

**EUREKA TOWNSHIP  
DAKOTA COUNTY, MINNESOTA**

**NOTICE OF SPECIAL TOWN BOARD MEETING**

NOTICE IS HEREBY GIVEN that the Town Board of Eureka Township will hold a Special Meeting commencing at 5:00 p.m. on Tuesday, April 29, 2025, at the Eureka Town Hall, 25043 Cedar Ave, Farmington, MN 55024. The purpose of the Special Meeting is to review and possible action on the Conditional Use Permit for Northern National Gas (Adelmann Farms: Property Owner).

Posted on: April 24, 2025

Liz Atwater  
Town Clerk

**EUREKA TOWNSHIP**  
*Dakota County, State of Minnesota*

**AGENDA**  
**SPECIAL TOWN BOARD MEETING**  
**April 29, 2025 – 5:00 p.m.**

- I. Call to Order
- II. Purpose of the Special meeting
- III. Northern Natural Gas CUP (Adelman Farms Property Owner).
- IV. Adjournment

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**If unable to attend in person, you can join via Zoom Meetings one of the following ways:**

1. Navigate to: <https://zoom.us/j/3134376987?pwd=V3VRRkJKblUxeUY1elJBdmVNUmUrdz09>  
Meeting ID: 313 437 6987
2. One tap mobile: dial 1-312-626-6799,, 3134376987#

Posted on: April 24, 2025

**EUREKA TOWNSHIP**  
**DAKOTA COUNTY, MINNESOTA**  
Resolution No. \_\_\_\_\_

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
FOR THE PROPERTY LOCATED AT 22702 HAMBURG AVENUE**

**WHEREAS**, Northern Natural Gas (“**Applicant**”) submitted an application (“**Application**”) to Eureka Township (“**Town**”) requesting a conditional use permit (“**CUP**”) to establish and operate a temporary staging area on property (PID No. 130010002012) owned by Adelman Farm LLC (“**Owner**”) located at 4752 220<sup>th</sup> St. W. (“**Property**”) to facilitate a natural gas pipeline replacement project;

**WHEREAS**, the Applicant has approximately 1.3 miles of 26” natural gas pipelines that run through the area, including across the Property, that are required by federal law to be replaced in response to new residential development occurring in the area (“**Project**”);

**WHEREAS**, the Applicant is proposing to establish a temporary staging area on an approximately 3.74 acre portion of the Project as shown on the map attached hereto as Exhibit A (“**Staging Area**”) to be used to park or place heavy equipment, pipe, materials, worker vehicles, and other equipment and materials needed to construct the Project;

**WHEREAS**, the Planning Commission held a public hearing, after due notice having been provided, on the Application on April 3, 2025 and heard from the Applicant and the members of the public who wished to speak to this matter;

**WHEREAS**, the Planning Commission acted to forward the Application to the Town Board with a recommendation that it be approved with certain conditions; and

**WHEREAS**, the Town Board considered the Application and finds and determines as follows:

- a. The Property contains approximately 158.26 acres and is the Town’s Agricultural District.
- b. Section 240 of the Eureka Town Code contains the Town’s zoning regulations (“**Zoning Ordinance**”) and Section 240-7(C)(3) of the Zoning Ordinance identifies public utility and public service structures as being allowed in the District with the issuance of an CUP.
- c. Section 1-4 of the Town Code defines a public utility as: “Persons, corporations, or governments supplying gas, electric, transportation, water, or landline telephone service to the general public.”
- d. The Applicant proposes to temporarily use the portion of the Property identified in its Application as the Staging Area for the Project, which involves replacing pipeline both within and outside of the Town’s boundaries.

