

City of Afton

PLANNING COMMISSION AGENDA

January 5, 2014

7:00 pm
revised

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. OATHS OF OFFICE**
- 4. ROLL CALL**
 - Barbara Ronningen (Chair)
 - Sally Doherty
 - Kitty Kilmer
 - Kris Kopitzke
 - Mark Nelson
 - Judy Seeberger
 - Adam Smerud
 - Lucia Wroblewski
 - Scott Patten
- 5. APPROVAL OF AGENDA**
- 6. APPROVAL OF MINUTES**
 - a. December 1, 2014 Meeting Minutes
- 7. REPORTS AND PRESENTATIONS**
- 8. PUBLIC HEARINGS**
 - a. Lakeview Investment #1 Preliminary Plat Application at 14833 50th Street
 - b. David Herreid Variance Application at 16530 Swede Hill Drive
- 9. NEW BUSINESS**
 - a. Select Two Planning Commission Members to Review Planning Consultant Proposals
- 10. OLD BUSINESS**
 - a. Residential Solar Array Ordinance
 - b. Manning Avenue Corridor Overlay District
 - c. Regulations Regarding Contiguous Substandard Lots Under Common Ownership
 - d. Regulations Regarding Accessory Buildings on Parcels Greater than 20 Acres
 - e. Draft City Council Minutes - Update on City Council Actions
- 11. ADJOURN**

This agenda is not exclusive. Other business may be discussed as deemed necessary.

A quorum of the City Council or Other Commissions may be present to receive information.

CITY OF AFTON
DRAFT PLANNING COMMISSION MINUTES
December 1, 2014, 7:00 PM

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5 1. **CALL TO ORDER** – Vice Chair Kris Kopitzke called the meeting to order at 7:00 p.m.

6
7 2. **PLEDGE OF ALLEGIANCE** – was recited.

8
9 3. **ROLL CALL** - Present: Doherty, Kilmer, M.Nelson, Smerud, Kopitzke. Excused Absences: Ronningen
10 and Seeberger. **Quorum present.**

11
12 **ALSO IN ATTENDANCE** – Liaison to the PC, Council Member Peg Nolz, City Administrator Ron
13 Moose and Deputy Clerk Kim Swanson Linner.

14
15 4. **APPROVAL OF AGENDA** –

16 **Motion/Second: Smerud/Doherty. To approve the December 1, 2014 Planning Commission agenda as**
17 **presented. Motion carried 5-0-0.**

18
19 5. **APPROVAL OF MINUTES** –

20 a. November 3, 2014 Planning Commission Meeting Minutes – Corrected minor typos on Line 63,
21 changed ‘by’ to ‘bye’ and Line 155, added a space between ‘in’ and ‘from.’

22
23 **Motion/Second: Kilmer/Nelson. To approve the November 3, 2014 Planning Commission minutes as**
24 **amended. Motion carried 5-0-0.**

25
26 6. **REPORTS AND PRESENTATIONS** – none.

27
28 7. **PUBLIC HEARINGS** –

29
30 a. Ordinance Amending Section 12-132.A. to Address a Front Yard Setback Anomaly – Vice Chair
31 Kopitzke opened the Public Hearing at 7:07 p.m. Administrator Moose described the Zoning Code’s standard
32 way to measure front yard setbacks, which is from the centerline of a public road. He explained there are a
33 number of legally non-conforming lots in the City that do not have frontage on a public road, but obtain access
34 through a driveway easement across an adjacent property. In those cases, where the lot is located behind another
35 lot and far removed from a public road, the current language would allow a structure to be constructed on the
36 front lot line. This is not what an adjacent property owner would expect, and is not the intent of the code to
37 allow. The Planning Commission, at their November 3, 2014 meeting, reviewed draft ordinance language that
38 would require both a minimum setback from the centerline of a public road and a setback from the front
39 property line equal to the required rear yard setback.

40 Charlie Wamstad, 1987 Manning Avenue S, asked for clarification about the setback issue.

41
42 **Motion/Second: Doherty/Nelson. To close the Public Hearing at 7:09 p.m. Motion carried 5-0-0.**

43
44 Planning Commission Discussion

45 Commissioners concurred that the provided ordinance amendment language was as discussed at the
46 November meeting.

47
48 **Motion/Second: Smerud/Doherty. To recommend to City Council to approve the amendment as written.**
49 **Motion carried 5-0-0.**

50
51 8. **NEW BUSINESS** – none.

52
53 9. **OLD BUSINESS** -

54 a. Manning Avenue Corridor Overlay District – Administrator Moose reported that he met with the
55 Woodbury City Administrator, Clint Gridley, and Community Development Director, Dwight Picha, regarding

56 Woodbury's plans for development along Manning Avenue and how it relates to Afton's land use plans for the
57 Manning Avenue Corridor. He summarized the discussion as follows:

58 Annexation. Woodbury indicated they are not interested in annexing any land from Afton, as they don't
59 have sufficient sewer capacity to do so. They stated they have turned down several requests from Lake Elmo
60 property owners to annex to Woodbury, and would do the same regarding requests from Afton property owners.

61 Land Use Plans. The Woodbury Comprehensive Land Use Plan map shows land along Manning Avenue
62 titled "Phase 3" to be developed as single family density of 3.5 units per acre planned in post-2020. Two areas
63 along Manning titled "Urban Reserve" development, as single family residential, isn't planned until after 2030;
64 several areas have been purchased for large park areas.

65 Other than the commercial area near Hudson Road, the only commercial development planned along
66 Manning Avenue is the small commercial node at Bailey Road. This will be neighborhood retail. The
67 commercial areas along Hudson Road in pink are planned for office development. The darker reddish-purple
68 area is planned for retail development. The build-out timeline for these areas is 20 to 30 years.

69 Roads. The existing area of 4-lane roadway on Manning at Hudson Road is planned to be extended to the
70 south along the area of the commercial development. Beyond that, the upgrade of Manning to a 4-lane roadway
71 is not a priority of Woodbury or MN/DOT.

72 Woodbury is not planning to add significantly more road access points along Manning Avenue. Woodbury
73 is planning a new road directly across from 15th Street. There has been some initial discussion between the City
74 of Woodbury and Washington County about realigning Valley Creek Road to the south, possibly to line up with
75 22nd Street, so that it is not at the bottom of the large hill on Manning Avenue.

76 Next Steps. Dwight Picha and his planning staff are open to meeting with the Planning Commission to
77 provide additional detail regarding the City's land use plans along Manning Avenue. Clint Gridley indicated he
78 and Woodbury's Mayor would like to meet with Afton's Mayor and City Administrator.

79 Holding a public engagement meeting for property owners directly adjacent to Manning Avenue has been
80 discussed; 45 parcels abut Manning Avenue.

81
82 Planning Commission Discussion

83 Reducing the minimum 80 acres required for a Preservation and Land Conservation Development (PLCD)
84 to 70 acres, so that more parcels would be sub-dividable was discussed. Some felt that a reduction in the
85 requirement would be somewhat arbitrary. More probable is that a developer would buy up multiple parcels if
86 planning to subdivide.

87 Commissioners expressed relief about Woodbury's stance against annexing Afton properties and were eager
88 to continue the dialogue with them. It was brought up that perhaps the City Council would want to be involved
89 in another meeting with Woodbury, so that the PC and CC could get their own impressions, consolidate the
90 information and filter it into the land use options. It was felt that this information would be more beneficial prior
91 to the meeting with Manning Avenue property owners.

92 Commissioners wanted to keep momentum going in engaging and communicating with property owners
93 adjacent to Manning. Discussion of the meeting included venue and timeframe. They felt the earliest a public
94 engagement meeting could be done would be February, but realistically March or April.

95
96 **Commissioners directed that a communication piece go into the January newsletter informing residents**
97 **of the progress made since September. Vice Chair Kopitzke will draft an article and send it to the city for**
98 **review and comment. Administrator Moorse was directed to have the Council updated and discuss their**
99 **involvement in the next steps in the Manning Avenue Corridor planning process.**

100
101 b. Solar Array Regulations – Administrator Moorse explained that a consultant, Brian Ross, will provide
102 technical assistance to the Planning Commission for the preparation of an ordinance concerning solar energy
103 regulations at their January 5 meeting.

104 Commissioners felt that definitions for what the city would consider "commercial" and "residential" solar
105 arrays is important. While the Comprehensive Plan states that commercial uses shall be in the VHS district only,
106 the Manning Avenue corridor overlay district discussions have included allowing some flexibility. The City
107 Council's direction to the PC is that large "commercial" solar arrays would not be in keeping with Afton's rural
108 character or residential district. However, they did indicate that a residential solar array, especially in

109 conjunction with providing energy for farming activities, would allow some percentage over the energy usage of
110 the primary residence. Some commissioners felt that in order to support environmental, sustainable energy, rural
111 character and some economic benefit, the city may still want to consider allowing some type of business
112 plan/commercial use for solar, particularly as some PC members still feel commercial solar has the feel of a
113 “farm enterprise.” Also discussed was whether a commercial solar use should be allowed in the Industrial
114 zoning district, as that is where the electrical sub-station is located. If so, would the city require a 25-year lease
115 for the land? Would the city rather have the land designated as Industrial use, or keep the land open as an
116 Agricultural place holder. It was noted that now is the time to consider solar, as the incentives, subsidies and
117 income are quite attractive.

118 Commissioners felt, since the consultant will be providing model solar ordinance information and how they
119 work in a community, that it might be beneficial to also give him questions the PC has. They brainstormed:

- 120 a) What are the primary considerations? What nuisances are they trying to control?
- 121 b) What is a good way to measure size?
- 122 c) How fast is technology progressing? Will the solar “capture” technologies shrink, causing current arrays
123 to be obsolete in a short amount of time?
- 124 d) What considerations should the city have on removal or disposal of the equipment?
- 125 e) Lessons learned from other communities—what worked, what failed catastrophically?
- 126 f) Are there some basic business models? a) landowner works with electric company/residential; b)
127 “developer” works directly with the electric company/commercial; and, c) independent, large solar
128 energy producer/commercial.

129 Commissioners were invited to give Moorese any other questions for the consultant by December 15.

130
131 **The discussion of solar energy regulations will be continued to the January 5 PC meeting.**

132 c. Regulations Regarding Contiguous Substandard Lots Under Common Ownership—Parcel Update –
133 Administrator Moorese reviewed that the Planning Commission, at their November 3 meeting, discussed whether
134 the number of nonconforming lots that are both contiguous and under common ownership is significant enough
135 to merit a review of the ordinance requirements. The Commission voted to recommend the ordinance language
136 remain as-is, but asked that staff determine how many lots would be affected by the existing language. Moorese
137 provided a spreadsheet list of 30 properties in Afton that are contiguous and under common ownership as
138 produced by Washington County. Based on substandard parcel size, there are four parcels whose buildability
139 would be affected by the contiguous/common ownership ordinance. However, Moorese stated, there may be
140 other non-conformities which have not been studied, such as substandard frontage on a public road, that could
141 also affect the buildability of the contiguous parcels.

142 Council Member Nolz provided an additional list of 16 owners of contiguous lots garnered from the
143 Washington County property records, some of which are non-conforming and others that have buildability issues
144 such as being “landlocked.” She felt the list provided by Washington County was not accurately reflecting the
145 number of lots Afton may have.

146
147 d. Regulations Regarding Accessory Buildings on Parcels Greater than 20 Acres – Administrator Moorese
148 explained that the City’s current regulations regarding accessory buildings have a limit of two buildings and a
149 total of 2,500 square feet for parcels of 10 – 20 acres, but is silent on the number of buildings or maximum size
150 allowed on parcels greater than 20 acres. [City staff are also aware that definitions in Sec. 12-55 for
151 “Agricultural building” and “Agriculture, rural” and the chart in Sec. 12-187 (B), Permitted uses of accessory
152 buildings, need language updates to match current State Statute language for agriculture buildings and rural
153 farms.] Moorese reviewed that, at its November 3, 2014 meeting, staff had asked the Planning Commission to
154 consider whether to add flexibility to the regulations regarding the size of accessory buildings on parcels greater
155 than 20 acres. Chair Ronningen indicated the Planning Commission would like to know where the City Council
156 stands on this issue before taking on a discussion. The Council is scheduled to discuss the issue at its December
157 16 meeting. He explained that Ronningen was concerned that discussion of larger accessory buildings would
158 need to include “what happens if” the regulations are loosened, and suggested the city may want to require
159 “conditions,” such as, the parcel would not be allowed to be further subdivided due to the size of the accessory
160 building. Moorese indicated the information provided on regulations of accessory building size for the City of

161 Cottage Grove and Washington County are similar to those of Afton, as Afton took its ordinance from
162 Washington County. The regulations of the other cities allow significantly larger accessory buildings on large
163 lots. A breakdown is as follows:

- 164 • Hugo allows up to 5,000 sq. ft. on parcels of 10 or more acres.
- 165 • Lake Elmo allows a maximum of 3,000 sq. ft. on lots between 15 and 20 acres, up to 4,000 sq. ft. on lots
166 between 20 and 40 acres, and does not regulate accessory building size on lots greater than 40 acres.
- 167 • Scandia allows from a maximum of 4,500 sq. ft. on parcels between 20 and 30 acres, to a maximum of
168 8,000 sq. ft. on parcels over 80 acres.
- 169 • Columbus allows very large accessory buildings on large parcels, with 6,800 sq. ft. allowed for the first
170 five acres and an additional 700 sq. ft. for each additional acre.

171 Conditions or requirements related to large accessory buildings included in the ordinances of the other cities
172 were as follows:

- 173 1. Require accessory buildings to resemble in style, materials, color, roofline and siding type, the principle
174 building except for agricultural buildings, and horse stables and riding arenas.
- 175 2. No subdivision shall be allowed if it would make existing accessory structures non-conforming.
- 176 3. All detached accessory structures are to be used for personal use or agricultural use only. No
177 commercial use or commercial related storage is allowed in these structures.
- 178 4. All accessory structures over a certain size, i.e. 2,500 sq. ft., require a certificate of compliance to ensure
179 they meet, and continue to meet, conditions placed on them. [Moorse added that if uses change, the
180 permit could be revoked.]

181 Planning Commission Discussion

182 Nelson asked if residents have requested bigger accessory buildings.

183 Moorse indicated there has been considerable interest recently for accessory buildings larger than 2,500 s.f.

184 Doherty felt that the 2,500 s.f. is fine, as it has been around a long time.

185 Smerud felt if there have been requests, the city should consider the possibility of larger accessory buildings
186 for larger parcels.

187 It was noted that in the transition from actual working farms as an owner's primary source of income to
188 "hobby farms" for recreational use, perhaps there has been a migration of monetary resources available to
189 construct bigger buildings for the personal use of property owners that do not relate to a "working rural farm."
190

191
192 **The City Council discussion will be reported at next month's meeting and the PC will continue its
193 discussion in January concerning accessory buildings on parcels greater than 20 acres.**

194
195 e. Draft City Council Minutes - Update on City Council Actions – Council Member Nolz indicated she
196 was not at the November City Council meeting; she reported, however, that the Council denied the Gathje's
197 variance request, but gave them a year to move the accessory buildings to a compliant place on the property or
198 remove them completely.

199 **10. ADJOURN–**

200
201
202 **Motion/Second: Doherty/Nelson. To adjourn the meeting at 8:35 p.m. Motion carried 5-0-0.**

203
204 Respectfully submitted by:

205
206
207
208 _____
209 Kim Swanson Linner, Deputy Clerk

210 **To be approved on January 5, 2015 as (check one): Presented: _____ or Amended: _____**

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: January 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: December 29, 2014
Re: Lakeview Investment #1 Preliminary Plat Application at 14833 50th Street – **Public Hearing**

Attached are the Lakeview Investment #1 Preliminary Plat application and related materials for the property at 14833 50th Street. Also attached are the reports from Dan Licht, Planning Consultant, and Jesse Carlson, City Engineer, regarding the application. The preliminary plat application requires a public hearing which has been noticed through publication in the official newspaper and by mailing to the owners of all properties within 500 feet of the property.

Planning Commission recommendation

The Planning Consultant's report provides options for the Planning Commission's action.

PLANNING COMMISSION DIRECTION REQUESTED:

Motion regarding a recommendation concerning the Lakeview Investment #1 Preliminary Plat application at 14833 50th Street.



3601 Thurston Avenue N, Suite 100
Anoka, MN 55303
Phone: 763.231.5840
Facsimile: 763.427.0520
TPC@PlanningCo.com

PLANNING REPORT

TO: Ron Moorese, City Administrator

FROM: D. Daniel Licht, AICP

DATE: 30 December 2014

RE: Afton – Trading Post Trail Preserve; Preliminary Plat/Vacation

TPC FILE: 118.02

BACKGROUND

Lakeland Investment #1, LLC has submitted application for preliminary plat approval to subdivide eight lots from 47.27 acres located at the southeast corner of Trading Post Trail and 50th Street. The subject site consists of three parcels and there is an existing single family dwelling and detached accessory building located in the northeast portion of the subject site.

The applicant previously submitted a sketch plan for the proposed development that was processed in accordance with Section 12-1326 of the Subdivision Ordinance. A public hearing was held at the Planning Commission meeting on 6 October 2014 to provide an opportunity for the public and Planning Commission to review and provide comment to the developer on the proposed project. The consensus of the Planning Commission at the 6 October 2014 was support of the project as presented.

Preliminary plat applications are processed in accordance with Section 12-1329 of the Subdivision Ordinance and establish entitlements for development of a proposed subdivision. Applications for preliminary plat are subject to review by the Planning Commission at a public hearing and approval of the City Council. The application also includes vacation of existing public right-of-way, which is processed in accordance with Minnesota Statutes 412.851. A public hearing to consider the applications has been noticed for the Planning Commission meeting on 5 January 2015.

Exhibits:

- A. Site Location
- B. Future Land Use Plan
- C. Zoning Map
- D. Existing Conditions
- E. Preliminary Plat
- F. Aerial Overlay
- G. Tree Preservation Plan
- H. Engineering Plans (5 sheets)

ANALYSIS

Comprehensive Plan. The 2008 Afton Comprehensive Plan guides the subject site for rural residential land uses based on the physical characteristics of the area, including wooded areas and steep slopes, being unable to sustain long-term agricultural use. The Land Use Plan allows for development of up to one dwelling unit per five acres. The density of the proposed subdivision is 0.17 dwelling units per acre, which is equal to 0.85 dwelling units per five acres and consistent with the Comprehensive Plan.

Zoning. The subject site is zoned RR, Rural Residential District, which allows single family dwellings as a permitted use. A portion of the subject site, which includes proposed Lots 6, 7 and 8 is also within the Conservancy Overlay District due to environmental features at the northeast corner of the site. The existing single family dwelling, which will be within the boundaries of Lot 6, is located within the Conservancy Overlay District and is an allowed use by administrative permit.

Surrounding Land Uses. The subject site is surrounded by the following existing and planned land uses shown in the table below. The development of the subject site is consistent with the character of the area and development pattern of surrounding parcels.

Direction	Land Use Plan	Zoning Map	Existing Use
North	Agriculture	AG District RR District	Agriculture Single family
East	Rural Residential	RR District	Single family
South	Rural Residential	RR District	Single family
West	Rural Residential	RR District	Single family

Minimum Lot Area. Lots within the RR District must be a minimum of five acres in area with a minimum of 2.5 acres of contiguous buildable area as defined by Section 12-55 of the Zoning Ordinance, excluding wetlands and slopes greater than 13 percent. The preliminary plat indicates all of the lots have a gross area of five acres or more and net contiguous buildable area greater than 2.5 acres in compliance with the requirements of the Zoning Ordinance.

Minimum Lot Width. Section 12-132(A) of the Zoning Ordinance requires each lot have a minimum width of 300 feet measured at the front setback line. Each of the proposed lots shown on the preliminary plat is at least 300 feet wide and complies with the Zoning Ordinance.

Setbacks. The table below identifies required setbacks applicable to the proposed lots in accordance with Section 12-132(A) of the Zoning Ordinance, which are illustrated on the preliminary plat. The existing single family dwelling and proposed building location illustrated on the preliminary plat for each of the lots complies with the minimum setback requirements.

Trading Post Tr./ Osgood Ave.	50 th Street	Interior Side	Rear
105ft.	150ft.	50ft.	50ft.

Maximum Impervious Surface. Section 12-132(A) of the Zoning Ordinance establishes a maximum impervious surface limit of 10 percent of the lot area for buildings, driveways and other areas that water cannot infiltrate. The preliminary plat estimates potential impervious surface for each lot consisting of a 4,800 square foot building pad and proposed driveway from the public street to the building pad. Although the building pad and driveway are subject to change based on the final construction plan for each lot, the estimated impervious surface coverage for each lot is less than 10 percent and no lot has more than six percent estimated impervious surface coverage.

Streets. The preliminary plat includes dedication of 33 feet of right-of-way for Trading Post Trail and 50th Street abutting the subject site. The preliminary plat also provides for extension of Osgood Avenue, which currently terminates south of the subject site and construction of a new cul-de-sac turnaround. Section 12-1379 of the Subdivision Ordinance allows cul-de-sacs to be 1,320 feet in length and serve a maximum of nine lots. Extension of Osgood Avenue as proposed would be 1,237 feet in length from 55th Street and serve eight lots in compliance with the Subdivision Ordinance. The proposed right-of-way dedication for Trading Post Trail, 50th Street and Osgood Avenue and the street section of the Osgood Avenue extension complies with the street design requirements of Section 12-1380 of the Subdivision Ordinance. The developer will be required to remove the existing cul-de-sac turnaround for Osgood Avenue and restore the adjacent yard areas with turf grass. The proposed right-of-way dedication and street construction plans are subject to review and approval of the City Engineer. The City Engineer should also review the need for the developer to remove existing trees from the right-of-way dedicated to the City for Trading Post Trail, 50th Street and Osgood Avenue.

Driveways. Driveways accessing the proposed lots must comply with Section 12-84 of the Zoning Ordinance. The City Engineer recommended as part of the sketch plan review that driveways to Trading Post Trail and 50th Street for the proposed lots be aligned with existing driveways on the opposite side of the roadways, wherever feasible. Lots 1, 2 and 3 are proposed to access from Trading Post Trail and those on Lots 2 and

3 align with existing driveways on the west side of Trading Post Trail. Lots 4, 5 and 6 will access from 50th Street. There is one existing driveway from a single family property on the north side of 50th Street across from Lot 5. The City Engineer should review the location of the proposed driveway for Lot 5 regarding alignment with the existing driveway on the north side of the street and adequate vertical sight distances as the proposed driveway is located at the toe of a hill rising to the east. Lots 7 and 8 are proposed to be accessed from the cul-de-sac turnaround for the extension of Osgood Avenue.

Park Dedication. The proposed preliminary plat requires satisfaction of park dedication requirements established by Section 12-1270 of the Subdivision Ordinance. No land is proposed to be dedicated to the City for park purposes from the subdivision or the subject site. The Park Committee recommended as part of the sketch plan review process that park dedication requirements be satisfied as a cash fee in lieu of land. The cash fee in lieu of land required to be paid by the developer will be established in accordance with Section 12-1270(D) of the Subdivision Ordinance and the City fee schedule adopted as Section 3-41 of the City Code in effect at the time of final plat approval.

Utilities. The proposed lots are to be served by individual on-site septic systems and wells. The Zoning Ordinance definition of buildable area includes having enough suitable soil for the installation of two on-site septic systems. The preliminary plat designates two septic drainfield sites on each lot, including a new primary and secondary drainfield site for the existing house that will be subdivided as Lot 6, Block 1. Soil tests for the proposed septic sites have been submitted for the proposed drainfield sites and are subject to review and approval of the City Engineer.

Grading. The developer has submitted a grading, drainage and erosion control plan for the proposed development to meet the requirements for stormwater management outlined in Section 12-1383 of the Subdivision Ordinance. The submitted plans indicate that each of the lots is to be custom graded for development of single family dwellings. Minimal grading of Lots 2 and 3 is shown on the grading plan for construction of driveways on the respective lots and for extension of Osgood Avenue. All grading, drainage and erosion control plans are to be subject to review and approval of the City Engineer and South Washington County Watershed District.

Tree Preservation. A majority of the subject site is used for crop cultivation, although there are also tree stands at the perimeter and two larger tree groupings within the subject site. The developer has prepared a tree preservation plan identifying the extent of selective cutting of planned for trees six inches in diameter or larger within the area of the proposed building pad, septic drainfield and driveway for each lot, storm water basins and pipe trenches and construction of Osgood Avenue in accordance with Section 12-218 of the Zoning Ordinance. The majority of trees to be removed are the result of the extension of Osgood Avenue. The ability to evaluate the effectiveness of the grading plan to minimize removal of significant trees as a result of the proposed development is not possible in that the tree preservation plan does not include a full

inventory of trees within the property. But, the selective cutting of trees as shown does comply with the requirements of Section 12-218.F of the Zoning Ordinance.

Easements. The preliminary plat provides for dedication of drainage and utility easements measuring 10 feet wide at the perimeter of each lot and overlying common side or rear lot lines and stormwater management basins and infrastructure as required by Section 12-1384 of the Subdivision Ordinance. All drainage and utility easements are subject to review and approval of the City Engineer.

The preliminary plat also illustrates designation of conservation (scenic) easements over areas of the site with slopes 18 percent or greater as required by Section 12-1384 of the Subdivision Ordinance. There are areas of 18 percent or greater slope within Lots 5 and 6 shown on the preliminary plat that are not overlaid by a conservation easement that should be included. The preliminary plat must be revised to include these additional areas and documents establishing a conservation easement must be submitted with an application for final plat approval. The proposed conservation easement is subject to review by City staff and approval of the City Council.

Covenants. Section 12-1480 of the Subdivision Ordinance requires protective covenants be established for all major subdivisions to regulate fertilizer, pesticides or other herbicides to ensure protection of water quality in accordance with Section 10-66 to 10-72 of the City Code. These documents, together with any additional covenants proposed by the developer, must be submitted with application for final plat approval. All covenant documents are subject to review by the City Attorney.

Right-of-Way Vacation. Extension of Osgood Avenue north from its current terminus into the subject site will result in removal of the existing cul-de-sac turnaround and restoration of the area with turf grass. The right-of-way for the existing cul-de-sac turnaround no longer serves a public purpose and is proposed to be vacated and attached to the abutting single family properties on the east and west sides of the roadway. There is also a 16 foot wide road right-of-way within Lot 2, Block 1 that does not appear to serve a public purpose as there is no existing or planned public street other utilities within the area. City staff recommends the City Council adopt a resolution vacating the public rights-of-way at the time of final plat approval.

RECOMMENDATION

The Trading Post Trail Preserve preliminary plat is consistent with the Comprehensive Plan and requirements of the Zoning Ordinance and Subdivision Ordinance. Our office recommends approval of the preliminary plat subject to the conditions outlined below under possible actions.

POSSIBLE ACTIONS

A. Motion to **approve** the Trading Post Trail Preserve Preliminary Plat subject to the following conditions:

1. The following minimum setbacks shall apply to lots within preliminary plat:

Trading Post Tr./ Osgood Ave.	50 th Street	Interior Side	Rear
105ft.	150ft.	50ft.	50ft.

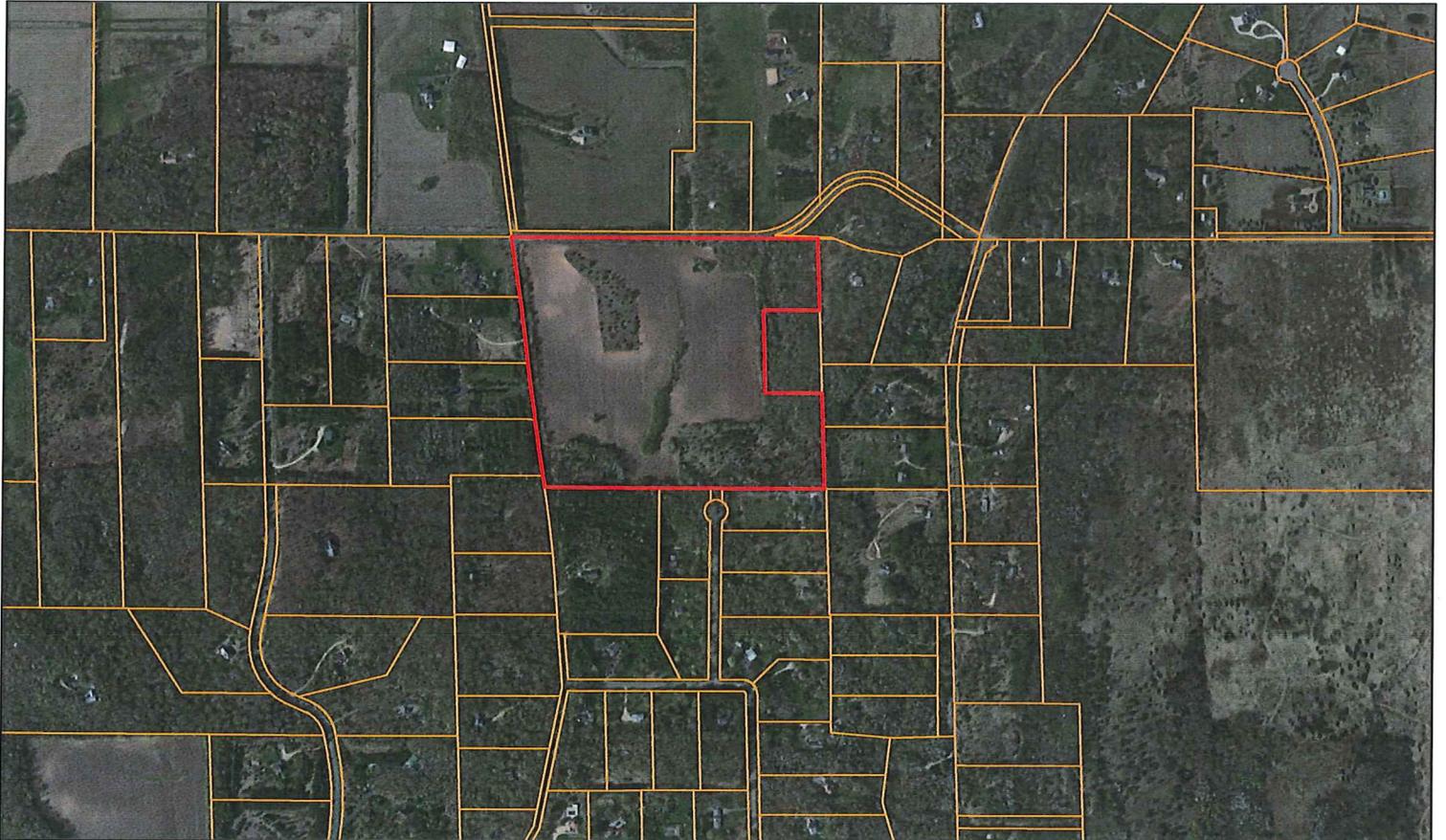
2. The developer shall be required to remove the existing cul-de-sac turnaround for Osgood Avenue and restore the adjacent yard areas with turf grass.
3. All proposed right-of-way dedication and street construction plans are subject to review and approval of the City Engineer.
4. Driveways accessing the proposed lots shall comply with Section 12-84 of the Zoning Ordinance; the proposed driveway location for Lot 5, Block 1 shall be subject to review and approval by the City Engineer.
5. The proposed primary and secondary septic drainfield sites for each lot shall be subject to review and approval by the City Engineer.
6. All grading, drainage and erosion control issues are subject to review and approval by the City Engineer and South Washington County Watershed District.
7. All drainage and utility easements shall be subject to review and approval of the City Engineer.
8. The preliminary plat shall be revised to include all areas of Lots 5, 6, 7 and 8, Block 1 with slopes 18 percent or greater within a conservation easement; Documents establishing the conservation easements shall be submitted with an application for final plat approval and are subject to review by City staff and approval of the City Council.
9. Documents establishing covenants required by Section 12-1480 of the Subdivision Ordinance, together with any additional covenants proposed by the developer, must be submitted with application for final plat approval and are subject to review and approval of the City Attorney.
10. Park dedication requirements shall be satisfied at the time of final plat approval as a cash fee in lieu of land in accordance with Section 12-1270(D) of the Subdivision Ordinance and Section 3-41 of the City Code.

11. Vacation of the right-of-way for the existing terminus of Osgood Avenue and within Lot 6, Block 1 shall be subject to approval of a resolution by the City Council upon approval of a final plat.

B. Motion to **deny** the application based on a finding that the request is inconsistent with the Comprehensive Plan and does not comply with the Zoning and Subdivision Ordinance.

