

elm creek Watershed Management Commission

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Regular Meeting Minutes January 13, 2021

I. A virtual meeting of the Elm Creek Watershed Management Commission was called to order at 11:30 a.m., Wednesday, January 13, 2021, by Chair Doug Baines.

Present were: Bill Walraven, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Catherine Cesnik, Plymouth; Kevin Jullie, Rogers; 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.

Also present: Gerry Butcher and Todd Tuominen, Champlin; Kevin Mattson, Corcoran; Nico Cantarero, Wenck Associates, Dayton; Derek Asche and Mark Lahtinen, Maple Grove; Jake Gateman, Ben Scharenbroich and Amy Riegel, Plymouth; Andrew Simmons, Rogers; Kris Guentzel, Hennepin County Environment and Energy (HCEE); Diane Spector, Wenck Associates; and Emily Shaw, ISG, Inc., for Project Review 2020-016.

A. Motion by Butcher, second by Guenther to approve the **agenda**. *Motion carried unanimously.*

B. Motion by Guenther, second by Butcher to approve the **Minutes*** of the December 9, 2020 regular meeting. *Motion carried unanimously.*

C. Motion by Guenther, second by Weir to approve January **Treasurer's Report** and **Claims*** totaling \$101,810.96. *Motion carried unanimously, Rogers being absent.*

II. Open Forum.

III. Action Items.

A. Motion by Weir, second by Butcher to elect to not waive the monetary limits on municipal tort liability insurance. *Motion carried unanimously.*

[Jullie arrived 11:38 a.m., Walraven arrived 11:55 a.m.]

B. **Project Review 2020-016 Skye Meadows, Rogers.*** Lennar Corporation is proposing to construct a residential development on 130 acres along Territorial Road. The site consists of six separate parcels located both north and south of Territorial Road (CR116) just west of Tilton Trail. 363 single-family residential units are proposed, creating 38.73 acres of new impervious areas in seven phases. The Commission's review is for conformance to Rules D, E, F, G, and I for all seven phases. The applicant has extended the Commission decision deadline to February 17, 2021, per MN Statute 15.99. Staff findings dated December 22, 2020, with two recommendations are included in this month's packet. Motion by Guenther, second by Walraven to approve this project per Staff's recommendations. *Motion carried unanimously.* The applicant must request a variance to this approval should final grading during Phase 1B fail to meet the Commission's low floor/100-year elevation requirements.

RULE D - STORMWATER MANAGEMENT
RULE E - EROSION AND SEDIMENT CONTROL
RULE F - FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION
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RULE I - BUFFERS

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C. Project Review 2020-036 Balsam Pointe, Dayton.* This project would create 98 residential units on a 10-acre site near the intersection of Diamond Lake Road South and Dayton Road. The existing site is undeveloped. The project will disturb the entire site and create 5.3 acres of new impervious. The application was reviewed for Rules D and E. Staff findings and a recommendation dated January 5, 2021 are included in the meeting packet. Staff recommends approval of the project contingent on receipt of a plan for operations and maintenance. Motion by Weir, second by Walraven to approve this project with Staff's recommendation. *Motion carried unanimously.*

D. Project Review 2020-037 Rice Lake Elementary School Pond Excavation, Maple Grove.* This project would construct two new buildings, a parking lot, and play areas on school grounds. The school is on the southwest corner of Elm Creek Boulevard and 89th Avenue North. The project will disturb approximately 4.7 acres and create 1.1 acres of new impervious. The application was reviewed for Rules D and E. Staff findings dated January 5, 2021 are included in the meeting packet. Staff recommends approval of the project with no conditions. Motion by Weir, second by Walraven to approve this project. *Motion carried unanimously.*

E. Project Review 2020-039 Elm Creekside Trail, Plymouth.* This project would construct 1100 feet of trail along Elm Creek with a bridge over the creek. The proposed trail will connect Alvarado Lane North and Wayzata High School Road. The project will disturb 0.8 acres and create 0.24 acres of new impervious surface. Grading near the bridge will create fill in the floodplain. The loss of flood storage is mitigated by cut in adjacent areas. The application was reviewed for Rules E, F, G, H, and I. Staff findings dated January 7, 2021 are included in the meeting packet. Staff recommends approval of the project with no conditions. Motion by Walraven, second by Weir to approve this project. *Motion carried unanimously.*

[Weir departed 12:29 p.m.]

F. Project Review 2020-040 The Cedars of Elm Creek 3rd Addition, Champlin*. This project would construct two single family residential structures at the corner of West Hayden Lake Road and Vera Street North. The area of disturbance is less than one acre. The application was reviewed for Rules E and F. The project will place fill in the regulatory floodplain to elevate the structures above the 100-year flood elevation. Compensatory storage will be provided to offset the floodplain fill. Staff findings and one recommendation dated January 5, 2021 are included in the meeting packet. Motion by Guenther, second by Trainor to approve this project. *Motion carried unanimously.*

G. Project Review 2020-041 Plum Tree East Drainage Improvements, Plymouth.* This City project would clean out sediment from an existing stormwater pond and construct drainage improvements to reduce channel erosion downstream of the pond. The project will disturb approximately 0.8 acre of land. The application was reviewed for Rule E. Staff granted administrative approval for the project because it involves less than one acre.

