City of Afton

PLANNING COMMISSION AGENDA

August 31, 2015
6:30 pm
(Please note date change from first Monday in September to last Monday in August)

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**
   - Barbara Ronningen (Chair)
   - Sally Doherty
   - Kitty Kilmer
   - Kris Kopitzke
   - Mark Nelson
   - Judy Seeberger
   - Lucia Wroblewski
   - Scott Patten
   - Jim Langan

4. **APPROVAL OF AGENDA**

5. **APPROVAL OF MINUTES**
   a. August 3, 2015 Meeting Minutes

6. **REPORTS AND PRESENTATIONS** – None

7. **PUBLIC HEARINGS**
   a. Traditional Ventures, LLC Application for Conditional Use Permit for Grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002
   b. Grant Weissner and Peter Hill Application for Conditional Use Permit for Grading at 3750 Paradox End Avenue S. and the parcel to the east with PID 22.028.20.31.0005
   c. Elaine Murphy Application for Conditional Use Permit for Grading at the Parcel west of 15824 50th Sreet with PID 27.028.20.43.0001
   d. Dan Dickinson Variance Application at 15876 Afton Boulevard S.
   e. Lower St. Croix River Bluffland and Shoreland Management Ordinance and Floodway District Ordinance Amendment

8. **NEW BUSINESS** - None

9. **OLD BUSINESS**
   a. Draft City Council Minutes - Update on City Council Actions

10. **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
August 3, 2015, 6:30 PM

1. **CALL TO ORDER** – Vice Chair Judy Seeberger called the meeting to order at 6:35 p.m.

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

3. **ROLL CALL** – Present: Doherty, Nelson, Kilmer, Kopitzke, Wroblewski and Vice Chair Seeberger. **Quorum present.** Excused Absence: Ronningen, Patten and Langan.

ALSO IN ATTENDANCE – City Administrator Ron Moorse, Deputy Clerk Kim Swanson Linner and Council Member Liaison Stan Ross.

4. **APPROVAL OF AGENDA** –

Motion/Second: Wroblewski/Nelson. To approve the August 3, 2015 Planning Commission agenda as presented. Motion carried 6-0-0.

5. **APPROVAL OF MINUTES** –
   a. July 6, 2015 Planning Commission Meeting Minutes –

Motion/Second: Nelson/Kopitzke. To approve the July 3, 2015 Planning Commission Meeting minutes as presented. Motion carried 5-0-1 (Abstained: Kilmer, as she was not in attendance.)

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

7. **PUBLIC HEARINGS** – [The order of Public Hearing items 7.a. and 7.b. were switched in order to accommodate the WSB Planner who was arriving later for the Sewer Ordinance Amendment.]
   a. Residential Solar Array Ordinance – Vice Chair Seeberger opened the Public Hearing at 6:38 p.m.
   Administrator Moorse explained that the Model Solar Ordinance was updated with commissioner comments and formatted consistent with city ordinances. There were no public comments.

Motion/Second: Doherty/Kopitzke. To close the Public Hearing at 6:39 p.m.

Commissioners wanted to clarify Sec. 12-230 D.4. to state, "Electrical Permits are obtained through the State of Minnesota…" Deputy Clerk informed that the next statement will be changed to be consistent, stating: "Building and Plumbing Permits applications are obtained through the City and shall include:…"
The item being moved from the existing code Sec. 12-132.F.2. regarding solar access on a vacant lot was brought up as not being feasible in the VHS district. It was noted that the Comprehensive Plan protects solar access to all parcels in Afton and changing this statement would require a Comp Plan amendment. It was decided that protection of solar access must remain as is, and the issue can be addressed within discussions of updating the Comp Plan.

Motion/Second: Doherty/Wroblewski. To recommend adoption to City Council for the Solar Energy Systems Ordinance 03-2015 as amended. Motion carried 6-0-0.

b. Sewer Ordinance Amendment – [The public hearing for the ordinance amendment at the July 6 Planning Commission meeting was opened but continued to the August 3 Planning Commission meeting.] Vice Chair Seeberger opened the Public Hearing at 6:55 p.m.
Administrator Moorse reviewed that the Planning Commission at their June 1, 2015 meeting reviewed a draft sewer ordinance amendment and provided substantial feedback. Breanne Rothstein, WSB Planner, updated

the sewer ordinance amendment to reflect that feedback and was in attendance to answer any questions or concerns about the ordinance.

Commissioners decided to walk through the document a page at a time. It was noted that typos and section numbers would be adjusted in the final copy. Changes were requested as follows:

Page 2, Sec. 12-1952. BOD, Biological Oxygen Demand, needed a definition added.

Page 4, Sec. 12-1952. Connection to Septic Treatment Systems, dealt with Individual Sewage Treatment Systems (ISTS), but Commissioners felt that "Community Sewage Treatment Systems" should also be listed.