- e. The Property is used for agricultural purposes and the Staging Area will be restored and returned agricultural use after the Project.
- f. The Property is boarded on the north by 220<sup>th</sup> Street W., on the south by 225<sup>th</sup> Street W., and on the east by Denmark Ave. Both 220<sup>th</sup> Street and 225<sup>th</sup> Street are Town roads and Denmark Ave. is a County road.
- g. The Applicant intends to bore under the public roads to replace the pipeline in those locations to minimize traffic impacts.
- h. The Applicant proposes to use an existing field drive onto Denmark Ave. to access the Staging Area, but recognizes the Town's roads may also need to be used to accommodate traffic on the Project.
- i. The Applicant is required by federal law to undertake the project and must complete it by the end of 2025.
- j. The Applicant indicated that the company desires to work with the Town to obtain such permits and to enter into such agreements as may be needed to accommodate the construction of the Project in the Town.
- k. The Planning Commission and Town Board both recognize the potential for impacts on the Town's roads from the Project and so the Town is requiring, as a condition of this CUP, that the Applicant enter into a road agreement with the Town that provides for inspections and repairs to the Town's roads as may be needed to avoid, minimize, and respond to impacts from the Project.
- l. The Applicant acknowledged that the heaviest traffic will likely be over an approximately one week period at the start of the Project when the equipment and materials are being delivered and then the one week period at the end when the equipment is being removed.
- m. Given the unique and temporary nature of the Project, the Applicant and Owner agree that placing an end date on the CUP is appropriate in this case.
- n. The criteria the Town must consider when reviewing a requested CUP are set out in Section 240-31(A) of the Zoning Ordinance and are as follows:
  - (1) The use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

*The impacts to the Town's roads from equipment hauling create the most significant concerns and must be addressed in a road agreement entered into between the Town and the Applicant. The Town understands there is no realistic way to avoid all road impacts, but the Applicant and the Town agree that the taxpayers should not be the ones required to pay for the impacts the Project may have on the Town's roads.*

- (2) The use will be sufficiently compatible with or separated by adequate distance or screening from adjacent agriculturally or residentially zoned or used land so that existing property will not be depreciated in value and there will be no deterrence to development of vacant land.

*This is a temporary use that will cause temporary impacts on the surrounding properties. No long-term impacts on values or future development are anticipated.*

- (3) The structure and site shall have an appearance that will not have an adverse effect upon adjacent properties.

*No structures are to be constructed within the Staging Area and a ground cover will be used to minimize impacts on the Property. The Staging Area will be restored once the Project is completed.*

- (4) The use is reasonably related to the existing land use.

*The pipeline already exists, and the Staging Area allowed by this CUP will only temporarily disrupt a portion of the agricultural use of the Property.*

- (5) The use is consistent with the purpose of this chapter and the purposes of the zoning district in which the applicant intends to locate the proposed use.

*The Zoning Ordinance contemplated the necessity of public utility infrastructure and projects. This temporary CUP for a Staging Area is consistent with the goals and objectives of the Zoning Ordinance.*

- (6) The use is not in conflict with the Comprehensive Plan of the Township.

*There are no conflicts.*

- (7) The use will not cause traffic hazards or congestion.

*Heavy equipment hauling and the delivery of materials for the Project can temporarily impact traffic on the haul roads. The road agreement and the conditions imposed on this CUP are intended to minimize those impacts.*

- o. The Town Board finds that the requested CUP to establish a Staging Area on the Property to facilitate the Project satisfy the criteria in the Zoning Ordinance and is appropriate to issue with the indicated conditions.

**NOW, THEREFORE, BE IT RESOLVED**, that, based on the Application, the record of this matter, and the findings and determinations contained herein, the Town Board of Eureka Township hereby approves and issues a temporary conditional use permit to establish a Staging Area on the Property as proposed in the Application, conditioned on the Applicant remaining in compliance with all of the following conditions and limitations:

1. Scope of Staging Area Use. The Applicant may utilize the Staging Area on Property as depicted in the map attached hereto as Exhibit A for the storage of equipment, materials, vehicles, and related items needed to construct the Project. No other use of the Property or the Staging Area is authorized by this CUP. Nothing in this CUP is intended to prevent the Applicant from completing the Project and otherwise complying with federal law and requirements associated with its pipelines.
2. Road Agreement. The Applicant shall enter into a road agreement with the Town before any equipment or materials are brought onto the Staging Area. The Town will prepare the road agreement and it shall provide for: approved haul routes; inspection of the Town's roads prior to the Project, periodic inspections during the Project as may be needed, and at the conclusion of the Project to ensure the roads have been properly restored; dust control; prohibit open cuts in Town road surfaces; maintenance during the Project; reimbursement of the additional maintenance costs the Town incurs that are attributable to the Project; expanded or additional approaches to the Property; reimbursement of professional costs; and such other matters as the parties determine need to be addressed in the road agreement.
3. Hours of Operation.
  - (a) Regular Hours. Except as may be allowed by the Town as provided below, the regular hours of operation for the Staging Area are 7:00 a.m. to 7:30 p.m. Monday through Saturday, excluding holidays.
  - (b) Extended Hours. The Applicant may request an extension of the hours of operation if its schedule has been delayed due to weather or other occurrences that require additional work hours to meet the federally imposed completion deadline. The Applicant may request to the Town for approval of extended hours. The request will either be considered and acted on by the Town Board at a regular meeting, or the Town Board hereby authorizes the Town Chairperson to approve extended hours for up to a two week period that needs a decision before the next Town Board meeting.
  - (c) Notice to Neighboring Owners. If the Applicant seeks approval for extended hours it shall provide at least seven days written notice to those who own property within \_\_\_ feet of the Staging Area. If the request for extended hours is in response to unforeseen circumstances that require immediate attention and extends for less than two weeks, the Applicant will endeavor to provide as much notice to the neighboring owners as possible.
4. Parking. All parking associated with the Project, including contractor employee parking, shall only occur on within the Staging Area. No parking on the Town's roads is allowed, except for equipment and vehicles actively engaging in the construction of the Project.
5. Trucks Hauling Signs. The Applicant shall, at its own cost, post and maintain trucks hauling signs along the haul routes on the Town's roads.