H. 2020 Work Plan in Review.* One comment was received, from Brian Vlach, regarding aquatic vegetation surveys undertaken in Diamond Lake and the Mill Pond in 2020. This information will be added to the Work Plan. Motion by Walraven, second by Guenther to accept Draft 2 of the 2020 Work Plan with that addition. *Motion carried unanimously.*

I. Responses to Solicitation of Interest Proposals for 2021-2022.* Seven proposals were received – five from engineering firms, and one each from legal and administrative service providers. Motion by Walraven, second by Jullie to accept the proposals from Campbell Knutson Professional Association for legal services and from Judie Anderson's Secretarial Services, Inc. for administrative services. *Motion carried unanimously.*

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A subcommittee of Baines, Guenther, Cesnik, Asche, Scharenbroich, Gateman, and Anderson will meet on Tuesday, January 19, 2021 to review and consider the technical services responses and will make a recommendation to the Commission at the February 10, 2021 meeting.

J. Annual Appointments. Motion by Guenther, second by Walraven to approve the following appointments for 2021:

1. Official newspaper, Osseo-Maple Grove Press
2. Official depositories, US Bank, the 4M Fund
3. Deputy Treasurer, Judie Anderson
4. Auditor, Johnson & Company, Ltd.

Motion carried unanimously.

K. Nominations of Officers. It was proposed that the sitting officers be nominated to retain their positions in 2021. Additional nominations will be accepted at the February meeting with election of officers taking place in March.

IV. Old Business.

Work on the **Floodplain Modeling Project** has resumed. The Commission is awaiting an amendment from DNR which will adjust the amount of the agreement between the parties. A recap of the work performed in December is included in the Staff Report.*

V. New Business.

VI. Communications.

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

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

C. Included in the meeting packet was a letter* addressed to the Commission from the **Minnesota Campaign Finance Board** reminding members of their obligation to file statements of economic interest for their new terms after taking office. Re-elected Commissioners may file one statement that satisfies both the annual review and the new term requirement. Letters have also been sent directly to the Commissioners. Failure to file will result in the imposition of a late filing fee and a potential civil penalty.

VII. Education and Public Outreach.

A. The next **West Metro Water Alliance (WMWA)** meeting is scheduled for Tuesday, February 9, 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. Baines, Scharenbroich, and Juntunen provided an update from yesterday's WMWA meeting. A subcommittee has been formed to help identify educational components on which WMWA will focus in response to education requirements spelled out in the new MS4 permit.

VIII. Grant Opportunities and Project Updates.

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IX. Other Business.

X. Adjournment. There being no further business, motion by Walraven, second by Trainor to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:05 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. |
| a. | | | | | 2017-050W | Ernie Mayers Wetland/floodplain violation, Corcoran. |
| b. | | | | | 2018-020 | North 101 Storage, Rogers. |
| am. | | | | | 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. |
| c. | | | | | 2019-024 | Boston Scientific, Maple Grove. |
| ar. | | | | AR | 2019-027 | Havenwood at Maple Grove. |
| as. | | | | AR | 2019-032 | OSI Expansion, Medina. |
| d. | | E | | | 2020-001 | Outlot L, Markets at Rush Creek, Maple Grove. |
| e. | | | | | 2020-002 | Project 100, Maple Grove. |
| f. | | | | | 2020-008 | Ione Gardens, Dayton. |
| at. | | | | AR | 2020-009 | Stetler Barn, Medina. |
| g. | | | | | 2020-015 | Dayton Interchange Business Center, Dayton. |
| h. | A | E | | | 2020-016 | Skye Meadow, Rogers. |
| i. | | | | | 2020-017 | Meadow View Townhomes, Medina. |
| j. | | | R | | 2020-022 | Elm Road Street & Utility Project, Maple Grove. |
| au. | | | | | 2020-023 | Ziegler Dayton Site Upgrades, Dayton. |
| k. | | | | | 2020-025 | Paulsen Farms, Corcoran. |
| av. | | | | | 2020-027 | Kariniemi Addition, Corcoran. |
| l. | | | | | 2020-029 | Sundance Greens 5th Addition, Dayton. |
| m. | | | | | 2020-030 | Nelson International, Corcoran. |
| n. | | | | | 2020-032 | Enclave Rogers - Commerce Boulevard, Rogers. |
| o. | | | | | 2020-033 | Weston Woods, Medina. |
| p.. | | | | | 2020-035 | Presteng Residence, Corcoran. |

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| | | | | | | |
|----|---|---|--|--|----------|---|
| q. | A | E | | | 2020-036 | Balsam Pointe, Dayton. |
| r. | A | E | | | 2020-037 | Rice Lake Elementary School Pond Excavation, Maple Grove. |
| s. | | | | | 2020-038 | 8130 Strehler Road, Corcoran. |
| t. | A | E | | | 2020-039 | Elm Creek Creekside Hills Trail, Plymouth. |
| u. | A | E | | | 2020-040 | The Cedars of Elm Creek 3 rd Addition, Champlin. |
| v. | A | E | | | 2020-041 | Plum Street East Drainage Improvement, Plymouth. |
| w. | | | | | 2020-042 | Rogers High School Athletic Field Replacement, Rogers. |

A= Action item E = Enclosure provided I = Informational update will be provided at meeting R PFI - 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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