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Regular Meeting Minutes June 10, 2015 **REVISED**

I. A regular meeting of the Elm Creek Watershed Management Commission was called to order at 11:30 a.m., Wednesday, June 10, 2015, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN by Vice Chair Elizabeth Weir.

Present were: Bill Walraven, Champlin; Jon Bottema, Corcoran; Tim McNeil, Dayton; Joe Trainor and Bill Kidder, Maple Grove; Elizabeth Weir, Medina; Fred Moore, Plymouth; Ali Durgunoğlu and James Kujawa, Hennepin County Department of Environment and Energy (HCEE); Rich Brasch, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson, JASS.

Not represented: Rogers.

Also present: Todd Tuominen, Champlin; Ben Scharenbroich, Plymouth; John Siefert, Rogers; Andrew Mack, ALDI, and Andy Brandel, ISG, for project 2015-009; and George Abernathy, Sambatek, for project 2015-011.

II. Motion by McNeil, second by Walraven to approve the **agenda** as revised.* *Motion carried unanimously.*

III. Motion by McNeil, second by Walraven to approve the **minutes*** of the May 13, 2015 regular and public meetings as presented. *Motion carried unanimously.*

IV. Motion by Moore, second by Walraven to approve the **June Treasurer's Report and Claims*** totaling \$7,437.04. *Motion carried unanimously.*

V. **Open Forum.**

VI. **Action Items.**

A. **Project Reviews.**

1. **2015-004 Kinghorn Outlot A, Rogers.*** This is a 31 acre site located between the Clam and Fedex sites on Brockton Road. Site currently has 10.6 acres of wetland, 1.8 acres of woodland, 16.6 acres of cropland, and 2.0 acres of ponding from the adjoining sites. Following development 11.7 acres of impervious area is proposed and the site will contain two warehouse buildings, 275,000 and 26,000 SF in size, with their associated parking and loading facilities. 1.5 acres of woodland and 9.9 acres of wetland will remain. The remaining areas will be used as ponding and landscaped areas. A complete application was received on May 14, 2015. Staff reviewed the application for stormwater management, grading and erosion controls, and buffers and determined that additional items were necessary prior to an approval recommendation. The applicant provided revised plans on June 8. In their findings dated June 10, 2015, Staff recommended approval contingent on three items: 1) final Staff approval of grading and erosion control plans; 2) final Staff approval of stormwater design details; and 3) pond operation and maintenance agreement wording and recording on the land title. Motion by Moore, second by Walraven to approve the project with the listed contingencies. *Motion carried unanimously.*

2. **2015-009 ALDI, Medina.*** This is a 3.3 acre property located off of Sioux Drive just south of the intersection with Highway 55 and CR 101. There is an existing office building and shed on this site. Elm Creek runs along the northerly 1/3 of the property. Development of this site will result in the construction of a 17,825 SF grocery retail center, 80-stall parking lot, and related site work. 1.56 acres of new impervious area will be created on site; prior to development there was approximately 0.4 acres of impervious area onsite. This project will be evaluated under the Commission's Third Generation Watershed Plan Standards. Staff's review was for stormwater management, grading and erosion controls, and buffers. A buffer variance request was included in the meeting packet for the Commission's consideration. In their June 9, 2015 findings, Staff recommended approval of the stormwater management plans with four conditions, following approval of the request for variance of the buffer and vegetation removal plans.

*in meeting packet

Trainor questioned the rationale for approving the variance and the project using the less stringent Second Generation Plan Rules and Standards, i.e., based on the fact that it was a small lot relative to the size of the proposed development. He noted that the same argument could be made for any proposed development, even on relatively large sites, such as the FedEx project, where they could have proposed a building twice the size and faced the same challenges as on the ALDI site. Conversely, ALDI could have proposed a smaller building on their site, leaving more room available for ponding, etc.

Motion by Moore, second by Walraven to approve the variance request. *Motion carried unanimously.*

Motion by Trainor, second by McNeil to approve the stormwater management plans pending 1) receipt of recorded O&M agreement documents; 2) receipt of a five-year vegetation management plan for the biofiltration basins and native planting areas approved by Staff; 3) erosion and sediment controls meeting the Commission's requirements; and 4) streambank work conforming to DNR requirements for riprap work allowed without a DNR-protected waters permit. *Motion carried unanimously.*

[Trainor departed 12:40 p.m.]

3. 2015-011 French Lake Industrial Center, Dayton.* This project is eight agricultural properties totaling 188 acres, proposed to be subdivided into an industrial/warehouse development. At this time, one lot and three outlots are proposed to be platted over the properties. The applicant is requesting review of the overall (188 acres) stormwater management plan, but of only Phase I (50 acres) of the project area for grading and erosion control. Approximately 52 acres drain east toward French Lake and the remaining 136 acres drain north into Grass Lake. Current impervious area is 0 acres; proposed is 55% (100 of the 188 acres).

Six ponds and five biofiltration basins are proposed. Four of the ponds will outlet into four of the basins before discharging into wetlands or lakes. Based on 1.1" of water runoff from 100 acres of new impervious areas, 9.3 ac-ft of water abstract is required per Commission requirements. 0.72 ac-ft of abstraction credits are proposed for preserving natural areas and additional buffering on wetlands within the development. With buffer and conservation easement credits, an additional 8.6 ac-ft of water volume abstract is still required. To achieve this, the applicant proposes to use the stormwater ponds to irrigate 2.7 acres of the landscaped green areas in the development.

