COON CREEK WATERSHED DISTRICT
BOARD OF MANAGERS’ MEETING
November 14, 2016

The Board of Managers of the Coon Creek Watershed District held their regular meeting on November 14, 2016 at the Bunker Hills Activities Center.

1. Call to Order: The meeting was called to order at 5:30 PM
Staff: Corinne Elfelt, Rebecca Haug, Tim Kelly, Michelle Ulrich.
Others: Mark Smith

2. Approval of the Agenda: Westlund proposed to remove Item 6. Staff Report from the Consent Agenda. Hoffman moved to approve the amended Agenda. Seconded by Phelps. Motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

3. Announcements: No announcements

4. Open Mike: No one present for Open Mike

CONSENT AGENDA

5. Minutes

6. Staff Report (Removed from Consent Agenda for discussion)

7. Monthly Financial Statements

8. Bills To Be Paid: Claims totaling $143,117.16 on the following disbursement list will be issued and released upon Board approval.

<table>
<thead>
<tr>
<th>To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1 Floor and Carpet Care Inc.</td>
<td>368.72</td>
</tr>
<tr>
<td>Agro-K Corporation</td>
<td>1,699.70</td>
</tr>
<tr>
<td>Anoka County</td>
<td>51,503.08</td>
</tr>
<tr>
<td>Anoka County Parks</td>
<td>240.00</td>
</tr>
<tr>
<td>BWSR</td>
<td>287.00</td>
</tr>
<tr>
<td>CenterPoint Energy</td>
<td>1,771.05</td>
</tr>
<tr>
<td>City of Ham Lake</td>
<td>2,080.00</td>
</tr>
<tr>
<td>City of Roseville</td>
<td>8,489.25</td>
</tr>
<tr>
<td>Classic Construction, Inc.</td>
<td>2,359.15</td>
</tr>
<tr>
<td>Comcast</td>
<td>140.92</td>
</tr>
<tr>
<td>Dawn Doering</td>
<td>16.20</td>
</tr>
<tr>
<td>Corinne Elfelt</td>
<td>17.22</td>
</tr>
<tr>
<td>Mario Frucci</td>
<td>178.07</td>
</tr>
<tr>
<td>GreatAmerica Financial Services Corp</td>
<td>318.49</td>
</tr>
<tr>
<td>Rebecca Haug</td>
<td>172.49</td>
</tr>
<tr>
<td>Jive Communications, Inc.</td>
<td>294.45</td>
</tr>
<tr>
<td>KWC Investment III, LLC</td>
<td>3,669.61</td>
</tr>
<tr>
<td>Abbey M Lee</td>
<td>166.36</td>
</tr>
<tr>
<td>Metro Sales Inc.</td>
<td>274.67</td>
</tr>
<tr>
<td>M Ulrich</td>
<td>6,039.00</td>
</tr>
</tbody>
</table>
### Minnesota Roadways Company 2,075.00
### Pember Companies, Inc. 2,125.00
### RESPEC 9,158.13
### State of MN Office of State Auditor 4,002.00
### Gary Steen/2715 Incorporated 8,500.00
### T. H. Construction of Anoka 6,965.00
### U. S. Bank 277.88
### U. S. Bank 382.58
### U S Postmaster 47.00
### Verizon 84.29
### Wenck Associates, Inc. 23,244.85
### Randy Wesp 6,170.00

143,117.16

Motion to approve the Consent Agenda Items 5, 7, and 8 was made by Phelps, seconded by Hoffman. Motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

### Board Discussion:
#### Item 6. Staff Report:
Westlund asked about the Sunrise WMO boundary change and the request by Ham Lake to include an entire subdivision in CCWD. Kelly stated Tom Collins had requested CCWD consider including the new subdivision, one-quarter that is naturally in CCWD, in the boundary change. Westlund expressed concern and asked potential problems be looked at in adding this subdivision to CCWD.

#### CAC Update:
Wilder updated the Board on a CAC guest speaker from a non-profit organization looking for the District to budget for and sponsor the training and education of 10 volunteers. The cost to the District would be $25,000. The volunteers would assist with small clean-ups in the District. Phelps asked what type of training would the volunteers be receiving. Kelly stated that would receive training in hydrology, water quality laws, modeled after master gardener and the master naturalist programs.

### POLICY ITEMS
#### 9. Catcher’s Creek 2nd Addition Variance Request:
On 11/2/16 the District received a revised grading plan for Lot 3, Block 3 and a request for a 15 foot variance from the preliminary platted easement of 100 feet to an easement of 85 feet.