C. Motion to **table** for further discussion.

c. Diane Hankee, City Engineer
Raymond Pruban, applicant



Parcel ID: 3302820120003

Parcel Address:
, CITY OF AFTON

0 470 940 1,880 Feet

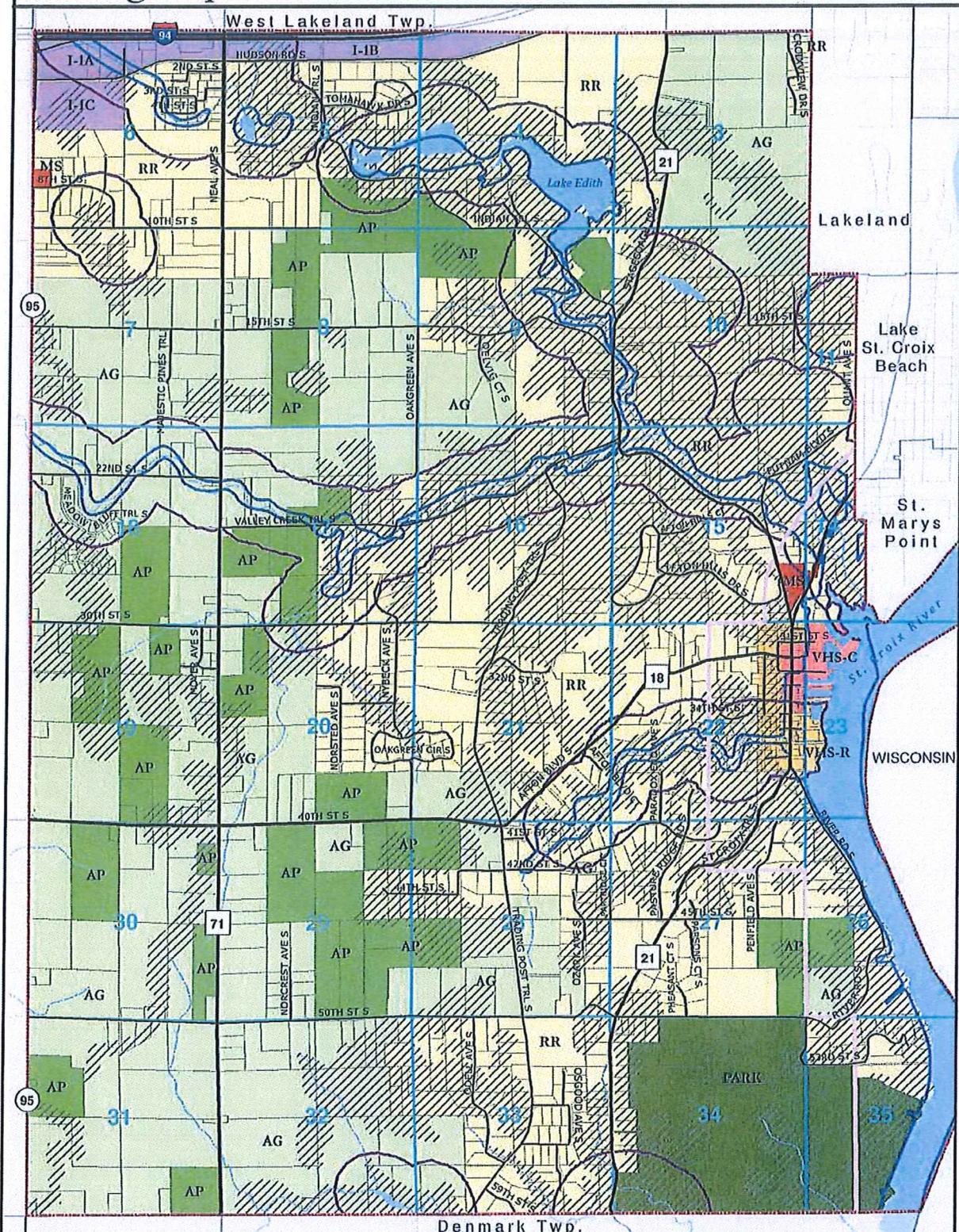
MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Created on 9/26/2014

This drawing is the result of the compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Zoning Map

MAP 11



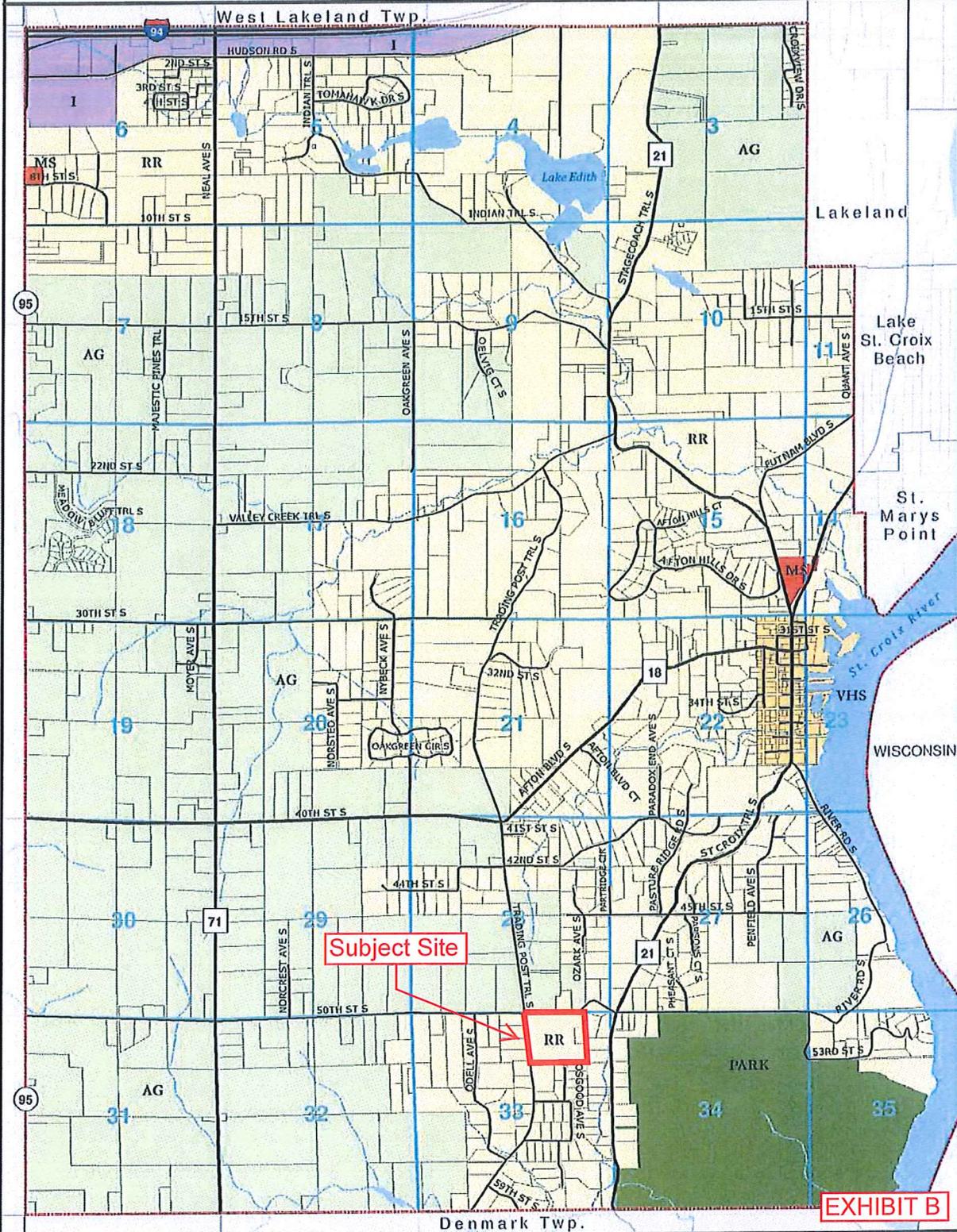
Zoning Districts	State Park	City of Afton	Streams	0	0.5	1	Miles	
Agriculture	Marina Services	Parcel Boundaries	Lakes & Rivers					
Ag Preserve	Conservancy Overlay	Section Lines						
Village Historic Site- Commercial	St. Croix River Bluffland	Major Road						
Industrial	Floodplain Overlay (100 Year)	Local Road						
Village Historic Site- Residential	Shoreland Management Areas							
Rural Residential								

Map prepared October 2010 1000 Friends of Minnesota/TCR Data Sources: City of Afton, Metropolitan Council, MN DNR, MN DOT, Washington County

Afton
COMMUNITYGROWTH INSTITUTE

Future Land Use

MAP 9



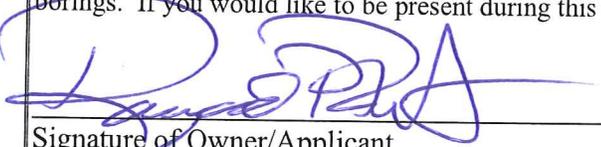
Future Land Use	State Park	Section Lines	Streams	0	0.5	1	Miles	N
Agriculture	Marina Services	Major Road						
Industrial	City of Afton	Local Road						
Village Historic Site	Parcel Boundaries	Lakes & Rivers						
Rural Residential				EXHIBIT B				

Current Households	Forecasted Households	Distributed to Agriculture District	Distributed to Rural Residential
1100	1250	50	100

Map prepared October 2010 1000 Friends of Minnesota TRC
 Data Sources: City of Afton, Metropolitan Council, MN DNR, MN DOT, & Washington County

**CITY OF AFTON
SKETCH AND PRELIMINARY PLAT FOR
MAJOR SUBDIVISION APPLICATION**

Z-33-14
prelim. plat app.
determined complete 12-4-14
BJM

Owner	Address	City	State	Zip	Phone
	2103 COUNTY RD D, STE C	MADEWOOD	MN	55109	651-426-0584
	LAKEVIEW INVESTMENT #1, LLC BOX 251276 WOODBURY MN 55125 651-248-3631				
Applicant (if different than owner)	Address	City	State	Zip	Phone
Project Address					
14833 50th STREET		AFTON	MN	55001	
Zoning Classification	Existing Use of Property	PID# or Legal Description			
RURAL RESIDENTIAL	FARM/HOME	SEE ATTACHED LONG LEGALS			
Description of Request					
PRE-LIMINARY PLAT APPROVAL OF PARCEL TO SUBDIVIDE INTO 7 NEW FINE+ACRE LOTS PLUS 1 EXISTING LOT					
By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton.					
In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.					
					11-3-14
Signature of Owner/Applicant					Date
Make checks payable to: City of Afton					
FEES: (Major Subdivision)		DEPOSITS:	TOTAL:		
0-5ac	\$500 + \$100/lot	\$2,500	_____		
6-40ac	\$1,000 + \$100/lot	\$5,000	_____		
41-80ac	\$2,000 + \$100/lot	\$7,500	10,300 ⁰⁰ *		
81+acres	\$5,000 + \$100/lot	\$10,000	_____		
Other _____					DATE PAID: 9-4-14
* \$10,300.00 WAS PAID AT SKETCH PLAT APPLICATION →					CHECK #: 6001
					RECVD. BY: 
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION					

PID Numbers & Legal Descriptions

PID: 33.028.20.14.0002

PID: 33.028.20.12.0003

PID: 33.028.20.11.0003 *

* Homestead Address:

14833 50th Street

Afton, MN

LEGAL DESCRIPTIONS

That part of the Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) East of the road running North and South; and

The West Half of the Northeast Quarter of the Northeast Quarter (W1/2 of NE1/4 of NE1/4) of Section 33, Township 28 North, Range 20 West, Except the South 435.6 feet of the North 813.4 feet of the East 300 feet thereof, containing 3.0 acres; and a perpetual easement for a roadway 16 feet wide extending a distance of 8 feet on either side of a line described as follows: Commencing at a point on the North line of said Section 33, Township 28 North, Range 20 West, a distance of 963.16 feet West of the Northeast corner of said Section 33, Township 28 North, Range 20 West; thence Southerly on a line parallel to the East line of the West 1/2 of the NE1/4 of the NE1/4 to the property hereinabove conveyed and a distance of 400 feet.

AND

The South 435.6 feet of the North 813.4 feet of the East 300 feet of the West 1/2 of the NE1/4 of the NE1/4 of Section 33, Township 28 North, Range 20 West, containing 3.0 acres; and a perpetual easement for a roadway 16 feet wide extending a distance of 8 feet on either side of a line described as follows:

Commencing at a point on the North line of said Section 33, Township 28 North, Range 20 West, a distance of 963.16 feet West of the Northeast corner of said Section 33, Township 28 North, Range 20 West; thence Southerly on a line parallel to the East line of the West 1/2 of the NE1/4 of the NE1/4 to the property hereinabove conveyed and a distance of 400 feet.

AND

Outlot A, AFTONWOOD, Washington County, Minnesota. (Not Part of the Title Commitment)

**CITY OF AFTON
MAJOR SUBDIVISION CHECKLIST**

(All Items Are Required Unless Marked 'If Applicable')

Applicant	City
<input checked="" type="checkbox"/> Completed application form, including full legal name (first, middle, and last) and address of the applicant, fee owner, and any other persons having a legal interest in the property. <i>PROVIDED AT SKETCH PLAN</i>	_____
<input checked="" type="checkbox"/> Fee as set forth in the current Fee Schedule as adopted by the City Council <i>PAID AT SKETCH PLAN</i>	_____
<input checked="" type="checkbox"/> Proof of Ownership (Copy of Property Tax Statement or Deed) <i>PROVIDED AT SKETCH PLAN</i>	_____
<input checked="" type="checkbox"/> Location map showing the general location within the City <i>PROVIDED AT SKETCH PLAN</i>	_____
<input checked="" type="checkbox"/> List of property owners within 500 feet and mailing labels for same (Available from Washington County Survey & Land Mgmt at 651-430-6875)	_____
<input checked="" type="checkbox"/> A narrative from the applicant as to the rationale behind the proposed layout	_____
<input checked="" type="checkbox"/> Zoning classification of land in and abutting the subdivision <i>PROVIDED AT SKETCH PLAN</i>	_____
<input checked="" type="checkbox"/> Twenty five (25) sets of maps including the following information: (at least one set in 11" x 17" size)	_____
<input checked="" type="checkbox"/> <u>Survey by a registered land surveyor</u> at a standard scale, illustrating: <ul style="list-style-type: none"> • Boundaries, dimensions, and size of original parcels and proposed new lots • Legal description of property (including separate descriptions of all lots) • Dedication of road easements and right-of-way • Drainage easements • Water and wetland delineation • Woodlands • Existing topography at 2 foot intervals (illustrate the locations of slopes between 13 and 18 percent and 18 and greater) • Buildable area (minimum 2.5. contiguous acres) • Driveway access points 	_____
<input checked="" type="checkbox"/> Proposed grading, drainage, and erosion control plans	_____
<input checked="" type="checkbox"/> Soil boring and percolation tests (include letter from Washington County)	_____
<input type="checkbox"/> <i>N/A</i> Copy of proposed private restrictions (if applicable)	_____
<input type="checkbox"/> Park development fees (see fee schedule) <i>AT DEVELOPMENT AGREEMENT</i>	_____
<input type="checkbox"/> <i>N/A</i> Illustration and narrative of the type of open space proposed (Refer to Sec.2375)	_____
<input type="checkbox"/> <i>N/A</i> A letter of acknowledgement by either the Minnesota Land Trust or Belwin to the city stating either organization is willing to accept a conservation easement of the property and the property in the conservation easement complies with Article XII, of Chapter 12, of the Afton City Code.	_____
<input checked="" type="checkbox"/> Completion of the calculation (for PLCD refer to Sec. 12-2376) used to determine the <i>PROVIDED AT SKETCH PLAN</i>	_____

total number of dwelling units permitted in the subdivision

- Resources Inventory (for PLCD see requirements in Sec. 12-2379) _____
WETLANDS, SLOPES, TREES
- Landscaping Plan (for PLCD see requirements in Sec. 12-2378) _____
- Yield Plan (for PLCD see requirements in Sec. 12-2379) _____
- Copy of all HOA documents (for PLCD refer to Sec. 12-2377) _____
- Any and all documents, including but not limited to, agreements and/or easements in relationship to the conservation easement (for the open space), the number of size of lots, utility and road right-of-way easements, and the establishment and maintenance of any proposed storm water, water and sewage treatment areas. _____
- An acknowledgement that marketing materials must include disclosure that the approved CUP-PUD is within an Agricultural zoning district and activities compliant with zoning may be evident on surrounding properties (if applicable) _____
- EAW (if applicable) _____

Note: The City may waive or modify some of these submittal requirements if appropriate to the specific situation. Call Sara Irvine at (651) 436-3674 if you have questions about specific submittal requirements.

MAJOR SUBDIVISION PROCESS
(For Office Use Only)

Project Name: _____

Applicant: _____ Phone Number: _____

Application Fee Paid: _____

Date Received: _____ 15 days to notice of completion _____

120 days from submittal (unless deemed incomplete): _____

Extension: Y/N _____ Final Date For Council Decision: _____

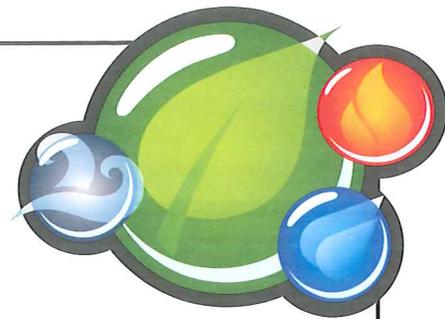
Noticed For Public Hearing: _____

Planning Commission Date: _____ Recommendation (Vote): _____

Planning Commission Date: _____ Recommendation (Vote): _____

City Council Date: _____ Decision (Vote): _____

City Council Date: _____ Decision (Vote): _____



October 31, 2014

City of Afton
Ron Morse
City Administrator
3033 St Croix Trail South
PO Box 219
Afton, MN 55001

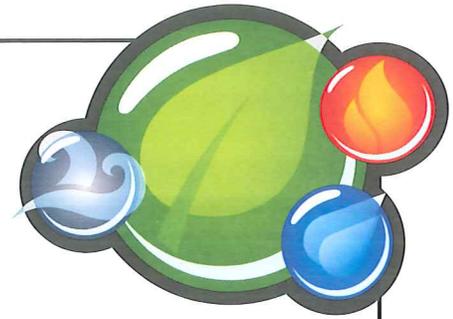
Reference: Trading Post Trail Preserve
Preliminary Plat Application
PID 33.028.20.14.0002 – Outlot A
PID 33.028.20.12.0003 – Homestead Property
PID 33.028.20.11.0003 – Raw Land

Dear Ron,

Enclosed is the preliminary plat application and documentation for Trading Post Trail Preserve. I have added comments relating the staffs planning report by TPC dated September 26, 2014 from the sketch plan review in my narrative. I have underlined those comments to provide clarity as to what is new in the narrative.

The property has been purchased by Lakeview Investment #1, LLC and will be the controlling developing entity. There are three tax parcels involved in the development project noted above which are included in the plan. The three parcels total approximately 47.26 acres. The existing homestead currently sits on approximately three acres with a custom home built in 1967. The parcel borders Trading Post Trail (West edge of parcel), 50th Street (north edge of parcel) and has road access via Osgood Avenue South from the south. The property is a mixture of tree lines and gently rolling farm land. It is a picturesque site that we desire to materially preserve and make it home for a few lucky families.

We are proposing seven new (minimum) five acre residential home sites. The existing homestead will be reconfigured to be in compliance for lot road frontage, lot width, lot depth and square footage. Because there is currently 2,956 linear feet of existing improved roads along the northerly and westerly borders of the property, six of the proposed eight lots do not



require any additional road infrastructure to plat. Proposed lots seven and eight require a very small extension of the cul-de-sac road (Osgood Ave South) to the North to provide egress from the Aftonwood development from the south. The cul-de-sac is in conformance with the maximum length allowed.

The northeastern edge of the property is located in the Conservancy Overlay identified by the City of Afton. The Conservancy Overlay appears to primarily involve the existing homestead with the proposed new lot layout. The rear portion of lot seven is also involved in the Conservancy Overlay. As you can see by the 18% grades noted in the slope exhibit, the Conservancy Overlay and steep slopes seem to coincide with each other. We are not intending on building any new structures on or near the 18% slope or Conservancy Overlay area.

We have determined there are no wetlands present on the property (see attached determination letter). The property drains to the southwesterly area of the property. During our due diligence of the property we learned the Washington County Watershed District has been working with the past property owner to construct a grade control structure and underground outlet on the existing lower area of the property to improve a potential pollution problem due to eroding sediment. As of this letter that work which was contracted by the Washington County Watershed District is completed. We will work closely with the Washington County Watershed District to maintain these constructed improvements and possibly look to improve any down-stream tributary conditions to the St. Croix River as we determine any infiltration requirements we may have. It should be noted, soil borings reveal the site is generally sandy and should infiltrate fairly well.

Overall, the proposed plan is in conformance and consistent with the City of Afton's 2008 comprehensive plan (adopted July 2011) for five acre lots in rural residential zoning. The lots all meet the minimum road frontage, width, depth, square footage, buildable area requirements and sufficient areas exist for septic locations, etc. There is no rezoning or variances anticipated for the development.

The existing immediate adjacent and wider area road infrastructure, with the exception of the small extension of Osgood Ave South, is sufficient to accommodate the development. The five acre rural lots will serve to maintain the rural character of the neighborhood and will not have any undue or adverse impact on the neighboring property owners nor will it be detrimental to the surrounding area in any way.



Our general schedule for is as follows:

Description	Date
Sketch Plan Submission	09-04-2014
Planning Commission	10-06-2014
Preliminary Plat Submission	11-03-2014
Planning Commission	01-05-2015
City Council	01-20-2014
Final Plat Submission	02-02-2015
Planning Commission	03-02-2015
City Council	03-17-2015
Record Final Plat	04-01-2015
Model Home Construction	05-15-2015 (assuming road restrictions)
Construct Cul-De-Sac Start	06-15-2015
Construct Cul-De-Sac End	08-15-2015

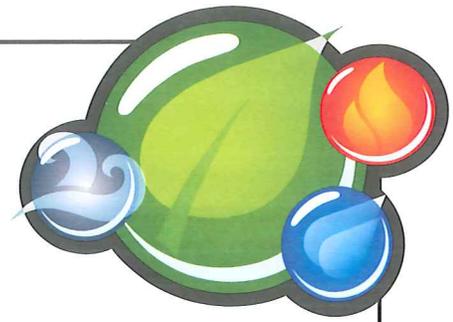
The final name of the development is Trading Post Trail Preserve. We are selecting the word "Preserve" because that is what the City of Afton is all about and that is what this project needs to encompass. The land will be materially preserved with its open rolling hills and trees lines. We look forward to working with staff and decision makers to collectively work together to develop this land in a way that preserves the natural features and the character of the City of Afton.

With respect to the comments in the staff report, we have the following feedback.

2. Two driveways have been relocated on Trading Post Trail to align with existing driveways. There are no driveways to align with on 50th Street, so those driveways remain consistent with the sketch plan.

3. Since the sketch plan submission, the area involving the control structure has been "as-built" by our surveyor and shown on the updated plans. The contiguous buildable area for Lot 1 Block 1 has been recalculated and is verified at 2.82 acres and meets with the minimum requirements for the RR District.

4. Septic locations have been updated and new soil borings obtained for each primary and secondary location. All lots have adequate primary and secondary drain field locations.



5. Enclosed is the grading, drainage and erosion control plans for review by the City Engineer. These same plans have been/will be submitted to the South Washington Watershed District and approval of preliminary plat by the City of Afton subject to South Washington Watershed approval is an acceptable condition to us as the developer. Engineer comments will be incorporated into the final plans prior to final plat submission.

6. Easements are shown on the preliminary plat and shall be adjusted prior to final plat submittal upon review of the City Engineer.

7. We have met with the Park Board and they have determined the development shall pay a cash fee in lieu of land. We have provided our calculations to assist staff with determining the exact park dedication figure to be paid at the time of signing the development agreement.

For reference, my building company is Amaris Custom Homes. Our company is a leading green home builder in the state of Minnesota. We build custom-built, green-homes...*with healthy living built in.* We have a strong commitment to being good stewards of the land and the resources, yet being practical in our approach.

If you have any questions or need me to get you further information to complete the sketch plan application, please do not hesitate to call or email and we will respond as quickly as possible.

Sincerely,

Raymond Pruban
Chief Manager
Lakeview Investment #1, LLC
651-248-3631

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: October 28, 2014

Name: Lakeview Investment#1- LLC

Address: 50th Street South & Trading Post Trail, Afton, MN

SOIL BORING TEST REPORT

Boring #407	Boring #408	Boring #409	Boring #410
0"- 12" Topsoil Fine Sandy Loam 10YR 3/1	0"- 14" Topsoil Fine Sandy Loam 10YR 2/2	0"- 6" Topsoil Fine Sandy Loam 10YR 3/2	0"- 8" Topsoil Fine Sandy Loam 10Yr 3/2
12"- 32" Fine Sandy Loam 10YR 3/2	14"- 32" Fine Sandy Loam 10YR 3/1 3/2	6"- 20" Loam/ Fine Sandy Loam 10YR 4/6 4/4	8"- 20" Fine Sandy Loam 10YR 4/6 4/4
32"- 42" Fine Sandy Loam 10YR 3/4	32"- 54" Loam/ Fine Sandy Loam 10YR 4/6 4/4	20"- 34" Loamy Fine Sand 10YR 4/3 5/3 5/2	20"- 32" Medium Sand & Gravel 10YR 4/4
**Hit Large Rock	54"- 60" Silt Loam 10YR 4/3 4/2		32"- 52" Coarse Sand & Gravel 10YR 5/4
No Mottles @ 42" Dry Hole	Mottles @ 52" Dry Hole	Mottles @ 18" Dry Hole	No Mottles @ 52" Dry Hole



Mark Tradewell
MPCA #307

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: October 28th, 2014

Name: Lakeview Investment #1- LLC

Address: 50th Street South & Trading Post Trail, Afton, MN

SOIL BORING TEST REPORT

Boring #411	Boring #412	Boring #413	Boring #414
0"- 8" Topsoil Fine Sandy Loam 10YR 3/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/2
8"- 22" Loam/ Fine Sandy Loam 10YR 3/4 4/4	12"- 22" Loam/ Sandy Loam 10YR 3/4	12"- 26" Loam/ Fine Sandy Loam 3/4 4/4	12"- 24" Loam/ Fine Sandy Loam 10YR 3/4 4/4
22"- 30" Loamy Sand & Gravel 10YR 3/3	22"- 36" Loamy Sand & Gravel 10YR 4/4	26"- 38" Medium Loamy Sand & Gravel 10YR 4/4 5/4	24"- 42" Medium Loamy Sand 10YR 4/4 5/4
**Hit Large Rock	36"- 54" Medium- Coarse Sand & Gravel 10YR 5/4 4/4	38"- 60" Fine sand 10YR 6/6 7/4 8/4	42"- 54" Coarse Sand & Gravel 10YR 5/4
			54"- 66" Fine Sand 10YR 6/6 7/6 7/4
No Mottles @ 22" Dry Hole	Faint Mottles @ 42" Dry Hole	Mottles @ 38" Dry Hole	Mottles @ 42" Dry Hole



Mark Tradewell
MPCA #307

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: October 28th, 2014

Name: Lakeview Investment#1- LLC

Address: 50th Street South & Trading Post Trail, Afton, MN

SOIL BORING TEST REPORT

Boring #419	Boring #420	Boring #421	Boring #422
0"- 6" Topsoil Loamy Sand 7.5YR 3/2	0"- 12" Topsoil Fine Sandy Loam 7.5YR 3/1	0"- 10" Topsoil Loamy Fine Sand 10YR 3/2	0"- 10" Topsoil Loamy Fine Sand 10YR 3/2
6"- 16" Sandy Loam & Gravel 7.5YR 3/3	12"- 24" Fine Sandy Loam 10YR 3/2	10"- 20" Loamy Fine Sand 10YR 3/3 3/4	10"- 24" Loamy Sand & Gravel 10YR 3/4
16"- 44" Fine Sand 10YR 6/6 6/8	24"- 42" Loam/ Fine Sandy Loam 10YR 3/4 4/4	20"- 32" Medium- Fine Sand & Rock 10YR 4/4	24"- 48" Coarse Sand & Gravel 7.5YR 3/4
	42"- 50" Silt Loam 2.5Y 4/4 5/4	**Hit Large Rock	48"- 70" Coarse Sand 7.5YR 5/6 6/6
Mottles @ 16" Dry Hole	Mottles @ 42" Dry Hole	Mottles @ 26" Dry Hole	Mottles @ 24" Dry Hole



Mark Tradewell
MPCA #307

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: October 28th, 2014

Name: Lakeview Investment #1- LLC

Address: 50th Street South & Trading Post Trail, Afton, MN

SOIL BORING TEST REPORT

Boring #430	Boring #431	Boring #432	Boring #433
0"- 12" Topsoil Fine Sandy Loam 10YR 2/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/2	0"- 12" Topsoil Fine Sandy Loam 10YR 3/2
12"- 20" Fine Sandy Loam 10YR 3/2 3/3	12"- 20" Fine Sandy Loam 10YR 3/2 3/3	12"- 22" Fine Sandy Loam 10YR 3/2 3/3	12"- 20" Loam/ Sandy Loam 10YR 3/4
20"- 36" Loam/ Sandy Loam 10YR 3/4 4/4	20"- 32" Loam/ Sandy Loam 10YR 3/4 4/4	22"- 36" Loam/ Sandy Loam 10YR 3/4 4/4	20"- 64" Medium- Coarse Sand & Gravel 10YR 4/4 5/6
36"- 48" Loamy Sand & Gravel 10YR 4/4 4/3	32"- 64" Loamy Sand & Gravel 7.5YR 3/3 3/4	36"- 58" Loamy Sand & Gravel 10YR 5/4	
Mottles @ 34" Dry Hole	Mottles @ 54" Dry Hole	Mottles @ 48" Dry Hole	Mottles @ 30" Dry Hole



Mark Tradewell
MPCA #307

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: October 28th, 2014

Name: Lakeview Investment #1- LLC

Address: 50th Street South & Trading Post Trail, Afton, MN

SOIL BORING TEST REPORT

Boring #452	Boring #453	Boring #454	Boring #455
0"- 8" Topsoil Fine Sandy Loam 10YR 2/2	0"- 8" Topsoil Fine Sandy Loam 10YR 2/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/2	0"- 10" Topsoil Fine Sandy Loam 10YR 2/2
8"- 20" Fine Sandy Loam 7.5YR 3/2 3/3	8"- 18" Fine Sandy Loam 10YR 3/2	12"- 22" Fine Sandy Loam 7.5YR 3/2 3/3	10"- 32" Loam/ Fine Sandy Loam 10YR 3/3 3/4
20"- 32" Loam/ Fine Sandy Loam 10YR 3/4 4/4	18"- 36" Loam/ Fine Sandy Loam 10YR 3/4 4/4	22"- 42" Loam/ Sandy Loam 10YR 4/6 4/4	32"- 66" Loam/ Fine Sandy Loam 10YR 4/6 4/4
32"- 58" Medium Loamy Sand 10YR 3/4 4/4 4/3	36"- 60" Loamy Sand & Gravel 10YR 3/4 3/6	42"- 70" Medium Sand & Gravel 10YR 3/4 4/4 With Loamy Bands 7.5YR 3/3 3/4	
**Hit Large Rock			
No Mottles @ 58" Dry Hole	Mottles @ 50" Dry Hole	Mottles @ 62" Dry Hole	Mottles @ 60" Dry Hole



Mark Tradewell
MPCA #307

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: October 28th, 2014

Name: Lakeview Investment #1- LLC

Address: 50th Street South & Trading Post Trail, Afton, MN

SOIL BORING TEST REPORT

Boring #456	Boring #457	Boring #458	Boring #459
0"- 12" Topsoil Fine Sandy Loam 10YR 2/2	0"- 8" Topsoil Fine Sandy Loam 10YR 2/2	0"- 8" Topsoil Fine Sandy Loam 10YR 3/3	0"- 8" Topsoil Fine Sandy Loam 10YR 3/2
12"- 30" Loam/ Fine Sandy Loam 10YR 3/4 3/6	8"- 22" Loam/ Fine Sandy Loam 10YR 3/4 3/6	8"- 18" Fine Sandy Loam/ Loam 10YR 4/6 4/4	8"- 24" Fine Sandy Loam/ Loam 10YR 4/6 4/4
30"- 54" Loamy Sand 10YR 4/4 5/4	22"- 34" Loamy Sand 10YR 4/4 5/4	18"- 36" Loamy Fine Sand 10YR 4/4	24"- 42" Fine Sand 10YR 5/6 6/6 7/4
54"- 66" Loamy Fine Sand 10YR 4/4 4/3	34"- 48" Coarse Sand & Gravel 10YR 4/4 5/4	36"- 60" Fine Sand 10YR 8/2 8/3 Coarse Sand 10YR 4/6 5/6	
Faint Mottles @ 58" Dry Hole	Mottles @ 32" Dry Hole	Mottles @ 36" Dry Hole	Mottles @ 24" Dry Hole



Mark Tradewell
MPCA #307

**Tradewell Soil Testing
18330 Dahlia Street NW
Cedar, MN 55011**

Date: October 28th, 2014

Name: Lakeview Investment #1- LLC

Address: 50th Street South & Trading Post Trail, Afton, MN

SOIL BORING TEST REPORT

Boring #475	Boring #476	Boring #477	Boring #478
0"- 8" Topsoil Fine Sandy Loam 10YR 3/2	0"- 12" Topsoil Fine Sandy Loam 10YR 3/2	0"- 10" Topsoil Fine Sandy Loam 10YR 2/2 3/2	0"- 12" Topsoil Fine Sandy Loam 10YR 2/2 3/2
8"- 22" Loam/ Sandy Loam 10YR 3/4	12"- 22" Loam/ Sandy Loam 10YR 3/4	10"- 24" Loam/ Fine Sandy Loam 10YR 3/4	12"- 28" Loam/ Fine Sandy Loam 10YR 3/4
22"- 38" Loamy Sand & Gravel 10YR 4/6 3/6	22"- 38" Fine Sandy Loam 10YR 4/6 4/4	24"- 36" Fine Sandy Loam 10YR 4/6 4/4	28"- 44" Fine Sandy Loam 10YR 4/4
38"- 74" Medium Sand 10YR 4/4 5/4	38"- 50" Medium- Fine Sand & Gravel 10YR 4/4 5/4	36"- 54" Loamy Sand 10YR 4/4 5/3	44"- 52" Silty Loam 10YR 4/3 4/2
	50"- 60" Very Fine Sand 10YR 6/6 6/4		
No Mottles Found Dry Hole	Mottles @ 48" Dry Hole	Mottles @ 36" Dry Hole	Mottles @ 42" Dry Hole



Mark Tradewell
MPCA #307

Soil Map—Washington County, Minnesota
(SOILS MAP)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Washington County, Minnesota
Survey Area Data: Version 9, Sep 16, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 6, 2011—Apr 26, 2012

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Washington County, Minnesota (MN163)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
174C	Gale silt loam, 6 to 15 percent slopes	18.7	13.2%
174F	Gale silt loam, 25 to 50 percent slopes	7.4	5.2%
298	Richwood silt loam, 0 to 2 percent slopes	11.1	7.8%
301B	Lindstrom silt loam, 2 to 4 percent slopes	5.7	4.0%
340B	Whalan silt loam, 1 to 6 percent slopes	8.1	5.7%
340C	Whalan silt loam, 6 to 12 percent slopes	0.6	0.4%
411	Waukegan silt loam, 0 to 2 percent slopes	6.1	4.3%
411B	Waukegan silt loam, 2 to 6 percent slopes	21.7	15.3%
411C	Waukegan silt loam, 6 to 12 percent slopes	0.9	0.6%
449	Crystal Lake silt loam, 1 to 3 percent slopes	7.4	5.2%
460B	Baytown silt loam, 1 to 6 percent slopes	32.8	23.2%
460C	Baytown silt loam, 6 to 12 percent slopes	7.7	5.4%
472D	Channahon silt loam, 12 to 18 percent slopes	13.5	9.6%
Totals for Area of Interest		141.7	100.0%

14-1516 TRADING POST TRAIL PRESERVE

Site Drainage Narrative and Calculations

Date: October 31, 2014

The site address is 14833 50th Street South, Afton, Minnesota. The total site area is 47.27 acres.

