

elm creek Watershed Management Commission

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Regular Meeting Minutes December 9, 2020

I. A virtual meeting of the Elm Creek Watershed Management Commission was called to order at 11:43 a.m., Wednesday, November 4, 2020, by Vice Chair Elizabeth Weir.

Present were: Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Catherine Cesnik, Plymouth; Jim Herbert and Joe Waln, Barr Engineering; James Kujawa, Surface Water Solutions; Brian Vlach, Three Rivers Park District (TRPD); and Amy Juntunen and Judie Anderson, JASS. Not represented: Champlin and Rogers.

Also present: Todd Tuominen, Champlin; Kevin Mattson, Corcoran; Nico Cantarero, Wenck Associates, Dayton; Derek Asche and Mark Lahtinen, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Kris Guentzel, Hennepin County Environment and Energy (HCEE); and Stacy Harwell and Suzanne Jiwani, Minnesota Dept. of Natural Resources (DNR).

A. Motion by Guenther, second by Trainor to approve the **agenda**,* moving item 5.a. Floodplain Mapping Project, before Open Forum. *Motion carried unanimously.*

B. Motion by Guenther, second by Cesnik to approve the **Minutes*** of the November 4, 2020 regular meeting. *Motion carried unanimously.*

C. Motion by Guenther, second by Trainor to approve **December Treasurer's Report** and **Claims*** totaling \$34,485.67.

[Baines arrived 11:49 a.m. and assumed the Chair.]

D. **Floodplain Mapping Project.** Prior to discussion, Asche provided some historical background regarding this project. In September Barr Engineering and the Commission requested an additional \$25,000 from the DNR to cover additional work required to complete the hydrology for the project. The Commission also asked Barr to cease working on the project until the funding issue is resolved.

On December 7, 2020, the Commission received a response* from Suzanne Jiwani to Barr's September 24, 2020 request* for modifications to the budget and schedule for this project and Barr's December 7, 2020 letter* that provided additional detail to their initial request. In order to respond in time for this meeting, Jiwani's responses were limited to acceptances and rejections of the individually described tasks. Of the tasks totaling \$25,000, \$16,000 were accepted and \$9,000 were rejected. In addition, a \$1,200 credit was listed for the hydraulic modeling task. Jiwani will provide more detail relating to her responses to the Commission in the coming weeks. Her responses will be included in the January meeting packet. The deadline to complete the project is March 31, 2021.

Motion by Weir, second by Trainor to invoice the DNR for the \$14,800 items approved by the DNR in Jiwani's December response letter. *Motion carried unanimously.* Staff will contact Pat Lynch at

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RULE E - EROSION AND SEDIMENT CONTROL
RULE F - FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION
RULE H - BRIDGE AND CULVERT CROSSINGS
RULE I - BUFFERS

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the DNR regarding issuance of an amendment to the contract to include the items discussed above and to submit an invoice accordingly.

Motion by Weir, second by Guenther to rescind the cease work order and direct Barr to proceed with the project. *Motion carried unanimously.*

II. Open Forum.

III. Action Items.

A. Project Review 2020-008 Ione Gardens, Dayton.* This project is located at the northwest intersection of CSAH 144 (Diamond Lake North) and 12 (Dayton River Road). The site is three agricultural properties totaling 48.29 acres. One hundred twelve new single-family residential lots creating 16.84 acres of new impervious surface area are proposed for this development. The Commission's review is for compliance with Rules D, E, G, and I. At their October 2020 meeting the Commission approved Phase I grading on the north 14 acre area on the condition that: a) the applicant accepts any and all risks for any changes required to obtain final approval by the Commission and b) that the City of Dayton grants approvals for said grading, and to deny the remainder of the application unless the applicant extends the review deadline beyond the current October 21, 2020 deadline. The applicant extended the deadline to November 30, 2020. Updated site plans received November 16, 2020 meet the contingencies of the Commission approval with the exception of the post development infiltration basin percolation test requirements. In their Findings dated November 17, 2020. Staff recommended Commission approval of the updated plans contingent upon post-development percolation tests being provided on infiltration basins to demonstrate the constructed infiltration rate meets or exceeds the design infiltration rates. Motion by Weir, second by Guenther to approve Staff recommendations. *Motion carried unanimously.* The percolation tests will be performed within six months; the applicant subsequently extended the deadline to December 30, 2020.