6. Noise. The Applicant shall endeavor to employ such measures and construct the Project in such a way as to minimize noise impacting surrounding owners. The Applicant shall establish a process for intaking and attempting to address noise complaints from property owners in the Project area.
7. Lighting. All lighting associated with the Staging Area shall be downcast, so it does not shine off of the Property.
8. Termination. This CUP shall terminate and become void on December 31, 2025. The Applicant and Owner understand and agree this CUP does not run with the land and will not be recorded in the office of the County Recorder. All rights granted by this CUP terminate on December 31, 2025.
9. Inspections. The Town, its officers, and consultants may enter the Property, after providing reasonable notice to the Applicant and following all required safety precautions, at all reasonable times to conduct inspections for the purpose of ensuring compliance with this CUP. Prior notice to inspect the Property is not required in the event of an emergency.
10. Restoration. The Applicant shall be responsible for removing the matting and restoring the Staging Area to agricultural use before the termination of this CUP. If the Staging Area is not reasonably able to be fully restored in 2025 based on when the Project is completed, the Applicant shall be required to complete restoration as soon as possible in the spring of 2026.
11. Permits and Licenses. The Applicant is solely responsible for obtaining all required permits, licenses, and permissions as may be required to utilize the Staging Area and to undertake the Project.
12. Legal Compliance. This CUP is subject to the requirements of the Town Code and the Applicant is required to comply with all applicable federal, state and local laws, rules, and ordinances.
13. Amended Permit. Any alteration of the use of the Property including, but not limited to, expansion of the use beyond what is allowed by this CUP or a proposal to undertake any additional activities within the Staging Area that are not within the scope of this CUP shall not be permitted unless an amended CUP is obtained from the Town.
14. Acceptance of Conditions. Utilization of the Property for any of the uses allowed by this permit shall automatically be deemed acceptance of, and agreement to, the terms and conditions of the permit without qualification, reservation, or exception.
15. No Waiver. A failure by the Town to take action with respect to any violation of any condition, covenant, or term of this CUP shall not be deemed to be a waiver of such

condition, covenant, or term or any subsequent violation of the same or any other condition, covenant, or term.

16. Revocation. The violation of any terms or conditions of this CUP including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of this CUP. The Applicant shall be given written notice of any violation and reasonable time (not less than 30 days) to cure the violation before a revocation of the permit may occur. The Town will provide the Applicant an opportunity to be heard before acting on a proposed revocation.

Adopted this \_\_\_\_ day of April 2025.

