

# elm creek

## Watershed Management Commission

ADMINISTRATIVE OFFICE  
3235 Fernbrook Lane  
Plymouth, MN 55447  
PH: 763.553.1144  
FAX: 763.553.9326  
E-mail: judie@jass.biz

TECHNICAL OFFICE  
Hennepin County, DES  
417 North 5<sup>th</sup> Street  
Minneapolis, MN 55401-1397  
PH: 612.596.1171  
FAX: 612.348.8532  
E-mail: Ali.Durgunoglu@co.hennepin.mn.us

### MINUTES July 11, 2007

I. The regular monthly meeting of the Elm Creek Watershed Management Commission was called to order at 11:30 a.m., Wednesday, July 11, 2007, in the Emergency Operations Center, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN, by Chairman Doug Baines.

Present were: Bill Walraven, Champlin; Ken Kluck, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Sarah Lutz, Medina; Fred Moore, Plymouth; James Kujawa, Hennepin County Environmental Services (HCES); John Barten, Three Rivers Park District; and Judie Anderson, JASS.

Not represented: Hassan and Rogers.

Also present: Tiffany Peterson, Maple Grove, and Derek Asche, Plymouth.

II. Motion by Kluck, second by Walraven to approve the **revised agenda**.<sup>\*</sup> Motion carried.

III. Motion by Moore, second by Walraven to approve the **consent items**.

A. **June 13, 2007 minutes**.<sup>\*</sup>

B. **July Treasurer's Report and Claims**.<sup>\*</sup>

C. **Resolution 2007-03 Annual Non-Waiver of Monetary Limits on Torte Liability**.<sup>\*</sup>

Motion carried.

IV. **Action Items**.

A. **2006-078 Bonaire, Maple Grove**.<sup>\*</sup> This is a proposed 62-acre residential development located at the intersection of Lawndale Lane and 63rd Avenue North. Formerly part of Fieldstone Meadows, the project is proposing to build 175 single-family residential units with 35% impervious cover. In their July 11, 2007 Findings, Staff recommended approval contingent on the City and the applicant pursuing a better separation between the inlets and outlets on ponds #2 and #4. Motion by Moore, second by Kluck to approve Staff recommendations. Motion carried.

B. **2007-020 St. John's Lutheran Church, Corcoran**.<sup>\*</sup> The church is located at the southwest corner of CSAH 30 and Mystique Drive. It will disturb 2.14 acres and increase impervious surfaces by approximately one-quarter acre. There are wetlands and floodplains on the site. The site drains south and east towards Rush Creek through a 48" culvert under Highway 101. Staff reviewed and approved the wetland delineation report and issued the notice. Site development plans were also reviewed for a gym and classroom expansion. In Findings dated July 3, 2007, Staff recommended approval conditioned that all relevant issues re drainage easements in floodplain areas; wetland delineation, wetland signage and revegetation; construction sequencing and site stabilization; stormwater runoff; and conditions in the Maintenance Agreement are satisfactorily addressed. Motion by Moore, second by Kluck to approve Staff recommendations. Motion carried.

C. **2007-029 Mattson Property Wetland Delineation, Corcoran**.<sup>\*</sup> (renumbered from 2006-15 Corcoran Wildlife Preserve). The applicant proposes to develop a 118-acre site into eleven single-family residential lots. Excluding the wetlands and floodplains present, this site has 39 acres of buildable land. Located on the southwest side of CR 50 and Trail Haven Road, Rush Creek runs through the southern portion of the site. The entire site drains south into the wetlands and floodplains. Staff reviewed and approved the wetland delineation as submitted. Concerns were expressed by the Commissioners regarding drain tiles on the site. Findings dated July 9, 2007 recommended approval contingent on Staff receipt and/or approval of revisions to the grading plan regarding drainage easements; construction sequencing and site stabilization; a signed Stormwater Pollution Prevention Plan (SWPPP); drain tile plan; and Agreement to Maintain Easement and System Maintenance Plan approved by the City and the Commission. Motion by Moore, second by Kluck to approve Staff recommendations conditioned that the drain tile plan accommodate the existing drain tile. Motion carried.

*\*item included in meeting packet*

**D.** Motion by Moore, second by Walraven to accept the **2006 Audit Report\*** pending review and comment by July 20, 2007. Motion carried.