The staff report provided to the Board identified the following issues and concerns:
- Significant Material Change to Grading Plan
- Buildability of Lot 15
- Presence, Nature and Extent of the Easement
- Concern of Preclusion of Reasonable Uses of the Property
- Nature of Variance
FINDINGS:

- The District has concluded that “Undue hardship” exists because the purpose of the proposed land use is housing and without a variance from the existing standard of 100 feet the entire lot becomes unbuildable.
- During review of the grading plan it was noted that an 85-foot easement in this area will include a city trail and is reasonable, leaving sufficient room to maintain the ditch without creating a risk to the District contractor or requiring additional cost or time involved in working in cramped conditions.
- A variance of 15 feet will leave sufficient separation from permanent structures and temporary or permanent deposition of material to protect the public health, safety and welfare.
- The City of Andover has indicated that 15 feet is all that is needed to make the lot buildable.
- The variance is in harmony with the purpose and intent of the District Rules. The Purpose of these rules is to enable the District to evaluate, permit and monitor activities affecting the water and related land resources of the District in an orderly and informed fashion. A variance of 15 feet with the District retaining an 85-foot easement in this area would allow the District to accomplish the rules’ purpose.
- The 15-foot variance, with the City’s collaboration implements the “regulate only to the degree needed” provision of the plan and rules while retaining the essential residential character of the locality.
- The variance request of 15 feet ensures that the lot is buildable, the provision and monumentation that movable structures and uses within the easement that can be dismantled or moved, if needed achieves a balance between the private use of property and the public need for access to inspect and repair the ditch.
- There are circumstances unique to the applicant’s property (Lot 15) as outlined above.

CONCLUSIONS:

1. The applicant has provided evidence as to why adherence to the easement dimensions presents an undue hardship.
2. The variance request is in keeping with the spirit and intent of the District’s, Rules, Regulations and Policies.
3. The requested variance will not adversely affect the public welfare by adding unneeded cost and adding time to handle and transport excavated soil.
4. The applicant has shown that this request is the minimum needed.

Staff recommendation was to approve the request for variance and revised grading plan for Lot 15, Block 3 and adopt the Findings and Conclusions as outlined.

Board Discussion: Westlund noted that a meeting took place with the applicant, CCWD and City of Andover to discuss the details of the variance request. Westlund also asked that the letter from Mr. Smith’s attorney be part of the record of this variance.

Phelps stated that when platting, a developer chooses to locate lots in less desirable areas, and he sees this as a self-induced hardship.
Motion to Approve the request for variance and revised grading plan for Lot 15, Block 3 and adopt the Findings and Conclusions as outlined was moved by Hoffman and seconded by Westlund. The motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

PERMIT ITEMS

10. 389 74th Ave NE: The purpose of this project is the expansion of the parking lot located 1000 feet east of University frontage road on 74th Ave NE in Fridley, Minnesota.

The staff report provided to the Board identified the following issues and concerns:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escrows: $2,000 + (0.62 ac * $500/ac) = $2,310.00</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Soils &amp; Erosion Control: District requires all stabilization vegetation be within seven (7) days of rough grading or inactivity.</td>
<td>2. Erosion Control Requirements:</td>
</tr>
<tr>
<td></td>
<td>a. Update construction plans to stabilize vegetation in 7 days of rough grading or inactivity.</td>
</tr>
<tr>
<td></td>
<td>b. Provide note that any sediment tracked onto the street from construction activities will be removed on a daily basis.</td>
</tr>
<tr>
<td>Provisions have not been made for cleaning road surfaces where sediment is transported by the end of the day.</td>
<td>3. Provide results of groundwater separation and infiltration test to determine if rain garden is feasible option. If rain garden is not feasible, provide updated plans for project.</td>
</tr>
<tr>
<td>Stormwater and Hydraulics: Soil infiltration test and groundwater levels will need to be determined prior to construction of rain garden.</td>
<td>4. Provide an O&amp;M Agreement that meets District requirements.</td>
</tr>
<tr>
<td>Maintenance: A maintenance agreement will need to be executed if the infiltration basin is deemed feasible.</td>
<td>5. In the unlikely event that a Blanding’s turtles is encountered on site, state law and rules prohibit the destruction of threatened or endangered species, except under certain prescribed conditions. If turtles are in imminent danger they should be moved by hand out of harm’s way, otherwise they should be left undisturbed.</td>
</tr>
<tr>
<td>Wildlife: The proposed project may include the endangered or threatened species, Blanding’s Turtle.</td>
<td></td>
</tr>
</tbody>
</table>