**BY THE TOWN BOARD**

\_\_\_\_\_  
Mark Ceminsky, Chairperson

Attest: \_\_\_\_\_  
Liz Atwater, Clerk-Treasurer

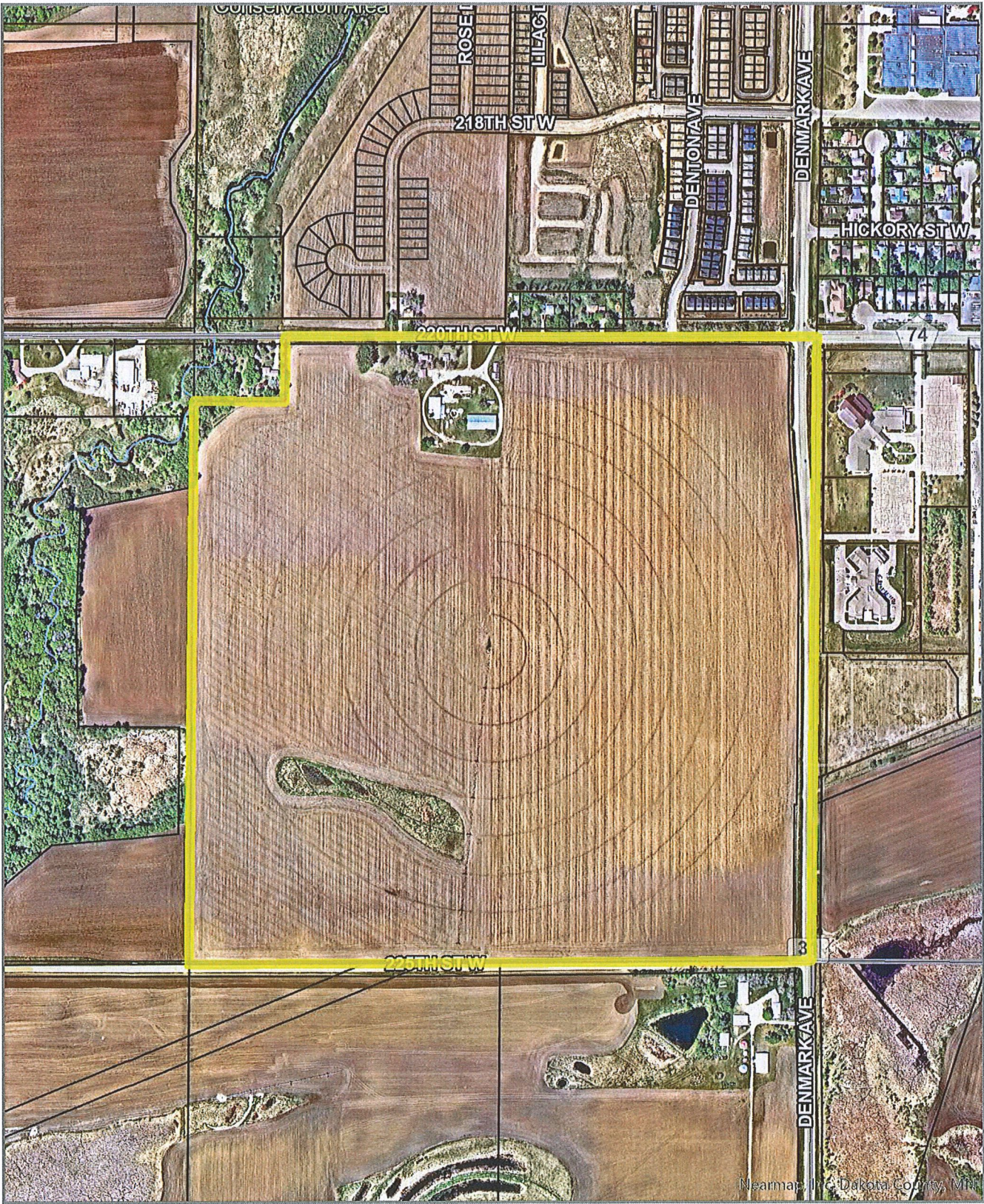


**EXHIBIT A**  
Map of Staging Area

[attached hereto]