**E.** The Commissioners reviewed a draft letter\* from the Chair inviting the member communities to a presentation of the **Elm Creek Channel Study** by Bonestroo Rosene Anderlik & Associates. The presentation will be held at 7:00 p.m., Wednesday, August 8, 2007, in the Emergency Operations Center of Maple Grove City Hall. (The regular meeting of the Commission has been rescheduled for 6:00 p.m. on that day and will be suspended for the presentation.) Motion by Walraven, second by Kluck to accept the letter. Motion carried. The letter, along with paper and e-copies of the study, will be mailed the week of July 16. An update of contract expenditures\* was also provided.

[Moore departed 12:30 p.m.]

**V. Correspondence.**

Moore provided a sample copy of a **Rain Garden, Maintenance and Sweeping Agreement and Right of Entry of City\*** [of Plymouth].

[Lutz departed 12:40 p.m.]

**VI. Project Reviews.**

**A. 2004-001 Three Rivers Estates, Hassan.** This is a 33 unit, single-family residential development on a 144-acre site located in the northwest quadrant of the intersection of Bechtold Road and CR 117. Site plans were approved in 2004. The applicant is working with the Township to utilize a wetland mitigation area to compensate for impacts on project **2004-042 (Northdale Boulevard and James Road Utility Project)**. Deed recording of the Restriction and Covenants is still necessary. Barr Engineering is monitoring the replacement wetland. The first year's monitoring report has been submitted and was forwarded to the applicant. Monitoring is continuing this year.

**B. 2005-057 Maria Meadows, Hassan.** This parcel is 21 acres currently in agricultural production. The proposed plan calls for five single-family lots with associated infrastructure. In August 2005 the Commission granted approval contingent on Staff approval of the erosion and sediment control (E&SC) plans, accepted the wetland replacement plan, and set \$15,000 replacement and \$10,000 cash monitoring sureties. The Wetland Conservation Act (WCA) notice of approval has been completed. When the replacement surety is received the deed restrictions on the replacement wetlands will be filed. Monitoring began in spring 2006. The replacement basins appear to be inadequate in size and function. The first year's monitoring report has been submitted and forwarded to the applicant with corrective actions emphasized. He has been working on the issues for correction. Monitoring is continuing this year.

**C. 2006-011 Schober Estates, Maple Grove.** This site is located in the southeast quadrant of CR 101 and 101st Avenue. Current land use is a combination of cropland, woods and wetlands. The applicant proposes to create 30 single-family residential lots. The site ultimately drains into Rush Creek. A complete application was submitted on July 6, 2006. On April 4, 2007, Staff received a request for an indefinite extension of time. Staff will notify the applicant of a one (1) year extension.

**D. 2006-028 Fish Lake Regional Trail Construction, Maple Grove.** Last year the Commission approved a floodplain mitigation plan for this project. The mitigation site was scheduled to be completed early this spring; however, an occupied Bald Eagle nest was discovered adjacent to the site. Because federal law prohibits disrupting the nest during nesting season, at their April meeting the Commissioners granted an extension of time until the young eagles have fledged to complete the construction.

**E. 2006-045 Weaver Lake Road/CSAH 109 Improvements, Maple Grove.** The improvements are located on Weaver Lake Road east of the intersection with I-94 and extending to the intersection with Vinewood Lane. The application was approved at the August 2006 meeting conditioned upon Staff approval of the proposed grit chambers to be used for water quality treatment of a 9.6-acre area where ponding is not available. It has since been learned that any grit chambers in that location will be too deep for the City to maintain and alternative options were sought. The applicant now proposes to use an Environment 21 8SC grit chamber, which can be installed shallower than the original grit chamber. Staff approved this grit chamber in a letter dated April 2, 2007. Final approval will be issued upon Staff approval of a maintenance plan for the grit chamber.

**F. 2006-048 CSAH 144 Culvert Replacement, Rogers.** The City of Rogers and Hennepin County are proposing to replace the culvert under CSAH 144 at the Charlie Mauie property. Plans submitted on October 9, 2006 are at near-final draft stage. Staff received a DNR request for review and provided comment in November 2006. Staff met with

*\*item included in meeting packet*

the City engineer to discuss the status of the project. The City is working with the DNR to finalize the design. The Commission will review the proposed design.

**G. 2006-055 Grove South Cambria, Maple Grove.** This is a 6.2-acre parcel identified as Outlot A, The Grove South Fourth Addition. The applicant is proposing to subdivide the Outlot into two lots – one for a proposed hotel site and the other for a future restaurant. The review is for the 4.28-acre hotel site only. Because the stormwater management plan on this site was approved as part of the Grove South review, Staff has administrative authority to review and approve the application for compliance with the Commission’s standards. Staff review determined that the current plans are consistent with the approved stormwater management plans but encroach into a wetland mitigation area and that some minor adjustments to the E&SC plans are needed. The City, applicant and engineer were informed. The 15.99 time line has expired. The City has agreed to follow up on these items. This item will be removed from the agenda.

