At this juncture, it appears the easement has been granted, although the township is waiting for documentation of the same.

Arnason noted the property of the planned expansion is not owned by NNG, rather, they were granted an easement. Sparks noted the acquisition area is by easement, not in fee title. A CUP will need to be recorded against the property. If it was not on the property fee title, the township will need the details of the easement.

Otterson’s biggest concern is the blow down and the venting. He questioned the “blow down” section. Has the town received information on the existing noise levels? Are there any muffler

systems? Are there any potential new products NNG can consider mitigating noise levels? Otterson noted this is a concern that has been brought up in the past from concerned neighboring property owners. Otterson would like to see “modern” muffler systems installed to help minimize the noise pollution. NNG responded they would need to gather information to provide a response to these questions. Martinez noted he will get the township the requested information through Sparks by Tuesday, May 2, 2022.

Arnason asked what the current timeline is for construction. Martinez said NNG plans to start construction on May 9, 2022. They had planned the need for 30-45 days to complete construction. Unfortunately, because of some environmental issues with Carnelian-Marine-St. Croix Watershed District, NNG cannot provide a timeline for when it will be completed. They will be installing, with temporary impacts to the property, the launch-receiver tool, and, in the future, they would come back and install the driveway once NNG has the needed permits. Martinez said NNG has another project planned for 2023 that is “unrelated” to the current CUP amendment application, but nevertheless, they do not want environmental waste, i.e., planting trees.

Nelson noted NNG currently has an access road off 180th Street North. Based on the new proposed driveway and the vast amount of allocated space for parking, he asked if NNG plans to expand in the future. Nelson noted NNG seems to be moving towards a different use or increased volume at this site. Martinez said the reason for the driveway expansion is to get this launcher-receiver tool into the station. As far as future projects that are currently known, Martinez knows there is a planned expansion at this location for additional infrastructure; however, that is minimal to the current upgrade. It would be another launcher-receiver tool that would be installed in 2023.

Arnason opened the Public Hearing at 7:47 p.m. without objection. Tibbetts noted Notice of Public Hearing was mailed to surrounding homeowners, as well as the City of Scandia and Washington County. Notice of the Public Hearing was published in the *Country Messenger* and posted at the Town Hall.

Linda Murray of 17820 Manning Trail stated she has owned this property since 1970. That was the time NNG originally built the site with the ten-acre special use permit. Regarding the screening of the vegetation, she noted most of the trees are dead and have not been removed. She has been working with NNG for the past four years on an easement. Each time, she has been told NNG will be planting new trees and they have never done that. She has concern about NNG following through on the tree screening when they have not been maintaining. She also has a concern about the storage, magnetism, pressure, and underground piping. Regarding the noise issue, she said that has always been an issue as it sounds like a “jet engine.” She noted a noise study that was done in 1997 but she has been unable to get the findings of that study.

Martinez said Murray’s statements are inaccurate. They do not have storage at this location and according to Martinez, there are no plans to add storage to this location. Murray asked if they are going to add any more pipes underground. Martinez responded that NNG is adding a launcher-receiver tool that will allow inspections and cleaning of the pipes. Murray asked what would happen to the waste produced from the cleaning. Martinez asked Pawlak to respond. NNG has several environmental cleaning specialists that contain and dispose of all materials caught within

the system. The materials consist of rust, grease from valves, and moisture within the system. There is a cathodic protection system which contains a low level of electrical current that is applied on the system that helps prevent corrosion. Pawlak noted there is no magnetism in the station however, magnetism is used during inspection to measure the wall thickness of the pipes. Murray asked who monitors the events. Martinez interrupted to explain that NNG has a very extensively engineered product and meets and exceeds all safety standards and requirements. Murray wanted to know where to find that information. Arnason asked if the EPA regulates and controls specifications regarding the station? Martinez responded that NNG is regulated by FERC and asked Goll to respond as to what that stands for. Goll stated FERC stands for Federal Energy Regulatory Committee/Commission and it oversees all NNG projects and operation of the pipeline. Pipeline and Hazardous Materials Association is responsible for overseeing the safety standards and requirements that NNG needs to meet from a safety standpoint.