This proposed project includes the development of 8 single family home lots. An existing house on one of the proposed lots will remain. All lots are 5.0 acres or larger in size.

Soil boring tests for septic areas indicate loamy sands throughout the site.

Existing Drainage Conditions

The existing site consists of mostly cultivated crop land and some wooded areas. The site drainage flows south to an existing sedimentation basin that was recently constructed by South Washington Watershed District. The basin has an 18" diameter outlet pipe that flows south. 43 acres +/- of offsite area also drains to the basin. The sedimentation basin design is based on 90 acres of cropland and a time of concentration of 10.6 minutes.

Proposed Drainage Conditions

The proposed development will consist of one existing house and driveway, a new cul-de-sac street, and seven additional houses with driveways. The estimated total new impervious = 69,500 sq ft. All of the existing cultivated crop land area will be converted to finished residential lots with grass. This will increase the runoff time of concentration as indicated in the drainage calculations. The proposed grading and drainage plan includes some adjustments to the existing sedimentation basin based on the attached drainage calculations and the as built contours of the existing basin.

NOTE: NOAA Atlas 14 rainfall data is used for this drainage report:

2-year	2.80-in
10-year	4.17-in
100-year	7.33-in

Volume Control

Total new impervious surface is approximately 69500 square feet. The volume requirement for a 1.1 inch rainfall:

$$69500 \text{ sf} \quad \times \quad 1.1 \text{ inch} \quad \times \quad \frac{1 \text{ foot}}{12 \text{ inches}} \quad = \quad \mathbf{6,370 \text{ cf}}$$

The proposed basin will provide 8,000 cu ft below the pipe outlet elevation.

Rate Control

Rate control is provided with the storm water basin and pipe outlet

	2-YEAR (CFS)	10-YEAR (CFS)	100-YEAR (CFS)
EXISTING	38.2	136.76	443.59
PROPOSED	2.56	13.20	118.60

Volume comparison

	2-YEAR (CU FT)	10-YEAR (CU FT)	100-YEAR (CU FT)
EXISTING	125,561	349,385	1,063,281
PROPOSED	81,450	287,539	968,834

Phosphorous load

We have not provided any calculations for phosphorous increase at this time. It is our opinion that the phosphorous export will be less than existing conditions based on the change in runoff surfaces from cultivated row crops to permanent grass areas. The time of concentration will be increased considerably allowing significantly more infiltration to occur and less transport of material to the sedimentation basin and to the outflow from the site.

WALKER MICHAEL & DIEDRICH T A
or Current Resident
1725 ATWATER PATH
INVER GROVE HEIGHTS MN 55077

DELANEY KATHLEEN J
or Current Resident
14906 50TH ST S
AFTON MN 55001

PARKER DOUGLAS S
or Current Resident
4795 TRADING POST TRL S
AFTON MN 55001

RICHTER JOSEPH J & KIMBERLY J
or Current Resident
5325 ODELL AVE S
AFTON MN 55001

MAURER DAWN D
or Current Resident
5264 ST CROIX TRL S
AFTON MN 55001

DENNY JOHN G
or Current Resident
14505 50TH ST S
AFTON MN 55001

TSCHIDA GREGORY M & MARY M
or Current Resident
5252 TRADING POST TRL S
AFTON MN 55001

ROEN PETER E & PAULA R
or Current Resident
5356 TRADING POST TRL S
AFTON MN 55001

LEHMAN RAYMOND F
or Current Resident
5118 TRADING POST TRL S
AFTON MN 55001

MOUDRY DANIEL J & LAURIE J
or Current Resident
4772 TRADING POST TRL S
AFTON MN 55001

COHEN ARMAND & SUSAN M GREEN
or Current Resident
5150 TRADING POST TRL S
AFTON MN 55001

CITY OF AFTON
or Current Resident
3033 ST CROIX TRL S PO BOX 219
AFTON MN 55001-0219

RAPPUCHI DANIEL P
or Current Resident
14877 50TH ST S
AFTON MN 55001

GRABER MICHAEL J & SHARON M
or Current Resident
5124 ST CROIX TRL
AFTON MN 55001

CHEASICK SHARON & ROBERT ERICKSON
or Current Resident
14754 50TH ST S
AFTON MN 55001

LAKEVIEW INVESTMENT #1 LLC
or Current Resident
2593 LAKE AVE
WHITE BEAR LAKE MN 55110

BILLMEYER BRETT D
or Current Resident
5256 ST CROIX TRL S
AFTON MN 55001

HUNT WILLIAM J
or Current Resident
5176 ST CROIX TRL S
AFTON MN 55001

POWERS MATTHEW J & STEINHAGEN & LISA MARIE STEINH
or Current Resident
14865 50TH ST S
AFTON MN 55001

VUJOVICH PETER O
or Current Resident
14888 50TH ST S
AFTON MN 55001

CHEZIK ROBERT J & JILL E
or Current Resident
5311 S OSGOOD AVE
AFTON MN 55001

RETTNER JOHN J & NEVELYN V
or Current Resident
5309 OSGOOD AVE S
AFTON MN 55001

LITTON BRADLEY A & JUDY RATLIFF
or Current Resident
5405 OSGOOD AVE S
AFTON MN 55001

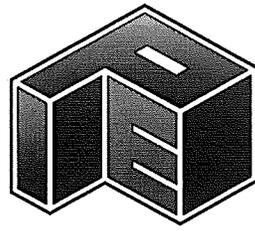
SCHRODER INGRID C
or Current Resident
5337 TRADING POST TRL S
AFTON MN 55001

EHRMAN DANIEL J & CHRISTOPHER & SHELLY EHRMAN
or Current Resident
714 WALDROFF FARM RD
HUDSON WI 54016

SEIBERT HEIDI JO
or Current Resident
1055 AMUNDSON DR
STILLWATER MN 55082-4147

Parcel Search: October 31, 2014 at 12:14 p.m. by SURVPUB
500 feet surrounding 3302820140002. 28 parcels, 26 labels.

2802820430002
2802820430004
2802820440003
2802820440004
2802820440005
2802820440008
2802820440009
3302820110002
3302820110003
3302820110004
3302820110005
3302820110006
3302820120001
3302820120002
3302820120003
3302820120004
3302820130003
3302820130004
3302820130005
3302820130006
3302820130007
3302820140001
3302820140002
3302820140003
3302820140004
3302820140005
3302820210001
3302820240004



PLOWE ENGINEERING, INC.

6776 Lake Drive, Suite 110
Lino Lakes, MN 55014
Office 651-361-8210
Fax 651-361-8701
www.plowe.com

To: Jesse Carlson
WSB Associates, Inc.

From: Charles W. Plowe, P.E.

Date: November 20, 2014

Re: Trading Post Trail Preserve

The following is a follow up response to your project review letter dated November 14, 2014. We have made changes and additions to the plans and documents per your review comments.

Procedural

As noted in you review the contractor must obtain all required permits prior to start of construction. And a maintenance agreement for the pond must be provided.

Erosion Control

- Provide a SWPPP and erosion control plan. *We have prepared a SWPPP. We have added erosion and sediment control notes, rock construction entrances and silt fence to the plans.*
- A concept erosion control plan should be provided for the custom lot grading. *We have included conceptual lot grading for the house pad areas with erosion control fence on the grading plan.*
- The SWPPP shall include estimated quantities; include quantities for temporary and permanent stabilization. *We have included estimated quantities for erosion and sediment control features in the SWPPP.*
- Indicate how the infiltration basin will be protected from compaction and sedimentation during construction. *We have included notes on the plan.*

Storm Sewer System Design

- Provide a rational sheet and storm sewer profiles for the proposed storm sewer. *Pipe sizing calculations have been completed. The depth of the storm sewer is limited at Osgood Ave South therefore the 18 inch diameter pipe size is slightly under the calculated size to meet the flows for the 10 year event. The hydraulic grade line for the 18 inch dia pipe is slightly greater than the design; however the storm water is well contained within the storm sewer system. An apron is proposed on the east side of Osgood Ave for inlet capacity and due to the lack of depth for a 48" diameter catch basin. Profiles have been completed for the proposed storm sewer.*

Pond Design

- Any proposed pond design modifications should be shown on the grading plan. *The grading plan includes the proposed pond contours. We have surveyed the existing sediment basin/pond therefore the existing contours shown on the grading plan in the pond area are as built contours.*
- Provide a detail for the outlet structure configuration of the proposed pond. *A detail of the outlet control structure has been added to the plans.*
- The 100-HWL should be noted on the plans and storage should be provided up to the 100-year HWL prior to spilling over the emergency overflow. *The HWL elevation has been added to the plan. The outlet control*

structure has been modified to contain the 100 year elevation prior to reaching the emergency overflow elevation.

- Soil borings demonstrating the proposed infiltration rates shall be provided. The soil borings shall be provided to a depth of at least 5 feet below the proposed bottom of the system and shall be used to verify the infiltration rates and demonstrate there is at least 3 feet of separation to groundwater and any bedrock. *Soil borings within the proposed infiltration area are not available at this time. Existing soils appear favorable for infiltration based on the soil test performed for septic areas. Soils tests can be done at a later date. If soils are not acceptable for infiltration we will look at providing a NURP design pond for treatment.*
- Pre-treatment shall be provided sufficient to remove at least 15% of the annual TSS loading assuming a NURP size particle distribution. Pretreatment can come in many forms, but two potential options could include a sediment forebay or a water quality manhole. *No storm water runoff from streets near the pond area is proposed therefore no forebays or other pre-treatment BMPs are proposed. The disconnect between any hard surface areas is significant because of large turf areas that runoff must cross prior to entering the pond.*

Volume Control

- The storm water narrative indicates that adequate water quality volume is being provided below the outlet structure. See pond design comments regarding the proposed volume control BMP. *If the infiltration area proves to function as designed the volume requirement is met. In the event the infiltration area does not meet the infiltration rate needed based on soil borings information we will look at a NURP design for water quality.*

Rate Control

- The HydroCAD modeling should be revised to more accurately reflect the existing and proposed runoff conditions. For instance the area to the west of Trading Post Trail S appears to be mostly wooded. The existing time of concentration is too small and the proposed time of concentration is too large. The time of concentrations should be revised to more accurately reflect the existing and proposed runoff conditions. *We have revised the storm water model for both existing and proposed. Also included is a corresponding drainage area map for each existing and proposed. Our model does not concur with the model completed by South Washington Watershed District. Our times of concentration and surface area descriptions more accurately reflect the existing and proposed runoff conditions*

Wetland Protection

- Provide verification and documentation that there is no wetland impacts proposed as a result of this project. *The site has been inspected and no wetland impacts are proposed on site.*



Memorandum

To: *Diane Hankee, WSB & Associates, Inc.*

From: *Jesse Carlson, WSB & Associates, Inc.*

Date: *December 22, 2014*

Re: *Trading Post Trail
WSB Project No. 1856-420*

Revised plans and stormwater calculations were submitted for the subdivision of a property into eight single family home lots in the City of Afton on November 26, 2014. The subject site is 47.27 acres of land with agriculture and an existing single family home. The single family home will remain at the project site.

The following review identifies stormwater items that must be addressed for the subdivision of this property:

Procedural

- Prior to the start of any construction permits may need to be obtained from the following agencies:
 - MPCA Construction General Permit
- Provide a maintenance agreement to ensure that the pond performance will be maintained long term. The agreement at a minimum shall include the following:
 - Annual inspection
 - Maintenance of all erosion control measures including but not limited to: rip rap storm sewer outlets, catch basin inlets, etc.
 - Sediment removal at pretreatment sediment forebays or structures, if applicable.
 - Verify system drawdown within 48 hours for infiltration areas.
 - Removal of trash and debris.
 - Maintenance of vegetation.

Erosion Control

- Inlet protection should be provided at the inlet east of Osgood Avenue.
- For the driveway culvert crossings consider using an 8" MnDOT Filter Log (wood fiber) vs. the silt fence.
- Update the seed mixes on sheet C4 to be consistent with the SWPPP and the MnDOT 2014 specifications.

Storm Sewer System Design

- No further comments remain regarding the storm sewer sizing.

Pond Design

- The response letter indicates soil test will be done at a later date in lieu of providing soil borings. The applicant will be required to demonstrate that the infiltration system is functioning prior to being accepted by the City and any securities released.

Volume Control

- The applicant is required to provide 6,370 cubic feet of storage and is providing 8,053 cubic feet of storage. This requirement has been satisfied.

Rate Control

- The HydroCAD modeling shows that the proposed runoff rates are less than the existing runoff rates. This requirement has been satisfied.

Flood Control

- The project is not proposing any improvements within the 100-Year floodplain.

Freeboard

- It appears that there are no concerns with this freeboard requirement as a part of the submittal. This should be verified during the building permit stage and final grading plans are submitted.

Wetland Protection

- Documentation has been provided indicating there are no concerns regarding wetlands on this property.

EXISTING CONDITIONS

~of~ TRADING POST TRAIL PRESERVE
~for~ LAKEVIEW INVESTMENT #1, LLC

VICINITY MAP

PART OF SEC. 33, TWP. 28, RNG. 20



WASHINGTON COUNTY, MINNESOTA
(NO SCALE)

OWNER/DEVELOPER

LAKEVIEW INVESTMENT #1, LLC
2103 COUNTY ROAD D, SUITE C
MAPLEWOOD, MN 55109
(651) 248-3631

ENGINEER

PLOWE ENGINEERING, INC.
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
(651) 361-8210

PROPERTY DESCRIPTION

(Per Title Commitment File No. 1136185, prepared by Title Resources Guaranty Company, issued by its agent, Edina Realty Title, Inc. dated July 29, 2014. Torrens Property)

That part of the Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) East of the road running North and South; and

The West Half of the Northeast Quarter of the Northeast Quarter (W1/2 of NE1/4 of NE1/4) of Section 33, Township 28 North, Range 20 West, Except the South 435.6 feet of the North 813.4 feet of the East 300 feet thereof, containing 3.0 acres; and a perpetual easement for a roadway 16 feet wide extending a distance of 8 feet on either side of a line described as follows: Commencing at a point on the North line of said Section 33, Township 28 North, Range 20 West, a distance of 963.16 feet West of the Northeast corner of said Section 33, Township 28 North, Range 20 West; thence Southerly on a line parallel to the East line of the West 1/2 of the NE1/4 of the NE1/4 to the property hereinabove conveyed and a distance of 400 feet.

AND

The South 435.6 feet of the North 813.4 feet of the East 300 feet of the West 1/2 of the NE1/4 of the NE1/4 of Section 33, Township 28 North, Range 20 West, containing 3.0 acres; and a perpetual easement for a roadway 16 feet wide extending a distance of 8 feet on either side of a line described as follows:

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AND

Outlot A, AFTONWOOD, Washington County, Minnesota. (Not Part of the Title Commitment)

ZONING:

RURAL RESIDENTIAL AND RURAL
RESIDENTIAL CONSERVANCY OVERLAY

NOTES

- Address of the surveyed premises: 14833 50th Street South, Afton, MN 55001.
- Fee ownership is vested in Lakeview Investments #1, LLC for Parcel Pin No.s' 33.028.20.11.0003, 33.028.20.12.0003 and 33.028.20.14.0002.
- Field survey was completed by E.G. Rud and Sons, Inc. on 08/26/14 and 10/27/14.
- Bearings shown are on the Washington County Coordinate System.
- Curb shots are taken at the top and back of curb.
- This survey was based upon Title Commitment File No. 1136185, prepared by Title Resources Guaranty Company, issued by its agent, Edina Realty Title, Inc. dated July 29, 2014. Outlot A, AFTONWOOD, was not included in the title commitment.
- Contours shown are a compilation of field work and topography from MnGEO lidar distribution.
- There are no wetlands on site, according to Jacobson Environmental, PLLC.
- Proposed house and driveway grades and locations are shown to demonstrate that the lot is buildable. However the grades and location are subject to change.
- For tree locations please see Tree Preservation Plan prepared by EG Rud and Sons, Inc., dated 11-3-14.

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578 UNLESS OTHERWISE SHOWN
- ⊕ DENOTES WASHINGTON COUNTY CAST IRON MONUMENT
- DENOTES EXISTING CONTOURS
- DENOTES TREE LINE
- DENOTES POWER POLE
- ⊙ DENOTES EXISTING SPOT ELEVATION
- ⊕ DENOTES TELEPHONE PEDESTAL
- ⊕ DENOTES ELECTRICAL BOX
- ⊕ DENOTES GUY WIRE
- ⊕ DENOTES SOIL BORING TRADEWELL
- ⊕ DENOTES STORM SEWER APRON
- DENOTES EXISTING STORM SEWER
- DENOTES RETAINING WALL
- DENOTES OVERHEAD WIRE
- DENOTES CONCRETE SURFACE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE

AREA COMPUTATIONS

TOTAL AREA SITE AREA: 47.27± ACRES

BENCHMARK

MNDOT STATION NAME: TT 3 MT USGS
ELEV.=1002.987 (NAVD88)

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD

Date: 11/21/14 License No. 41578

NO.	DATE	DESCRIPTION	BY
1	11/21/14	CITY ENGINEER COMMENTS	BPW
2			
3			

E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

PRELIMINARY PLAT

~of~ TRADING POST TRAIL PRESERVE
~for~ LAKEVIEW INVESTMENT #1, LLC

VICINITY MAP

PART OF SEC. 33, TWP. 28, RNG. 20



WASHINGTON COUNTY, MINNESOTA
(NO SCALE)

OWNER/DEVELOPER

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The West Half of the Northeast Quarter of the Northeast Quarter (W1/2 of NE1/4 of NE1/4) of Section 33, Township 28 North, Range 20 West, Except the South 435.6 feet of the North 813.4 feet of the East 300 feet thereof, containing 3.0 acres; and a perpetual easement for a roadway 16 feet wide extending a distance of 8 feet on either side of a line described as follows: Commencing at a point on the North line of said Section 33, Township 28 North, Range 20 West, a distance of 963.16 feet West of the Northeast corner of said Section 33, Township 28 North, Range 20 West; thence Southerly on a line parallel to the East line of the West 1/2 of the NE1/4 of the NE1/4 to the property hereinabove conveyed and a distance of 400 feet.

AND

The South 435.6 feet of the North 813.4 feet of the East 300 feet of the West 1/2 of the NE1/4 of the NE1/4 of Section 33, Township 28 North, Range 20 West, containing 3.0 acres; and a perpetual easement for a roadway 16 feet wide extending a distance of 8 feet on either side of a line described as follows:

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AND

Outlot A, AFTONWOOD, Washington County, Minnesota. (Not Part of the Title Commitment)

ZONING AND SETBACKS

CURRENT ZONING: RURAL RESIDENTIAL AND RURAL RESIDENTIAL CONSERVANCY OVERLAY

PROPOSED ZONING: RURAL RESIDENTIAL AND RURAL RESIDENTIAL CONSERVANCY OVERLAY

FRONT SETBACK ALL STRUCTURES FROM CENTERLINE

50TH STREET SOUTH (WEST OF CO. HWY. 21) 150 FEET
TRADING POST TRAIL SOUTH 105 FEET
SIDE YARD SETBACK 50 FEET
REAR YARD SETBACK 50 FEET
MAXIMUM BUILDING HEIGHT 35 FEET

DEVELOPMENT REQUIREMENTS FOR ZONE RR (RURAL RESIDENTIAL)

MINIMUM LOT AREA 5 ACRES
MINIMUM STREET FRONTAGE 300 FEET
MINIMUM LOT DEPTH 300 FEET
MAXIMUM LOT DEPTH THREE TIME THE WIDTH OF THE LOT ON ANY LOT OF TEN ACRES OR MORE
MAXIMUM SITE COVERAGE 10% OR 1/2 ACRE WHICHEVER IS GREATER INCLUDES STRUCTURE AND/OR IMPERVIOUS SURFACE
MAXIMUM BUILDABLE SLOPE 18% FOR STRUCTURES EXCEPT SUBSTANDARD STRUCTURES
MAXIMUM SLOPE FOR SEWAGE TREATMENT SYSTEMS AND DRIVEWAYS 12%

E. G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

LEGEND

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- DENOTES IRON MONUMENT SET, MARKED RLS# 41578 UNLESS OTHERWISE SHOWN
- ⊕ DENOTES WASHINGTON COUNTY CAST IRON MONUMENT
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- DENOTES TELEPHONE PEDESTAL
- DENOTES ELECTRICAL BOX
- DENOTES GUY WIRE
- DENOTES SOIL BORING TRADEWELL SOIL TESTING
- DENOTES STORM SEWER APRON
- DENOTES EXISTING STORM SEWER
- DENOTES RETAINING WALL
- DENOTES OVERHEAD WIRE
- DENOTES BUILDING SETBACK LINE
- DENOTES CONCRETE SURFACE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES SLOPE 18% OR GREATER
- DENOTES PROPOSED GRADE
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER WASHINGTON COUNTY TAX INFORMATION)

AREA COMPUTATIONS

TOTAL AREA SITE AREA: 47.27± ACRES
8 PROPOSED RURAL SINGLE FAMILY LOTS
DENSITY: 0.17± UNITS/ACRE

BUILDABLE AREA

(CONTIGUOUS AREA OF LOT LESS SLOPE 13% OR GREATER AND NON-TYPICAL DRAINAGE AND UTILITY EASEMENT)

LOT	ACRES
LOT 1	2.61 ACRES
LOT 2	4.79 ACRES
LOT 3	4.76 ACRES
LOT 4	5.13 ACRES
LOT 5	4.83 ACRES
LOT 6	2.80 ACRES
LOT 7	3.08 ACRES
LOT 8	4.19 ACRES

IMPERVIOUS SURFACE CALCULATIONS

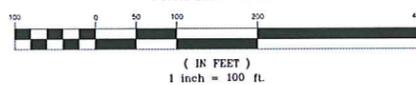
LOT	PROPOSED HOUSE PAD	PROPOSED DRIVEWAY	TOTAL IMPERVIOUS	PERCENT IMPERVIOUS
LOT 1	4,800 S.F.	2,896 S.F.	7,696 S.F.	3.5%
LOT 2	4,800 S.F.	6,705 S.F.	11,505 S.F.	5.3%
LOT 3	4,800 S.F.	7,916 S.F.	12,716 S.F.	5.8%
LOT 4	4,800 S.F.	2,386 S.F.	7,186 S.F.	3.2%
LOT 5	4,800 S.F.	3,080 S.F.	7,880 S.F.	3.6%
LOT 6	3,409 S.F.(EX)	7,701 S.F.(EX)	11,110 S.F.	2.9%
LOT 7	4,800 S.F.	2,492 S.F.	7,292 S.F.	3.1%
LOT 8	4,800 S.F.	2,551 S.F.	7,351 S.F.	3.4%

PROPOSED HOUSE AND DRIVEWAY SIZE AND LOCATION ARE SUBJECT TO CHANGE PENDING FINAL DESIGN.

NOTES

- Address of the surveyed premises: 14833 50th Street South, Afton, MN 55001.
- Fee ownership is vested in Lakeview Investments #1, LLC for Parcel Pin No.s 33.028.20.11.0003, 33.028.20.12.0003 and 33.028.20.14.0002.
- Field survey was completed by E.G. Rud and Sons, Inc. on 08/26/14 and 10/27/14.
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- This survey was based upon Title Commitment File No. 1136185, prepared by Title Resources Guaranty Company, issued by its agent, Edina Realty Title, Inc. dated July 29, 2014. Outlot A, AFTONWOOD, was not included in the title commitment.
- Contours shown are a compilation of field work and topography from MnGeo lidar distribution.
- The total length of the proposed cul-de-sac from the centerline-centerline intersection of Osgood Avenue South and 55th Street South to the center of the proposed cul-de-sac is 1,237 feet.
- There are no wetlands on site, according to Jacobson Environmental, PLLC.
- Proposed house and driveway grades and locations are shown to demonstrate that the lot is buildable. However the grades and location are subject to change.
- For tree locations please see Tree Preservation Plan prepared by EG Rud and Sons, Inc., dated 11-21-14.

GRAPHIC SCALE



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 5 FEET IN WIDTH AND ADJOINING SIDE LOT LINES AND 10 FEET IN WIDTH AND ADJOINING STREET LINES AND REAR LOT LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD
Date: 11/21/14 License No. 41578

BENCHMARK

MNDOT STATION NAME: TT 3 MT USGS
ELEV.=1002.987 (NAVD88)

NO.	DATE	DESCRIPTION	BY
1	11/21/14	CITY ENGINEER COMMENTS	BNP
2			
3			

TREE PRESERVATION PLAN

~of~ TRADING POST TRAIL PRESERVE
~for~ LAKEVIEW INVESTMENT #1, LLC

VICINITY MAP

PART OF SEC. 33, TWP. 28, RNG. 20



WASHINGTON COUNTY, MINNESOTA
(NO SCALE)

PROPERTY DESCRIPTION

(Per Title Commitment File No. 1136185, prepared by Title Resources Guaranty Company, issued by its agent, Edino Realty Title, Inc. dated July 29, 2014, Torrens Property)

That part of the Northwest Quarter of the Northeast Quarter (NW1/4 of NE1/4) East of the road running North and South; and

The West Half of the Northeast Quarter of the Northeast Quarter (W1/2 of NE1/4 of NE1/4) of Section 33, Township 28 North, Range 20 West, Except the South 435.6 feet of the North 813.4 feet of the East 300 feet thereof, containing 3.0 acres; and a perpetual easement for a roadway 16 feet wide extending a distance of 8 feet on either side of a line described as follows: Commencing at a point on the North line of said Section 33, Township 28 North, Range 20 West, a distance of 963.16 feet West of the Northeast corner of said Section 33, Township 28 North, Range 20 West; thence Southerly on a line parallel to the East line of the West 1/2 of the NE1/4 of the NE1/4 to the property hereinabove conveyed and a distance of 400 feet.

AND

The South 435.6 feet of the North 813.4 feet of the East 300 feet of the West 1/2 of the NE1/4 of the NE1/4 of Section 33, Township 28 North, Range 20 West, containing 3.0 acres; and a perpetual easement for a roadway 16 feet wide extending a distance of 8 feet on either side of a line described as follows:

Commencing at a point on the North line of said Section 33, Township 28 North, Range 20 West, a distance of 963.16 feet West of the Northeast corner of said Section 33, Township 28 North, Range 20 West; thence Southerly on a line parallel to the East line of the West 1/2 of the NE1/4 of the NE1/4 to the property hereinabove conveyed and a distance of 400 feet.

AND

Outlot A, AFTONWOOD, Washington County, Minnesota. (Not Part of the Title Commitment)

NOTES

- Address of the surveyed premises: 14833 50th Street South, Afton, MN 55001.
- Field survey was completed by E.G. Rud and Sons, Inc. on 08/26/14 and 10/27/14.
- Contours shown are a compilation of field work and topography from MnGEO lidar distribution.
- There are no wetlands on site, according to Jacobson Environmental, PLLC.

TREE PRESERVATION NOTES

- 6 inch and larger trees were located in the proposed street, storm ponding, house pad and driveway locations.
- The house pad and driveway locations are subject to change. If the locations change, additional 6 inch or larger trees may need to be located.