B. Project Review 2020-030 Nelson International, Corcoran.* This project would construct a new semi-truck and trailer dealership and center on a 22.4-acre site. The project will disturb 9.5 acres and create 6.6 acres of impervious surface. The existing condition is a single-family residence with 0.4 acres of impervious. The application was reviewed for Rules D, E, G, and I. In their November 4, 2020 findings, Staff recommended approval contingent on submission and approval of an operation and maintenance agreement with the City of Corcoran, and that a subsequent addition to the proposed structure shall be submitted for administrative review. Motion by Weir, second by Guenther to approve Staff recommendations. *Motion carried unanimously.* It was further recommended that the City verify the presence and operation of the skimmers. [Following the meeting the plans were reviewed and it was determined that the pond outlet structures are designed to provide oil and floatables skimming.]

C. Project Review 2020-032 Enclave Rogers-Commerce Boulevard, Rogers.* This project would create an apartment complex on a 3.3-acre site. The existing site is undeveloped. The project will disturb the entire site and create 2.15 acres of impervious surface. The applicant is proposing an iron enhanced sand filter to meet Total Phosphorus removal requirements. The site is within two of the three outlots created as part of the adjacent former Lowe's development. The application was reviewed for Rules D and E. Staff granted administrative approval for grading contingent on applicant accepting risk for changes required for final approval and on approval from City for grading activities. In their Findings dated December 2, 2020, Staff recommends approval with those conditions, as well as submission of an operations and maintenance agreement for stormwater features, minor updates to the hydrology report, and minor updates to the Storm-

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RULE E - EROSION AND SEDIMENT CONTROL

RULE F - FLOODPLAIN ALTERATION

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water Pollution Prevention Plan (SWPPP). Motion by Weir, second by Trainor to approve Staff recommendations. *Motion carried unanimously.* The Commissioners expressed concern regarding the long-term maintenance of the iron-enhanced filters and underground storage chambers and requested that this concern be communicated to the City.

D. Project Review 2020-035 Presteng Residence, Corcoran.* This is a 3.84-acre lot that is proposed to be graded to accommodate a single family home. Located on Lot 1, Block 1, Schmids Hidden Valley Second Addition, south of Oakdale Drive, approximately 1/4 mile east of Bechtold Road, the project triggers the Commission's rules because it disturbs more than 1.0 acres of land during construction. In their Findings dated November 12, 2020, Staff recommended approval pending receipt of a certificate of survey with lowest-most floor verification at or higher than 950.7 elevation. Motion by Weir, second by Trainor to approve Staff recommendations. *Motion carried unanimously.*

E. 2020 Work Plan in Review.* Included in the meeting packet is a draft of the activities undertaken by the Commission in 2020 in response to the work plan approved at its March 13, 2020 meeting. Staff requested the Commissioners to review and comment by January 5, 2021.

IV. Old Business.

V. New Business.

VI. Communications.

A. The **December Staff Report*** provides updates on all of the development projects currently under review by Staff or awaiting final recordations. The projects listed on the following pages are discussed in the December report.

B. Hennepin County Project Updates. No report this month.

VII. Education and Public Outreach.

A. The next **West Metro Water Alliance (WMWA)** meeting is scheduled for Tuesday, January 12, 2021 at 8:30 a.m. This a virtual meeting. The **Zoom number** is <https://us02web.zoom.us/j/922390839>. Or call in at any of these numbers using **meeting ID: 922 390 839**: (1) +1 301 715 8592 US (Germantown); (2) +1 312 626 6799 US (Chicago); (3) +1 929 205 6099 US (New York); or (4) +1 253 215 8782 US (Tacoma). The **passcode is water**.