**H. 2006-071 Stone’s Throw Wetland Delineation, Hassan.** This is the 640-acre parcel that was introduced to the Commission last December. Staff has field verified and noticed all the wetland delineation lines except for an area of sod fields north of the North Fork of Rush Creek. The applicant has established a monitoring well system on this area. The Technical Evaluation Panel (TEP) is reviewing the information collected to date and will determine if some of the wells can be removed or if monitoring can be terminated. The applicant has requested an additional 180-day review extension to September 8, 2007.

**I. 2006-079 Hidden Creek Estates North, Maple Grove.** This is a 19-acre proposed residential development located at the intersection of Lawndale Lane and 75th Avenue North. The applicant is proposing to build 37 single-family residential units. At their June 2007 meeting the Commission approved this project contingent upon Staff review and approval of revised grading, ES&C plans, and pond design information. Revised plans meeting these contingencies were provided and approved by staff. No further action is necessary. This item will be removed from the agenda.

**J. 2007-001 Uptown Rogers, Hassan.** This is a 6.3-acre commercial development located at the southwest corner of Highway 101 and 141st Avenue North. Stormwater will be treated by an on-site pond. Commission approved this project subject to conditions. All but one condition have been satisfied. An agreement for the maintenance of the drainage swales must be provided as part of the water quality treatment plan and financial backing must be provided to guarantee that the maintenance will be performed. The Applicant extended the project review deadline to July 14, 2007 in order to finalize the stormwater maintenance systems agreement.

**K. 2007-003 Maple Grove Lutheran Church, Maple Grove.** This is a redevelopment project for adding 0.71 acres of new buildings and parking lots to the existing 6.23-acre site. Total disturbed area will be 1.03 acres. The Commission approved this project conditioned on receipt of a letter from the City of Maple Grove affirming that, in the future, treatment of stormwater runoff from this site will be provided and that this treatment will occur prior to entering the wetland located downstream. A letter to that effect was mailed to City staff on May 14, 2007. No response has been received.

**L. 2007-005 Sunset Ridge Farms, Maple Grove.** This is a 20-acre site located east of Lawndale Lane bounded by Elm Creek in the southeast corner and 63rd Avenue to the north. Existing land use is agricultural. Proposed land use is for 22 single-family residential units. In April the Commission approved the site plans on condition that prior to trail grading and construction any floodway and floodplain impacts on Elm Creek are reviewed and approved by the Commission.

**M. 2007-009 Fieldstone Meadows, Maple Grove.** This is the first phase of a single-family residential subdivision on 48 acres located in the northeast quadrant of CRs 101 and 47. Phase I will consist of grading the north 36 lots along with two stormwater basins in the far southeast corner of the site. Approximately one-half of the site will be graded and reviewed for erosion and sediment controls. At their May 2007 meeting, the Commission approved this project contingent on final approval by Staff of the E&SC plans and, further, recommended that the cities of Plymouth and Maple Grove work together to resolve the flow issues and requested letters from both cities regarding final resolution of this issue. Staff extended the 15.99 review deadline to July 10, 2007. The applicant’s contingencies have been met and Staff approved the plans. This item will be removed from the agenda.

**N. 2007-010 Meadowview Estates, Maple Grove.** This is a proposal to develop 13 single-family houses on 60.6 acres located on the northwest corner of the City. About half the site is currently under row crops and the remaining half is wetlands and shrubs. A small creek runs through the property. The submitted plans were reviewed for compliance with the WCA, stormwater management, and grading and erosion control standards of the Commission. Staff requested and reviewed revised plans. This project was approved at the June meeting and will be removed from the agenda.

**O. 2007-011 M&I Bank, Rogers.** The applicant is proposing to develop the 1.2-acre site located to the south of Lowe’s at the corner of Rogers Drive and Commerce Blvd. The project will disturb 1.1 acres and would create 0.75 acres

*\*item included in meeting packet*

of new impervious surface. Runoff from this site goes north into the City regional pond. The stormwater management plan for this site was approved under Rogers Drive Phase III (2005-090) and Lowe's of Rogers (2005-084). Staff reviewed the plans for E&SC standards compliance and requested revisions. Revised plans dated June 1, 2007, were administratively approved by Staff on June 14, 2007. This item will be removed from the agenda.