OWNER/DEVELOPER

LAKEVIEW INVESTMENT #1, LLC
2103 COUNTY ROAD D, SUITE C
MAPLEWOOD, MN 55109
(651) 248-3631

ENGINEER

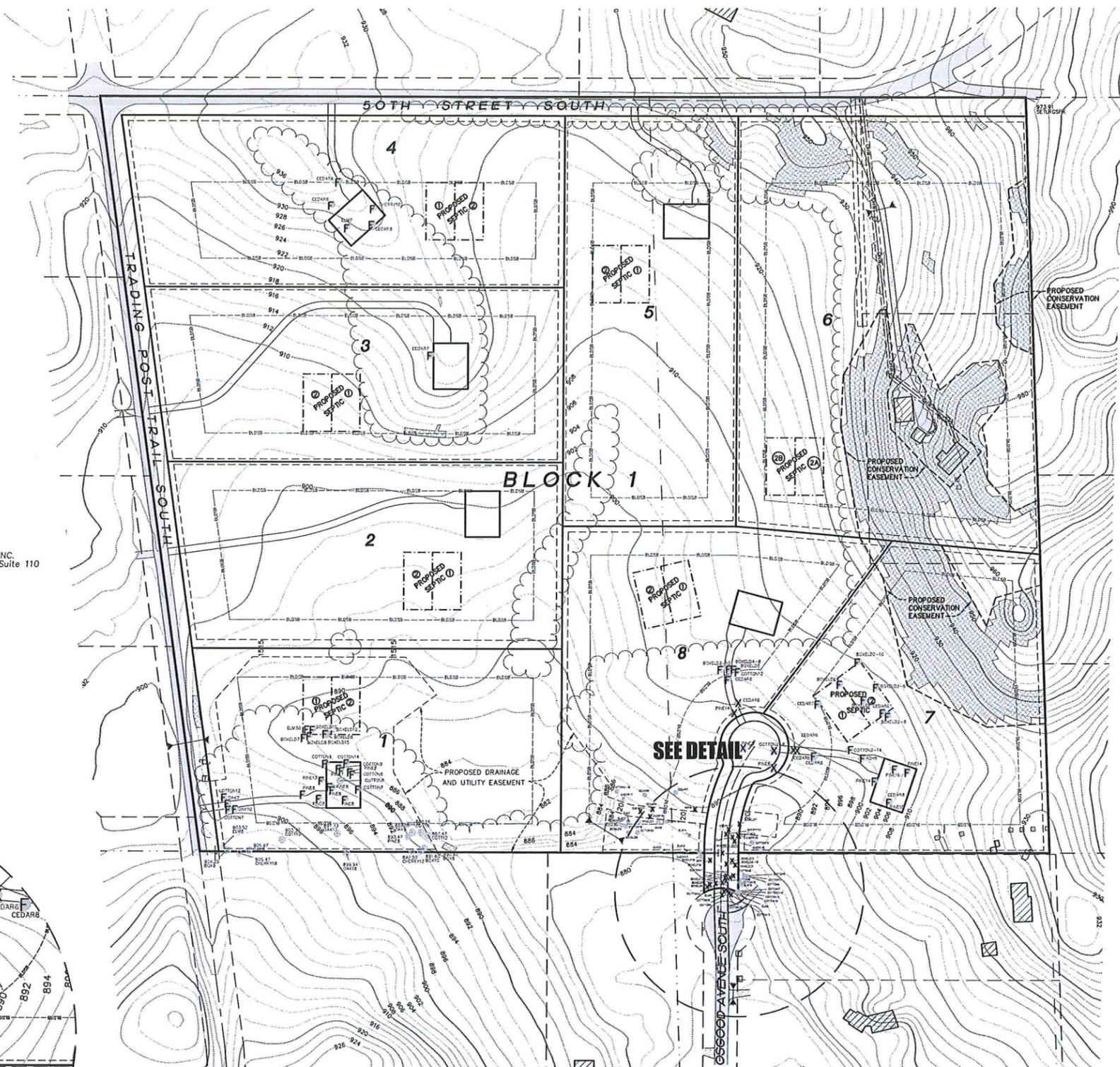
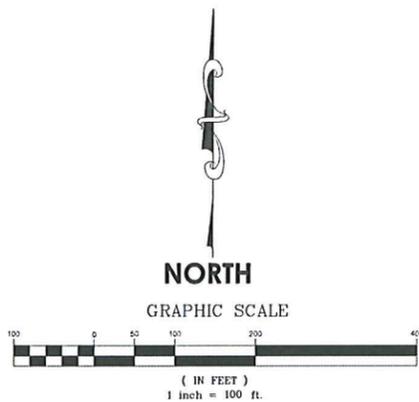
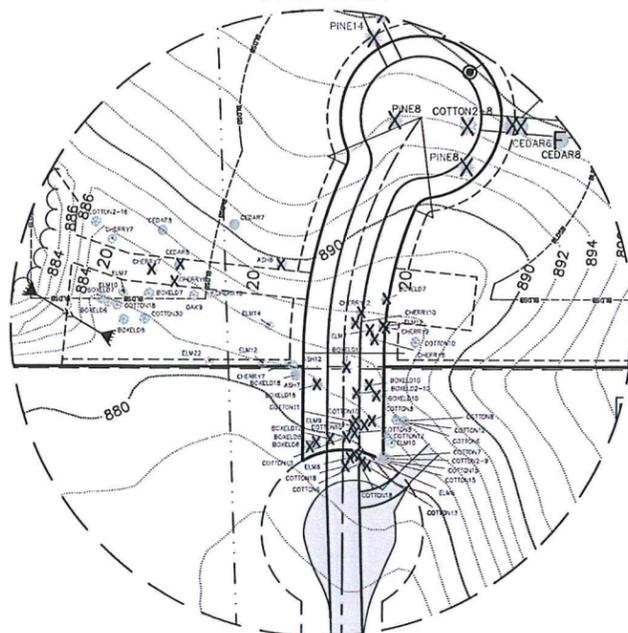
PLOWE ENGINEERING, INC.
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
(651) 361-8210

BENCHMARK

MNDOT STATION NAME: TT 3 MT USGS
ELEV.=1002.987 (NAVD83)

DETAIL

(1 INCH = 60 FEET)



LEGEND

- DENOTES EXISTING CONTOURS
- DENOTES TREE LINE
- DENOTES POWER POLE
- DENOTES EXISTING SPOT ELEVATION
- DENOTES TELEPHONE PEDESTAL
- DENOTES ELECTRICAL BOX
- DENOTES GUY WIRE
- DENOTES SOIL BORING TRADEWELL SOIL TESTING
- DENOTES STORM SEWER APRON
- DENOTES EXISTING STORM SEWER
- DENOTES RETAINING WALL
- DENOTES OVERHEAD WIRE
- DENOTES BUILDING SETBACK LINE
- DENOTES CONCRETE SURFACE
- DENOTES BITUMINOUS SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES SLOPE 18% OR GREATER
- DENOTES TREE 6 INCHES OR LARGER TO BE REMOVED FOR STREET CONSTRUCTION, STORM SEWER OR STORM WATER PONDING
- DENOTES TREE 6 INCHES OR LARGER TO POSSIBLY BE REMOVED IN THE FUTURE FOR HOUSE AND DRIVEWAY LOCATION.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JASON E. RUD
Date: 11/21/14 License No. 41578

DRAWN BY: JEN	JOB NO: 14475PP	DATE: 11/03/14
CHECK BY: JER	SCANNED	
1	11/21/14	CITY ENGINEER COMMENTS
2		
3		
NO.	DATE	DESCRIPTION
		BY

E. G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

AERIAL OVERLAY

~of~ TRADING POST TRAIL PRESERVE
~for~ LAKEVIEW INVESTMENT #1, LLC

VICINITY MAP

PART OF SEC. 33, TWP. 28, RNG. 20

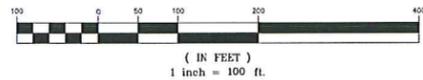


WASHINGTON COUNTY, MINNESOTA
(NO SCALE)



NORTH

GRAPHIC SCALE



OWNER/DEVELOPER

LAKEVIEW INVESTMENT #1, LLC
2103 COUNTY ROAD D, SUITE C
MAPLEWOOD, MN 55109
(651) 248-3631

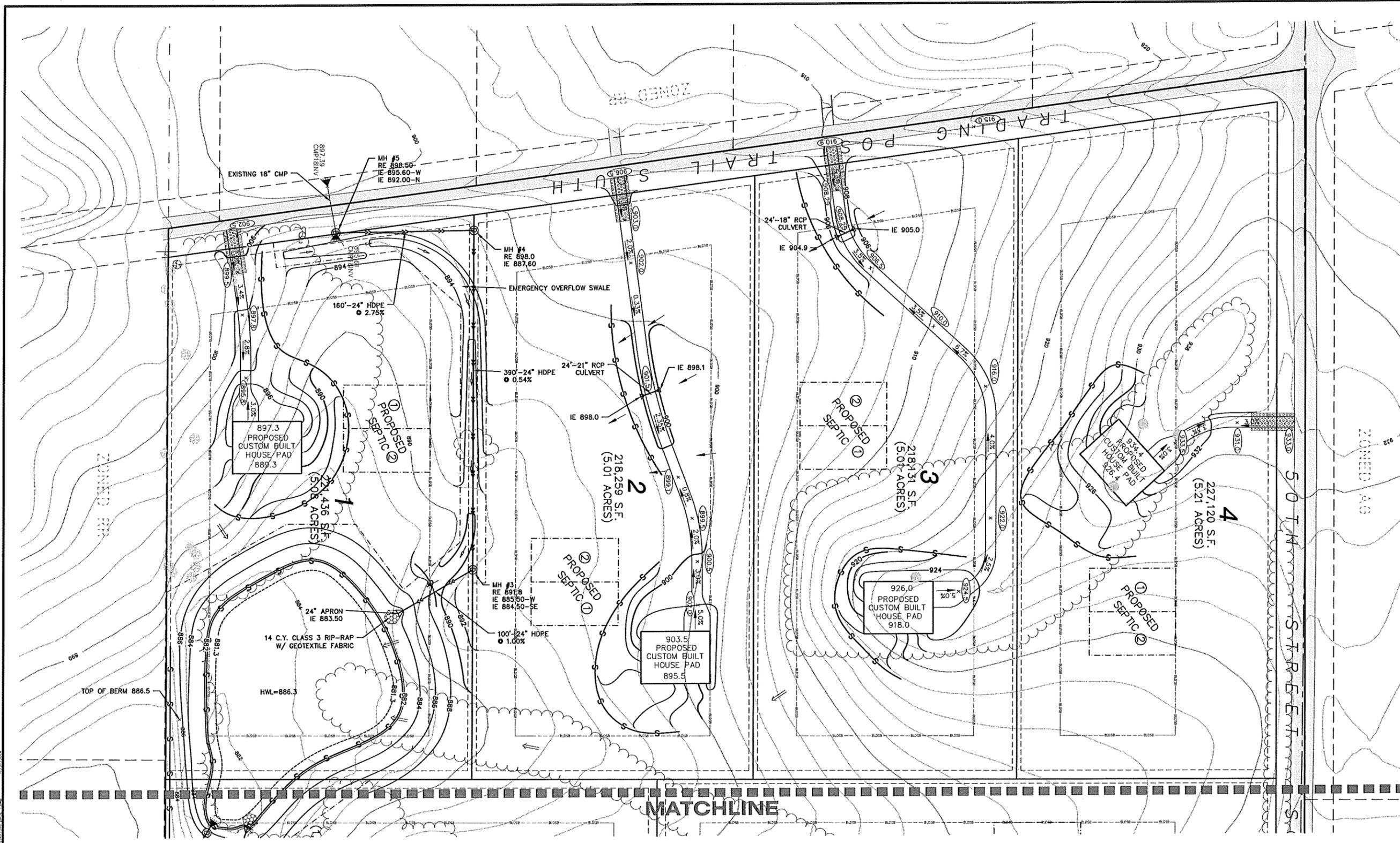
ENGINEER

PLOWE ENGINEERING, INC.
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
(651) 361-8210

DRAWN BY: JEN	JOB NO: 14475PP	DATE: 11/03/14
CHECK BY: JER	SCANNED <input type="checkbox"/>	
1	11/21/14	CITY ENGINEER COMMENTS
2		
3		
NO.	DATE	DESCRIPTION
BY		

E.G. RUD & SONS, INC.
EST. 1977 Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701





NOTE: HOUSE PAD GRADING CONCEPTUAL ONLY. FINAL GRADING TO BE DETERMINED WITH ACTUAL HOUSE PLAN AND LOCATION.

- S — PROPOSED SILT FENCE
- ▨ PROPOSED ROCK CONSTRUCTION ENTRANCE* *TO BE INSTALLED PRIOR TO START OF HOUSE PAD GRADING

811
Know what's below.
Call before you dig.

**GRADING, DRAINAGE, & EROSION CONTROL PLAN
TRADING POST TRAIL PRESERVE**

DRAWN BY:	C.M.	DESIGN BY:	C.W.P.
CHECKED BY:	C.W.P.	PROJ. NO.:	14-1516
ORIGINAL DATE:		NOVEMBER 3, 2014	

DATE	REVISION DESCRIPTION
11.20.2014	CITY COMMENTS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
Charles W. Plowe
DATE: 11.20.2014 LIC. NO. 6227

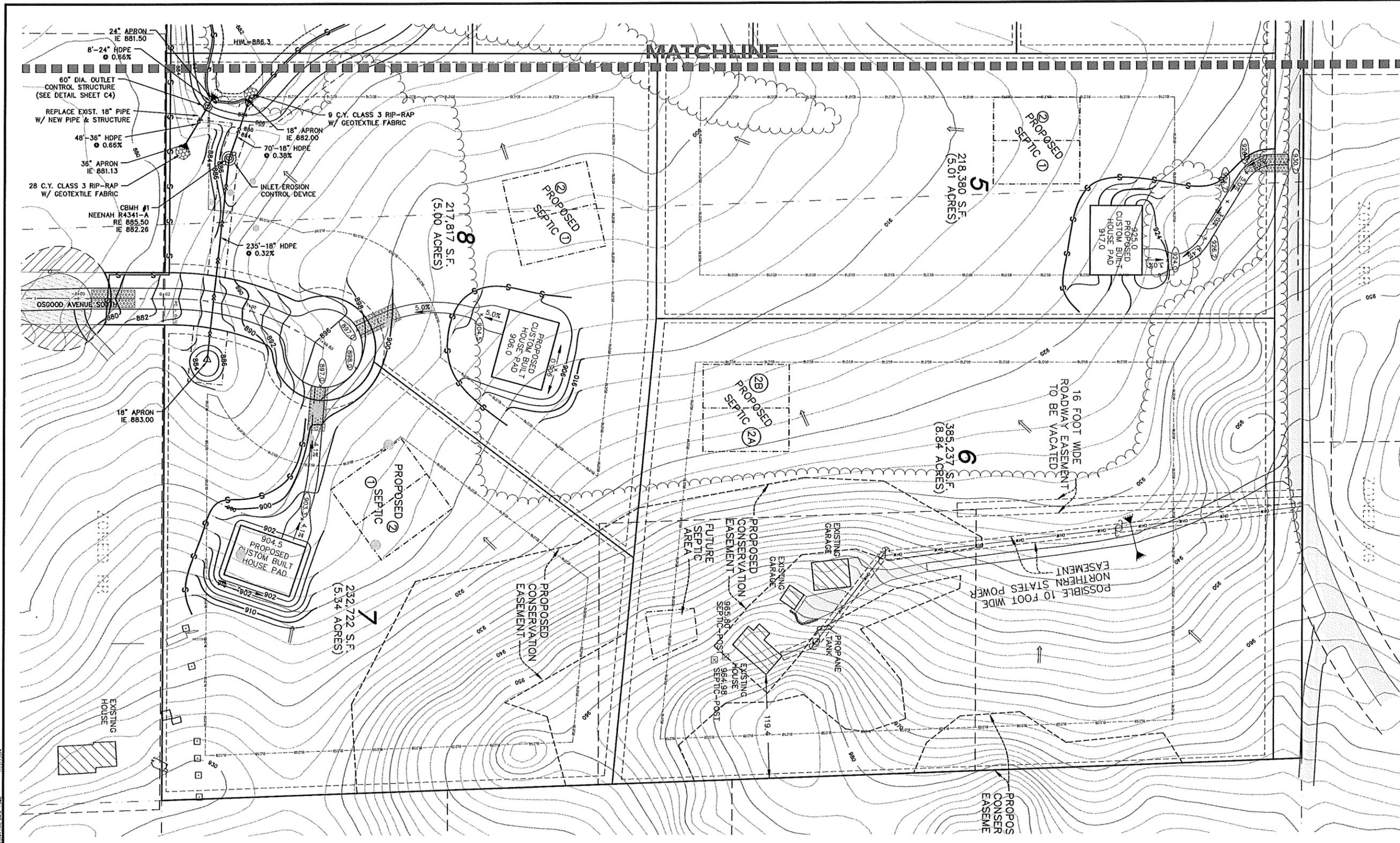
TRADING POST TRAIL PRESERVE
AFTON, MINNESOTA
GRADING, DRAINAGE & EROSION CONTROL PLAN

PREPARED FOR:
LAKEVIEW INVESTMENT

Plowe Engineering, Inc.
SITE PLANNING & ENGINEERING
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

NORTH
0 25 50
1 INCH = 50 FEET

C2.1



NOTE: HOUSE PAD GRADING CONCEPTUAL ONLY. FINAL GRADING TO BE DETERMINED WITH ACTUAL HOUSE PLAN AND LOCATION.

—○— PROPOSED SILT FENCE

▨ PROPOSED ROCK CONSTRUCTION ENTRANCE* TO BE INSTALLED PRIOR TO START OF HOUSE PAD GRADING

**GRADING, DRAINAGE, & EROSION CONTROL PLAN
TRADING POST TRAIL PRESERVE**

DRAWN BY: C.M.
 CHKD BY: C.W.P.
 ORIGINAL DATE: NOVEMBER 3, 2014

DATE	REVISION DESCRIPTION
11.20.2014	CITY COMMENTS

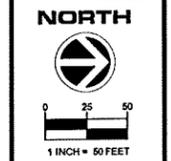
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

PLANNING
 CHARLES W. FLOWE, P.E.
 LIC. NO. 16277
 DATE: 11.20.2014

TRADING POST TRAIL PRESERVE
 AFTON, MINNESOTA
 GRADING, DRAINAGE & EROSION CONTROL PLAN

PREPARED FOR:
LAKEVIEW INVESTMENT

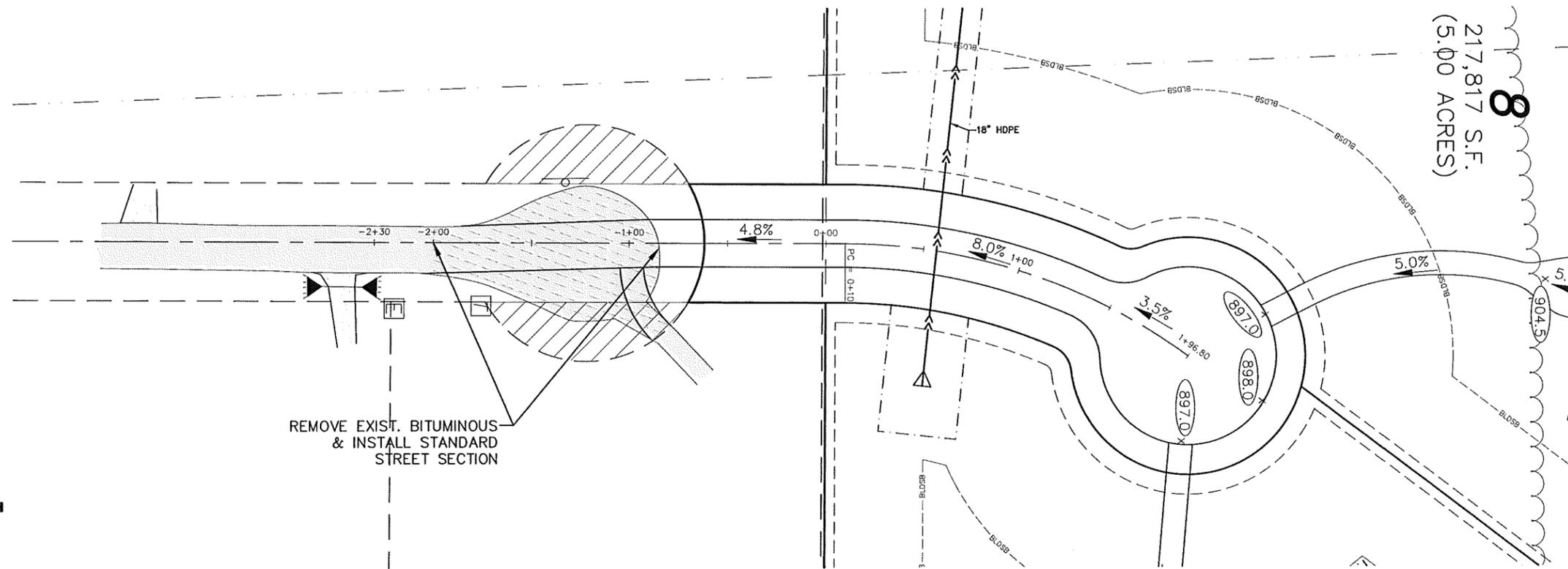
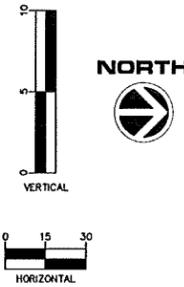
PLOWE ENGINEERING, INC.
 SITE PLANNING & ENGINEERING
 6778 LAKE DRIVE
 SUITE 110
 LINDO LAKES, MN 55014
 PHONE: (651) 361-8210
 FAX: (651) 361-8701



C2.2



Know what's below.
Call before you dig.



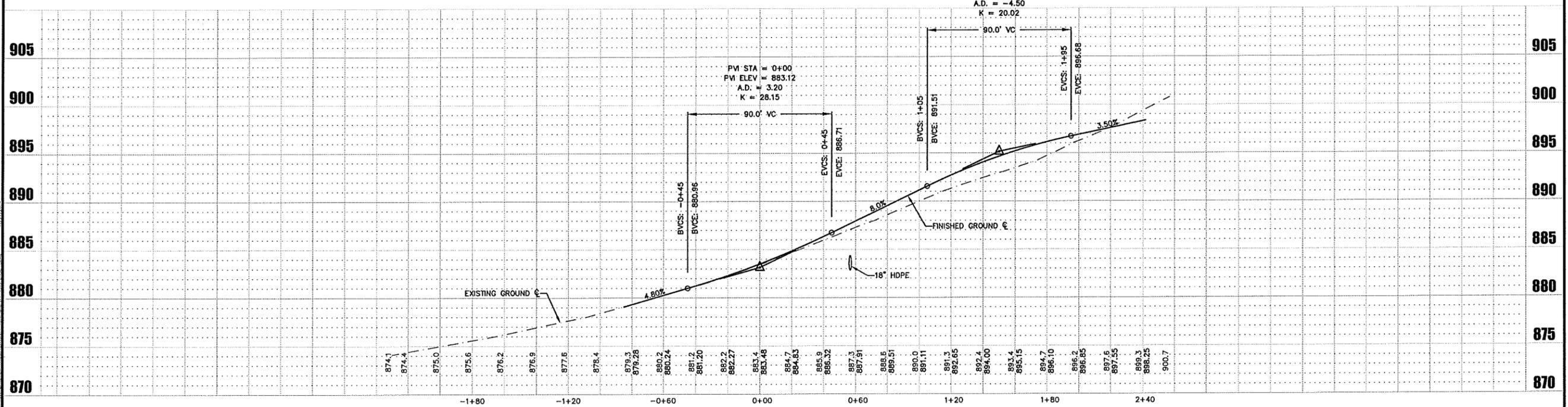
REMOVE EXIST. BITUMINOUS
& INSTALL STANDARD
STREET SECTION

217,817 S.F.
(5.00 ACRES)

OSGOOD AVENUE SOUTH

PM STA = 1+50
PVI ELEV = 895.10
A.D. = -4.50
K = 20.02

PVI STA = 0+00
PVI ELEV = 883.12
A.D. = 3.20
K = 28.15



PLAN & PROFILE - OSGOOD AVENUE SOUTH
TRADING POST TRAIL PRESERVE

DRAWN BY:	DESIGN BY:
C.M.	C.W.P.
CHKD BY:	PROJ. NO.
C.W.P.	14-1516
ORIGINAL DATE:	
NOVEMBER 3, 2014	

DATE	REVISION DESCRIPTION
11.20.2014	CITY COMMENTS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Charles W. Plowe
CHARLES W. PLOWE
LIC. NO. 16227
DATE: 11.20.2014

TRADING POST TRAIL
PRESERVE
AFTON, MINNESOTA
PLAN & PROFILE
OSGOOD AVENUE SOUTH

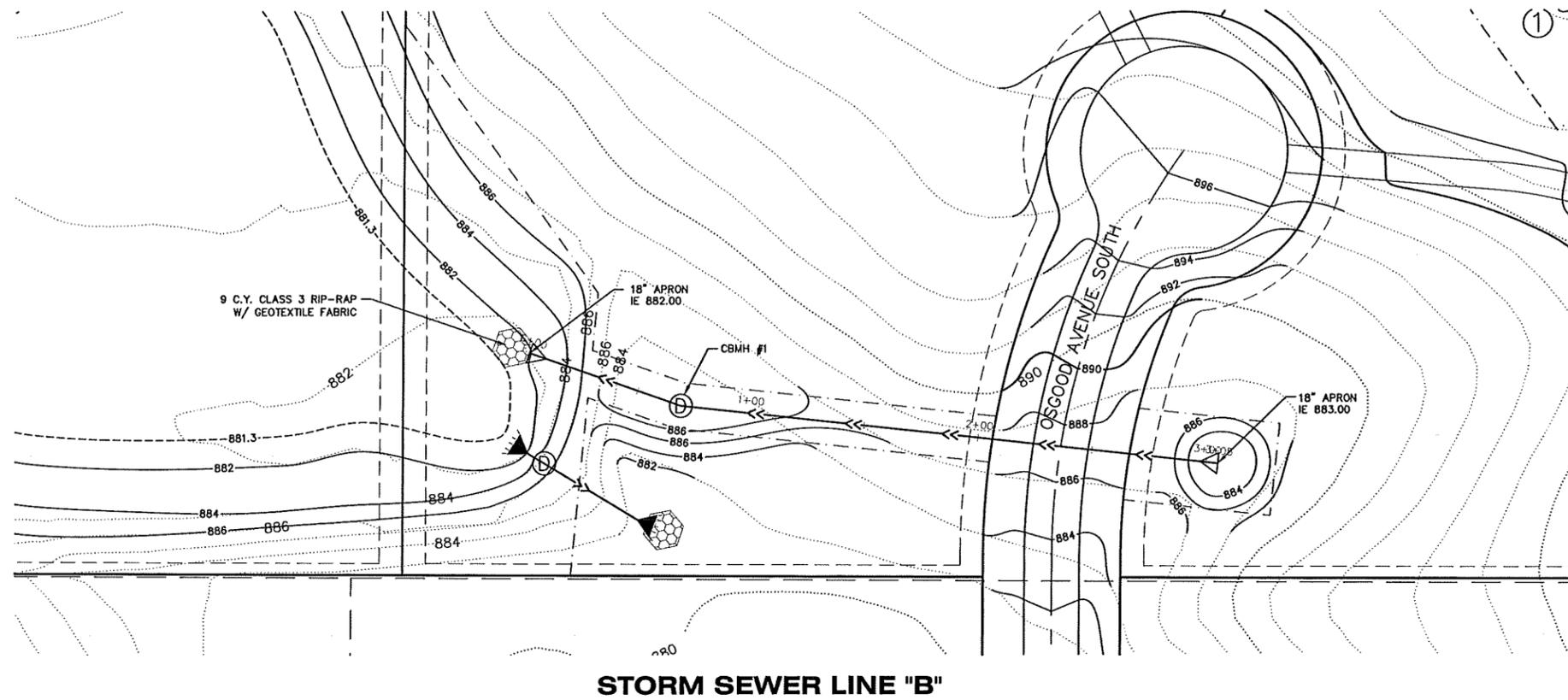
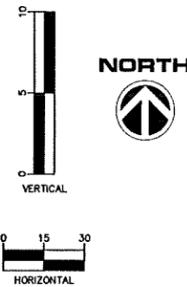
PREPARED FOR:
LAKEVIEW
INVESTMENT

SITE PLANNING
& ENGINEERING
PLOWE
ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

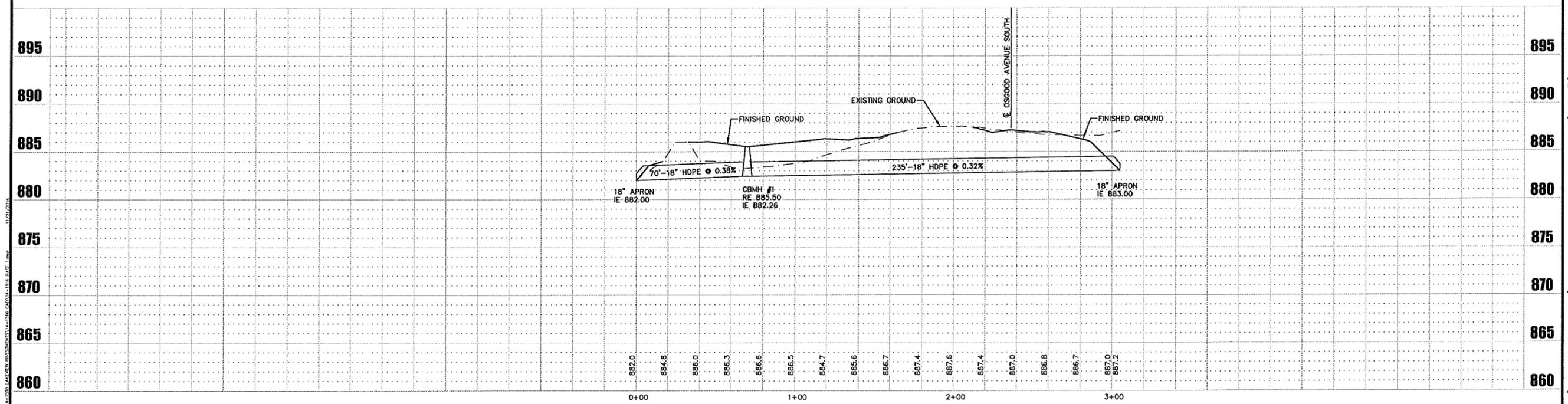
C3.1



Know what's below.
Call before you dig.



STORM SEWER LINE "B"



PLAN & PROFILE - STORM SEWER LINE "B"
TRADING POST TRAIL PRESERVE

DRAWN BY:	DESIGN BY:
C.M.	C.W.P.
CHKD BY:	PROJ. NO.
C.W.P.	14-1516
ORIGINAL DATE:	
NOVEMBER 20, 2014	

DATE	REVISION DESCRIPTION

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

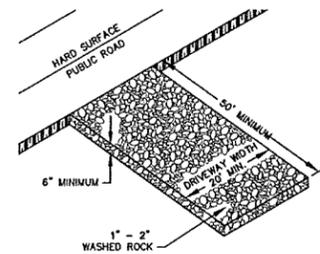
Charles W. Plowe
L.I.C. NO. 6327
DATE: 11.20.2014

TRADING POST TRAIL PRESERVE
AFTON, MINNESOTA
PLAN & PROFILE
STORM SEWER LINE "B"

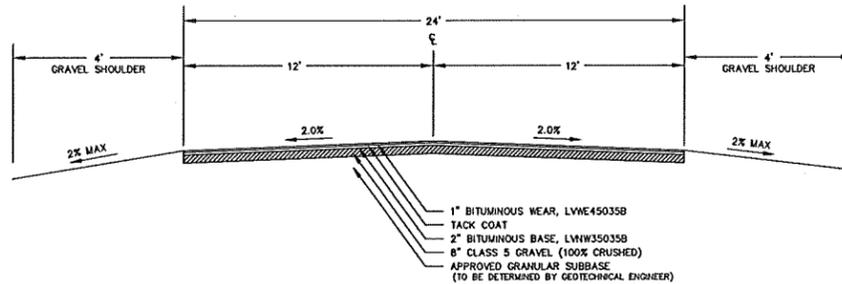
PREPARED FOR:
LAKEVIEW INVESTMENT

Plowe Engineering, Inc.
SITE PLANNING & ENGINEERING
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

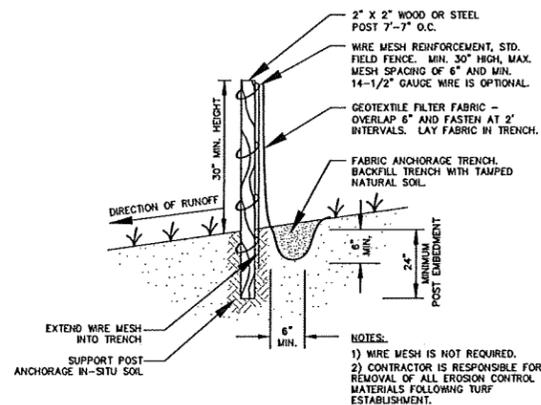
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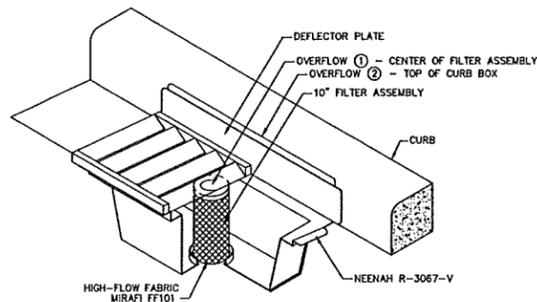
ROCK CONSTRUCTION ENTRANCE
NOT TO SCALE



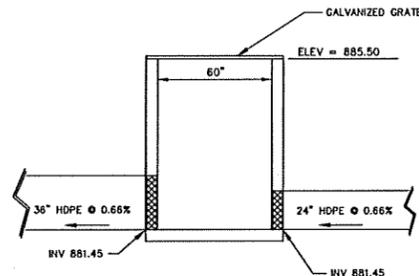
STANDARD STREET SECTION
NOT TO SCALE



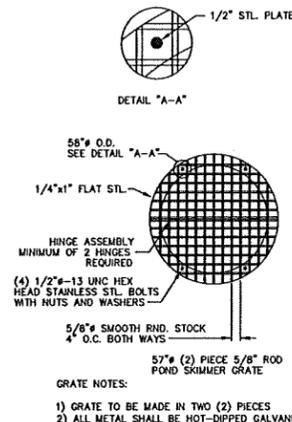
EROSION CONTROL FENCE
NOT TO SCALE



WIMCO INLET PROTECTION
NOT TO SCALE



OUTLET CONTROL STRUCTURE
NOT TO SCALE



GALVANIZED GRATE
NOT TO SCALE

GRADING, DRAINAGE & EROSION CONTROL NOTES

PRIOR TO ANY GRADING OPERATIONS, THE CONTRACTOR SHALL PROVIDE WIMCO INLET PROTECTION (OR OTHER APPROVED EQUAL) FOR ALL STORM SEWER INLETS THAT WILL RECEIVE RUN-OFF FROM CONSTRUCTION ACTIVITIES.

CONTRACTOR TO PROVIDE TOPSOIL STOCKPILES AT LOCATION DESIGNATED BY OWNER. PLACE STOCKPILES AS FAR FROM DRAINAGE WAYS AS POSSIBLE. PROVIDE SILT FENCE AT DOWNSTREAM SIDE OF STOCKPILE LOCATIONS. IF STOCKPILE IS TO BE IN-PLACE LONGER THAN 14 DAYS, PROVIDE SEED AND MULCH.

THE CONTRACTOR SHALL PROVIDE ALL SOD, SEED, MULCH AND FERTILIZER WHICH SHALL CONFORM WITH THE FOLLOWING MNDOT SPECIFICATIONS AS MODIFIED BELOW.

ITEM	MNDOT SPECIFICATION/NOTES
SOD	3878
SEED **	3876
FOR TURF ESTABLISHMENT *	MNDOT MIXTURE 260 (100 LBS/ACRE) - OR - MNDOT MIXTURE 270 (120 LBS/ACRE)
TEMPORARY FALL COVER	MNDOT MIXTURE 100B (100 LBS/ACRE)
SPRING/SUMMER	MNDOT MIXTURE 110 (AT 100 LBS/ACRE)
1-2 YEARS COVER	MNDOT MIXTURE 150 (AT 40 LBS/ACRE)
2-5 YEARS COVER	MNDOT MIXTURE 190 (AT 60 LBS/ACRE)
MULCH	3882 (TYPE 1 - DISC ANCHORED)
FERTILIZER	3881
WOOD FIBER BLANKET	3885 (CATEGORY 2)

* MOW A MINIMUM OF ONCE PER 2 WEEKS
** SEEDED AREAS SHALL BE EITHER MULCHED OR COVERED BY FIBROUS BLANKETS TO PROTECT SEEDS AND LIMIT EROSION.

ALL EROSION AND SEDIMENT CONTROL MEASURES SHOWN ON THE PLANS OR IMPLEMENTED IN THE FIELD SHALL BE IN ACCORDANCE WITH THE CITY AND NPDES PHASE II PERMIT REQUIREMENTS, AND THE MPCAs "PROTECTING WATER QUALITY IN URBAN AREAS BEST MANAGEMENT PRACTICES FOR MINNESOTA."

THE CONTRACTOR SHALL PROVIDE DESIGNATED CONCRETE TRUCK WASHOUT AREA WITH APPROPRIATE SIGNAGE. WASHOUT AREA IS TO BE A MINIMUM OF 50' FROM STORM DRAINS, DITCHES, PONDS, OR OTHER STORMWATER FEATURES. ALL LIQUID AND SOLID WASTE GENERATED BY CONCRETE WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK-PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER (E.G. COMPACTED CLAY LINER, IMPERMEABLE GEO-MEMBRANE). AFTER WASTE CONCRETE IS SET, BREAK-UP AND DISPOSE OF PROPERLY.

