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Regular Meeting Minutes November 9, 2016

I. A regular meeting of the Elm Creek Watershed Management Commission was called to order at 11:32 a.m., Wednesday, November 9, 2016, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN by Chairman Doug Baines.

Present were: Bill Walraven, Champlin; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Fred Moore, Plymouth; Ali Durgunoglu and James Kujawa, Hennepin County Dept. of Environment and Energy (HCEE); Jeff Weiss, Barr Engineering; and Judie Anderson, JASS.

Also present: Todd Tuominen, Champlin; Mark Lahtinen, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Ben Hodapp, Anderson Engineering, and Joel Hoogland, Corcoran, for Project 2016-044W; and Dan Parks, Westwood Professional Services, for project 2016-047.

A. Motion by Walraven, second by Moore to approve the **revised agenda**. * *Motion carried unanimously.*

B. Motion by Weir, second by Walraven to approve the **minutes*** of the October 12, 2016 regular and Technical Advisory Committee (TAC) meetings. *Motion carried unanimously.*

C. Motion by Moore, second by Walraven to approve the **November Treasurer's Report and Claims*** totaling \$29,429.93. *Motion carried unanimously.*

D. **Open Forum.**

II. Action Items.

A. Motion by Moore, second by Weir to approve the **2017 Cooperative Agreement** with Hennepin County. The agreement calls for the Hennepin County Department of Environment and Energy to provide Technical Services in an amount not to exceed \$110,000 and Volunteer Monitoring/Education Programs in an amount not to exceed \$10,000. *Motion carried unanimously.*

B. Project Reviews.

1. **2016-040 Kinghorn 4th Addition, Rogers.*** This is a 13.7-acre parcel located in the northwest corner of the intersection of Brockton Lane and Rogers Drive. An industrial warehouse is proposed for the site. 8.8 acres of new impervious area is proposed. The plan includes the use of a NURP pond and a biofiltration basin to meet Commission requirements for rates, water quality and abstraction. The site adjacent to this one is likely to be developed in the near future and some of the stormwater features were oversized to accommodate future development. In their November 3, 2016 findings, Staff recommends approval contingent on: 1) approval of only this phase and future phases will need additional review and approval; 2) final modifications to the hydrologic modeling; 3) additional details are provided for a proposed water re-use system; and 4) an O&M Plan for the pond and biofiltration basin is completed and recorded on the final plat. Motion by Weir, second by Walraven to approve Staff's recommendation with the addition of a fifth recommendation for a modification of the storm sewer system to maximize the area draining to the NURP pond and a sixth recommendation for receipt and review of any wetland-related documentation if wetlands are present. *Motion carried unanimously.*

2. **2016-042 Cherrywood of Plymouth.*** This is a 4.7-acre site located at the intersection of Old Rockford Road and Highway 55. A senior living building is proposed. It will create approximately 1.8 acres of new impervious area. This project triggers Commission rules B (procedural requirements), C (general standards), D (stormwater management) and E (erosion and sediment control) of Appendix O, Rules and Standards. There are no wetlands or floodplains associated with this site. Staff recommends approval of the project contingent upon an operation and maintenance agreement approved by the

*in meeting packet

City of Plymouth and the Commission, and recorded on the property for the biofiltration basins. Motion by Walraven, second by Weir to approve Staff's recommendation in their findings dated November 8, 2016. *Motion carried unanimously.*

3. 2016-043 Lawndale Lane Reconstruction, Maple Grove.* Maple Grove is proposing to reconstruct and improve Lawndale Lane for 1,500 feet north of CR 30. The total project area is 4.63 acres; 0.75 acres will be new impervious area. This project triggers Commission rules D (stormwater management), E (erosion and sediment control), and F (floodplain). Current plans provide for peak rate controls meeting the Commission's standards for the 2-10-100 year storm events. Abstraction is not feasible due to the tight clay (D) soils on site. Filtration is proposed. Total filtration will need to be 7,163 CF of water in a 48 hour period. Based on the storage area below the primary outlet pipe to the filtration pond, there will be 8,538 CF of storage that will drain within 48 hours, meeting the Commission's volume requirements. TSS and TP loads after construction will be equal to or less than the loads prior to construction. Erosion and sediment controls meet the Commission standards. In their findings dated November 9, 2016, Staff recommends approval of this project. Motion by Weir, second by Walraven to grant this approval. *Motion carried unanimously.*

4. 2016-045W Brothers Mini Storage Wetland Replacement Plan, Corcoran.* This is a wetland violation where filling occurred during site improvements at the back of an existing storage facility. Development of this site was originally approved in 1997 (project 1997-023). The recent work appears to have been done around the week of July 18. Filling was done to accommodate additional outside storage area at the north edge of the property. A TEP was held on site September 6. It was determined that approximately 4,125 SF of wetland was filled. This fill included an inadvertent impact done during the construction of the site in 1998. A restoration order was issued for the violation and for the landowner to comply with the Commission and WCA requirements. The landowner has applied for a wetland replacement plan for the fill. The plan was noticed on October 14 and requests that the fill be allowed and be replaced at a 2:1 ratio by purchasing credits from Anoka County wetland bank account 1409. Restoration would not be prudent because of a need for a turn-around in this area. The TEP met on November 3. A copy of their findings are included in the meeting packet. The TEP recommends a replacement ratio of 4:1 and an escrow of \$3/SF. The applicant was present to answer Commissioners' questions and to request replacement at 2:1. Due to the mitigating circumstances and following discussion, the Commission recommends replacement at 2:1 – 1:1 in Hennepin County and 1:1 in another area per WCA and the Commission's replacement schedule and with no requirement for an escrow. Motion by Trainor, second by Walraven to accept this recommendation, setting a 90-day deadline for purchase of the wetland credits. *Motion carried unanimously.*