**P. 2007-013 Goose Lake Road Reconstruction, Champlin/Dayton.** Hennepin County will be reconstructing Goose Lake Road (CR-202), which straddles the cities of Champlin and Dayton, from 109th Avenue North to the intersection with Elm Creek Road. The project includes converting the 1.1 mile segment of rural road to an urban roadway section that includes curb, gutter and storm sewer. The project will also include installation of a paved trail on one side of the road. The project will impact approximately 0.8 acres of wetland and 443 CF of floodplain, all of which will be mitigated. The project will meet the rate and nutrient control requirements by diverting some water to stormwater ponds in Maple Grove and constructing on-site infiltration basins. The County intends to turn maintenance responsibilities over to the cities within three years of completion of the project; however, details of the maintenance responsibilities have not been finalized. The Commission approved the project at their May 2007 meeting pending Staff approval of a long-term maintenance plan. The plan has not been received and construction of this project has been postponed until January 2008.

**Q. 2007-014 Hamel Station, Medina.** This commercial site is about 3.41 acres, surrounded by Highway 55 on the north, Sioux Drive on the east and Soo Line Railroad on the south. Elm Creek runs along the Highway 55 right-of-way on the north and transects the northeast portion of the property before it runs under Sioux Drive. There are floodplains and floodways along the stream corridor. The existing business has about 35% impervious cover. A stormwater treatment pond is proposed on the west side of the property. Wetlands exist on the west half of the site. The Highway 55 Frontage Road will be extended to Sioux Drive along the west and south edge of the property. Medina City Council members have requested the Commission to develop a plan to stabilize the bank, control runoff and manage the buffer areas. Staff visited the site to assess the creek corridor and suggested a restoration plan to the applicant. A meeting was held on site with all the interested parties to discuss the site restoration and management plan. The applicant is negotiating with MnDOT to expand restoration to the right-of-way. Staff reviewed and commented on plans submitted in May. The initial review deadline of July 2, 2007, was extended by Staff to August 31, 2007.

**R. 2007-015 King Solutions Distribution Center, Dayton.** This is a 20-acre parcel within the Wicht Industrial Park development in Dayton. Regional stormwater management was approved as part of that project review in 2006 (2006-021). This review will be for erosion and sediment controls and adherence to the Commission approved stormwater management plan. Staff has administrative approval authority on this site plan. At this time the site plans have not been approved because of some E&SC requirements during construction. Staff has been following up with the project engineer. As requested by the applicant's engineer, Staff has extended the deadline an additional 60 days to August 29, 2007.

**S. 2007-016 Toll Welding, Hassan.** This is a 15-acre parcel located on the west side of Highway 101 along Northdale Boulevard. 147th Avenue is on the north property line. The applicant is proposing to construct their office and storage facilities on the south half of this parcel. Review will be for the stormwater system and grading for the Toll development only. Original submittals did not meet the Commission's standards. Revisions were still inadequate for a recommendation to the Commission. Follow-up with the Township and the project engineer has occurred.

**T. 2007-017 Donita Properties, Corcoran.** This is an incomplete application.

**U. 2007-018 Dayton Dewatering, Dayton.** Staff provided comments to the DNR Area Hydrologist on May 8 and 9, 2007. Barten also provided an update at the meeting. No further action is required. This item will be removed from the agenda.

**V. 2007-019 Alliance Development (Starbucks), Rogers.** This is a 1.3-acre retail site adjacent to Highway 101. The stormwater from this site will be treated in the WJD storm ponds approved with the Target site plans. Staff reviewed this application for erosion and sediment control only and administratively approved the plans on June 27, 2007. This item will be removed from the agenda.

**W. 2007-021 Kelly's West Oaks, Corcoran.** This is an incomplete rural residential platting request. The project site is located at the northwest corner of Willow Drive and Horseshoe Trail. A large wetland complex (ECWMC Upland Storage Area #11) is located on the west side of the proposed project site. A complete wetland delineation review request has been received but Staff has not completed the review.

**X. 2007-022 Hale Property Drainage, Corcoran.** Staff reviewed and approved the revised delineation report dated June 2007. It will be noticed per WCA requirements.