THE CONTRACTOR SHALL MAINTAIN SILT FENCE, INCLUDING THE REMOVAL OF ACCUMULATED SEDIMENT, THROUGH COMPLETION OF BUILDING CONSTRUCTION. SILT FENCE TO BE REMOVED ONLY AFTER COMPLETION OF BUILDING CONSTRUCTION AND UPON ESTABLISHMENT OF VEGETATION.

THE CONTRACTOR SHALL PAY SPECIAL ATTENTION TO ALL ADJACENT PROPERTY LINES AND MAKE SURE THE EROSION CONTROL PRACTICES IN-PLACE IN THOSE AREAS PREVENT MIGRATION OF SEDIMENT ONTO ADJACENT PROPERTIES.

THE CONTRACTOR SHALL PROVIDE WOOD FIBER BLANKET FOR ALL AREAS OF CONCENTRATED FLOW AND FOR ALL SLOPES 3:1 OR GREATER.

IF ANY SLOPES APPEAR TO BE FAILING, THE CONTRACTOR SHALL PROVIDE ADDITIONAL SILT FENCE, BIOROLLS AND EROSION CONTROL BLANKET AS NEEDED.

THE CONTRACTOR SHALL FINAL GRADE SWALE AREAS UPON STABILIZATION OF UPSTREAM AREAS.

THE CONTRACTOR SHALL SOD ALL DISTURBED DRAINAGE AREAS, INCLUDING SWALES, OVERFLOWS, AROUND STORM SEWER FLARED-END SECTIONS, AND OFF-STREET CATCH BASINS.

UPON GRADING COMPLETION THE CONTRACTOR SHALL PROVIDE NATIVE TOPSOIL, SEED, AND MULCH ANCHORED WITH A STRAIGHT SET DISC WITHIN 48 HOURS OF FINAL GRADING.

EXCESS SOIL SHOULD BE TREATED LIKE OTHER EXPOSED SOIL AND STABILIZED WITHIN 72 HOURS. ANY SOIL STOCKPILES ARE TO HAVE SILT FENCE PLACED ON DOWNSTREAM SIDES AND SHALL NOT BE PLACED IN SURFACE WATERS.

ADJACENT STREETS SHALL BE KEPT CLEAN OF CONSTRUCTION MATERIALS, DIRT, AND OTHER UNDESIRABLE MATERIALS. WHEN MATERIALS OR DEBRIS HAVE WASHED/FLOWED ONTO ADJACENT STREETS, IT IS THE CONTRACTOR'S RESPONSIBILITY TO SWEEP/SCRAPE STREETS AS NECESSARY OR AS DIRECTED BY THE CITY.

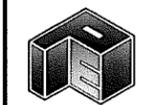
DRAWN BY: C.M.
DESIGN BY: C.W.P.
CHKD BY: C.W.P.
PROJ. NO. 14-1516
ORIGINAL DATE: NOVEMBER 3, 2014

DATE	REVISION DESCRIPTION
11.20.2014	CITY COMMENTS

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
Charles W. Plowe
LIC. NO. 4327
DATE: 11.20.2014

TRADING POST TRAIL
PRESERVE
AFTON, MINNESOTA
DETAILS & NOTES

PREPARED FOR:
LAKEVIEW
INVESTMENT



SITE PLANNING & ENGINEERING
Plowe
ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701



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DETAILS & NOTES
TRADING POST TRAIL PRESERVE

C4

TRADING POST TRAIL PRESERVE

STORM WATER POLLUTION PREVENTION PLAN

AFTON, MINNESOTA

PART II.C. - TERMINATION OF COVERAGE

1. TERMINATION OF COVERAGE WHEN CONSTRUCTION IS COMPLETE: ALL PERMITEE(S) MUST SUBMIT A NOTICE OF TERMINATION (NOT TO BE MPCA ON A FORM PROVIDED BY THE COMMISSIONER WITHIN 30 DAYS AFTER ALL ACTIVITIES REQUIRED FOR FINAL STABILIZATION (SEE PART IV.G.) ARE COMPLETE. THE PERMITEE(S) COVERAGE UNDER THIS PERMIT TERMINATES AT MIDNIGHT ON THE SUBMISSION DATE OF THE NOT.

2. TERMINATION OF COVERAGE WHEN TRANSFER OF OWNERSHIP OCCURS: ALL PERMITEE(S) MUST SUBMIT A NOT ON A FORM PROVIDED BY THE COMMISSIONER WITHIN 30 DAYS AFTER SELLING OR OTHERWISE LEGALLY TRANSFERRING THE ENTIRE SITE, INCLUDING PERMIT RESPONSIBILITY FOR ROADS (E.G. STREET OPENING) AND STORMWATER INFRASTRUCTURE, FINAL CLEAN OUT, OR TRANSFERRING PORTIONS OF A SITE TO ANOTHER PARTY. THE PERMITEE(S) COVERAGE UNDER THIS PERMIT TERMINATES AT MIDNIGHT ON THE SUBMISSION DATE OF THE NOT.

3. PERMITEE(S) MAY TERMINATE PERMIT COVERAGE PRIOR TO COMPLETION OF ALL CONSTRUCTION ACTIVITY IF ALL OF THE FOLLOWING CONDITIONS ARE MET: AFTER THE PERMIT IS TERMINATED UNDER THIS PART, IF THERE IS ANY SUBSEQUENT DEVELOPMENT ON THE REMAINING PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITY WAS NOT COMPLETE, NEW PERMIT COVERAGE MUST BE OBTAINED IF THE SUBSEQUENT DEVELOPMENT ITSELF OR AS PART OF THE REMAINING COMMON PLAN OF DEVELOPMENT OR SALE WILL RESULT IN LAND DISTURBING ACTIVITIES OF ONE (1) OR MORE ACRES IN SIZE.

A. CONSTRUCTION ACTIVITY HAS CEASED FOR AT LEAST 90 DAYS.
B. AT LEAST 90 PERCENT (BY AREA) OF ALL ORIGINALLY PROPOSED CONSTRUCTION ACTIVITY HAS BEEN COMPLETED AND PERMANENT COVER ESTABLISHED ON THOSE AREAS.
C. ON AREAS WHERE CONSTRUCTION ACTIVITY IS NOT COMPLETE, PERMANENT COVER HAS BEEN ESTABLISHED.

D. THE SITE IS IN COMPLIANCE WITH PART IV.G.2. AND PART IV.G.3. AND WHERE APPLICABLE, PART IV.G.4. OR PART IV.G.5.

4. PERMITEE(S) MAY TERMINATE COVERAGE UPON APPROVAL BY THE MPCA IF INFORMATION IS SUBMITTED TO THE MPCA DOCUMENTING THAT TERMINATION IS APPROPRIATE BECAUSE THE PROJECT IS CANCELED.

PART III.A. - TRAINING DOCUMENTATION

TRAINING DOCUMENTATION: THE PERMITEE(S) SHALL ENSURE THE INDIVIDUALS IDENTIFIED IN PART III.F. HAVE BEEN TRAINED IN ACCORDANCE WITH THIS PERMIT'S TRAINING REQUIREMENTS. THE PERMITEE(S) SHALL ENSURE THE TRAINING IS RECORDED IN OR WITH THE SWPPP BEFORE THE START OF CONSTRUCTION OR AS SOON AS POSSIBLE FOR THE PROJECT HAVE BEEN DETERMINED. DOCUMENTATION SHALL INCLUDE:

A. NAMES OF THE PERSONNEL ASSOCIATED WITH THIS PROJECT THAT ARE REQUIRED TO BE TRAINED PER PART III.F.1. OF THIS PERMIT.
B. DATES OF TRAINING AND NAME OF INSTRUCTOR(S) AND ENTITY PROVIDING TRAINING.
C. CONTENT OF TRAINING COURSE OR WORKSHOP INCLUDING THE NUMBER OF HOURS OF TRAINING.

PART III.B. - SWPPP AMENDMENTS

THE PERMITEE(S) MUST AMEND THE SWPPP AS NECESSARY TO INCLUDE ADDITIONAL REQUIREMENTS, SUCH AS ADDITIONAL OR MODIFIED BUMPS THAT ARE DESIGNED TO CORRECT PROBLEMS IDENTIFIED OR ADDRESS SITUATIONS WHENEVER:

1. THERE IS A CHANGE IN DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, WEATHER OR SEASONAL CONDITIONS THAT HAS A SIGNIFICANT EFFECT ON THE DISCHARGE OF POLLUTANTS TO SURFACE WATERS OR UNDERGROUND WATERS.

2. INSPECTIONS OR INVESTIGATIONS BY SITE OWNER OR OPERATORS, USEPA OR MPCA OFFICIALS INDICATE THE SWPPP IS NOT EFFECTIVE IN ELIMINATING OR SIGNIFICANTLY MINIMIZING THE DISCHARGE OF POLLUTANTS TO SURFACE WATERS OR UNDERGROUND WATERS OR THAT THE DISCHARGES ARE CAUSING WATER QUALITY STANDARD EXCEEDANCES (E.G., NUISANCE CONDITIONS AS DEFINED IN MINN. R. 7050.0210, SUBP. 2).

3. THE SWPPP IS NOT ACHIEVING THE GENERAL OBJECTIVES OF MINIMIZING POLLUTANTS IN STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY, OR THE SWPPP IS NOT CONSISTENT WITH THE TERMS AND CONDITIONS OF THIS PERMIT.

4. AT ANY TIME AFTER PERMIT COVERAGE IS EFFECTIVE, THE MPCA MAY DETERMINE THAT THE PROJECT'S STORMWATER DISCHARGES MAY CAUSE, HAVE REASONABLE POTENTIAL TO CAUSE, OR CONTRIBUTE TO NON-ATTAINMENT OF ANY APPLICABLE WATER QUALITY STANDARD, OR THAT THE SWPPP DOES NOT INCORPORATE THE APPLICABLE REQUIREMENTS IN PART III.A.B. (IMPAIRED WATERS AND TUDLS). IF A WATER QUALITY STANDARD CHANGES DURING THE TERM OF THIS PERMIT, THE MPCA WILL MAKE A DETERMINATION AS TO WHETHER A MODIFICATION OF THE SWPPP IS NECESSARY TO ADDRESS THE NEW STANDARD. IF THE MPCA MAKES SUCH DETERMINATION(S) OR ANY OF THE DETERMINATIONS IN PARTS III.B.1.-3., THE MPCA WILL NOTIFY THE PERMITEE(S) IN WRITING. IN RESPONSE, THE PERMITEE(S) MUST AMEND THE SWPPP TO ADDRESS THE IDENTIFIED CONCERNS AND SUBMIT INFORMATION WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING: A. A WRITTEN APPLICATION, IF THE MPCA'S WRITTEN NOTIFICATION REQUIRES A RESPONSE, FAILURE TO RESPOND WITHIN THE SPECIFIED TIMEFRAME CONSTITUTES A PERMIT VIOLATION.

PART III.C. - TEMPORARY SEDIMENT BASINS

WHERE FIVE (5) OR MORE ACRES OF DISTURBED SOIL DRAIN TO A COMMON LOCATION, THE PERMITEE(S) MUST PROVIDE A TEMPORARY SEDIMENT BASIN TO PROVIDE TREATMENT TO THE RUNOFF BEFORE IT LEAVES THE CONSTRUCTION SITE OR ENTERS SURFACE WATERS. A TEMPORARY SEDIMENT BASIN MAY BE CONVERTED TO A PERMANENT BASIN AFTER CONSTRUCTION IS COMPLETE. THE TEMPORARY BASIN IS NO LONGER REQUIRED WHEN PERMANENT COVER HAS REDUCED THE AREA OF DISTURBED SOIL TO LESS THAN FIVE (5) ACRES DRAINING TO A COMMON LOCATION. THE PERMITEE(S) IS/ARE ENCOURAGED, BUT NOT REQUIRED, TO INSTALL TEMPORARY SEDIMENT BASINS WHERE APPROPRIATE IN AREAS WITH STEEP SLOPES OR HIGHLY ERODIBLE SOILS EVEN IF LESS THAN FIVE (5) ACRES DRAIN TO ONE AREA. THE BASINS MUST BE DESIGNED AND CONSTRUCTED ACCORDING TO THE FOLLOWING REQUIREMENTS:

1. THE BASINS MUST PROVIDE LIVE STORAGE FOR A CALCULATED VOLUME OF RUNOFF FROM A TWO-YEAR, 24-HOUR STORM FROM EACH ACRE DRAINED TO THE BASIN, EXCEPT THAT IN NO CASE SHALL THE BASIN PROVIDE LESS THAN 1,800 CUBIC FEET OF LIVE STORAGE FROM EACH ACRE DRAINED TO THE BASIN.

2. WHERE THE CALCULATION IN PART III.C.1. HAS NOT BEEN PERFORMED, A TEMPORARY SEDIMENT BASIN PROVIDING 3,600 CUBIC FEET OF LIVE STORAGE PER ACRE DRAINED TO THE BASIN SHALL BE PROVIDED FOR THE ENTIRE DRAINAGE AREA OF THE TEMPORARY BASIN.

3. TEMPORARY BASIN OUTLETS MUST BE DESIGNED TO PREVENT SHORT-CIRCUITING AND THE DISCHARGE OF FLOATING DEBRIS. THE BASIN MUST BE DESIGNED WITH THE ABILITY TO ALLOW COMPLETE BASIN DRAINDOWN FOR MAINTENANCE ACTIVITIES, AND MUST INCLUDE A STABILIZED EMERGENCY OVERTFLOW TO PREVENT FAILURE OF POND INTEGRITY. THE OUTLET STRUCTURE MUST BE DESIGNED TO WITHDRAW WATER FROM THE SURFACE IN ORDER TO MINIMIZE THE DISCHARGE OF POLLUTANTS, EXCEPT THAT THE USE OF A SURFACE WITHDRAWAL MECHANISM FOR DISCHARGE OF THE BASIN MAY BE TEMPORARILY SUSPENDED DURING FROZEN CONDITIONS. ENERGY DISSIPATION MUST BE PROVIDED FOR THE BASIN OUTLET (SEE PART IV.B.5.).

4. SEDIMENT BASINS MUST BE SITUATED OUTSIDE OF SURFACE WATERS AND ANY BUFFER ZONE REQUIRED UNDER APPENDIX A.C.3., AND MUST BE DESIGNED TO AVOID DRAINING WATER FROM WETLANDS UNLESS THE IMPACT TO THE WETLAND IS IN COMPLIANCE WITH THE REQUIREMENTS OF APPENDIX A, PART D.

5. THE TEMPORARY BASINS MUST BE CONSTRUCTED AND MADE OPERATIONAL PRIOR TO 10 OR MORE ACRES OF DISTURBED SOIL DRAINING TO A COMMON LOCATION.

6. WHERE A TEMPORARY SEDIMENT BASIN MEETING THE REQUIREMENTS OF THIS PART IS INFEASIBLE, EQUIVALENT SEDIMENT CONTROLS SUCH AS SMALLER SEDIMENT BASINS, AND/OR SEDIMENT TRAP DITCHES, VEGETATIVE BUFFER STRIPS, OR ANY APPROPRIATE COMBINATION OF MEASURES REQUIRED FOR ALL DOWN-SLOPE BOUNDARIES OF THE CONSTRUCTION AREA AND FOR SIDE-SLOPE BOUNDARIES AS DICTATED BY INDIVIDUAL SITE CONDITIONS. IN DETERMINING WHETHER INSTALLING A SEDIMENT BASIN IS INFEASIBLE, THE PERMITEE(S) MUST CONSIDER PUBLIC SAFETY AND MAY CONSIDER FACTORS SUCH AS SITE SLOPE, SOILS, AND AVAILABLE AREA ON SITE. THIS DETERMINATION OF INFEASIBILITY MUST BE DOCUMENTED IN THE SWPPP PRE PART III.A.

PART III.E. - RECORD RETENTION

THE SWPPP (ORIGINAL OR COPIES) INCLUDING ALL CHANGES TO IT, AND INSPECTIONS AND MAINTENANCE RECORDS MUST BE KEPT AT THE SITE DURING CONSTRUCTION BY THE PERMITEE(S) WHO HAS/HAVE OPERATIONAL CONTROL OF THAT PORTION OF THE SITE. THE SWPPP CAN BE KEPT IN EITHER THE FIELD OFFICE OR IN AN ON-SITE VEHICLE DURING NORMAL WORKING HOURS.

ALL OWNER(S) MUST KEEP THE FOLLOWING RECORDS ON FILE FOR THREE (3) YEARS AFTER SUBMITTAL OF THE NOT AS OUTLINED IN PART II.C. THIS DOES NOT INCLUDE ANY RECORDS AFTER SUBMITTAL OF

1. THE FINAL SWPPP
2. ANY OTHER STORMWATER RELATED PERMITS REQUIRED FOR THE PROJECT
3. RECORDS OF ALL INSPECTION AND MAINTENANCE CONDUCTED DURING CONSTRUCTION (PART IV.E. INSPECTIONS AND MAINTENANCE)

PART III.E. - RECORD RETENTION (CONT)

4. ALL PERMANENT OPERATION AND MAINTENANCE AGREEMENTS THAT HAVE BEEN IMPLEMENTED, INCLUDING ALL RIGHT-OF-WAY, CONTRACTS, COVENANTS AND OTHER BINDING REQUIREMENTS REGARDING PERPETUAL MAINTENANCE AND

5. ALL REQUIRED CALCULATIONS FOR DESIGN OF THE TEMPORARY AND PERMANENT STORMWATER MANAGEMENT SYSTEMS.

PART III.F. - TRAINING REQUIREMENTS

THE PERMITEE(S) SHALL ENSURE THE FOLLOWING INDIVIDUALS IDENTIFIED IN THIS PART HAVE BEEN TRAINED IN ACCORDANCE WITH THIS PERMIT'S TRAINING REQUIREMENTS.

1. WHO MUST BE TRAINED:
A. INDIVIDUAL(S) PREPARING THE SWPPP FOR THE PROJECT
B. INDIVIDUAL(S) OVERSEEING IMPLEMENTATION OF, REVISING, AND AMENDING THE SWPPP AND INDIVIDUAL(S) PERFORMING INSPECTIONS AS REQUIRED IN PART IV.E. ONE OF THESE INDIVIDUAL(S) MUST BE AVAILABLE FOR AN ON-SITE INSPECTION WITHIN 72 HOURS UPON REQUEST BY THE MPCA.

C. INDIVIDUAL(S) PERFORMING OR SUPERVISING THE INSTALLATION, MAINTENANCE AND REPAIR OF BUMPS, AT LEAST ONE INDIVIDUAL ON A PROJECT MUST BE TRAINED IN THESE JOB DUTIES.

2. TRAINING CONTENT: THE CONTENT AND EXTENT OF TRAINING MUST BE COMMENSURATE WITH THE INDIVIDUAL'S JOB DUTIES AND RESPONSIBILITIES WITH REGARD TO ACTIVITIES COVERED UNDER THIS PERMIT FOR THE PROJECT. AT LEAST ONE INDIVIDUAL PRESENT ON THE PERMITTED PROJECT SITE (OR AVAILABLE TO THE PROJECT SITE IN 72 HOURS) MUST BE TRAINED IN THE JOB DUTIES DESCRIBED IN PART III.F.1.B. AND PART III.F.1.C.

3. THE PERMITEE(S) SHALL ENSURE THAT THE INDIVIDUALS ARE TRAINED BY LOCAL, STATE, FEDERAL AGENCIES, PROFESSIONAL ORGANIZATIONS, OR OTHER ENTITIES WITH EXPERTISE IN EROSION PREVENTION, SEDIMENT CONTROL, PERMANENT SEDIMENTATION AND THE MINNESOTA NPDES/SOS CONSTRUCTION STORMWATER PERMIT, AN UPDATE REFRESHER-TRAINING MUST BE ATTENDED EVERY THREE (3) YEARS STARTING THREE (3) YEARS FROM THE ISSUANCE DATE OF THIS PERMIT.

IV.B. EROSION PREVENTION PRACTICES

1. THE PERMITEE(S) MUST PLAN FOR AND IMPLEMENT APPROPRIATE BUMPS SUCH AS CONSTRUCTION PHASING, VEGETATIVE BUFFER STRIPS, HORIZONTAL SLOPE GRADING, INSPECTION AND MAINTENANCE OF PART IV.E. AND OTHER CONSTRUCTION PRACTICES THAT MINIMIZE EROSION AS NECESSARY TO COMPLY WITH THIS PERMIT AND PROTECT WATERS OF THE STATE. THE LOCATION OF AREAS NOT TO BE DISTURBED MUST BE DELINEATED (E.G., WITH FLAGS, STAKES, SIGNS, SILT FENCE ETC) ON THE PROJECT SITE BEFORE WORK BEGINS. THE PERMITEE(S) MUST MINIMIZE THE NEED FOR DISTURBANCES OF PORTIONS OF THE PROJECT THAT HAVE STEEP SLOPES. FOR THOSE SLOPED AREAS WHICH MUST BE DISTURBED, THE PERMITEE(S) MUST USE TECHNIQUES SUCH AS PHASING AND STABILIZATION PRACTICES DESIGNED FOR STEEP SLOPES (E.G., SLOPE DRAINING AND TERRACING).

2. THE PERMITEE(S) MUST STABILIZE ALL EXPOSED SOIL AREAS (INCLUDING STOCKPILES). STABILIZATION MUST BE INITIATED IMMEDIATELY TO LIMIT SOIL EROSION WHENEVER ANY CONSTRUCTION ACTIVITY HAS PERMANENTLY OR TEMPORARILY CEASED ON ANY PORTION OF THE SITE AND WILL NOT RESUME FOR A PERIOD EXCEEDING 7 CALENDAR DAYS. STABILIZATION MUST BE COMPLETED NO LATER THAN 14 CALENDAR DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.

3. IF USING STORMWATER CONVEYANCE CHANNELS, THE PERMITEE(S) MUST DESIGN THE CHANNELS TO ROUTE WATER AROUND UNSTABILIZED AREAS ON THE SITE AND TO REDUCE EROSION, UNLESS INFEASIBLE. THE PERMITEE(S) MUST USE EROSION CONTROLS AND VELOCITY DISSIPATION DEVICES SUCH AS CHECK DAMS, SEDIMENT TRAPS, RIPRAP, OR GROUDED RIPRAP AT OUTLETS WITHIN THE LENGTH OF ANY CONSTRUCTED STORMWATER CONVEYANCE CHANNEL, AND AT ANY OUTLET, TO PROVIDE A NON-EROSIVE FLOW VELOCITY, TO MINIMIZE EROSION OF CHANNELS AND THEIR EMBANKMENTS, OUTLETS, ADJACENT STREAM BANKS, SLOPES, AND DOWNSTREAM WATERS DURING DISCHARGE CONDITIONS.

4. THE PERMITEE(S) MUST STABILIZE THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE THAT DRAINS WATER FROM ANY PORTION OF THE CONSTRUCTION SITE, OR DIVERTS WATER AROUND THE SITE, WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE INTO ANY SURFACE WATER. STABILIZATION OF THE LAST 200 LINEAL FEET MUST BE COMPLETED WITHIN 24 HOURS AFTER CONNECTING TO A SURFACE WATER OR PROPERTY EDGE.

THE PERMITEE(S) SHALL COMPLETE STABILIZATION OF THE REMAINING PORTIONS OF ANY TEMPORARY OR PERMANENT DITCHES OR SWALES WITHIN 7 CALENDAR DAYS AFTER CONNECTING TO A SURFACE WATER OR PROPERTY EDGE AND CONSTRUCTION IN THAT PORTION OF THE DITCH HAS TEMPORARILY OR PERMANENTLY CEASED.

TEMPORARY OR PERMANENT DITCHES OR SWALES THAT ARE BEING USED AS A SEDIMENT CONTAINMENT SYSTEM DURING CONSTRUCTION (WITH OR WITHOUT DESIGNED ROCK-CHEEK DAMS, SILT DOKES, ETC.) DO NOT NEED TO BE STABILIZED DURING THE TEMPORARY PERIOD OF ITS USE AS A SEDIMENT CONTAINMENT SYSTEM. THESE AREAS MUST BE STABILIZED WITHIN 24 HOURS AFTER NO LONGER BEING USED AS A SEDIMENT CONTAINMENT SYSTEM.

APPLYING MULCH, HYDROMULCH, TACKIFIER, POLYACRYLAMIDE OR SIMILAR EROSION PREVENTION PRACTICES IS NOT ACCEPTABLE STABILIZATION IN ANY PART OF A TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE.

5. PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER.

6. UNLESS INFEASIBLE DUE TO LACK OF PEROUS OR VEGETATED AREAS, THE PERMITEE(S) MUST DIRECT DISCHARGES FROM BUMPS TO VEGETATED AREAS OF THE SITE (INCLUDING ANY NATURAL BUFFERS) IN ORDER TO INCREASE SEDIMENT REMOVAL AND MAXIMIZE STORMWATER INFILTRATION. THE PERMITEE(S) MUST USE VELOCITY DISSIPATION DEVICES IF NECESSARY TO PREVENT EROSION WHEN DIRECTING STORMWATER TO VEGETATED AREAS.

PART IV.C. - SEDIMENT CONTROL PRACTICES

1. THE PERMITEE(S) MUST EMPLOY SEDIMENT CONTROL PRACTICES AS NECESSARY TO MINIMIZE SEDIMENT FROM ENTERING SURFACE WATERS, INCLUDING CURB AND GUTTER SYSTEMS AND STORM SEWER INLETS, A TEMPORARY OR PERMANENT DRAINAGE DITCHES AND SEDIMENT BASINS THAT ARE DESIGNED AS PART OF A SEDIMENT CONTAINMENT SYSTEM (E.G., DITCHES WITH ROCK-CHEEK DAMS) REQUIRE SEDIMENT CONTROL PRACTICES ONLY AS APPROPRIATE FOR SITE CONDITIONS.

B. IF THE DOWN GRADIENT SEDIMENT CONTROLS ARE OVERLOADED (BASED ON FREQUENT FAILURE OR EXCESSIVE MAINTENANCE REQUIREMENTS), THE PERMITEE(S) MUST INSTALL ADDITIONAL UPGRADMENT SEDIMENT CONTROL PRACTICES OR REDUNDANT BUMPS TO ELIMINATE THE OVERLOADING, AND THE SWPPP MUST BE AMENDED TO IDENTIFY THESE ADDITIONAL PRACTICES AS REQUIRED IN PART III.B.1.-3.

2. SEDIMENT CONTROL PRACTICES MUST BE ESTABLISHED ON ALL DOWN GRADIENT PERIMETERS AND BE LOCATED UPGRADMENT OF ANY BUFFER ZONE. THE PERMETER SEDIMENT CONTROL PRACTICE MUST BE IN PLACE BEFORE ANY UPGRADMENT LAND-DISTURBING ACTIVITIES BEGIN. THESE PRACTICES SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION HAS BEEN ESTABLISHED IN ACCORDANCE WITH PART IV.G.

3. THE PERMITEE(S) SHALL RE-INSTALL ALL SEDIMENT CONTROL PRACTICES THAT HAVE BEEN ADJUSTED OR REMOVED TO ACCOMMODATE SHORT-TERM ACTIVITIES SUCH AS CLEARING OR GRUBBING, OR PASSAGE OF VEHICLES IMMEDIATELY AFTER THE SHORT-TERM ACTIVITY HAS BEEN COMPLETED. THE PERMITEE(S) SHALL COMPLETE ANY SHORT-TERM ACTIVITY THAT REQUIRES REMOVAL OF SEDIMENT CONTROL PRACTICES AS QUICKLY AS POSSIBLE. THE PERMITEE(S) MUST RE-INSTALL SEDIMENT CONTROL PRACTICES BEFORE THE NEXT PRECIPITATION EVENT EVEN IF THE SHORT-TERM ACTIVITY IS NOT COMPLETE.

4. ALL STORM DRAIN INLETS MUST BE PROTECTED BY APPROPRIATE BUMPS DURING CONSTRUCTION UNTIL ALL SOURCES WITH POTENTIAL FOR DISCHARGING TO THE INLET HAVE BEEN STABILIZED. INLET PROTECTION MAY BE REMOVED FOR A PARTICULAR INLET IF A SPECIFIC SAFETY CONCERN (STREET FLOODING/PREVENTION) HAS BEEN IDENTIFIED BY THE PERMITEE(S) OR THE JURISDICTION AUTHORITY (E.G., CITY/COUNTY/TOWNSHIP/WADOT ENGINEER). THE PERMITEE(S) MUST DOCUMENT THE NEED FOR REMOVAL IN THE SWPPP.

5. TEMPORARY SOIL STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS, AND CANNOT BE PLACED IN ANY NATURAL BUFFERS OR SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, OR CONDUITS AND DITCHES UNLESS THERE IS A BYPASS IN PLACE FOR THE STORMWATER.

6. WHERE VEHICLE TRAFFIC LEAVES ANY PART OF THE SITE (OR ONTO PAVED ROADS WITHIN THE SITE):
A. THE PERMITEE(S) MUST INSTALL A VEHICLE TRACKING BUMP TO MINIMIZE THE TRACK OUT OF SEDIMENT FROM THE CONSTRUCTION SITE. EXAMPLES OF VEHICLE TRACKING BUMPS INCLUDE (BUT ARE NOT LIMITED TO) ROCK PADS, MUD MATS, SLASH MULCH, CONCRETE OR STEEL WASH RACKS, OR EQUIVALENT SYSTEMS.

B. THE PERMITEE(S) MUST USE STREET SWEEPING IF SUCH VEHICLE TRACKING BUMPS ARE NOT ADEQUATE TO PREVENT SEDIMENT FROM BEING TRACKED ONTO THE STREET (SEE PART IV.E.5.).

7. THE PERMITEE(S) MUST INSTALL TEMPORARY SEDIMENTATION BASINS AS REQUIRED IN PART III.C. OF THIS PERMIT.

PART IV.C. - SEDIMENT CONTROL PRACTICES (CONT.)

B. THE PERMITEE(S) MUST MINIMIZE SOIL COMPACTION AND, UNLESS INFEASIBLE, PRESERVE TOPSOIL. MINIMIZING SOIL COMPACTION IS NOT REQUIRED WHERE THE FUNCTION OF A SPECIFIC AREA OF THE SITE DICTATES THAT IT BE COMPACTED.

9. THE PERMITEE(S) MUST PRESERVE A 50 FOOT NATURAL BUFFER OR (IF A BUFFER IS INFEASIBLE ON THE SITE) PROVIDE REDUNDANT SEDIMENT CONTROLS WITHIN A SURFACE WATER IS LOCATED WITHIN 50 FEET OF THE PROJECT'S EARTH DISTURBANCES AND STORMWATER FLOWS TO THE SURFACE WATER. NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JURISDICTION DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS. THE PERMITEE(S) IS/ARE NOT REQUIRED TO ENHANCE THE QUALITY OF THE VEGETATION THAT ALREADY EXISTS IN THE BUFFER OR PROVIDE VEGETATION IF NONE EXISTS. HOWEVER, PERMITEE(S) CAN IMPROVE THE NATURAL BUFFER WITH VEGETATION.

PART IV.D. - DEWATERING AND BASIN DRAINING

1. THE PERMITEE(S) MUST DISCHARGE TURBID OR SEDIMENT-LADEN WATERS RELATED TO DEWATERING OR BASIN DRAINING (E.G., PUMPED DISCHARGES, TRENCH/DITCH CURBS FOR DRAINAGE) TO A TEMPORARY OR PERMANENT SEDIMENTATION BASIN ON THE PROJECT SITE UNLESS INFEASIBLE. THE PERMITEE(S) MAY DISCHARGE FROM THE TEMPORARY OR PERMANENT SEDIMENTATION BASINS TO SURFACE WATERS IF THE BASIN WATER HAS BEEN VISUALLY CHECKED TO ENSURE ADEQUATE TREATMENT HAS BEEN OBTAINED IN THE BASIN AND THAT NUISANCE CONDITIONS (SEE MINN. R. 7050.0210, SUBP. 2) WILL NOT RESULT FROM THE DISCHARGE IF THE WATER CANNOT BE DISCHARGED TO A SEDIMENTATION BASIN PRIOR TO ENTERING THE SURFACE WATER, IT MUST BE TREATED WITH THE APPROPRIATE BUMPS, SUCH THAT THE DISCHARGE DOES NOT ADVERSELY AFFECT THE RECEIVING WATER OR DOWNSTREAM PROPERTIES. THE PERMITEE(S) MUST DISCHARGE WATER THAT CONTAINS OIL OR GREASE, THE PERMITEE(S) MUST USE AN OIL-WATER SEPARATOR OR SUITABLE FILTRATION DEVICE (E.G. CARTRIDGE FILTERS, ABSORBENTS PADS) PRIOR TO DISCHARGING THE WATER. THE PERMITEE(S) MUST ENSURE THAT DISCHARGE POINTS ARE ADEQUATELY PROTECTED FROM EROSION AND SCOUR. THE DISCHARGE MUST BE DISPERSED THROUGH NATURAL ROCK RIPRAP, SAND BAGS, PLASTIC SHEETING, OR OTHER ACCEPTED ENERGY DISSIPATION MEASURES.

2. ALL WATER FROM DEWATERING OR BASIN-DRAINING ACTIVITIES MUST BE DISCHARGED IN A MANNER THAT DOES NOT CAUSE NUISANCE CONDITIONS, EROSION IN RECEIVING CHANNELS OR ON DOWNSLOPE PROPERTIES, OR HAZARDATION IN WETLANDS CAUSING SIGNIFICANT ADVERSE IMPACT TO THE WETLAND.