Page 6, Sec. 12-1957. Violations and Penalties, should be deleted (except for purple item B) and insert a reference to the City Code General Provisions in Chapter 1, Sec. 1-13, which includes state statute allowed violations and penalties. This is to reduce duplications and conflicts in language in subsequent sections. Item B was retained with the deletion of the phrase "at that time."

Page 14, Subdivision IV. The title term "Enforcement" was requested to be changed, as Sec. 12-2236 deals with payment of bills and "violations and penalties" if not paid.

Page 15, Sec. 12-2238, delete "delinquent" at the end of the sentence and insert "unacceptable or negatively impact the system." The Planner noted that such unacceptable items that should not be disposed of in a septic system are diapers, mop heads, dental floss and flushable wipes.

Overall, commissioners felt the ordinance was very comprehensive and fit Afton's needs.

Motion/Second: <u>Doherty/Kopitzke</u>. To recommend adoption to City Council for the Sewer Ordinance amendment as edited and amended. Motion carried 6-0-0.

8. NEW BUSINESS –

a. <u>Lower St. Croix River Bluffland and Shoreland Management Ordinance Amendment</u> – Administrator Moorse described several conflicts in language between sections in the city code, particularly with the St. Croix Bluffland and Shoreland Ordinance and the Floodplain Ordinance. He explained that the inconsistencies, outdated language, and conflicts should be corrected to provide clarification and avoid future conflicts. Council, at their July 21 meeting, referred the ordinance to the Planning Commission for correction and clarification.

<u>Corrections</u>

Section 12-132, allows up to 20% or 4,350 s.f. of impervious coverage in the VHS. However, Section 12.637, in the St. Croix Bluffland District, states impervious coverage as: "10% of *(typo, should say: "or")* 4,350 s.f.
The 10% should be changed to be consistent with the 20% allowed in the VHS districts.

Sec. 12-832. Contains language requiring that "before any zoning district or ordinance amendment or variance becomes final, the Council shall forward the decision to the commissioner. The commissioner of natural resources shall certify in writing that the proposed action complies with the intent of the Wild and Scenic Rivers Acts and the master plan for the Lower St. Croix River in the manner specified in department of natural resources (DNR) regulations, including Mn Rules, § 6105.0540."
The DNR no longer has the authority to certify City variance actions. The variance certification language should be deleted from the ordinance.

Sec. 12-578 indicates that "Any provisions of the zoning ordinance, article II of this chapter, relating to the Lower St. Croix Riverway shall remain in full force and effect except as they may be contrary to the provisions of this article." However, Sec. 12-707. F. indicates "All uses not authorized in the local zoning ordinances" are prohibited. Sec. 12-578 includes a number of uses allowed with a conditional use permit that are prohibited in the VHS districts by the zoning ordinance, article II. These include the following:

- Institutional and medical housing
- Multiple family dwellings with central sewer
- Planned unit developments
- Townhouses with central sewer

These uses should be deleted from Sec. 12-578 to eliminate the inconsistency and conflict.

Sec. 12-706. Conditionally Permitted Uses.
In the VHS district, the Conditionally Permitted Uses listed in Section 12-578(C) may be permitted as special uses, in accordance with Section 12-578(B).
The term "special uses" should be changed to "conditional uses" because the term "special use" is no longer used in the zoning ordinance article II.

Sec. 12-831. Administrative Procedure
This section requires that application materials related to variances and CUP's be sent to the Minnesota/Wisconsin Boundary Area Commission. It also requires that notices of applications be sent to the City Council of any City within two miles of the affected property.
These requirements are beyond statutory requirements for land use applications and should be deleted.

Sec. 12-707. Prohibited uses.
Item E reads as follows: "Downstream from Stillwater in rural districts."
Staff will try to determine what specifically this sentence refers to.

Section 12-1001, Permitted uses (in the Floodway District). The list includes shooting preserves, target ranges and trap and skeet ranges. These uses are specifically prohibited in Sec. 12-134 Uses.
These uses should be deleted from Section 12-1001.

Moorse noted that if Planning Commissioners notice additional elements of the ordinance language that need to be revised, they should send them to him and they will be added to the ordinance amendment.

Staff was directed to draft an ordinance amendment for the inconsistencies and outdated language in the Lower St. Croix Bluffland and Shoreland Management ordinance and the Floodway District ordinance and to publish notice for a public hearing at the August 31, 2015 Planning Commission meeting.

b. PC Training Opportunities – It was noted that the Council at their July 21 meeting approved expeditures for the following trainings and workshops.
1. St. Croix Workshop-on-the-Water – August 6, 2015 - $20 per person was approved.
2. GTS Land Use Planning-"Comprehensive Planning" Workshop – October 28 - $110 per person, approved three attendees. Those able and interested in attending, if more than three members, will be placed into a lottery to determine who will attend.
3. LMC On-line Training – two sessions at $30 per session, $60 per person for three new PC members.

c. It was noted that the next Planning Commission meeting will be held on Monday, August 31, at 6:30 p.m.