5. 2016-047 Hy-Vee Maple Grove #1. The applicant is proposing to disturb 13 acres of a 20.4-acre site located at the southeast corner of Maple Grove Boulevard and 99th Avenue for the purpose of constructing a grocery store, fuel station, convenience store and parking facilities. The applicant's engineer was present to have preliminary discussions regarding the Commission's standards as it relates to their proposed plans. He was requesting interpretation from the Commission on their 25' average and 10' minimum standard for a buffer when a retaining wall is used to minimize wetland impacts. Will the Commission still require a 10' minimum below the retaining wall which would impact more wetlands? Or would they accept this area to be mitigated elsewhere on the parcel? The Commission felt there had to be some type of mitigating compensation for such a scenario, but could not provide specifics on this site plan since it has not been submitted for review to the Commission and the LGU has yet to approve a wetland replacement or buffer plan.

[Moore departed 1:17 p.m.]

III. Watershed Management Plan.

IV. Elm Creek Watershedwide TMDL.* The final TMDL and WRAPS reports are in the hands of the EPA and MPCA, respectively. Approval of the TMDL may take anywhere from 3-4 months. The WRAPS approval should take much less time.

V. New Business.

VI. Communications.

A. Channel 12/Northwest Community TV recently produced and aired a story regarding the upcoming **alum treatment on Fish Lake.*** The story has a link on the front page of the Commission's website.

B. The **MAWD 2016 Annual Meeting** will be held December 1-3, 2016. www.mnwatershed.org.

VII. Education.

The **next WMWA meeting** is scheduled for 1:00 p.m., Tuesday, November 29, 2016, at Plymouth City Hall.

*in meeting packet

VIII. Grant Opportunities.

Conservation Corps Minnesota is accepting applications until December 15, 2016, for 2017 field projects. \$500,000 is available for crew labor on projects that protect, enhance and restore water quality in lakes, rivers and streams or protect groundwater and drinking water from degradation. <http://www.conversationcorps.org/clean-water-funding/>

IX. Other Business.

A. It has been requested that the subject of a **carp removal project in Rice Lake** be included on the December agenda.

B. Kujawa reported that 900 parcels in the watershed have been reviewed under the **State Buffer Law**. 35 were found to be noncompliant and an additional 55 need to be looked at more closely.

C. The following **projects** are discussed in the November Staff Report.* ("W" denotes wetland project.)

1. 2013-046 Woods of Medina, Medina.
2. 2014-015 Rogers Drive Extension, Rogers.
3. 2015-004 Kinghorn Outlet A, Rogers.
4. 2015-006 Veit Building and Parking Lot Addition, Rogers.
5. 2015-013 Wayzata High School, Plymouth.
6. 2015-020 Strehler Estates, Corcoran.
7. 2015-025 OP3 Outdoor Storage, Rogers.
8. 2015-030 Kiddiegarten Child Care Center, Maple Grove.
9. 2015-032 Rogers High School Auditorium Addition, Rogers.
10. 2016-002 The Markets at Rush Creek, Maple Grove.
11. 2016-004 Park Place Storage Site Plans, Corcoran.
12. 2016-005W Ravinia Wetland Bank, Corcoran.
13. 2016-014 Balsam Apartments, Dayton.
14. 2016-018 Cambridge Park, Maple Grove.
15. 2016-019 Just for Kix, Medina.
16. 2016-020 Ryan Meadows, Rogers.
17. 2016-021 Diamond View Estates, Dayton.
18. 2016-022 AutoZone, Maple Grove.
19. 2016-026 Faithbrook Church, Dayton.*
20. 2016-035W 20070 Larkin Road, Corcoran.*
21. 2016-038 AutoMotorPlex, Medina.
22. 2016-039 Fields at Meadow Ridge, Plymouth.
23. 2016-040 Kinghorn 4th Addition, Rogers.
24. 2016-041 Bartus Subdivison, Plymouth,
25. 2016-042 Cherrywood of Plymouth.
26. 2016-043 Lawndale Lane Reconstruction, Maple Grove.
27. 2016-044W TH169 Wetland, Champlin.
28. 2016-045W Brothers Mini Storage Wetland Replacement Plan, Corcoran.
29. 2016-046W 8920 Foxline Drive, Corcoran

X. Adjournment. There being no further business, motion by Weir, second by Walraven to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:32 p.m.

Respectfully submitted,



Recording Secretary

JAA:tim

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