Dakota County, MN



1	130010002012 ADELMANN FARM LLC 4752 220TH ST W	2	148285000010 ADELMANN FARM LLC 4755 220TH ST W
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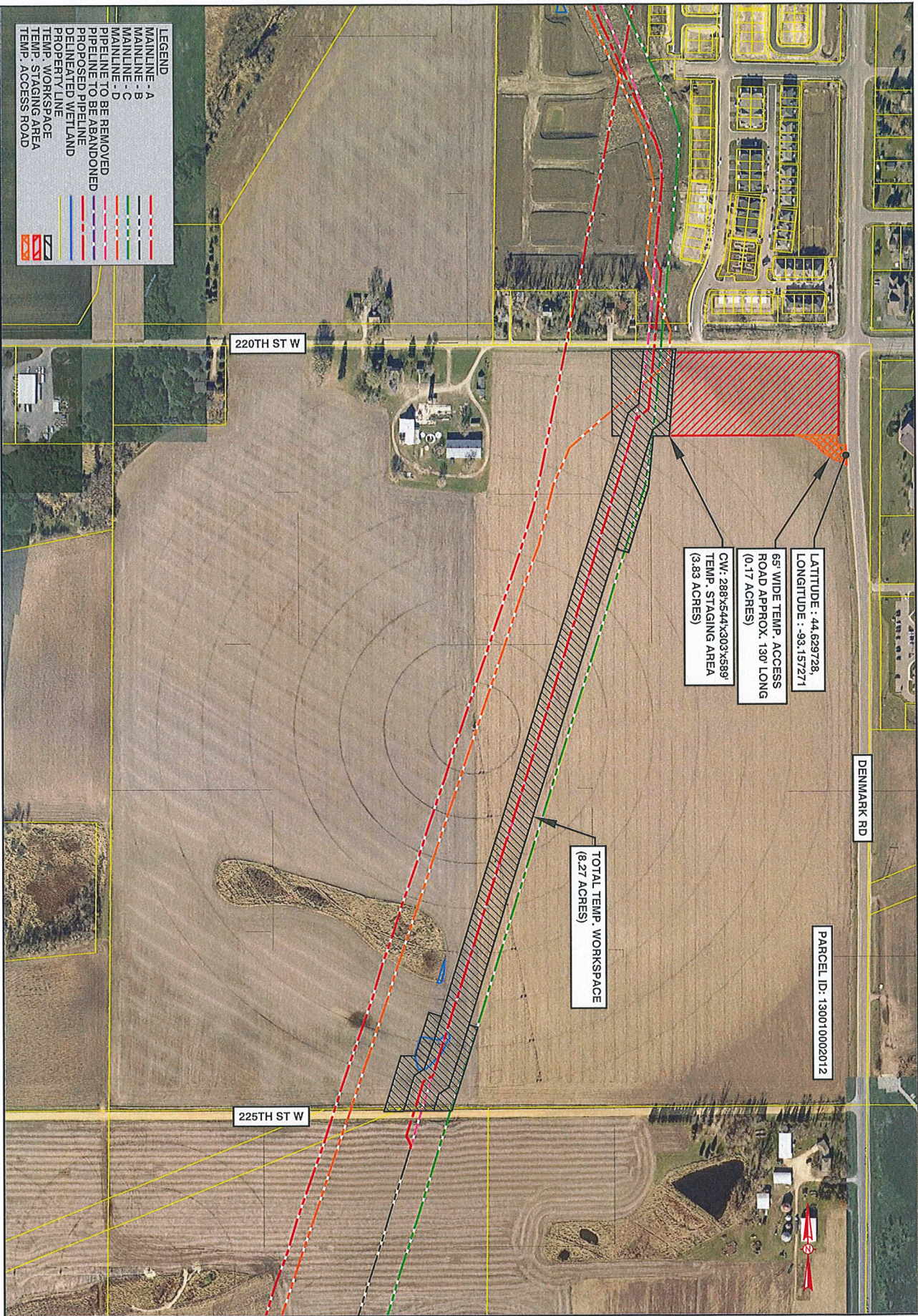
Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed.  
This is not a legal document and should not be substituted for a title search, appraisal, survey, or  
for zoning verification.

Map Scale  
1 inch = 600 feet  
3/13/2025



**LEGEND**

- MAINLINE - A
- MAINLINE - B
- MAINLINE - C
- MAINLINE - D
- PIPELINE TO BE REMOVED
- PROPOSED PIPELINE
- DELINEATED WETLAND
- PROPERTY LINE
- TEMP. WORKSPACE
- TEMP. STAGING AREA
- TEMP. ACCESS ROAD



INTERNAL INFORMATION  
DISTRIBUTION/COPIES  
LIMITED TO  
PROJECT NEEDS

LAND USE TYPE: AGRICULTURAL



M500B Class 3 Replacement MP 105.5  
CAPGTR1000009703  
Project Location Aerial Overview  
Section 1, T113N, R20W  
Dakota County, Minnesota