Staff recommendation was to Approve with 5 Stipulations as follows:

1. Receipt of escrows, $2,310.00.
2. Erosion Control:
   a. Update construction plans to stabilize vegetation in 7 days of rough grading or inactivity.
   b. Provide note that any sediment tracked onto the street from construction activities will be removed on a daily basis.
3. Provide results of groundwater separation and infiltration test to determine if rain garden is feasible option. If rain garden is not feasible, provide updated plans for project.
4. Provide an O&M Agreement that meets District requirements.
5. In the unlikely event that a Blanding’s turtle is encountered on site, state law and rules prohibit the destruction of threatened or endangered species, except under certain prescribed conditions. If turtles are in imminent danger they should be moved by hand out of harm’s way, otherwise they should be left undisturbed.

Motion to Approve with 5 Stipulations was moved by Hoffman and seconded by Wilder. The motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

11. Durkin Garage Addn: The purpose of this project is a garage addition located at the southeast corner of 114th Lane NW and Yucca St in Coon Rapids, Minnesota.

The staff report provided to the Board identified the following issues and concerns:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escrows: $2,000 + (.01 ac * $500/ac) = $2,004.50</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Soils &amp; Erosion Control: District requires all stabilization vegetation be within seven (7) days of rough grading or inactivity. Adjacent properties are not protected from construction activities.</td>
<td>2. Update construction plans to stabilize vegetation in 7 days of rough grading or inactivity. 3. Silt fence should also be located along property line west of construction activities to protect adjacent properties. 4. Provide note that any sediment tracked onto the street from construction activities will be removed on a daily basis.</td>
</tr>
<tr>
<td>Provisions have not been made for cleaning road surfaces where sediment is transported by the end of the day.</td>
<td></td>
</tr>
</tbody>
</table>

Staff recommendation was to Approve with 4 Stipulations as follows:

1. Receipt of escrows, $2,004.50.
2. Provide note that requires stabilize vegetation in 7 days of rough grading or inactivity.
3. Silt fence should also be located along property line west of construction activities to protect adjacent properties.
4. Provide note that any sediment tracked onto the street from construction activities will be removed on a daily basis.
Haug informed the Board additional information was received the day of the Board Meeting, that staff had not yet had the opportunity to review.

Motion to Approve with 4 Stipulations was moved by Phelps and seconded by Hoffman. The motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

12. NBL 4 131st Ave – Connexus: The purpose of this project is to replace overhead line with underground line east of Crooked Lake Blvd along 131st Ave NE in Coon Rapids, Minnesota.

The staff report provided to the Board identified the following issues and concerns:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escrows: $2,000 + (.008 ac * $500/ac) = $2,004.00</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Soils &amp; Erosion Control: District requires all stabilization vegetation be within seven (7) days of rough grading or inactivity.</td>
<td>2. Update construction plans to stabilize vegetation in 7 days of rough grading or inactivity.</td>
</tr>
</tbody>
</table>

Staff recommendation was to Approve with 3 Stipulations as follows:
1. Receipt of escrows, $2,004.00.
2. Update construction plans to stabilize vegetation in 7 days of rough grading or inactivity.
3. Provide as-built confirmation that the new cable is no higher than 848.1.

Motion to Approve with 3 Stipulations was moved by Westlund and seconded by Wilder. The motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

13. Parent Office Building: The purpose of this project is construction of a new office building to be located at 13632 Van Buren St NE in Ham Lake, Minnesota.

The staff report provided to the Board identified the following issues and concerns:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escrows: $2,000 + (1.17 ac * $500/ac) = $2,585.00</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Maintenance: It is unknown who will be responsible for the inspection and maintenance of stormwater facilities. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.</td>
<td>2. Submit an O&amp;M agreement that meets District standards for the Stormwater Treatment Practices proposed on site.</td>
</tr>
<tr>
<td>Wildlife: The applicant has contacted the MDNR natural heritage or endangered species program. The contact was made September 14, 2016.</td>
<td>3. Provide the District with documentation from the DNR that the project will not propose substantial adverse alteration or significant detrimental impact on a</td>
</tr>
</tbody>
</table>
Staff recommendation was to Approve with 3 Stipulations as follows:

1. Receipt of escrows, $2,585.00.
2. Submit an O&M agreement that meets District standards for the Stormwater Treatment Practices proposed on site.
3. Provide the District with documentation from the DNR that the project will not propose substantial adverse alteration or significant detrimental impact on a species or removal of a plant species.