Eight wetlands were delineated on the property. The project will result in permanent impacts to 7.48 acres of WCA-regulated wetlands. (The City is the LGU for WCA.) The applicant proposes to replace the impacts at a 2:1 ratio by purchasing 14.96 acres of wetland bank credits from wetland banks in the same Bank Service Area.

In their findings dated June 9, 2015, Staff recommended approval with ten conditions. Motion by Walraven, second by Moore to approve Staff's recommendations, approving the grading and erosion control plans for Phase I and the stormwater plan for the overall project, with a five year timeline to complete all phases of the project, and with the additional condition that the applicant submit specific pump/filter/irrigation plans for the areas proposed to be irrigated. *Motion carried unanimously.*

4. At the May meeting Weiss and Diane Spector, Wenck Associates, were asked to work together to create a whitepaper **for calculating phosphorus reductions** to ensure a better understanding and uniformity in calculations. Weiss will review the Wayzata High School and Summer's Edge projects to cost-effectively create the methodology for applying the rules, and possibly amending the rules if necessary. Findings will be forwarded to the Technical Advisory Committee for review.

B. The proposed **2016 Operating Budget.*** totals \$447,651 and is based on the Third Generation Plan. Staff proposes to hold the member cities' assessments increase to three percent (\$215,360) and to take the deficit from the unreserved fund balance. Motion by Moore, second by Walraven to approve the 2016 Operating Budget as presented. *Motion carried unanimously.* The budget will be transmitted to the member cities by July 1.

C. Motion by Moore, second by Walraven to set July 8 as the date for a public hearing to receive comments following the 60-day review of the **Third Generation Watershed Management Plan.** *Motion carried unanimously.*

VII. Elm Creek WRAPPS. Some comments on the draft TMDL have been received from MPCA, mainly on the lake modeling and allocations. In addition, TRPD staff became aware of updated bathymetry information for Fish Lake generated by the City of Maple Grove that was significantly more accurate than the information from the MDNR that was used in the Fish Lake model. MPCA comments on the lake modeling and allocations were addressed and the Fish Lake model was re-run

*in meeting packet

to account for the updated bathymetry information and to correct a modeling error. The revised calibrated model resulted in Fish Lake loading from internal sources increasing from 35% of total loading in the original model to 70% in the updated version. A revised TMDL report incorporating the updates was e-mailed to MPCA in early June, and MPCA staff hope to complete their informal review in the next several weeks. Brasch also indicated that with John Barten retiring and additional responsibilities for at least the next several months, he sees a need to obtain consulting assistance to complete a review draft of the WRAPS report. He will enlist the assistance of Wenck Associates in that effort, since they authored the Commission's Third Generation Plan, are familiar with the Elm Creek TMDL/WRAPS project, and have considerable expertise in writing WRAPS reports.

[Bottema departed 1:08 pm.]

VIII. New Business.

IX. Communications.

X. Education. The next **WMWA** meeting will be held 8:30 a.m., Tuesday, July 14, 2015, at Plymouth City Hall.

XI. Grant Opportunities.

XII. Other Business. Randy Anhorn, Supervisor of the Land and Water Unit, Hennepin County Environment and Energy Department, will be at the July 8 meeting to present the County's **Natural Resources Strategic Plan 2015-2020**.* His presentation will begin at 11:00.

XIII. The following **projects** are also discussed in the June Staff Report.* ("W" denotes wetland project.)

1. 2012-021W Kreps Wetland Violation, Corcoran.
2. 2013-038 River Hills, Dayton.
3. 2013-040 Rush Creek Landing, Dayton.
4. 2013-041 Jomico, Corcoran.
5. 2013-046 Woods of Medina, Medina.
6. 2014-007 Launch Park, Rogers.
7. 2014-015 Rogers Drive Extension, Rogers.
8. 2014-016 Villas at Medina Country Club, Medina.
9. 2014-026 Woodland Hill Preserve, Medina.
10. 2014-027 The Reserve at Elm Creek, Champlin.
11. 2014-029 Creative Lawn and Landscapers, Rogers.
12. 2014-033 Kinghorn Industrial Park Spec Building, Rogers.
13. 2014-038 Sawgrass, Corcoran.
14. 2014-040W Sawgrass Wetland Replacement Plan, Corcoran.
15. 2014-041 Launch Park 2nd Addition (Lot 1, Block 1), Rogers.
16. 2014-042 Launch Park Addition (Outlot B), Rogers.
17. 2015-001 Highway 47, Troy Lane School, Plymouth.
18. 2015-005 Proehl Farm Wetland Delineation, Corcoran.
19. 2015-006 Veit Building and Parking Lot Addition, Rogers.
20. 2015-007 Parkway Preserve, Rogers.
21. 2015-012 Summers Edge, Plymouth.
22. 2015-013 Wayzata High School, Plymouth.
23. 2015-014 MCES Culvert Replacement, Medina.
24. 2015-015 2015 Street Improvements, Dayton.

XIV. Adjournment. There being no further business, motion by Walraven, second by McNeil to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:12 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary

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*in meeting packet