Robin Kushlan owns property at PID 31.032.20.34.0004 which is directly across the street from the site. What is the height of the new buildings that are being proposed? Are new pipelines being installed in the future? Who at NNG should Kushlan direct landscape concerns? Through the years, Kushlan has dealt with noise concerns and landscape issues. The landscape has not been maintained as it was proposed in the past. She is hoping this time it will be maintained. Arnason noted there is no new building being constructed. Martinez said NNG currently has no plans for additional buildings. Arnason asked what the height for the launcher-receiver? Martinez responded asked Pawlak to respond to this question. Pawlak said the pipe is a 24-inch pipe and the total assembly is approximately 6 feet in height and 35 feet long. Kushlan said a variety of tree species for screening would be a promising idea and hopes that it would be maintained. She noted the trees in the front do not seem to last. She suggested a fence fabric on the east side where trees are not able to be planted. Sparks said a condition on approval of this application can be screening and if there were issues or if they were not compliant, NNG would be sent a notice to correct.

Dennis Crawford of 17953 Keystone Avenue lives west of the site. Regarding lighting, he said currently there is exterior lighting on the site. Does this expansion have anything to do with the proposed second east/west line that surveying was completed on last summer? Martinez said the current application is not associated with the surveying; however, this site will accommodate some facilities that will be installed in the future but is not associated with this application. Martinez said landowners directly connected to the site will be contacted by NNG in the next few months regarding the future for line expansion.

Arnason closed the public hearing at 8:10 p.m. without objection.

Arnason noted the importance of the township receiving an updated screening/landscape plan. Rydeen said the township can make receipt of the plans a condition of an approval.

Nelson would be in favor of moving forward with the request and working with NNG that they do the appropriate things for the community and the residents. He noted 180th Street North is a gravel road that manages a dozen homeowners. The site is not on a major roadway nor a high developed

area. Nelson opined “we all need natural gas” and knowing what potential damage delaying the construction project, he is in favor of moving forward.

Arnason said if recommendation of approval is put forth by the Planning Commission, he would like to see the landscaping plan prior to the May 5, 2022 Town Board meeting. He would like a specific statement rather than a vague one about NNG provided the requested documentation well before the May 5, 2022 Town Board meeting.

Otterson agreed that natural gas is a necessity, and this current application is an opportunity for the township to assess impacts and what improvements can be implemented to improve controls. Although he agrees landscaping is important, his main concern is noise and containment from operations of the process. Therefore, he would like to see a motion where the Town Board would be presented with current noise levels in comparison to their standards for our township and what options are available to mitigate such concerns.

Nelson moved, seconded by Otterson, to recommend approval of the application to the Town Board for NNG to add a launch receiver to the existing site, based on the following conditions:

1. The applicant shall provide a lighting plan.
2. A plan depicting decibel levels at the perimeter of the site shall be provided depicting strict compliance with Town and PCA standards.
3. Details on the surfacing and construction of the driveway shall be provided.
4. A tree removal plans shall be provided.
5. A landscaping plan shall be provided that includes the species and size of all trees by Tuesday, May 3, 2022, prior to the May 5, 2022 Town Board meeting.
6. Trees six feet in height shall be provided on the perimeter of the site and not within the right-of-way.
7. Screening trees shall be planted in two rows with a mix of at least half spruce and half pine.
8. Additional deciduous/ornamental trees (2.5 inches in diameter) shall be placed at a reasonable interval around the evergreen trees to give the general appearance of natural vegetation.
9. Trees shall also be planted along the east property line to obscure the parking/drive area.
10. Trees shall be provided along the north property line.
11. NNG provide current noise statistics and future noise stats after installation and present those findings to the township wherein a reduction plan is produced.

12. An escrow shall be required to guarantee the installation of the required landscaping.
13. The landscaping plan and escrow shall be subject to the review and approval of Town Staff.
14. All recommendations of the Town Engineer, Town Attorney, and any other relevant agencies shall be adhered to.

By Roll Call Vote: Arnason: YES; Rolf: YES; Peterson: YES; Nelson: YES; Rydeen: YES; Alternate Otterson: YES; Alternate Nesse: Yes. Motion passed.

In Person Meeting Return

Arnason noted several members of the Planning Commission wish to return to in person meetings at the Town Hall. Tibbetts said she has attempted to advocate for hybrid meetings to no avail. Nevertheless, the Planning Commission decided to hold their meetings going forward at the Town Hall.

Chair Arnason adjourned the meeting without objection at 8:53 p.m. in his authority as chair of the Planning Commission.

Respectfully submitted,

Linda M. Tibbetts
Interim Deputy Clerk/Treasurer