Motion to Approve with 3 Stipulations was moved by Hoffman and seconded by Phelps. The motion carried with three yees (Hoffman, Phelps, and Wilder), one abstaining (Westlund) and no nays.

14. Shaw’s Glen 2nd Addition: The purpose of this project is construction of a single family development to be located at the southeast corner of Nightengale St NW and 157th Lane NW in Andover, Minnesota.

The staff report provided to the Board identified the following issues and concerns:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Escrows: $2,000 + (2.8 ac * $500/ac) = $3,400.00</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Stormwater &amp; Hydraulics: Drainage areas in model are not accurate based on existing basins, storm sewer and topography</td>
<td>2. Updated model must be provided.</td>
</tr>
<tr>
<td></td>
<td>a. Subwatersheds need to be updated to reflect drainage from the north (Cardinal Ridge) that is directed in 2P and also drainage from Nightingale Street NW and the area to the south that drain into 3P. The property boundary cannot be used as the subwatershed boundary.</td>
</tr>
<tr>
<td></td>
<td>b. Rainfall distribution type MSC-3 needs to be used, not Type II.</td>
</tr>
<tr>
<td>Rainfall distribution associated with Atlas -14 needs to be used (MSC-3), not Type II</td>
<td></td>
</tr>
<tr>
<td>Rate control is not met. Due to drainage sensitive uses, the proposed 100-Yr rate must be less than the existing 25-Yr rate.</td>
<td>2. Drainage sensitive uses exist downstream of project. The 100-Yr proposed rate must be less than existing 25-Yr rate. If rate control cannot be met, a detailed reason why must be provided that is acceptable to the District.</td>
</tr>
</tbody>
</table>
### Overflows listed in model are not shown on the grading sheet.

3. Grading plan requires the following updates/clarifications:
   a. Show 1P and 3P overflow on grading plans. Need to extend drainage map to the south to include entire 3P area.

### Proposed contours are shown in the wetland on sheet C2.

b. On sheet C2, there is proposed grading in the wetlands area. Either change contours to existing contours or provide calculations of wetland impacts.

### Swale needs to be modeled to ensure runoff will be contained in the swale and that there will not be erosive velocities during the 2-Yr storm event.

4. Swale updates required:
   a. Model the 2-Yr storm event to ensure swale does not have erosive flows (>1.5 ffs).
   b. Model the 10 & 100-Yr events will be contained within the swale and not cause a blowout at the bend.
   c. Show spot elevations to ensure proper drainage.

### Floodplain: District model indicates that the 100-Yr flood plain is at 895.8 feet.

5. Floodplain issues:
   a. Provide calculations for amount of fill proposed and amount of compensatory storage provided.
   b. LFEs do not meet the 100-Yr 2 foot separation for the City of Andover. LFEs must be at least 897.7 feet.

### Groundwater: Infiltration basin does not meet the 3 foot groundwater separation requirement.

6. Seasonal high groundwater elevation assumed to be approximately equal to northern basin water level (892 feet NGVD). This value is consistent with the Geotechnical Report included in the Shaw’s Glen 1st Addition project.

### Soils & Erosion Control: Infiltration basins are not protected from erosion and sedimentation during construction. After initial grading the District requires that infiltration basins be completely surround by erosion control measures to prevent the basin from clogging.

7. After initial grading completely surround the proposed infiltration basins with erosion control measures to prevent the basin from clogging.
| District requires all stabilization vegetation to be installed within seven (7) days of rough grading or inactivity. | 8. Erosion Control Requirements:  
   a. Update SWPPP to stabilize vegetation in 7 days of rough grading or inactivity. |
| Wetland is not fully protected from construction activities. | b. Extend silt fence to 896 contour on southern edge of infiltration basin |
| Inlet protection was not provided on adjacent streets to prevent sedimentation. | c. Show inlet protection at CBs on 157th and Nightingale on erosion control plan. |
| Construction entrances are not shown on erosion control plan. | d. Show construction entrance on erosion control plan. |

**Maintenance:** It is unknown who will be responsible for the inspection and maintenance of stormwater facilities. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.