3. IF THE PERMITEE(S) IS/ARE USING FILTERS WITH BACKWASH WATER, THE PERMITEE(S) MUST MAINTAIN THE BACKWASH WATER AWAY FOR DISPOSAL. RETURN THE BACKWASH WATER TO THE BEGINNING OF THE TREATMENT PROCESS, OR INCORPORATE THE WATER INTO THE SITE IN A MANNER THAT DOES NOT CAUSE EROSION. THE PERMITEE(S) MAY DISCHARGE BACKWASH WATER TO THE SANITARY SEWER IF PERMISSION IS GRANTED BY THE SANITARY SEWER AUTHORITY. THE PERMITEE(S) MUST REPLACE AND CLEAN THE FILTER MEDIA USED IN DEWATERING DEVICES WHEN REQUIRED TO RETAIN ADEQUATE FUNCTION.

PART IV.E. - INSPECTIONS AND MAINTENANCE

1. THE PERMITEE(S) MUST ENSURE THAT A TRAINED PERSON (AS IDENTIFIED IN PART III.A.3.A.) WILL ROUTINELY INSPECT THE ENTIRE CONSTRUCTION SITE AT LEAST ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. FOLLOWING AN INSPECTION THAT OCCURS WITHIN 48 HOURS AFTER A RAINFALL EVENT, THE NEXT INSPECTION MUST BE CONDUCTED WITHIN SEVEN (7) DAYS AFTER THE RAINFALL EVENT.

2. ALL INSPECTIONS AND MAINTENANCE CONDUCTED DURING CONSTRUCTION MUST BE RECORDED WITHIN 24 HOURS IN WRITING AND THESE RECORDS MUST BE MAINTAINED IN THE SWPPP AND IN CONFORMANCE WITH PART III.E. RECORDS OF EACH INSPECTION AND MAINTENANCE ACTIVITY SHALL INCLUDE:

A. DATE AND TIME OF INSPECTIONS
B. NAME OF PERSON(S) CONDUCTING INSPECTIONS
C. FINDINGS OF INSPECTIONS, INCLUDING THE SPECIFIC LOCATION WHERE CORRECTIVE ACTIONS ARE NEEDED
D. CORRECTIVE ACTIONS TAKEN (INCLUDING DATES, TIMES, AND PARTY COMPLETING MAINTENANCE ACTIVITIES)
E. DATE AND AMOUNT OF ALL RAINFALL EVENTS GREATER THAN 1/2 INCH (0.5 INCHES) IN 24 HOURS.

RAINFALL AMOUNTS MUST BE OBTAINED FROM A PROPERLY MAINTAINED RAIN GAGE INSTALLED AT A WEATHER STATION THAT IS WITHIN 1 MILE OF YOUR LOCATION OR A WEATHER REPORTING SYSTEM THAT PROVIDES SITE SPECIFIC RAINFALL DATA FROM RADAR SUMMARIES.

F. IF ANY DISCHARGE IS OBSERVED TO BE OCCURRING DURING THE INSPECTION, A RECORD OF ALL POINTS OF THE PROPERTY FROM WHICH THERE IS A DISCHARGE MUST BE MADE, AND THE DISCHARGE SHOULD BE DESCRIBED (I.E., COLOR, ODOOR, FLOATING, SETTLED, OR SUSPENDED SOLIDS, FOAM, OIL SHEEN, AND OTHER OBVIOUS INDICATORS OF POLLUTANTS) AND PHOTOGRAPHED.

G. ANY AMENDMENTS TO THE SWPPP PROPOSED AS A RESULT OF THE INSPECTION MUST BE DOCUMENTED AS REQUIRED IN PART III.B. WITHIN SEVEN (7) CALENDAR DAYS.

3. INSPECTION FREQUENCY ADJUSTMENT
A. WHERE PARTS OF THE PROJECT SITE HAVE PERMANENT COVER, BUT WORK REMAINS ON OTHER PARTS OF THE SITE, THE PERMITEE(S) MAY REDUCE INSPECTIONS OF THE AREAS WITH PERMANENT COVER TO ONCE PER MONTH.

B. WHERE CONSTRUCTION SITES HAVE PERMANENT COVER ON ALL EXPOSED SOIL AREAS AND NO CONSTRUCTION ACTIVITY IS OCCURRING ANYWHERE ON THE SITE, THE SITE MUST BE INSPECTED DURING NON-FROZEN GROUND CONDITIONS AT LEAST ONCE PER MONTH FOR A PERIOD OF TWELVE (12) MONTHS. FOLLOWING THE TWELFTH MONTH OF PERMANENT COVER AND NO CONSTRUCTION ACTIVITY, INSPECTIONS MAY BE TERMINATED UNTIL CONSTRUCTION ACTIVITY IS ONCE AGAIN INITIATED. UNLESS THE PERMITEE(S) IS/ARE NOTIFIED IN WRITING BY THE MPCA THAT EROSION ISSUES HAVE BEEN DETECTED AT THE SITE AND INSPECTIONS NEED TO RESUME.

C. WHERE WORK HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, THE INSPECTIONS MAY BE SUSPENDED. THE REQUIRED INSPECTIONS AND MAINTENANCE SCHEDULE MUST BEGIN WITHIN 24 HOURS AFTER RUNOFF OCCURS AT THE SITE OR 24 HOURS PRIOR TO RESUMING CONSTRUCTION, WHICHEVER COMES FIRST.

4. THE PERMITEE(S) IS/ARE RESPONSIBLE FOR THE INSPECTION AND MAINTENANCE OF TEMPORARY AND PERMANENT WATER QUALITY MANAGEMENT BUMPS AS WELL AS ALL PERMETER SEDIMENT CONTROL PRACTICES UNTIL ANOTHER PERMITEE HAS OBTAINED COVERAGE UNDER THIS PERMIT ACCORDING TO PART III.B.5. OR THE PROJECT HAS UNDERGONE FINAL STABILIZATION, AND AN NOT HAS BEEN SUBMITTED TO THE MPCA.

5. THE PERMITEE(S) MUST INSPECT ALL EROSION PREVENTION AND SEDIMENT CONTROL BUMPS AND POLLUTION PREVENTION MANAGEMENT MEASURES TO ENSURE INTEGRITY AND EFFECTIVENESS DURING ALL ROUTINE AND POST-RAINFALL EVENT INSPECTIONS. ALL NONFUNCTIONAL BUMPS MUST BE REPAIRED, REPLACED, OR SUPPLEMENTED WITH FUNCTIONAL BUMPS BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY, OR AS SOON AS FIELD CONDITIONS ALLOW ACCESS UNLESS ANOTHER TIME FRAME IS SPECIFIED BELOW. THE PERMITEE(S) MUST INVESTIGATE AND COMPLY WITH THE FOLLOWING INSPECTION AND MAINTENANCE REQUIREMENTS:

A. ALL PERMETER CONTROL DEVICES MUST BE REPAIRED, REPLACED, OR SUPPLEMENTED WHEN THEY BECOME NONFUNCTIONAL. THE PERMETER REPAIRS MUST BE MADE BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY, OR THEREAFTER AS SOON AS FIELD CONDITIONS ALLOW ACCESS.

B. TEMPORARY AND PERMANENT SEDIMENTATION BASINS MUST BE DRAINED AND THE SEDIMENT REMOVED IMMEDIATELY AFTER THE SHORT-TERM ACTIVITY HAS BEEN COMPLETED. THE PERMITEE(S) SHALL COMPLETE ANY SHORT-TERM ACTIVITY THAT REQUIRES REMOVAL OF SEDIMENT CONTROL PRACTICES AS QUICKLY AS POSSIBLE. THE PERMITEE(S) MUST RE-INSTALL SEDIMENT CONTROL PRACTICES BEFORE THE NEXT PRECIPITATION EVENT EVEN IF THE SHORT-TERM ACTIVITY IS NOT COMPLETE.

C. SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS, MUST BE INSPECTED FOR EVIDENCE OF EROSION AND SEDIMENT DEPOSITION DURING EACH INSPECTION. THE PERMITEE(S) MUST REMOVE ALL DELTAS AND SEDIMENT DEPOSITION FROM SURFACE WATERS, INCLUDING DRAINAGE WAYS, CATCH BASINS, AND OTHER DRAINAGE SYSTEMS, AND REESTABLISH THE AREAS WHERE SEDIMENT REMOVAL RESULTS IN EXPOSED SOIL. THE REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN SEVEN (7) DAYS OF DISCOVERY UNLESS PRECLUDED BY LEGAL, REGULATORY, OR PHYSICAL ACCESS CONSTRAINTS. THE PERMITEE(S) SHALL USE ALL REASONABLE EFFORTS TO OBTAIN ACCESS. IF PRECLUDED, REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN SEVEN (7) CALENDAR DAYS OF OBTAINING ACCESS. THE PERMITEE(S) IS/ARE RESPONSIBLE FOR CONTACTING ALL LOCAL, REGIONAL, STATE AND FEDERAL AUTHORITIES AND RECEIVING ANY APPLICABLE PERMITS, PRIOR TO CONDUCTING ANY WORK IN SURFACE WATERS.

D. CONSTRUCTION SITE VEHICLE EXIT LOCATIONS MUST BE INSPECTED FOR EVIDENCE OF OFF-SITE SEDIMENT TRACKING ONTO PAVED SURFACES. TRACKED SEDIMENT MUST BE REMOVED FROM ALL PAVED SURFACES BOTH ON AND OFF SITE WITHIN 24 HOURS OF DISCOVERY, OR IF APPLICABLE, WITHIN A SHORTER TIME TO COMPLY WITH PART IV.C.6.

E. STEEP SLOPES AND OTHER AREAS ADJACENT TO THE PROJECT MUST BE INSPECTED FOR EVIDENCE OF OFF-SITE ACCUMULATIONS OF SEDIMENT. IF SEDIMENT IS PRESENT, IT MUST BE REMOVED IN A MANNER AND AT A FREQUENCY SUFFICIENT TO MINIMIZE OFF-SITE IMPACTS (E.G., FUGITIVE SEDIMENT IN STREETS COULD BE WASHED INTO STORM SEWERS BY THE NEXT RAIN AND/OR POSE A SAFETY HAZARD TO USERS OF PUBLIC STREETS).

6. ALL INFILTRATION AREAS MUST BE INSPECTED TO ENSURE THAT NO SEDIMENT FROM ONGOING CONSTRUCTION ACTIVITY IS REACHING THE INFILTRATION AREA. ALL INFILTRATION AREAS MUST BE INSPECTED TO ENSURE THAT EQUIPMENT IS NOT BEING DRIVEN ACROSS THE INFILTRATION AREA.

PART IV.F. - POLLUTION PREVENTION MANAGEMENT MEASURES

THE PERMITEE(S) SHALL IMPLEMENT THE FOLLOWING POLLUTION PREVENTION MANAGEMENT MEASURES ON THE SITE:

1. STORAGE, HANDLING, AND DISPOSAL OF CONSTRUCTION PRODUCTS, MATERIALS, AND WASTES: THE PERMITEE(S) SHALL COMPLY WITH THE FOLLOWING TO MINIMIZE THE EXPOSURE TO STORMWATER OF ANY OF THE PRODUCTS, MATERIALS, OR WASTES. PRODUCTS OR WASTES WHICH ARE EITHER NOT A SOURCE OF CONTAMINATION TO STORMWATER OR ARE DESIGNED TO BE EXPOSED TO STORMWATER ARE NOT HELD TO THIS REQUIREMENT:

A. BUILDING PRODUCTS THAT HAVE THE POTENTIAL TO LEACH POLLUTANTS MUST BE UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) TO PREVENT THE DISCHARGE OF POLLUTANTS OR PROTECTED BY A SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER.

B. PESTICIDES, HERBICIDES, INSECTICIDES, FERTILIZERS, TREATMENT CHEMICALS, AND LANDSCAPE MATERIALS MUST BE UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) TO PREVENT THE DISCHARGE OF POLLUTANTS OR PROTECTED BY SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER.

C. HAZARDOUS MATERIALS, TOXIC WASTE, (INCLUDING OIL, DIESEL FUEL, GASOLINE, HYDRAULIC FLUIDS, PAINT SOLVENTS, PETROLEUM-BASED PRODUCTS, WOOD PRESERVATIVES, ADDITIVES, CURING COMPOUNDS, AND ACIDS) MUST BE PROPERLY STORED IN SEALED CONTAINERS TO PREVENT SPILLS, LEAKS OR OTHER RELEASES. RESTRICTED ACCESS STORAGE AREAS MUST BE PROVIDED TO PREVENT VANDALISM, STORAGE AND DISPOSAL OF HAZARDOUS WASTE OR HAZARDOUS MATERIALS MUST BE IN COMPLIANCE WITH MINN. R. CH. 7045 INCLUDING SECONDARY CONTAINMENT AS APPLICABLE.

D. SOLID WASTE MUST BE STORED, COLLECTED AND DISPOSED OF PROPERLY IN COMPLIANCE WITH MINN. R. CH. 7035.

E. PORTABLE TOILETS MUST BE POSITIONED SO THAT THEY ARE SECURE AND WILL NOT BE TIPPED OR KNOCKED OVER. SANITARY WASTE MUST BE DISPOSED OF PROPERLY IN ACCORDANCE WITH MINN. R. CH. 7041.

2. FUELING AND MAINTENANCE OF EQUIPMENT OR VEHICLES: SPILL PREVENTION AND RESPONSE: THE PERMITEE(S) SHALL TAKE REASONABLE STEPS TO PREVENT THE DISCHARGE OF SPILLED OR LEAKED CHEMICALS, INCLUDING FUEL, FROM ANY AREA WHERE CHEMICALS OR FUEL WILL BE LOADED OR UNLOADED INCLUDING THE USE OF DRIP PANS OR ABSORBENTS UNLESS INFEASIBLE. THE PERMITEE(S) MUST CONDUCT FUELINGS IN A CONTAINED AREA UNLESS INFEASIBLE. THE PERMITEE(S) MUST ENSURE ADEQUATE SUPPLIES ARE AVAILABLE AT ALL TIMES TO CLEAN UP DISCHARGED MATERIALS AND THAT AN APPROPRIATE DISPOSAL METHOD IS AVAILABLE FOR RECOVERED SPILLED MATERIALS. THE PERMITEE(S) MUST REPORT AND CLEAN UP SPILLS IMMEDIATELY AS REQUIRED BY MINN. STAT. § 115.001, USING DRY CLEAN UP MEASURES WHERE POSSIBLE.

3. VEHICLE AND EQUIPMENT WASHING: IF THE PERMITEE(S) WASH THE EXTERIOR OF VEHICLES OR EQUIPMENT ON THE PROJECT SITE, WASHING MUST BE LIMITED TO A DEFINED AREA OF THE SITE. RUNOFF FROM THE WASHING AREA MUST BE CONTAINED IN A SEDIMENT BASIN OR OTHER SIMILARLY EFFECTIVE CONTROLS AND WASTE FROM THE WASHING ACTIVITY MUST BE PROPERLY DISPOSED OF. THE PERMITEE(S) MUST PROPERLY USE AND STORE SOLGERS, DETERGENTS, OR SOLVENTS. NO ENGINE DEGREASING IS ALLOWED ON SITE.

4. CONCRETE AND OTHER WASHOUTS WASTE: THE PERMITEE(S) MUST PROVIDE EFFECTIVE CONTAINMENT FOR ALL LIQUID AND SOLID WASTES GENERATED BY WASHOUT OPERATIONS (CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS AND OTHER CONSTRUCTION MATERIALS) RELATED TO THE CONSTRUCTION ACTIVITY. THE LIQUID AND SOLID WASHOUT WASTES MUST NOT CONTACT THE GROUND, AND THE CONTAINMENT MUST BE DESIGNED SO THAT IT DOES NOT RESULT IN RUNOFF FROM THE WASHOUT OPERATIONS OR AREAS. LIQUID AND SOLID WASTES MUST BE DISPOSED OF PROPERLY AND IN COMPLIANCE WITH MPCA RULES. A SIGN MUST BE INSTALLED ADJACENT TO EACH WASHOUT FACILITY THAT REQUIRES SITE PERSONNEL TO UTILIZE THE PROPER FACILITIES FOR DISPOSAL OF CONCRETE AND OTHER WASHOUT WASTES.

PART IV.G. FINAL STABILIZATION

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: January 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: December 31, 2014
Re: David Herreid Variance Application at 16530 Swede Hill Drive

David Herreid has applied for variances to enable the construction of a garage on the property at 16530 Swede Hill Drive. The property currently contains a cabin that has been resided and re-roofed, and is planned for use as a year-round home. The property has a well and septic system. Mr. Herreid is proposing to build a garage to store vehicles and equipment that are currently stored outside, as there is currently no garage on the property. The property is located in the St. Croix Bluffland and Shoreland District. The variance application requires a public hearing which has been noticed through publication in the official newspaper and by mailing to the owners of all properties within 500 feet of the property.

Variances requested

The application includes variances to locate the garage within 100.7 feet of the ordinary high water line vs. the required 200 foot setback and within 56.9 feet of the bluffline vs. the required 100 foot setback. The St. Croix River Bluffland and Shoreland ordinance allows the structure setback from the bluffline to be reduced up to a minimum of 40 feet when it can be demonstrated that no change in the natural appearance of the shoreline, slope, and bluffline will occur and the structure will be visually inconspicuous in summer months as viewed from the river. The condition of this reduced setback is that the applicant shall agree to donate a scenic easement over the area between the structure and the river and maintain the scenic easement in an undisturbed condition and appearance.

Existing Scenic Easement

There is a scenic easement in place on the property. The scenic easement is shown on the attached survey as a shaded area. The proposed garage is located outside of the scenic easement area.

Impervious coverage. The property, with the proposed garage, would be well under the 10% impervious coverage maximum. The total area of the property is approximately 3.6 acres, or 160,500 square feet. Ten percent of this is 16,150, which is the maximum impervious coverage allowed. The total impervious coverage proposed on the property is approximately 9,000 square feet. The majority of this is for the existing driveway.

Garage

The zoning code allows a one-story garage with a maximum size of 1,000 square feet. The proposed garage is a one story structure 784 square feet in size. A common size for a two-stall garage is 624 square feet (24 X 26). A portion of the garage is planned for use as a workshop. The proposed garage location is in a relatively flat area between a steep slope up to the west and a steep slope down to the river on the east. The garage location is adjacent to an existing gravel driveway to the west. There are existing trees between the garage and the river, and there is sufficient area to plant additional vegetation to screen the garage from views from the river.

Staff Evaluation

In evaluating the variance application, one determination to be made is whether it is reasonable to have a garage on the property to serve the cabin. Because of the steep slopes on the majority of the property, there are limited locations for a garage. The suitable locations are all located closer to the bluffline and river than allowed. The two key concerns regarding locating a structure closer to the bluffline and the river than allowed are visual impacts and drainage/erosion impacts. If the Planning Commission determines it is reasonable to have a garage on the property and recommends approval of the variances, staff recommends including conditions requiring the addition of vegetative screening and requiring drainage and erosion control plans that meet the requirements of the Valley Branch Watershed District and the City Engineer.

Findings and Conditions

The Planning Commission should provide the findings of fact that are the basis of its recommendation. If the recommendation is for approval, the Commission should also include any conditions it believes are necessary to mitigate the impacts of granting the variance.

PLANNING COMMISSION DIRECTION REQUESTED:

Motion regarding David Herreid's variance application at 16530 Swede Hill Drive.

2-40-14

CITY OF AFTON
VARIANCE APPLICATION

(Reference Sections: 12-55, 12-77, 12-328 12-835, 12-1020, 12-1266, 12-1955, 12-2228)

Owner DAVID HERREID	Address 10530 SWEDE HILL DRIVE S.	City AFTON	State MN	Zip 55001	Phone 651-334-3879
Applicant (if different than owner) SAME	Address	City	State	Zip	Phone

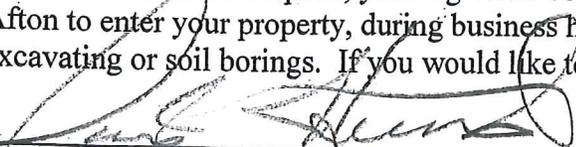
Project Address
10530 SWEDE HILL DRIVE S. AFTON MN 55001

Zoning Classification RR RURAL RESIDENTIAL	Existing Use of Property HOUSE / SAME	PID# or Legal Description 35.028.20.12.0009
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Please list the section(s) of the code from which the variance(s) are requested.
SEE ATTACHED REQUEST / SET-BACK FROM RIVER
SET-BACK FROM BLUFF

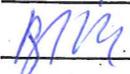
Description of Request
I WOULD LIKE TO BUILD A DETACHED GARAGE FOR VEHICLE STORAGE, TOOLS, & GENERAL STORAGE

By signing this application, the applicant agrees to pay all expenses incurred by the City of Afton. In connection with this request, your signature constitutes permission for a representative of the City of Afton to enter your property, during business hours, to evaluate this request. This may involve minor excavating or soil borings. If you would like to be present during this evaluation, please contact the City.

Signature of Owner/Applicant  Date 12-15-2014

Make checks payable to: **City of Afton**

If multiple variances are necessary from the applicant only **one** fee is required. However, the deposit fee must be multiplied by the number of variances sought.

FEES:	ESCROWS:	
Variance	\$250	\$600
Renewal/Extension	\$250	\$350
	TOTAL:	850.00
	DATE PAID:	12-16-14
	CHECK #:	1304
	RECVD BY:	

Variance request for detached garage

I will be retiring to 16530 Swede Hill Drive S in the near future. The house was built in the early 1960's and served as a summer home in the 60's and 70's. It was rented for year-round use in the late 70's and 80's. Since the 90's it has been used a year-round second home for both my brother's family and my family. I'm now looking at retirement; the house will continue to be used by my extended family, but also as a year-round house for my wife and me. There is no existing storage or garage structure on the site.

The property is located along the St. Croix River on a mostly wooded, steeply sloping site. The logical location for a detached garage incorporates an existing basketball pad installed in the 60's and the gently sloping land to the east (river). This works well with the existing driveway and parking areas. The slope at the site of the garage is between 9.5 % and 10.8 % (both corners of the garage). The zoning hardship involves the following:

- The closest portion of the garage is setback from the DNR OHW for setback purpose (675.5) is 100.7 feet. See attached survey
- The closest portion of the garage is setback from the top of the river bluff is 56.9 feet.

Since the site is naturally wooded, the garage will not be visible from the river in the summer. Additional native trees and understory vegetation will be planted on the riverside of the structure. Run-off from the hill to the west during heavy rains is controlled by the crown of the driveway allowing water to pond to the south of the site. In addition a railroad bed to the east of the proposed garage has an inland ditch parallel to the river that collects and controls water.

Reasonable use and maintenance items

I have tools, sports equipment, and vehicles that allow reasonable use and maintenance of the property. Currently they are covered with tarps, which is inconvenient, unsightly, and ineffective in protecting them from the elements and mice. Included are the following:

- Argo all-terrain vehicle, including plow, snow tracks, and trailer
- Snow blower and shovels
- Rototiller, shovels, rakes, and garden equipment
- Petroleum products such as gas, oil, and a small LP tank for a generator
- Summer furniture including chairs and tables
- Boat and water accessories including life preservers, 2 kayaks and a canoe
- Removable universal accessibility ramp for access to the house

Equipment requiring protection

In addition there are items and equipment that require protection from the elements and critters (mice) that are currently located off site. These include the following:

- Sports equipment, including bikes, skis, weight equipment, and camping gear.
- Wood working tools, table saw, planner, drill press and milled lumber.
- Welder and related tools and stock.
- Automotive tools.

Variance request for detached garage (continued / page 2 of 2)

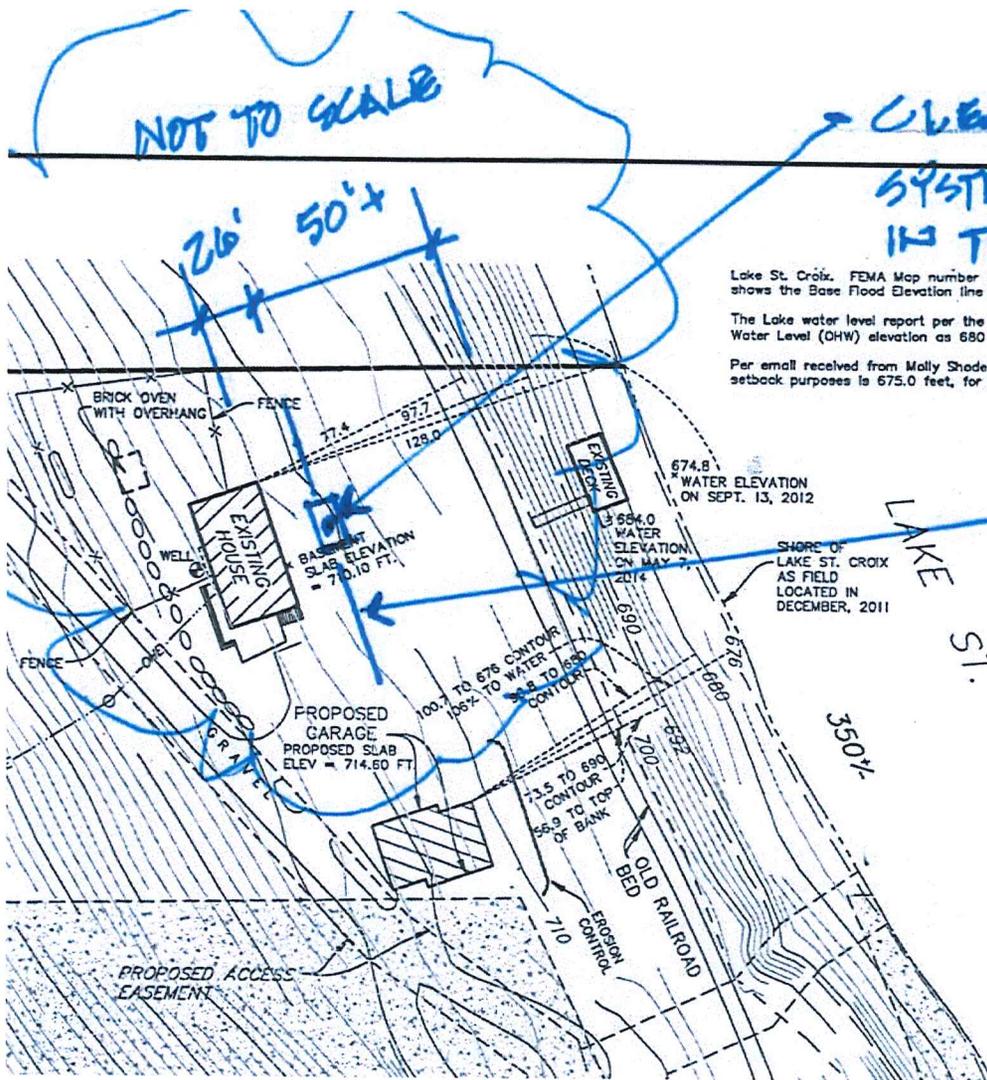
Items inappropriate for home storage

The following items are currently kept in the house:

- Generator for power outages
- Air compressor
- Chainsaw
- Herbicides, fungicides, etc. and separate sprayers (for buckthorn eradication and fruit tree maintenance)
- Bee frames and equipment (which tend to attract mice)
- Flammable liquids

Thank you for your help.

David Herreid/Daphne Walmer



NOT TO SCALE

26' 50"

CLEAN OUT ~ 1,000 gal precast tank

SYSTEM WORKS FINE, BUT WILL BE INSPECTED IN THE SPRING OF 2015

Lake St. Croix. FEMA Map number 27163C0369E, dated February 3, 2010, shows the Base Flood Elevation line and value; elevation in feet to be 692. The Lake water level report per the Minnesota DNR shows the Ordinary High Water Level (OHW) elevation as 680 feet. Per email received from Molly Shodeen at the Minnesota DNR, the OHW for setback purposes is 675.0 feet, for permit jurisdiction, 679.5 feet.

Survey For:
DAVID HERREID
 16530 SWEDE HILL DRIVE
 AFTON, MINNESOTA

lines parallel to river installed in 1964-65 (Wash. Co. has no info)

LAKE ST. CROIX

SCALE: 1 inch = 50 Feet

12-31-2014

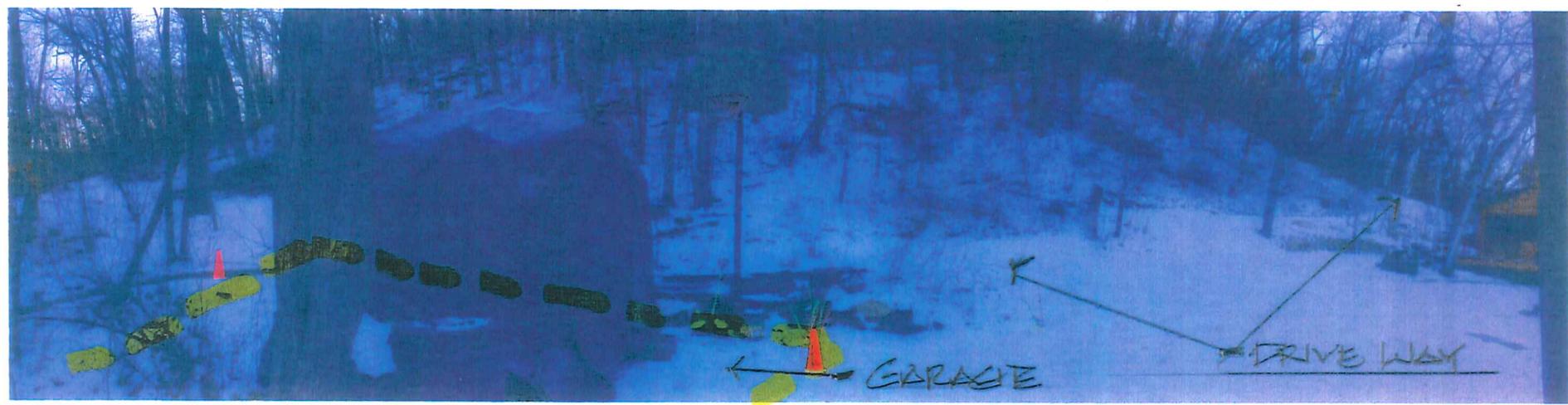


Denotes area obtained by Quit Claim Deed Doc. No. 3908232 and subject to Scenic and Conservation Easement per Doc. No. 413712.