DISCLAIMER: PARCEL DATA DISPLAYED  
ON MAP IS UNVERIFIED AND HAS NOT  
BEEN SURVEYED, FOR REFERENCE ONLY

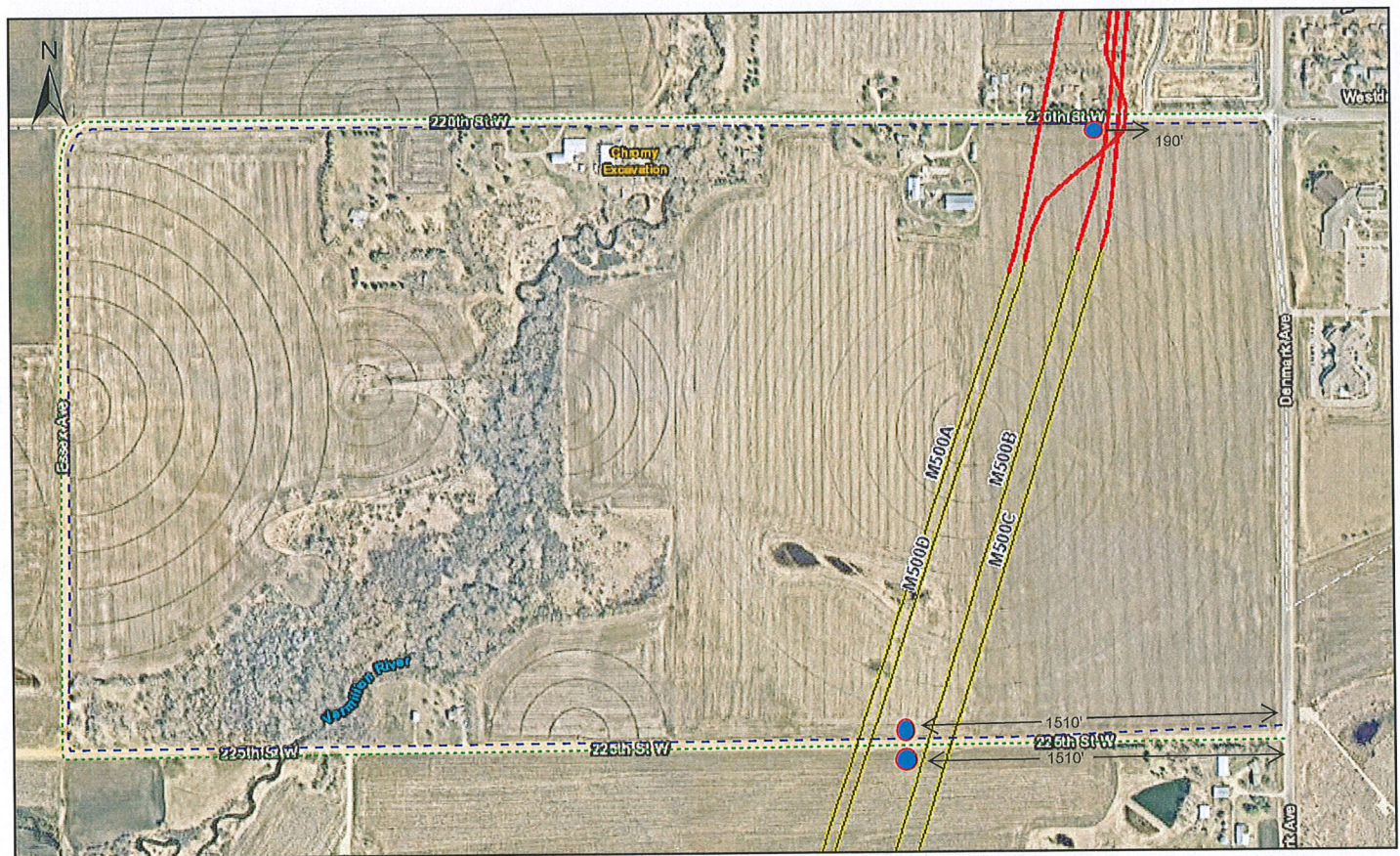
REF ONLY  
Sheet: AR-01  
Date: 3/13/25  
Scale: 1:150



# Northern Natural Gas

## Proposed Haul Routes & Access Points

\*Primary Construction access to 220th and 225th St will be from Denmark Ave\*



Date: 2/24/2025

- Proposed access points
- /--- Proposed haul routes

0.08 0.04 0 0.08 0.16 0.24  
mi

This map is and shall remain the property of Northern Natural Gas Company and is provided to you for general informational purposes only. It may not be used, distributed or reproduced for any other purpose without prior written consent of Northern. This map depicts the approximate location of certain Northern Natural Gas facilities, but should not be used for line locating purposes. Please call the state one-call toll free number to arrange for the marking of underground facilities at no charge. In case of a natural gas emergency involving Northern's facilities, dial 911 and Northern's Operations Communication Center at 888-367-6671.