9. Provide an O&M Agreement that meets District requirements.

---

Staff recommendation was to Table with 9 Stipulations as follows:

1. Receipt of escrows, $3,400.00.
2. Model:
   a. Subwatersheds need to be updated to reflect drainage from the north (Cardinal Ridge) that is directed in 2P and also drainage from Nightingale Street NW and the area to the south that drain into 3P. The property boundary cannot be used as the subwatershed boundary or show that the curb lines and storm sewer system are the boundary.
   b. Rainfall distribution type MCS-3 needs to be used, not Type II.
3. Drainage sensitive uses exist downstream of project. The 100-Yr proposed rate must be less than existing 25-Yr rate. If rate control cannot be meet, a detailed reason why must be provided that is acceptable to the District.
4. Grading Plan:
   a. On sheet C2, there is proposed grading in the wetlands area. Either change contours to existing contours or provide calculations of wetland impacts.
   b. Show 1P and 3P overflow on grading plans. Need to extend drainage map to the south to include entire 3P area.
5. Swale:
   a. Model the 2-Yr storm event to ensure swale does not have erosive flows (>1.5 fps).
   b. Model the 10 & 100-Yr events will be contained within the swale and not cause a blowout at the bend.
   c. Show spot elevations to ensure proper drainage.
6. Floodplain exists on the western portion of the project area along Nightingale to 895.8 feet (88 NGVD).
a. Provide calculations for amount of fill proposed and amount of compensatory storage provided.

b. LFEs do not meet the 100-Yr 2 foot separation for the City of Andover. LFEs must be at least 897.7 feet.

7. Infiltration Basin:
   a. Does not meet 3 foot groundwater separation. Seasonal high groundwater elevation assumed to be approximately equal to northern basin water level (892 feet NGVD). This value is consistent with the Geotechnical Report included in the Shaw’s Glen 1st Addition project.
   b. After initial grading completely surround the proposed infiltration basins with erosion control measures to prevent the basin from clogging.

8. Erosion Control:
   a. Update SWPPP to state that stabilize vegetation will take place within 7 days of rough grading or inactivity.
   b. Extend silt fence to 896 contour on southern edge of infiltration basin.
   c. Show inlet protection at CBs on 157th and Nightingale on erosion control plan.
   d. Show construction entrance on erosion control plan.

9. Provide an O&M Agreement that meets District requirements.

Motion to Table with 9 Stipulations was moved by Hoffman and seconded by Westlund. The motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

15. The Woods at Crooked Lake: The purpose of this project is a residential development to be located at 2928 129th Ave NW in Coon Rapids, Minnesota.

The staff report provided to the Board identified the following issues and concerns:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance: A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.</td>
<td>1. Provide an O&amp;M Agreement that meets District requirements.</td>
</tr>
</tbody>
</table>

Staff recommendation was to Approve with 1 Stipulation as follows:
1. Provide an O&M Agreement that meets District requirements.

Motion to Approve with 1 Stipulation was moved by Westlund and seconded by Wilder. The motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

16. Twin Cities Orthopedic (Blaine Medical office building): The purpose of this project is the construction of a medical office building to be located on Ulysses St NE in Blaine, Minnesota.

The staff report provided to the Board identified the following issues and concerns:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance: It is unknown who will be</td>
<td>1. Provide an O&amp;M Agreement that</td>
</tr>
</tbody>
</table>
responsible for the inspection and maintenance of stormwater facilities. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.  

**Wetlands:**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Provide an O&amp;M Agreement that meets District requirements.</td>
</tr>
<tr>
<td>2.</td>
<td>Proof of purchase of wetland credits must be provided to CCWD.</td>
</tr>
</tbody>
</table>

Staff recommendation was to Approve with 2 Stipulations as follows:

1. Provide an O&M Agreement that meets District requirements.
2. Proof of purchase of wetland credits must be provided to CCWD.

Motion to Approve with 2 Stipulations was moved by Hoffman and seconded by Phelps. The motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

**DISCUSSION ITEMS**

17. **Draft of Nov 17 Presentation to County Board:** Kelly asked the Board to review the Draft presentation for the County Board. The Board provided input and suggestions.

18. **2016 MAWD Resolutions:** Kelly reviewed the resolutions that will be voted on at the 2016 MAWD Conference.

**INFORMATIONAL ITEMS**

19. **Changes in BWSR Staff:** Dennis Rodacker will no longer be the District’s WCA representative. At this time, it is unknown who we will be working with it.

**ADJOURN**

The meeting adjourned at 7:45 PM on a motion by Hoffman, seconded by Phelps. Motion carried with four yeas (Hoffman, Phelps, Westlund and Wilder) and no nays.

_______________________________
Byron Westlund, President