B. Scharenbroich announced that Plymouth will hold **Discover Plymouth** on April 17, 2021. This will be an opportunity to visit with local businesses, community groups and non-profits; learn about city services; connect with City Council; shop the marketplace for homemade and handmade goods; and explore health and wellness opportunities.

C. The **Roots Display** is in the JASS office. Folks may visit the office (safely distancing and masked) to view the display.

VIII. Grant Opportunities and Project Updates.

IX. Other Business.

A. Staff announced that the **biannual solicitation of letters of interest** for legal, technical, and administrative consultants will published in the December 14, 2020 edition of the *State Register*. Deadline for responses is January 5, 2021. Responses will be considered at the Commission's January 13, 2021 meeting.

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RULE E - EROSION AND SEDIMENT CONTROL

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RULE G - WETLAND ALTERATION

RULE H - BRIDGE AND CULVERT CROSSINGS

RULE I - BUFFERS

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elm creek Watershed Management Commission

Regular Meeting Minutes – December 9, 2020

Page 4

B. The Commission has received notice of the **purchase of Wenck Associates by Stantec**, effective January 1, 2021.

X. Adjournment. There being no further business, motion by Weir, second by Guenther to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:18 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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Item No.	A	E	I RPF	AR	Project No.	Project Name
			RP D			
					W Denotes wetland project	
ah.				AR	2014-015	Rogers Drive Extension, Rogers.
ai.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
aj.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
ak.				AR	2017-014	Laurel Creek, Rogers.
al.				AR	2017-029	Brayburn Trails, Dayton.
am.				AR	2017-039	Rush Creek Apartments, Maple Grove.
a.					2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
b.					2018-020	North 101 Storage, Rogers.
c.					2018-046	Graco, Rogers.
an.				AR	2018-048	Faithbrook Church Phase 2, Dayton.
ao.				AR	2019-001	Fernbrook View Apartments, Maple Grove.
ap.				AR	2019-002	Parkside Villas, Champlin.
aq.				AR	2019-021	Brenly Meadows, Rogers.
d.					2019-024	Boston Scientific, Maple Grove.
ar.				AR	2019-027	Havenwood at Maple Grove.
as.				AR	2019-032	OSI Expansion, Medina.
e.					2020-001	Outlot L, Markets at Rush Creek, Maple Grove.
f.					2020-002	Project 100, Maple Grove.
g.	A	E			2020-008	Ione Gardens, Dayton.
at.				AR	2020-009	Stetler Barn, Medina.
h.					2020-015	Dayton Interchange Business Center, Dayton.
i.					2020-016	Skye Meadow, Rogers.
j.		E			2020-017	Meadow View Townhomes, Medina.
k.					2020-022	Elm Road Street & Utility Project, Maple Grove.
au.					2020-023	Ziegler Dayton Site Upgrades, Dayton.
l.					2020-025	Paulsen Farms, Corcoran.
av.					2020-027	Kariniemi Addition, Corcoran.
m.					2020-029	Sundance Greens 5th Addition, Dayton.

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elm creek Watershed Management Commission

Regular Meeting Minutes – December 9, 2020

Page 5

n.	A	E			2020-030	Nelson International, Corcoran.
o.	A	E			2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
p.		E			2020-033	Weston Woods, Medina.
q.	A	E			2020-035	Presteng Residence, Corcoran.
r.					2020-036	Balsam Pointe, Dayton.
s.					2020-037	Rice Lake Elementary School Pond Excavation, Maple Grove.

A= Action item E = Enclosure provided I = Informational update will be provided at meeting RPF1 - removed pending further information
 R = Will be removed RP= Information will be provided in revised meeting packet..... D = Project is denied AR awaiting recordation

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