*\*item included in meeting packet*

**Y. 2007-023 Scott Stewart Wetland Cease and Desist Order, Hassan.** A DNR Cease and Desist Order has been written for this site. Stewart excavated a type 3 wetland in violation of the WCA. A TEP was held on site with recommendations to have the wetland either restored or replaced at a 4:1 ratio. Staff will assist the Hennepin Conservation District (HCD) in preparing the restoration order.

**Z. 2007-024 Redeeming Grace Lutheran Church, Rogers.\*** This project proposes to construct a new facility at the intersection of Brockton Lane and 141st Avenue. The site is part of the Brockton Meadows overall development that was reviewed and approved in 2005 (2005-004). The Brockton Meadows stormwater management plan assumed the site would be developed to 2.2 acres of impervious surface. The master plan for the site proposes to develop 1.8 acres of impervious surface; therefore, only the E&SC plan was reviewed. Following review of revised plans, Staff administratively approved this project on July 5, 2007. This item will be removed from the agenda.

**AA. 2007-025 Diamond Lake Village, Rogers.\*** Benzinger Properties, LLC is proposing to develop the 3.5-acre property located northwest of the intersection of 136th Avenue and Rogers Drive. The project includes two buildings and appurtenant parking areas. Stormwater from the site will be served by the regional pond located north of the Lowe's store, thereby requiring only Commission review of the E&SC plan. The plan was approved administratively in a Staff memorandum dated June 27, 2007. This item will be removed from the agenda.

**AB. 2007-026 Corporate Centre Annex, Rogers.** Staff determined this application to be incomplete and notified the City and the applicant regarding the required items on June 25, 2007.

**AC. 2007-027 Champlin Lift Station L-76, Champlin.\*** Metropolitan Council is proposing to construct a sanitary interceptor sewer lift station at the intersection of Hayden Lake Road and Tilden Avenue as part of the Champlin-Dayton Interceptor project. The project includes installing the lift station, appurtenant control building and access drive. The project site is 0.8 acres, which falls under the threshold for Commission review for water quantity and quality; therefore, only the erosion and sediment control plan is being reviewed. Staff has authority for administrative approval.

**AD. 2007-028 Tuckborough Ridge, Medina.\*** This is a 48-acre, seven-lot single-family residential, low-density development project located in the N 1/4 of Section 14. Staff requested revisions in order to complete the review. Staff Findings dated June 26, 2007 were included in the meeting packet.

**AE. 2007-030 CSAH 30 Reconstruction, Maple Grove.** The City of Maple Grove is completing an environmental review for the proposed reconstruction of CSAH30 from CSAH101 to Dunkirk Lane and has asked the Commission for assistance in identifying wetlands, significant water resources and potential regulations in the project area.

**AF. 2007-031 Hale Property Wetland Delineation, Corcoran.** This is an application for the remaining property outside of the drainage way delineation for project #2007-022. Staff had not reviewed the delineation prior to the meeting.

## **VII. Other Business.**

**A. CWLA Grant.\*** Emily VanArsdale, Three Rivers Park District Volunteer Coordinator, provided an update on the Commission's Stream Monitoring Project. Sites were located and marked on the three streams for volunteers to start sampling at the beginning of July for turbidity, nutrients, bacteria and invertebrates. Five volunteers have been found to sample these ten sites on Elm, Rush, and Diamond Creeks. Two CAMP volunteers were trained to begin sampling Lake Henry and Rice Lake. A woman from Hennepin County Environmental Services will provide invertebrate collection training to meet the EPA protocol. Sampling supplies are still being ordered and collected for the volunteers to begin collecting data.

**B. City of Rogers Stormwater Management Plan.** At their April meeting the Commissioners denied approval of the Rogers Local Stormwater Management Plan based on Staff comments regarding modeling, floodplain management, water quality and intercommunity (with Hassan) drainage issues. On June 4 ECWMC Staff met with City staff to discuss the Commission's and the Met Council's comments.

**C. Digitization Project.** The Commission has received the deliverables for this project and Staff has determined they are complete. This item will be removed from the agenda.

**D.** Walraven discussed his concerns regarding the condition of the **Mill Pond** in his City and its impacts from the water upstream.

**E. Adjournment.** Motion by Baines, second by Walraven to adjourn. Motion carried. The meeting was adjourned at 1:21 p.m.

*\*item included in meeting packet*

Minutes  
July 11, 2007  
page 6

**elm creek Watershed Management Commission**

Respectfully submitted,



Judie A. Anderson  
Administrator  
JAA:tim

J:\Elm Creek\Meetings\Meetings 07\07 Minutes.wpd

*\*item included in meeting packet*