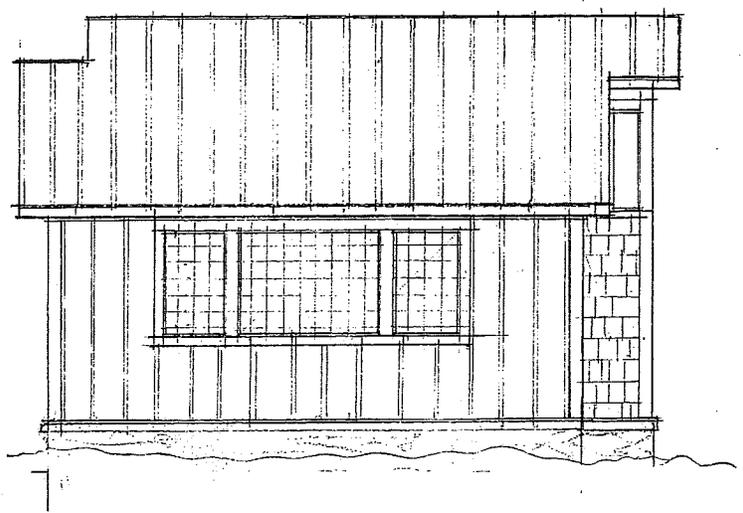
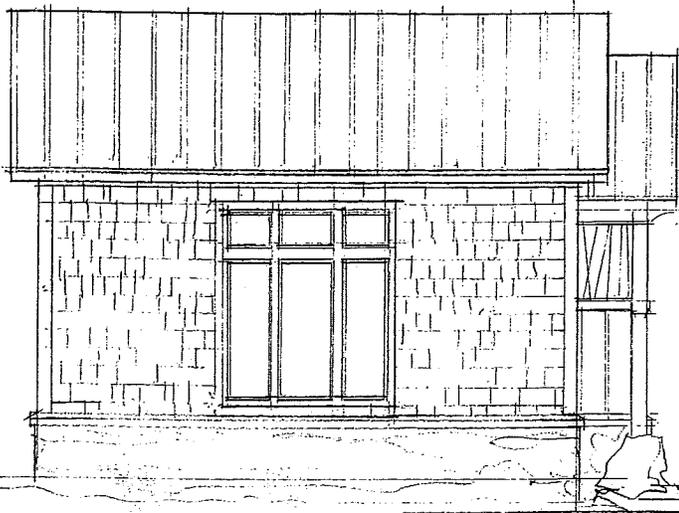
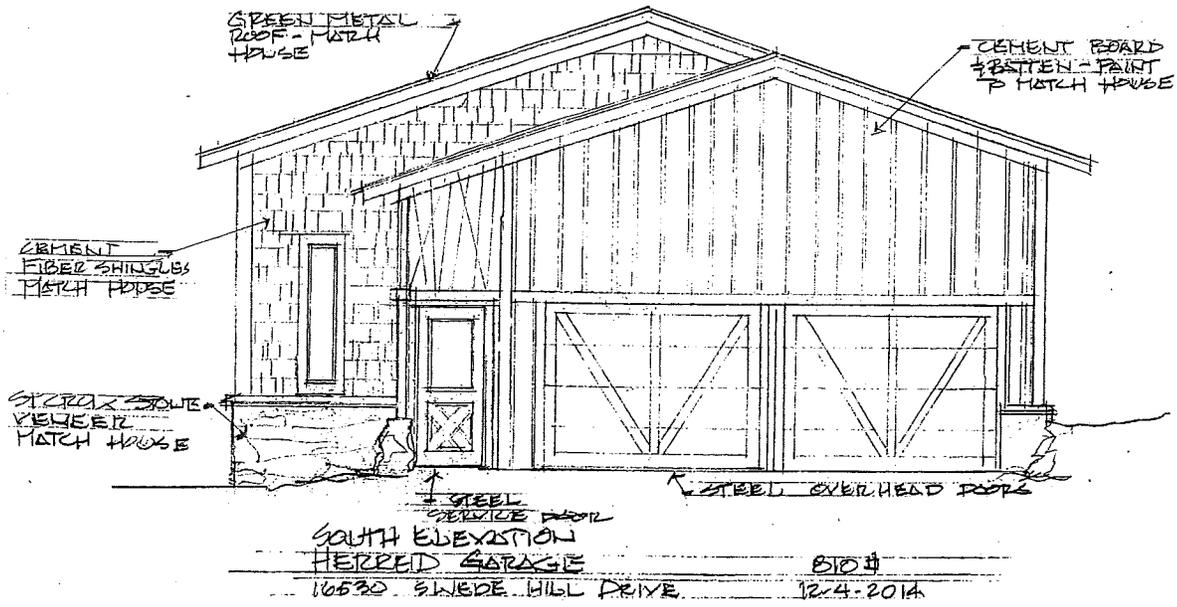
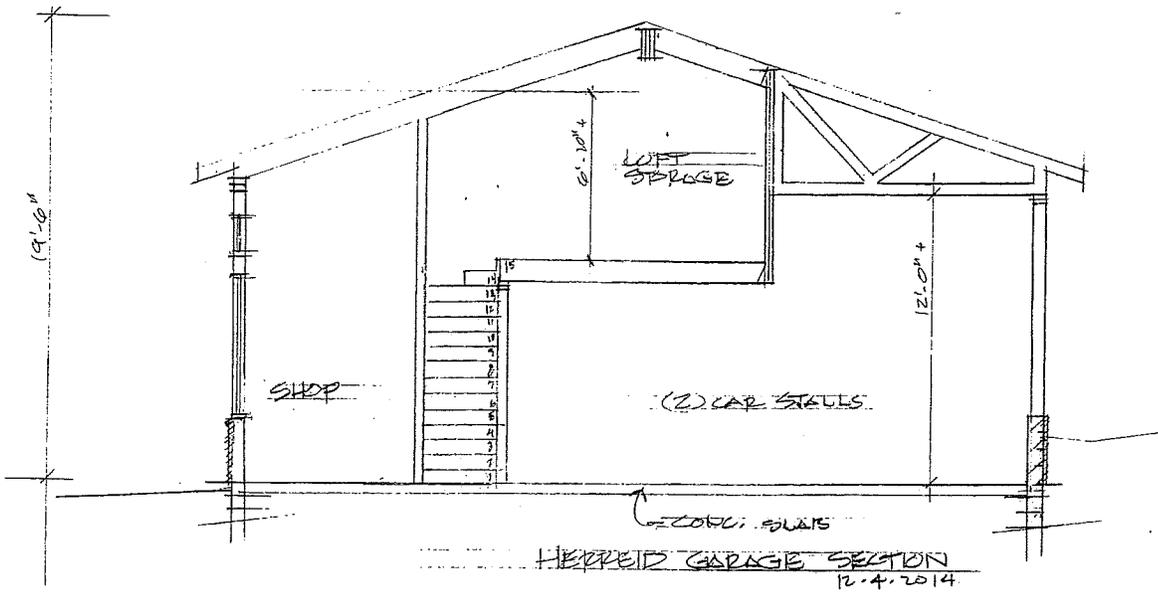


* (HIDE ANGLE VIEW)

LOOKING @ THE RIVER



LOOKING UP THE HILL



EAST (PAVED) ELEVATION
HERREID GARAGE
16530 SWEDGE HILL DRIVE 12.4.2014

WEST ELEVATION
HERREID GARAGE 12.4.2014

Minnesota Department of Natural Resources
500 Lafayette Road • St. Paul, MN • 55155-40



David Herreid
1697 Stanford Avenue
Saint Paul, MN 55105

09-12-2014

Authorization Request

Dear Mr. Herreid,

This letter is a follow up to our site visit of July 8, 2014 and prior email correspondence regarding your plans and drawings for the proposed changes to your property, a portion of which is within a Wild and Scenic River (WSR) conservation easement (County Document #413712). The easement serves to protect the outstanding resource value of the designated wild and scenic St. Croix River and has associated terms (or covenants) which restrict certain development within the easement boundaries. As the landowner you are responsible to uphold the terms of the scenic easement on your property.

I appreciate your willingness to discuss your proposal before embarking on your project and have summarized the covenants below as it pertains to your requests.

- 1) Covenant 2. No buildings (you have proposed building a garage)
- 2) Covenant 3. No structures (you have proposed rebuilding a staircase)
- 3) Covenant 6. No conveyance of any other easements for any other easement (you are working on an access easement with other landowners). A summary of your request is as follows

We have reviewed your information and keeping in mind both the short term and long term effects of any authorization provided have concluded the following:

- 1) The MNDNR authorizes the placement of the stairs within the footprint of the former stairs. The stairs should be designed and built to control soil erosion. The staircase must be maintained in such a way as to blend in with the natural landscape (paint or stain blend in with surroundings). This authorization is granted given this structure is replacing a previously existing structure. It should be understood by the landowner and neighbors who also have a WSR easement on their property that this is a unique authorization to this landowner. If other landowners are interested in installing stairs within WSR easement boundaries, a separate authorization request is required.
- 2) The MNDNR authorizes the access easement across the WSR easement. The access trail is currently on a gravel driveway that exists within the easement. The current access trail, across the WSR easement, may be maintained in its current location and current footprint to allow continued access. It cannot be increased in size with no additional removal of vegetation.

The authorizations contained in this letter apply only to the portion of the WSR easement on your property. These authorizations are granted on the condition that any and all applicable permits (local, state and federal) are obtained as necessary and any and all management and zoning rules are followed.



This Easement area is shown as a shaded area on the Survey #413712 LaRoc

MNDNR denies authorization of proposed garage placement

1) Authorization for the proposed placement of a garage within the WSR easement is denied. Due to its proximity to the river, we believe the proposed placement will have a negative impact to the conservation values and covenants of the conservation easement that is in place on this property. Accordingly we request that the garage be constructed at a location outside the easement boundaries.

I appreciate your patience and your good-faith efforts in the discussions. With this spirit of cooperation, we will be able to uphold the investment and interest of the people of Minnesota in the protection and management of the Minnesota Wild and Scenic Rivers Act. Thank you for your stewardship of the St. Croix River.

If you would like to have further discussion about the placement of the garage or have other questions, please do not hesitate to contact me. A copy of this letter has been placed in the file and WSR database for future reference.

Sincerely,



Daniel Golner, Wild and Scenic River Easement Program

Daniel.Golner@state.mn.us /651-259-5599

And



Luke Skinner, Deputy Director

MN DNR Division of Parks and Trails

CC. Molly Shodeen

W04A-W04F.004

given to me
by Dan Gomer
DNR - 7.18.2014

413712

004A-004F-6

SP 236 F

E A S E M E N T

THIS INDENTURE, Made this 19th day of November, 1980, between VERNOL B. JOHNSON, SR. and SHIRLEY M. JOHNSON, husband and wife, of the County of Ramsey and State of Minnesota, and LUELLE J. RIELANDER and HARRY G. RIELANDER, wife and husband, of the County of Cass and State of Minnesota, parties of the first part, and STATE OF MINNESOTA, a sovereign body, party of the second part,

WITNESSETH:

WHEREAS, Minn. Stat. § 104.37 authorizes the Commissioner of Natural Resources to acquire interests in land for the purpose of protecting the scenic, recreational or natural characteristics of a wild, scenic, or recreational river area;

WHEREAS, The Lower St. Croix River has been duly designated under Minn. Stat. § 104.35 as a scenic river and lands hereinafter described are within the protected river area;

That the parties of the first part, in consideration of the sum of NINETY-SIX THOUSAND AND NO/100 (\$96,000.00) DOLLARS, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do hereby Convey and Warrant unto the said party of the second part, its successors and assigns, a perpetual easement to control and restrict, in accordance with the terms and conditions as hereinafter prescribed, the use and development of the parcels or tracts of land, hereinafter designated as the "Scenic Area", situated in the County of Washington and State of Minnesota, described as follows, to-wit:

See description on the attached Exhibit A which is hereby made a part of this agreement.

FOR THE PURPOSES INTENDED HEREIN:

The party of the second part, its successors, assigns, and agents thereof, shall have the right to enter upon the "Scenic Area" for the purposes of inspection and enforcement of the terms and covenants contained herein, together with such right to remove from the "Scenic Area" any unauthorized structure, material, object or thing.

NO RIGHTS HEREIN ARE GRANTED TO THE GENERAL PUBLIC FOR ACCESS TO OR ENTRY UPON THE "SCENIC AREA" FOR ANY PURPOSE.

The parties of the first part, for themselves, their heirs, successors and assigns, do covenant that there shall be:

1. No topographic changes or alteration of the natural landscape within or upon said "Scenic Area" by excavation, drainage, filling, dumping, or any other means without a written authorization from the Commissioner of Natural Resources.

2. No building, permanent or mobile, constructed or placed in the "Scenic Area". Buildings in place on the date hereof may be maintained or repaired, but may not be replaced or relocated within the "Scenic Area" or changed in size externally in any manner without written authorization from the Commissioner of Natural Resources.

COPIES SENT BY:

DATE:

4-10-81

TO:

Dan Carlson
Paul Swenson

PARCEL 42-F UNIT NO. PC639
PROJECT LOWER ST CROIX
COUNTY WASHINGTON

3. No other structures or devices, whether permanent or temporary, hereafter constructed or placed in the "Scenic Area" without a written authorization from the Commissioner of Natural Resources. Except that authorization from the Commissioner is not required for low fences of the kind normally used to control livestock; for no trespassing or for sale signs less than 4 square feet in area; if the property does not have a dwelling on it for camping and recreational equipment sufficient for one family which is removed from the area when not in use; if the property has a dwelling on it for the usual items associated with single family residential use.

4. No destruction, cutting, trimming, or removing of trees, shrubs, bushes or plants without a written authorization from the Commissioner of Natural Resources. This covenant shall not apply to the cutting of lawns or weeds or the harvesting of agricultural crops, or the removing of trees or shrubs which are dead, or are dying from insect infestation or disease.

5. No dumping of ashes, trash, junk, rubbish, sawdust, garbage, or offal upon the "Scenic Area".

6. No conveyance of any other easement for any purpose, including but not limited to road or utility, upon or within the "Scenic Area" without a written authorization from the Commissioner of Natural Resources.

7. No use made of the "Scenic Area" in violation of the restrictive covenants herein.

This Easement and the covenants contained herein shall run with the land, shall be binding on all persons and entities who shall come into ownership or possession of the property which comprises the "Scenic Area" or any part thereof as described herein.

IN TESTIMONY WHEREOF, the parties of the first part have hereunto set their hands the day and year first above written.

EXEMPT FROM STATE DEED TAX
Laws 1971, Chapter 835.

Vernol B. Johnson, Sr.
VERNOL B. JOHNSON, SR.

Shirley M. Johnson
SHIRLEY M. JOHNSON

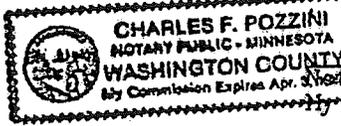
Harry G. Rielander
HARRY G. RIELANDER

Luella J. Rielander
LUELLA J. RIELANDER

STATE OF MINNESOTA)
COUNTY OF Wm.) ss.

The foregoing instrument was acknowledged before me this 19th day of Dec, 1980.

By VERNOL B. JOHNSON, SR. and SHIRLEY M. JOHNSON, husband and wife,

 CHARLES F. POZZINI
NOTARY PUBLIC - MINNESOTA
WASHINGTON COUNTY
My Commission Expires Apr. 3, 1983
Charles F. Pozzini
Notary Public, Wm. County, MN
My Commission expires Apr - 3-1983

STATE OF MINNESOTA }
COUNTY OF Wm. } SS.

The foregoing instrument was acknowledged before me
this 19th day of Dec, 1980.

By LUELLA J. RIELANDER and HARRY G.
RIELANDER, wife and husband,

Charles F. 33



Notary Public, Wm. County, MN
My commission expires Apr. 8, 1981

79016
N.C. \$5.00
No charge
State of Minnesota
Department of Natural Resources
Centennial Office Building
St. Paul, Minnesota

Office of County Recorder
Washington County, Minnesota
I hereby certify that the within instrument
was filed in this Office at Stillwater for record on the
_____ day of January, A.D. 1980
at 9:00 o'clock A. M. and was duly recorded
in Washington County Records
Doc. # 413712
By John A. Frazier
County Recorder
Deputy

WASHINGTON COUNTY, MINNESOTA

T. R. Greeder 1981
T. R. GREEDER, AUDITOR

BY J. Ellis
DEPUTY

This instrument was drafted by
BRUCE A. SPECKTOR
Special Assistant Attorney General
Box 38 Centennial Office Building
St. Paul, Minnesota 55155

ASCENIC EASEMENT OVER:

Government Lot One (1), Section Thirty-five (35), Township Twenty-eight (28), Range Twenty (20), excepting the following described tracts:

- (A) That part thereof conveyed to Robert N. Murdoch et al, by deed dated March 18, 1939 and recorded July 12, 1939 in Book 135 of Deeds, page 486.
- (B) That part thereof conveyed to Clifford A. and Elizabeth Baker by deed dated August 1, 1950 and recorded August 23, 1950 in Book 174 of Deeds, page 254.
- (C) That part thereof conveyed to Donald S. and Claire Branham by deed dated March 1, 1952 and recorded April 30, 1952 in Book 178 of Deeds, page 534.
- (D) That part thereof conveyed to Philip H. Tuma by deed dated June 7, 1952 and recorded June 10, 1952 in Book 179 of Deeds, page 270.
- (E) That part thereof conveyed to Gordon J. and Dorothy M. Lloyd by deed dated October 24, 1959 and recorded December 29, 1959 in Book 226 of Deeds, page 397.
- (F) That part thereof conveyed to Mark J. and Ida M. Markson by deed dated October 24, 1959 and recorded December 29, 1959 in Book 226 of Deeds, page 399.
- (G) That part thereof conveyed to Theodor L. Menzel by deed dated September 8, 1961 and recorded October 27, 1961 in Book 242 of Deeds, page 549.
- (H) That part thereof conveyed to Richard L. and Joan H. Herreid by deed dated November 18, 1961 and recorded November 24, 1961 in Book 243 of Deeds, page 413.
- (I) That part thereof conveyed to John Maxwell and Eleanor H. Adams by Deed dated May _____, 1962 and recorded May 25, 1962, in Book 247 of Deeds, page 446, and re-recorded September 7, 1962 in Book 250 of Deeds, page 357.
- (J) That part thereof conveyed to John R. and Mae Dahlby by deed dated July 3, 1963 and recorded December 5, 1963 in Book 263 of Deeds, page 606.
- (K) That part thereof conveyed to Raymond C. Schweigert by deed dated May 11, 1964 and recorded June 11, 1964, in Book 268 of Deeds, page 395.
- (L) That part thereof conveyed to Marvin D. and Patricia M. Silver by deed dated April 9, 1968 and recorded April 15, 1968 in Book 300 of Deeds, page 737.
- (M) That part thereof conveyed to Howard and Marilyn W. Larson by deed dated June 4, 1968 and recorded June 7, 1968, in Book 301 of Deeds, page 354.
- (N) That part thereof conveyed to Duane H. and Karen J. Tangen by deed dated September 24, 1968 and recorded October 1, 1968 in Book 302 of Deeds, page 636.
- (O) That part thereof conveyed to Melvin A. and Sarah M. Cournoyer by deed dated February 6, 1969 and recorded October 9, 1973 in Book 323 of Deeds, page 818.
- (P) That part thereof conveyed to Tom H. Johnson by deed dated November 25, 1974 and recorded November 25, 1974 as Document No. 333351.
- (Q) That part conveyed from Scenic Resources, Inc. to Richard L. and Joan H. Herreid by deed dated June 6, 1979 and recorded June 8, 1979 as Document No. 391494.

Said description contains 17.6 acres, more or less.

Survey For:
DAVID HERREID
16530 SWEDE HILL DRIVE
AFTON, MINNESOTA

Lake St. Croix. FEMA Map number 27163C0369E, dated February 3, 2010, shows the Base Flood Elevation line and value; elevation in feet to be 692.

The Lake water level report per the Minnesota DNR shows the Ordinary High Water Level (OHW) elevation as 680 feet.

Per email received from Molly Shodeen at the Minnesota DNR, the OHW for setback purposes is 675.0 feet, for permit jurisdiction, 679.5 feet.



 Denotes area obtained by Quit Claim Deed Doc. No. 3908232 and subject to Scenic and Conservation Easement per Doc. No. 413712.

AREA = 160,500± SQ. FT. OR
 3.7± ACRES

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 11th day of December, 2014

SUNDE LAND SURVEYING, LLC.

By: Mark S. Hanson
 Mark S. Hanson, P.L.S. Minn. Lic. No. 15480
 REVISED: December 15, 2014 (Update QCD note)
 REVISED: December 30, 2014 (Per comments)

SUNDE LAND SURVEYING 9001 East Bloomington Freeway (35W) • Suite 118
 Bloomington, Minnesota 55420-3435
 952-881-2455 (Fax: 952-888-9526)
www.sunde.com

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: January 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: December 29, 2014
Re: Selection of Planning Commission Representatives to Review Planning Consultant Proposals

The City has requested proposals from planning consultants for the review of applications for major subdivisions, which are subdivisions that include at least four lots or that include the construction of a new public road. In response to its request for proposals, the City has received seven proposals. The Council would like the initial review of the proposals, to select two or three proposals for review by the full Council, to be done by a committee made up of two Planning Commission members, two Council members and the City Administrator. The Planning Commission needs to select two of its members to serve on the proposal review committee.

PLANNING COMMISSION DIRECTION REQUESTED:

Motion regarding the selection of two members of the Planning Commission to serve on the committee to review planning consultant proposals.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: January 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: December 29, 2014
Re: Solar Array Regulations

Brian Ross, the consultant who is providing technical assistance for the preparation of solar energy regulations, will attend the January 5 Planning Commission meeting. Attached is the zoning scan report prepared by Mr. Ross. Please also bring to the meeting the model ordinance provided by Mr. Ross that was included in the November 3 meeting packet.

At its December 1, 2014 meeting, the Planning Commission agreed that clear definitions of residential vs. commercial solar arrays are needed. The Commission also identified the following questions to be provided to Mr. Ross in advance of the January 5 meeting.

- a) What are the primary considerations in a solar energy ordinance? What nuisances do we need to try to control?
- b) What is a good way to measure the size of a solar array, and is controlling the size of a solar array a good method of controlling impacts?
- c) Should regulations promote or control solar arrays, or both?
- d) How fast is technology progressing? Will the solar "capture" technologies shrink, causing current arrays to be obsolete in a short amount of time?
- e) What considerations should the city have on removal or disposal of the equipment?
- f) Lessons learned from other communities in implementing solar ordinances—what worked, what failed catastrophically?
- g) What are the primary business models, i.e. a) landowner works with electric company/residential; b) "developer" works directly with the electric company/commercial; and, c) independent, large solar energy producer/commercial?

PLANNING COMMISSION DIRECTION REQUESTED:

Provide direction for further work regarding solar energy regulations.

October 29, 2014

Mr. Ron Moorse, City Administrator
Afton City Hall
Afton, MN
rmoorse@ci.afton.mn.us

Mr. Moorse:

As we discussed in our meeting last week CR Planning has reviewed Afton's zoning ordinances for potential barriers to solar energy development and possible regulatory incentives for encouraging appropriate solar development. The following is a summary of our scan, including questions that we believe need to be answered in order to ensure that the solar development process is predictable and transparent to property owners, contractors, city staff, and appointed and elected officials.

This memo is based on an ordinance scan, and not an in-depth reading of the ordinances. We may have missed points or may not have appropriate information on how the city applies some elements in its development regulations. Thus we have outlined options for you to consider rather than specific recommendations.

Fundamental to our analysis is the perspective that property owners have a legitimate economic interest in the solar resource on their property, and that the city has an interest in protecting and developing local solar resources consistent with its existing development policies.

Basic Zoning Issues

Basic zoning issues (uses, height, setbacks, lot coverage) affect the ability of a property owner to capture the property's solar resource. In the case of each of these basic zoning standards, the community needs to identify how much flexibility is justified for solar development, given your community's housing stock, standards, accepted aesthetic in terms of bulk and massing, etc. For many of the basic zoning issues, the City has yet to identify clear standards as to how solar energy systems are treated.

Definitions. Solar structures are not currently defined within the zoning ordinance. It may be useful to define solar energy systems in **Section 12-55. Definitions**. Some additional definitions that make important distinctions between types of solar energy installations will likely also be helpful. For example:

1. Define solar energy system to describe it as an accessory structure that "utilizes direct sunlight to produce energy as and alternate for or supplement to..."
2. Consider a separate definition for "solar resource," where the characteristics of a meaningful solar resource can be defined in order to distinguish between a properly functioning system and a solar sculpture. Solar energy systems require access to direct sunlight for several hours every day, usually including solar noon, for the entire year, in order to properly function.
3. Consider adding a definition for "building-integrated" solar energy systems.
4. Consider a definition for ground-mount solar energy installations.
5. Consider a new definition for solar as a principal use (solar farm, solar garden).

We have definition language for all these types of installations should you decide to include them in your ordinance.

Uses. Afton does not identify rooftop or freestanding accessory use solar collectors or systems as permitted in any zoning district. **Section 12-134. Uses.** provides a long list of permitted uses – principal and accessory – for each district; solar installations are not included in this list as accessory

uses. Since solar energy systems are neither defined nor explicitly allowed in any zoning district, the assumption is that they would be regulated either as an integral part of a building or as an accessory structure.

Moreover, solar energy systems are not identified as a permitted or conditional principal use in any zoning district, which effectively prohibits freestanding solar farms or gardens throughout the community. We understand that the city has already determined not to allow solar farm or garden development in rural residential or agricultural districts, but that solar farms or gardens could potentially be allowed in industrial districts.

Options to consider include:

1. Create definition of solar energy systems (as recommended above) that explicitly describes rooftop and freestanding systems as accessory uses when installed on a lot with existing buildings.
2. Include solar energy systems as a listed accessory use along with other accessory uses in the use table.
3. Include solar energy systems as a listed (conditional) principal use (solar farm or garden) in light industrial districts in the use table. Separate standards for solar principal uses would need to be developed, including possibly distinguishing between solar farms and community solar gardens.

Height. The height limit is a potential solar access issue in developed urban areas because the solar “resource” on a building may be located above the existing roofline due to shading from trees in the lot in question or by trees or buildings on adjacent lots. Many cities include exceptions to height limits, such as church spires, antennas, chimneys, smokestacks, and similar structures. All districts in Afton have a maximum height requirement of 35 feet and include exceptions to the height limits for flues, chimneys, and additional exceptions for places of worship. Issues affecting the height issue include: the established urban forest in its village area, heritage preservation considerations, and visual impacts on the St. Croix National Scenic Riverway.

Possible options to consider include:

- Developing visual impact standards consistent with heritage preservation and St. Croix National Scenic Riverway standards.
- Listing solar energy systems as an exception to height standards in the ordinance in areas outside heritage preservation and St. Croix Riverway standards.
- Allowing solar panels to exceed the height limit, but as a conditional use, upon demonstration that the owner otherwise would have inadequate access to direct sunlight for solar energy production (consistent with the solar hardship variance definition in Minn. Statutes 394.25, Subd. 7).

The ordinance does protect solar access across neighboring lots. Under **12-132 Minimum Height Requirements**, the ordinance states:

2. No structure shall be erected that will block solar access for existing principal structures or infringe on the solar access of the buildable area of a vacant lot or parcel.

As Afton does not have a centralized wastewater system, there are few areas where urban density creates buildings shading other buildings. A more important consideration for solar access across adjacent lots is the possibility of trees on one lot growing into the solar “window” of another lot. This is a more difficult issue to address than buildings, but may become an issue in the future as solar installations become more common.

Setbacks. Setback requirements can pose similar barriers to utilizing solar resources. If a given lot's solar resource is located in a reserved setback area (rather than on a rooftop or a yard), does the city allow flexibility for ground-mount systems or building-mounted awnings that extend into the required setback?

In Afton, structures under 1,500 square feet are subject to rear and side yard setback limits of 50 feet in all districts except VHS-R and VHS-C, where 30 feet (rear) and 10 feet (side) are the limits. Permitted encroachments on setback requirements include: posts; off-street parking spaces, flag polies, ornamental features, sidewalks, fences, and essential services.

The City may wish to consider adding ground-mount solar installations to the list of equipment allowed to project into certain yards. As with solar installations attached to buildings, the City may wish to consider language that allows some flexibility for placement of ground-mounted solar installations. Options include:

- Allow incursions for ground-mounted solar collectors into a required yard, similar to the encroachments allowed for structural elements attached to the principal building.
- Allow incursions only if necessary to use the lot's solar resource, as a conditional use (as noted above for height).
- Hold ground-mount solar installations to the same standard as other land uses and accessory structures.

Impervious Surface/Coverage. As with setbacks, where trees and buildings are closer together, the lot's solar resource may only be in a yard rather than on a rooftop. Afton restricts impervious surface coverage to the following in each of its Districts:

	A	RR	VHS-R	VHS-C	I-1A	I-1B	I-1C	MS
Maximum site coverage by and structure and/or impervious surface	10% or ½ acre whichever is greater	10% or ½ acre whichever is greater	20%*	20% or 4,350 square feet, whichever is greater*	35%*	35%*	35%*	35%*

**Maximum three times the width of the lot on any lot of ten or more acres.*

Ground or pole-mounted systems, if allowed as accessory structures, would be affected by coverage limitations. Existing accessory structures may already be using the coverage allotment, and thus this requirement could act as a barrier to solar installations. A residential ground-mount installation will have a collector surface area approximately between 200-300 square feet although some systems can be somewhat smaller or larger. Options include:

- Exempting solar accessory structures from the impervious surface requirements, but setting a separate coverage limit that allows a typically-sized ground-mount system.
- Making solar installations that result in higher coverage ratios a conditional use, rather than precluding the installation.
- Exempting solar accessory structures from impervious surface limits, provided the ground mount system is not constructed on compacted soil and the ground below the collector is maintained in vegetation.

Defining impervious coverage for solar farms or gardens (principal uses) may require additional considerations. Options include:

- Exempting solar farms or gardens as uses from lot coverage ratios, but continuing to require

NPDES standards for demonstrating compliance with stormwater retention and sediment control.

- Developing standards for maintaining vegetative cover under the solar array as mitigation for the impervious surface of the collector.
- Exempting solar collectors as impervious surfaces.
- Creating a

Design Standards. Article VII Heritage Preservations is intended to safeguard the rural landscape and heritage; protect and enhance the City's appeal; foster civic pride; and promote the preservation and continued use of historic sites and structures. Within this article, roofs are regulated under **Section 12-1668. Roofs and Chimneys**, which states the following:

The shape, texture, and color of the roof are important design features of any buildings. Gable and hipped roofs are most common for residential construction, while flat roofs are found on some commercial buildings. Many of the early houses of the City were roofed in cedar shingles and later reroofed with asphalt shingles. Properly selected modern asphalt roofing materials are compatible with the appearance of historic building.

A. Roofing materials. New roofing material should be appropriate to the character of the buildings in composition, size, shape and texture. Dark brown, dark gray, and "weathered wood" are among usually acceptable colors. Rolled roofing may be used only on flat or slightly sloped roofs which are not visible from the public way.

C. Skylights. Wherever possible skylights should not be installed on the front roof plane. They should be flat and as close to the roof as possible.

The ordinance also states that for new construction or alterations of commercial buildings "roof hardware such as skylights, vents, and metal pipe chimneys should not be placed on the front roof plane."

It is unclear if solar panels, roof or ground-mounted, would violate any of these design requirements. The City may consider the following:

- Permit ground mount accessory systems in the rear yards of historic district buildings.
- Limit solar installations on the front roof plane similar to Subsection C. above, regarding skylights. Rely on the variance process (consistent with state statute) for those instances when the limitation precludes access to direct sunlight for solar energy production (noted below).

Variances. Afton's zoning ordinance refers to solar energy in one context – that of variances:

Section 12-77 Appeals and Variances; Board of Adjustments and appeals

Economic considerations alone shall not constitute practical difficulties if reasonable use for the property exists under terms of the ordinance. Practical difficulties also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems.

This section is consistent with state law on variances, which explicitly defines inadequate access to direct sunlight for solar energy systems as a practical difficulty that can trigger a variance.

Subdivision Standards. The subdivision process offers other opportunities to encourage solar installations, by protecting solar access, creating solar development incentives, and integrating the concept of solar as an important local resource into the fabric of the region's infrastructure.

Currently, under **Article VI. Subdivisions, Section 12-1258. Solar access planning**, the ordinance reads:

All new subdivisions should be designed to accommodate extensive use of passive and active solar energy systems with special attention given to street, lot and building orientation.

This language could be strengthened to encourage solar development through a suitability analysis that would include identifying and protecting potential solar resources. Solar resources can be protected most easily in the subdivision process where solar easements could be identified, as part of the subdivision process, for those lots with good solar resources. The solar easement would preclude buildings or vegetation that would shade a designated solar resource.

Such suitability analysis is now much easier than in the past, as Minnesota's solar resources have been mapped for the entire state at a one-meter resolution, and is available for free from the University of Minnesota (the GIS data may soon be transferred to the Department of Natural Resources "data delis" site). The online map can be accessed at <http://solar.maps.umn.edu/app/>.

The Minnesota municipal planning and zoning enabling statute includes the following provision:

462.358 OFFICIAL CONTROLS: SUBDIVISION REGULATION; DEDICATION. Subd. 2a: The regulations may prohibit, restrict or control development for the purpose of protecting and assuring access to direct sunlight for solar energy systems.

We encourage the City to add provisions to the zoning ordinance in order to be able to more adequately interpret and apply this standard. Options include:

- *Require, as part of the submittal requirements for a preliminary plat in the subdivision process, identification of solar resources and solar easements that protect and encourage development of local solar resources.*
- *Require that subdividers demonstrate that the subdivision has been properly planned for possible solar energy installations within the subdivision and as it relates to adjacent property.*
- *Limit HOA/CIC design restrictions on solar development, or require that subdivisions include a lot designed and designated for community solar garden development.*

Regulatory Incentives. Removing potential barriers to the development of property owners' solar resources is a critical step in enabling solar development. However, the City also has options to include regulatory incentives for solar development, similar to incentives that the City uses to encourage other community benefits in the development process. Examples of incentives that can encourage development of solar resources include:

- Encouraging or requiring that new buildings be built to "solar ready" standards when the city provides financial or infrastructural investment in the project.
- Using density or FAR incentives for development that also develops solar resources.
- Incorporating solar development as a component of PUD benefits, similarly to PUD requirements for trails, open space, or desired mix of uses.

We will check in with you after you review these, in order to determine how we can assist you with the next steps.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: January 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: December 29, 2014
Re: Manning Avenue Corridor Overlay District

Dialogue with the City of Woodbury

At the December 1, 2014 Planning Commission meeting, staff provided a summary of a meeting with the Woodbury City Administrator and Community Development Director regarding Woodbury's development plans along Manning Avenue. The Community Development Director had indicated he and his planning staff are open to meeting with the Planning Commission to provide additional detail regarding the City's land use plans along Manning Avenue. The Woodbury City Administrator indicated he and Woodbury's Mayor would like to meet with Afton's Mayor and City Administrator. The Commission members agreed it would be beneficial to continue a dialogue with the City of Woodbury. It was suggested that the City Council may want to be involved in another meeting with Woodbury, as the Planning Commission and City Council may have different perspectives and questions. It was felt that obtaining additional information regarding Woodbury's plans would be more beneficial prior to the meeting with Manning Avenue property owners.

Meeting with Property Owners Directly Adjacent to Manning Avenue

The Commission has agreed that it wants to keep momentum going in engaging and communicating with property owners adjacent to Manning Avenue. The next step in this process is to meet with the owners of properties directly adjacent to Manning Avenue. This meeting could be planned for March or April. Commissioner Kopitzke drafted an article for the January Newsletter updating residents on the status of the Manning Avenue Corridor planning process, including the plan to meet with the Manning Avenue property owners in the spring. There are 45 parcels in Afton abutting Manning Avenue. The Planning Commission may want to discuss the timing of a meeting with these property owners and a process for planning the meeting.

PLANNING COMMISSION DIRECTION REQUESTED:

Provide direction regarding the next steps in the Manning Avenue Corridor planning process.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: January 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moore, City Administrator
Date: December 31, 2014
Re: Regulations Regarding Contiguous Substandard Lots Under Common Ownership

Background

Section 131. B. 3 of the Zoning Code provides the following regulations regarding the buildability of substandard lots:

1. If in a group of two or more contiguous lots or parcels of land owned or controlled by the same person, any individual lot or parcel does not meet the full width or area requirements of this article, such individual lot or parcel cannot be considered as a separate parcel of land for purposes of sale or development, but must be combined with adjacent lots or parcels under the same ownership so that the combination of lots or parcels will equal one or more parcels of land each meeting the full lot width and area requirements of this Article.

The Planning Commission has agreed that this language serves the beneficial purpose of providing opportunities to combine nonconforming lots to create conforming lots. The Council discussed this language at its December 16 meeting, and agreed the language is beneficial, but also agreed it would be beneficial for the Planning Commission to review the language and the existing nonconformities to determine if the language should be changed to add some flexibility or narrow the focus of the language to address specific nonconformity situations. For example, Council member Nolz questioned whether current ordinances should require parcels that were legally platted and conforming at the time of platting to now be combined. Another example is a lot that fits the rural character in that it exceeds size and density requirements (i.e. a 10 acre lot), but has only 250 feet of frontage on a public road. A third example is a non-conforming lot that was buildable because it was under separate ownership, but was then purchased by a person who also owned an adjacent lot.

The Council referred this issue back to the Planning Commission to work through how many parcels may be affected, to identify the types of non-conformities involved and, if possible, to identify how the non-conformities arose; and to provide a recommendation regarding changes to the ordinance language, if any.

Staff will continue to identify additional parcels that are non-conforming and under common ownership.

PLANNING COMMISSION DIRECTION REQUESTED:

Provide direction regarding moving forward concerning review and recommendations regarding regulations related to contiguous substandard lots under common ownership

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Planning Commission Memo

Meeting: January 5, 2015

To: Chair Ronningen and members of the Planning Commission
From: Ron Moorse, City Administrator
Date: December 31, 2014
Re: Regulations Regarding Accessory Buildings on Parcels Greater than 20 Acres

Background

Section 12-187 of the Zoning Code provides specific language regarding the size and number of accessory buildings allowed on parcels up to 20 acres. It also provides language regarding “agricultural buildings on rural farms” of 20 acres or greater. There is no language specific to accessory buildings on parcels 20 acres or greater that are not “agricultural buildings on rural farms”.

Paragraph A.3. of Section 12-187 addresses domesticated farm animal buildings on rural parcels. This paragraph indicates that “The total area of all accessory buildings shall not exceed 2,500 square feet, subject to the acreage requirements in Subsection (B) of this section. Such buildings shall be regulated by Subsections (B), (M), and (N) of this section.” Subsection (B) allows a maximum size of 2,500 square feet on parcels of 10-20 acres. It does not address parcels of 20 acres or greater. Subsection (M) provides that “An Administrative Permit is required for approval and construction of a detached domesticated farm animal building on a residential parcel of at least five acres and up to 20 acres.” Again, this language does not address domesticated farm animal buildings on parcels 20 acres or greater.

It is not clear whether these sections place a 2,500 square foot maximum limit on domesticated farm animal buildings regardless of parcel size, or whether they do not regulate the size of domesticated farm animal buildings on parcels 20 acres or greater. It appears that the current code anticipates accessory buildings larger than 2,500 square feet on parcels 20 acres or greater, but the code does not provide language to direct how this is to occur.

At the December 16 Council meeting, Council member Nolz commented that the city has historically allowed larger accessory buildings on parcels greater than 20 acres. It is necessary for the city to clarify the interpretation of its accessory building language, including how it wants to regulate accessory building size on large parcels, and to update its language to reflect that.

The Planning Commission had requested Council direction before moving forward with its work on this issue. Of particular concern by the Commission was how allowances for larger accessory buildings should be permitted: by Conditional Use Permit (CUP), Building Permit, and/or Certificate of Compliance; and how they can be recorded and tracked, if for instance, the owners of a large parcel should want to subdivide in the future, making the buildings non-compliant.

Council member Nolz indicated she is concerned with what might happen if parcels with larger buildings are subdivided leaving the accessory building as non-compliant. Council member Palmquist indicated he felt the city needs to have a way to enforce non-compliant properties and buildings in the city, especially in the future if this is allowed. Nolz commented that a building permit and/or a CUP

could say “not to be used as commercial or commercial storage” to limit the uses housed in the building. Mayor Bend suggested large buildings that support hobby farms should be allowed. He also suggested large accessory buildings should only be allowed to be used in ways consistent with the rural character and not commercial.

The Council directed the Planning Commission to continue its work regarding code language related to large accessory buildings on parcels 20 acres or greater, which could involve providing definitions and size limitations and including conditional use permits and/or certificates of compliance, as well as building permits, as part of the regulations.

Conditions/Requirements related to Large Accessory Buildings

Requirements regarding large accessory buildings that are included in the ordinances of other cities are as follows:

1. Require accessory buildings to resemble in style, materials, color, roofline and siding type, the principle building except for agricultural buildings, and horse stables and riding arenas
2. No subdivision shall be allowed if it would make existing accessory structures non-conforming
3. All detached accessory structures are to be used for personal use or agricultural use only. No commercial use or commercial related storage is allowed in these structures
4. All accessory structures over a certain size, i.e. 2,500 sq. ft., require a certificate of compliance to ensure they meet, and continue to meet, conditions placed on them.

PLANNING COMMISSION DIRECTION REQUESTED:

Provide direction regarding the study process concerning accessory buildings on parcels greater than 20 acres.

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PROCEEDINGS OF THE AFTON CITY COUNCIL
CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

DRAFT Regular City Council Meeting Minutes
December 16, 2014
Afton City Hall
3033 St. Croix Trail
Afton, MN 55001
7:00 p.m.

12 1. THE MEETING WAS CALLED TO ORDER at 7:01 p.m. by Mayor Bend.

13
14 2. PLEDGE OF ALLEGIANCE was recited.

15
16 3. ROLL CALL: Council Members Palmquist, Nolz, Nelson and Mayor Bend. Absent: Council Member
17 Richter. Quorum present.

18
19 OTHERS PRESENT: City Attorney Fritz Knaak, City Engineer Todd Hubmer and Acquisition Specialist
20 Ben Barker, Planning Commission Vice Chair Kris Kopitzke, City Administrator Ron Moore and Deputy
21 Clerk Kim Swanson Linner.

22
23 4. APPROVAL OF AGENDA -

24 A. Approval of the Agenda for the Regular City Council Meeting of December 16, 2014 – Added Item 9C
25 Supplemental Claims to Consent Agenda; moved Items 10B 1(a) and (b) Easement Acquisition to the end of
26 10C Administration so it can go into a CLOSED SESSION; Item 10C11 Park Bench Donation was moved up to
27 the beginning of Administration for the attendance of the resident.

28 Motion/Second: Palmquist/Nelson. To approve the December 16, 2014 Regular City Council Meeting
29 agenda as amended. Motion carried 4-0-0.

30
31 5. APPROVAL OF MINUTES -

32 A. Minutes of the Regular City Council Meeting on November 18, 2014 – The meeting contained an
33 irregularity on Resolution 2014-49 which was not taken as a ROLL CALL vote, as is normally done for
34 resolutions. City Attorney Knaak had advised that the vote be adopted as a ROLL CALL vote as part of the
35 approval of the minutes at the December 16 meeting.

36 Due to Council Member Richter being absent at this meeting, but having presided over the November 18
37 meeting as Mayor Pro Tem, the approval of these minutes was continued to the January 20, 2015 meeting.

38
39 B. Minutes of the Special City Council Meeting-Facility Plan Public Hearing on December 4, 2014 –
40 Motion/Second: Bend/Nelson. To approve the December 4, 2014 Special City Council Meeting –Facility
41 Plan Public Hearing minutes as presented. Motion carried 4-0-0.

42
43 C. Minutes of the Special City Council Meeting on December 9, 2014 –
44 Motion/Second: Palmquist/Nelson. To approve the December 9, 2014 Special City Council Meeting
45 minutes as presented. Motion carried 4-0-0.

46
47 6. PUBLIC INPUT –

48 A. Senator Katie Sieben – Thanked Council Member Nolz for her many years of outstanding service and
49 dedication to the city. She updated the Council that the State Legislature will pass a Bi-Annual bonding bill in the
50 2016 session so she can work with the City for more DNR funding then. She offered her services to Afton for any
51 other issues, aside from continuing with the MN Pollution Control Agency, that are of assistance to the city. She
52 indicated the Lower St. Croix River Association is interested in obtaining Legacy grant funds for issues pertaining
53 to the Lower St. Croix Valley river cities. She indicated that House Representative McNamara is the incoming
54 Chair of the Environmental and Resources Committee and extended his services to Afton, as well.

56 **7. REPORTS/PRESENTATIONS -**

57 **A. Jim Bougie, Finance Committee** – reported that the cash flow for 11/30/2014 shows a projected \$42,000
58 surplus, however, the 2nd half property taxes received in December was less than projected, so it appears there
59 may be a deficit at the end of the year if the shortfall continues.

60 **Administrator Moose indicated he will look into the discrepancy between the expected and actual**
61 **property taxes for the 2nd half of the year.**

62 **B. Sheriff's Department Monthly Report** – Deputy Jessica Stiffarm reported that the ICRs for the month
63 were mostly traffic assists with the icy weather in November. She reported that two burglaries occurred, one
64 perpetrator lived at the residence burgled and the other has been apprehended. She announced she will no longer
65 be the relief deputy; as of January 1 the deputy assigned to Afton will be Deputy Bell.

66 **C. Lower St. Croix Fire District Report** – none in attendance.

67

68 **8. BUDGET & TAX LEVY HEARING -**

69 **A. 2015 Budget and Tax Levy – Budget and Tax Hearing** – Mayor Bend opened the Public Hearing for
70 the 2015 Budget and Tax Levy at 7:25 p.m. Administrator Moose reviewed the 2015 Budget Overview
71 statement: 2015 General Fund expenditures are \$1,134,384, an increase of \$51,976 or 4.8% over the 2014
72 budget.

73

74 Key items affecting the General Fund expenditures are:

- 75 • City Administrator pay increased by \$12,525 or 16.4%, and insurance benefits increased \$19,980 or 279.8%, as
- 76 the City Administrator position was changed to a full-time position vs. a 30 hour/week position.
- 77 • The budget includes \$4,500 for a summer intern to assist the City Administrator in completing specific projects.
- 78 • Fire and Ambulance service increased by \$5,953, or 2.8% reflecting the Lower St. Croix Valley Fire
- 79 Department's 1.9% 2015 budget increase and a larger cost share for Afton due to the cost allocation formula.
- 80 • Police Service increased \$2,050, or 1.2% based on the estimated cost increase from the Washington County
- 81 Sheriff's Department.

82

83 General Fund revenues are generally flat. A transfer of \$8,000 is planned to pay the interest expense on a low
84 interest loan for the construction of the Old Village wastewater collection and treatment system. The Road Debt
85 Service Fund increased by \$5,000, or 1.6%, to reflect increasing debt service expenditure amounts on the 2005
86 road paving bonds per the debt service schedule. Costs and funding related to the downtown improvement
87 projects requires preparing a long term capital financing plan that will move forward when the timing of the
88 improvement projects has been confirmed. The impact on property owners for a home valued at \$200,000 is
89 \$581.02, an increase of \$36.95 or 6.79% over 2014. For a home valued at \$500,000 the City's share of property
90 taxes would be \$1,615.62, an increase of \$111.00, or 7.38% over 2014. For a commercial property valued at
91 \$500,000, the city's share of property taxes would be 2,931.44, an increase of \$147.90 or 5.31%.

92

93 **Motion/Second: Nolz Palmquist. To close the Public Hearing at 7:26 p.m. Motion carried 4-0-0.**

94

95 1. **Adoption of the Final 2015 Budget - Resolution 2014-55** –

96 **Motion/Second: Palmquist/Nelson. To approve the Final 2015 Budget as presented in Resolution 2014-55**
97 **and detailed in Attachment A in the amount of \$1,861,017. ROLL CALL: All Ayes. Motion carried 4-0-0.**

98

99 2. **Adoption of the Final 2015 Tax Levy – Resolution 2014-56** –

100 **Motion/Second: Palmquist/Nelson. To approve the Final Tax Levies for 2015 as presented in Resolution**
101 **2014-56 for a Total Final Certified Levy of \$1,704,183. ROLL CALL: All Ayes. Motion carried 4-0-0.**

102

103 **9. CONSENT AGENDA**

104 **A. Just and Correct Claims –**

105 **B. 4M Fund Transfer – NOVEMBER - Resolution 2014-57**

106 **C. Supplemental Claim – Lindquist + Venum invoice received after the deadline for the packet.**

107 **Motion/Second: Nelson/Palmquist. To approve the Consent Agenda for Just and Correct Claims,**
108 **including the Supplemental Claim and the 4M Fund Transfer for NOVEMBER per Resolution 2014-57.**
109 **ROLL CALL: All Ayes. Motion carried 4-0-0.**
110

111 **10. CITY COUNCIL BUSINESS -**

112 **A. Planning Commission Report –**

113 1. Ordinance Amendment re: Front Yard Setback Anomaly – Ordinance 03-2014 – Vice Chair
114 Kopitzke reported that the Planning Commission held a Public Hearing at its December 1, 2014 meeting. They
115 recommended to City Council that the ordinance amendment requiring both a minimum setback from the
116 centerline of a public road and a setback from the front property line equal to the required rear yard setback, be
117 approved as written.
118

119 **Motion/Second: Palmquist/Bend. To adopt the language amendments to Section 12-132. A. Minimum**
120 **Requirements for front yard setbacks on lots that do not have frontage on a public road as written in**
121 **Ordinance 03-2014. ROLL CALL: All Ayes. Motion carried 4-0-0.**
122

123 2. Regulations on the Size and Number of Accessory Buildings on Parcels Greater than 20 Acres –
124 Administrator Moose reviewed the issue that currently city code is silent on the size and amount of accessory
125 buildings allowed on parcels greater than 20 acres. Council had previously identified that the issue should be
126 clarified. The Planning Commission reviewed the information provided from other rural communities which
127 showed a variety of larger accessory buildings allowed on large parcels. Moose reported that the Planning
128 Commission asked for Council Member input prior to taking on the issue. Of particular concern by the PC is
129 how such allowances should be permitted: by Conditional Use Permit (CUP), Building Permit, and/or
130 Certificate of Compliance; and how they can be recorded and tracked, if for instance, the owners of a large
131 parcel should want to subdivide in the future, making the buildings non-compliant.
132

133 Council Discussion

134 Mayor Bend asked for Council Member's opinions.

135 Nolz commented that the city has historically allowed larger accessory buildings on parcels greater than 20
136 acres. She too is concerned with what might happen if parcels with larger buildings are subdivided leaving the
137 accessory building as non-compliant.

138 Palmquist felt the city needs to have a way to enforce non-compliant properties and buildings in the city,
139 especially in the future if this is allowed.

140 Nolz commented that a building permit and/or a CUP could say "not to be used as commercial or
141 commercial storage" to limit the uses housed in the building.
142

143 **The issue was directed back to the Planning Commission for their review and recommendation.**
144

145 3. Regulations Regarding Contiguous Non-conforming Parcels under Common Ownership –
146 Administrator Moose summarized the current ordinance language requiring contiguous non-conforming parcels
147 under common ownership to be combined to create parcels that are conforming. It was noted that the number of
148 parcels was greater than what was provided by Washington County for the PC's review at the December 1
149 meeting.
150

151 Council Discussion

152 Bend recalled that Nolz, the Council Liaison to the Planning Commission, had provided a two page
153 additional list of non-conforming contiguous properties under common ownership. He felt that the city would be
154 doing residents a dis-service if residents weren't notified that the code requires them to combine contiguous
155 non-conforming parcels. Residents would see it as a sudden "economic loss" and he would rather have residents
156 know up front that the city has requirements to try to make non-conforming parcels into conforming parcels that
157 meet the city zoning codes, or get rid of the ordinance, but don't "bush-whack" residents.

158 Nolz brought up, if parcels were legally divided and conformed at the time, can current ordinances require
159 them to be joined now?

160 Kopitzke felt that a person buying a pre-existing lot wouldn't necessarily think that a "prior" non-
161 conforming lot should have to be changed and wondered if all those lots should be "grandfathered in."

162 Bend asked whether a resident could expect to sell a 2-1/2 acre lot with a house on it as a separate lot?

163 Palmquist commented that parcels in the Village have to consist of three lots to be able to have a home on it.
164 What if there were five lots with two homes on them?

165 Moose explained the recent situation involved an owner who purchased a lot with a house on it and
166 purchased a second contiguous lot which is not large enough to be conforming, but the owner wanted to sell
167 both separately. They were told they could not sell the two parcels separately as one is a non-conforming lot,
168 and that according to city ordinance, they need to combine the lots in order to sell as one lot.

169 Bend contended that the zoning code has some things that may be damaging to residents, however, the
170 zoning code intends to keep the city looking the way the majority of residents want it. He stated the adjustments
171 of merging non-conforming lots makes sense because they are making larger lots and making rural character
172 possible.

173 Palmquist felt the city should proactively let residents know what the situation is regarding contiguous non-
174 conforming lots under common ownership being required to be combined.

175 Kopitzke commented that the Planning Commission could take a look at a more complete list and consider a
176 couple of criteria the city wants identified.

177
178 **Council directed the issue back to the PC to work through how many parcels may be affected, to identify**
179 **the types of non-conformities involved and, if possible, identify how the non-conformities arose.**

180
181 4. Draft Planning Commission Minutes – on file.

182
183 **B. Engineering Report**

184 1. Staff Report/Council Update – Items (a) & (b) were moved to the end of the Administration section
185 in order to go into a CLOSED SESSION. Engineer Hubmer stated he would report on Item (d) first, as Item C
186 will dovetail with the Springsted interim financing item.

187
188 d. Bridge Inspection Report – Engineer Todd Hubmer reported that the 2014 Bridge Inspections
189 Report is complete. Two bridges required inspection this year. One of the bridges (L8170) is included in the
190 City's CIP for replacement in 2017. It has a sufficiency rating of 30.6 and is deemed structurally deficient and
191 would therefore qualify for State Bridge Bonding funding. [The full Bridge Inspection Report is posted to the
192 city website.]

193
194 c. Downtown Improvement Projects Financial Projections for Interim Financing Needs – Engineer
195 Hubmer spoke about the expenses the City has incurred in 2014 for pre-construction engineering services, such
196 as project design services and easement acquisition services, which have been funded from the Special Reserve
197 Fund, with the expectation that this fund would be reimbursed at the time the City sold assessment bonds and
198 began to receive grant funds for the wastewater treatment project. He indicated that because the construction of
199 the wastewater treatment project has been delayed, the City does not have a source of funds to reimburse the
200 Special Reserve Fund. Because the City will continue to incur pre-construction costs in 2015, including the
201 preparation of the Environmental Assessment Worksheet, the acquisition of easements, and the final design of
202 the 2015 portion of the downtown improvement projects, an additional source, or sources, of interim financing
203 is needed. He reviewed a spreadsheet showing projected pre-construction expenses by month in 2015, noting
204 that the expenses will increase dramatically in June, July and August for construction. Washington County has
205 indicated they would consider providing a portion of the County's share of the CR 21 Project costs to the City in
206 early 2015 to assist the City in meeting its cash flow needs related to the project.

207
208 **C. Administration –**

209 1. Interim Financing for Downtown Improvement Projects - Doug Green, of Springsted, walked
210 Council through the interim financing options it is anticipated the city will need by March 2015. As the time
211 approaches, Springsted and WSB will advise on the amount and timing of what is needed. He explained that
212 construction loans are limited for municipal securities. Two options exist: 1) A Bank Loan for a short-term of

213 12-18 months, has 2-3 week processing, can be prepaid at any time, and has a slightly higher fixed interest rate.
214 2) A General Obligation Bond of 1-2 years, has an 8 week issuing process, has lower interest rates but higher
215 financing costs, and they can't be paid out at any time. If either, or both options are pursued, the city is still not
216 obligated for either at this time.

217
218 **Motion/Second: Bend/Palmquist. To give Springsted, the financing consultant, direction to pursue**
219 **interim financing options for the downtown improvement projects, with a bank loan as a preferable**
220 **option, unless more favorable conditions occur for bonds at least as good as the Option 1 projection.**
221 **Motion carried 4-0-0.**

222
223 2. Springsted Municipal Advisor Contract, Including Proposal for Continuing Disclosure Services and
224 Arbitrage Monitoring Related to the Refunding Bonds – Doug Green indicated that action is not needed at this
225 time for their services to continue.

226
227 **The proposal was continued to the January 20 meeting.**

228
229 3. Park Bench Donation-Mabel Lozano and Oscar Castell – **Resolution 2014-63** – [This item was
230 moved up to accommodate the resident.] Mayor Bend recognized Claudia Castell-Miller and explained she has
231 made a “very generous” donation for a memorial bench. He commended her for her interest in the city and her
232 dedication to attending Council meetings.

233 Palmquist suggested that the Parks Committee receive the application and discuss options for the bench
234 in light of the planned construction downtown. He wanted Castell-Miller to be invited to a future Parks
235 Committee meeting for this discussion.

236
237 **Motion/Second: Palmquist/Nelson. To accept the donation from Claudia Castell-Miller for a memorial**
238 **bench to be placed in the community as specified in Resolution 2014-63. ROLL CALL: All Ayes. Motion**
239 **carried 4-0-0.**

240
241 4. Highland Sanitation Contract Renewal – **Resolution 2014-58** – Administrator Moore explained
242 that the City's current five year contract with Highland Sanitation for solid waste and recycling service expires
243 at the end of 2014. He indicated that staff had reviewed the renewal of the Highland Sanitation contract and had
244 conducted a rate survey that showed Highland was higher than average, but not substantially higher. Staff had
245 recommended that the contract be reviewed by the LMC's contract attorney, and that the contract be renewed
246 for five years, rather than conducting an RFP process at this time. Moore reported that since that time,
247 Washington County had hired a consultant to provide technical assistance to cities doing RFP's for solid waste
248 and recycling services, or that are renewing their contracts. Staff then worked with a county staff person and the
249 consultant regarding the renewal of the Highland Sanitation contract. The consultant conducted a detailed
250 analysis of the Highland Sanitation contract that identified a number of areas that needed improvement, and
251 consequently prepared a revised two year renewal contract that addressed the areas needing improvement, with
252 the exception of the rate schedule. While the rates are significantly high in relation to those charged by other
253 providers, the contract reflects the current rate schedule remaining in place for 2015. The rates are recommended
254 to be addressed through an RFP process in late 2016 for a new five-year contract for 2017-2021. The revised
255 contract for a two-year renewal has been reviewed with Highland Sanitation, and they are in agreement with the
256 updated provisions.

257
258 **Motion/Second: Palmquist/Nelson. To adopt Resolution 2014-58 approving a two-year contract renewal**
259 **with Highland Sanitation for solid waste and recycling services, including the rate revisions received by**
260 **the city per the email dated 12-16-14. ROLL CALL: Nelson-Aye, Palmquist-Aye, Nolz-Nay, Bend-Aye.**
261 **Motion carried 3-1-0 (Nolz).**

262
263 5. Agreement with Washington County for Subsurface Sewage Treatment System Inspection Services
264 – Resolution 2014-59 – Administrator Moore explained the City has had an agreement with Washington
265 County for a number of years for subsurface sewage treatment system inspection services. The current

266 agreement expires on December 31, 2014. He explained there is no cost to the City for the services, as the
267 County receives all septic system permit fees. The only change to the contract is the term, which has been
268 extended to December 31, 2016.

269

270 **Motion/Second: Palmquist/Nelson. To adopt Resolution 2014-59 approving the renewal of the agreement**
271 **with Washington County for subsurface sewage treatment system permitting and inspection services with**
272 **a term expiring on December 31, 2016. ROLL CALL: All Ayes. Motion carried 4-0-0.**

273

274 6. Dave Brown One-Year Contract Renewal for 201 Septic System maintenance – Resolution 2014-
275 60 – Administrator Moore explained the City currently has a contract with Dave Brown for the maintenance of
276 the 201 Septic System which expires on December 31, 2014. Staff recommends extending the contract for
277 another year, and to reassess the needs when the Village Septic project nears completion. The renewal for 2015
278 is for \$800, which is the current contract cost.

279

280 **Motion/Second: Palmquist/Nelson. To authorize the renewal of the contract with Dave Brown for an**
281 **annual cost of \$800 for the maintenance of the 201 Septic System per Resolution 2014-60. ROLL CALL:**
282 **All Ayes. Motion carried 4-0-0.**

283

284 7. Cooperative Arrangement for 4th of July Parade – Resolution 2014-61 – Administrator Moore
285 explained in the past few years the 4th of July Committee has been willing to take on tasks done in the past by
286 city staff. The 4th of July Parade Committee has suggested they take on all responsibility for the day's Parade
287 and Celebration activities as a non-profit organization working through a cooperative arrangement with the City.
288 This would center accountability and responsibility for all aspects of the Parade in one entity, and would put the
289 Committee in a better position to raise and utilize a greater amount of private donations to support and improve
290 the day's events. The Committee provided a proposed cooperative agreement; Mayor Bend made language
291 revisions which was given to Council in the Supplemental Packet. Council felt they and the committee would
292 need time to consider the revised agreement prior to any action by the City.

293

294 **The Cooperative Agreement with the 4th of July Parade Committee was continued to the January 20**
295 **meeting to give time for considering the revised agreement language.**

296

297 8. Planning Consultant Proposal Review Process – Administrator Moore summarized that the City
298 received five proposals from the Request for Proposals (RFP) for consultant planners to do reviews of major
299 subdivision applications. Staff recommends that the proposals be reviewed and narrowed to a set of finalists,
300 and that the finalists participate in an interview process as the basis for a selection decision.

301

302 Council Discussion

303 Bend thought it prudent to have Planning Commission members present as they interact with the planner
304 consultants the most.

305 Nelson would like all Council Members to be involved in the interviews.

306 Palmquist was okay with the City Administrator and a few Planning Commission members do the initial
307 proposal review/interview to narrow to a few recommended finalists.

308

309 **Directed the process for contracting with a Consultant Planner to do reviews major subdivision**
310 **applications: a first round of reviewing the proposals and interviews will be by the City Administrator,**
311 **the Mayor, both the Planning Commission Chair and another member of the PC. That group will narrow**
312 **the selection to two and the full City Council interview finalists and will make the final decision.**

313

314 9. Reinstate the Natural Resources and Groundwater Commission – Mayor Bend spoke that he put this
315 on the agenda as in past years, the City had an active Natural Resources and Groundwater Commission that
316 dealt with the protection of the City's natural resources, particularly its water resources. Bend had talked with
317 two former commission members who felt it was a very worthwhile advisory board for the city. In recent years
318 the City's concern over water availability and water quality has increased with the water quality monitoring of

319 Department of Natural Resources wells. The City's Comprehensive Plan states it is important to monitor and
320 ensure water quality, and Bend feels it important to have more residents involved in city affairs.

321
322 Council Discussion

323 Nelson wanted to have a Council Member be a liaison on the committee.

324 Palmquist thought the city needs to have Afton representatives at the water quality meetings in the metro-
325 and east metro-area.

326 Nelson felt it important for Afton to be present at regional meetings and to interact more with the
327 watersheds located in the city.

328 Bend thought that it is especially important to have an Afton presence at the watersheds, as they have taxing
329 authority and that could benefit the city too. He felt five volunteers would be a good number of members.

330
331 **Motion/Second: Palmquist/Nelson. For staff to begin the process of reinstating the Natural Resources and**
332 **Groundwater Commission as an active advisory committee of the City by setting out the terms of**
333 **committee, such as monthly meetings, number of members, length of member terms, etc. Motion carried**
334 **4-0-0.**

335
336 10. City Dock Reinforcement Improvements – Administrator Moose explained that Council had
337 authorized reinforcement improvements to the City Dock, with the understanding that the City would pay the
338 cost of materials and Afton/St. Croix Companies would pay the cost of installation. The cost of materials was
339 estimated at \$1,000. The actual cost of the materials was \$1,055, which was paid by Afton St. Croix Companies.
340 In addition, there was a cost of \$60.00 for supplies. Afton/St. Croix Companies submitted an invoice for
341 reimbursement to the city for a cost of \$1,165. This includes the cost of materials and supplies, as well as
342 generator rental. The generator rental should fall under the cost of installation; therefore, staff recommended the
343 City pay the \$1,165 less the \$50.00 generator rental cost, for a total of \$1,115.

344
345 **Motion/Second: Nelson/Bend. To reimburse Afton/St. Croix Company in the amount of \$1,115 for the**
346 **cost of materials for the City Dock reinforcement improvements. Motion carried 3-1-0 (Nay-Nolz).**

347
348 11. Reimbursement to Jim Cox and Ken Martens for National History Conference Expenses –
349 Administrator Moose explained that the City was successful in obtaining a grant from the Minnesota Historical
350 Society, in the amount of \$980.00 to pay costs related to attendance at the AASLH National Conference that
351 was held in St. Paul in the fall. Jim Cox, a member of the City's Design Review/Heritage Preservation
352 Commission, and Ken Martens, a local historian who is active in heritage preservation activities in Afton,
353 attended the conference. They each submitted copies of receipts for their registration, workshops, etc. to the city
354 in order for the City to submit the expenses for reimbursement from the grant funds. Expenses were as follows:

355
356 Ken Martens had the following expenses:

357 AASLH Membership:	\$ 70.00
358 AASLH Annual Conference Registration:	\$335.00
359 Parking:	\$ 31.00
360 Total:	\$436.00

361
362 Jim Cox had the following expenses:

363 AASLH membership:	\$ 40.00
364 AASLH Annual Conference Registration:	\$245.00
365 Additional events (workshops/tours)	\$265.00
366 Parking	\$ 32.00
367 Total	\$582.00

368
369 **Motion/Second: Nelson/Palmquist. To reimburse Jim Cox and Ken Martens for costs incurred related to**
370 **their attendance at the AASLH National Conference, in the amounts shown above, not to exceed the total**
371 **grant funds of \$980. Motion carried 4-0-0.**

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12. Cable TV Franchise Agreement Renewal – Administrator Moose explained the Cable Commission has been working with an attorney to negotiate a franchise renewal agreement with Comcast. The attorney had provided a “final” version of the contract, and it was recommended that each city review and recommend approval of the contract.

The City was notified that the Joint Cable Commission took action already, so no action was needed by the Council on the Cable TV Franchise Agreement renewal.

Mayor Bend moved to a CLOSED SESSION at 10:00 p.m. for discussion on the Engineering Report Items 10B 1.a. and 10B 1.b.

Council came out of the CLOSED SESSION at 10:45 p.m.

10B 1.a. Resolution of Just Compensation and Authorizing Presentation of Offers for Easement Acquisitions- Resolution 2014-62 –

Motion/Second: Bend/Palmquist. To authorize the presentation of offers to property owners and to acquire the property areas needed either by negotiation or condemnation for the Afton Downtown Improvement Project per Resolution 2014-62 in conformance with an Exhibit A, which listed the parcels to be acquired and the amounts of the offers to be made, was reviewed and discussed by Council in the CLOSED SESSION and will remain CONFIDENTIAL. ROLL CALL: All Ayes. Motion carried 4-0-0.

10B 1.b. Authorization to Complete Easement Acquisition Tasks – Administrator Moose explained that the City Engineers are requesting authorization for the second and final stage for professional services for Easement Acquisition in the amount of \$ 46,400.00

Motion/Second: Nelson/Palmquist. To authorize the second and final stage for professional services for Easement Acquisition in the amount of \$ 46,400.00. Motion carried 4-0-0.

D. Committee Reports –

1. Public Works – Nelson reported on the latest meeting.
2. Personnel – hadn’t met.
3. Parks – hadn’t met.
4. HPC/DR – meets tomorrow, Wednesday, December 17, at 5:00 p.m.

10. COUNCIL, CONSULTANT AND STAFF REPORTS, ANNOUNCEMENTS AND UPDATES

- A. Ward 1 Council Member Palmquist** – The Lower St. Croix Foundation has a proposal from SEH to redo to the Afton-Lakeland Bike Trail for \$800,000 which shows a 10 foot wide bridge. He suggested, since Afton just refurbished the bridge, that Afton request that that \$100,000 part of the project be removed.
- B. Ward 2 Council Member Richter** – absent.
- C. Ward 3 Council Member Nolz** – Offered to remain on as the Afton representative on the Lower St. Croix Partnership Team when appointments are made in January.
- D. Ward 4 Council Member Nelson** – reported that the Fire District approved the full-time position with the Afton representatives abstaining. It was strongly suggested that the meeting agenda go out to the representatives prior to the meeting.
- E. Mayor Richard Bend** – The Board discussed the Mason Will Trust which gives scholarships to firefighter families and children; the mayor’s take was that the will was “ineptly drafted” and has peculiar language, but his conclusion is that the Fire Board is administering the Trust properly.
- F. City Attorney Knaak** – prosecution report on file; there has been a significant uptick in State Patrol enforcement of DUI patrols. He reported that a property that has been acquired by a bank foreclosure has set an eviction notice for January 4, 2015 for the person who has been occupying the property.

425 G. City Administrator Moorse – none.

426

427 **11. ADJOURN**

428

429 **Motion/Second: Nolz/Palmquist. To adjourn the meeting at 11:00 p.m. Motion carried 4-0-0.**

430

431 Respectfully submitted by:

432

433

434 _____

435 Kim Swanson Linner, Deputy Clerk

436

437 **Approved by Council (at the 1/20/2015 meeting) as: Presented: _____ or Amended: _____**

438

439

440 **Signed by Mayor Richard Bend: _____ Date: _____**