9. OLD BUSINESS –

a. Draft City Council Minutes - Update on City Council Actions – Vice Chair Seeberger reported on the actions by Council from the draft minutes of their July 21, 2015 meeting.

10. ADJOURN –

Motion/Second: Nelson/Doherty. To adjourn the meeting at 8:20 p.m. Motion carried 6-0-0.

Respectfully submitted by:

_____
Kim Swanson Linner, Deputy Clerk

To be approved on August 31, 2015 as (check one): Presented: _____ or Amended: _____

DRAFT

7a

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

Planning Commission Memo

Meeting: August 31, 2015

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: August 25, 2015

Re: Traditional Ventures, LLC Application for Conditional Use Permit for Grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002

Background

The Washington Conservation District has received grant funding for water quality improvements, and is working with numerous property owners to address erosion issues to reduce the amount of sediment that erodes into streams. Traditional Ventures, LLC is working with the Washington Conservation District regarding a proposal to construct a grassed waterway on the property at 1987 Manning Avenue and the parcel to the south to reduce erosion. The property has a farm field that experiences substantial erosion along an existing waterway that is part of the field. The proposed project will clean out the existing waterway, plant it with grass waterway seed mix and install an erosion control mat over the seed. The attached plan shows the location of the grassed waterway. The project will not change the route or volume of the water, but will provide a grassed waterway that will address the erosion problem. The extent of grading requires a conditional use permit (CUP). The City Engineer has reviewed the grading plans, and has provided the attached report. The report indicates the proposed erosion control blanket is adequate. The report also indicates that, if a culvert is installed in the future to provide access across the grassed waterway, the plans for the culvert will need to be reviewed by the City Engineer.

Findings
The Planning Commission's recommendation should include findings that are the basis of its recommendation.

Conditions
If the Planning Commission recommends approval of the conditional use permit, it is recommended that the following conditions be placed on the permit approval.

1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the duration of the permit.
2. Grading plans shall be reviewed and approved by the City Engineer
3. City Engineer specifications and recommendations for all work shall be met for the duration of the permit.
4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt fences or other types of erosion control shall be properly installed prior to construction; and shall be maintained in good condition until the construction is complete.
5. Non-compliance with the conditions of this permit shall be considered a violation, and may result in revocation of this permit.
6. Compliance with conditions of this permit shall be monitored on a periodic basis.

7. Construction shall begin within one year of the date of issuance of this permit or the permit shall become null and void.
8. If a culvert is installed in the future to provide access across the grassed waterway, the plans for the culvert will need to be reviewed and approved by the City Engineer.

Planning Commission Direction Requested:
Motion regarding the Traditional Ventures, LLC application for Conditional Use Permit for Grading at 1987 Manning Avenue and the parcel to the south with PID 18.028.20.22.0002, with conditions, if desired.

WSB & Associates, Inc.
engineering · planning · environmental · construction

477 Temperance Street
St. Paul, MN 55101
Tel: 651-286-8450
Fax: 651-286-8488

Memorandum

To: ***Ron Morse, City of Afton***

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

Date: ***August 26, 2015***

Re: ***Drainage Review – Washington Conservation District – Wamstad Grassed Waterway***
WSB Project No. 01856-450

A proposed plan was submitted for a ravine stabilization project at the Wamstad property in the City of Afton. The proposed project is proposing to provide a grassed waterway to reduce erosion and improve water quality discharging Valley Creek. The grassed waterway will be constructed using NRCS guidelines and be designed to convey up to a 10-Year storm event. The grassed waterway will be stabilized using an erosion control blanket and waterway seed mix. As a part of this submittal the following was reviewed:

- Project specifications
- Plans
- Stormwater calculations

The following are recommended improvements that should be considered as a part of the final design:

- The plans identify the incorporation of Landlok S2 erosion control blanket for the stabilization of the proposed channel. Using the HydroCAD model provided with the application it is estimated that the shear stress values will be 0.63 lbs/ft^2 and the proposed erosion control blanket can withstand flows higher than this; therefore this will be adequate to establish vegetation in the channel.
- The HydroCAD model provides for the installation of a hypothetical future culvert to provide access across the grassed waterway. This crossing shall be submitted for review once the culvert is proposed to be installed.

Overall I would recommend approval of grading application. Please contact us if you have any questions regarding these review comments.

RECEIVED

AUG 3 2015

CITY OF AFTON

Z-27-15

CITY OF AFTON
GRADING PERMIT APPLICATION

Owner	Address	City	State	Zip	Phone
Traditional Ventures LLC	1987 Manning Ave. S.	Afton	MN	55001	651-271-3552
Applicant (if different than owner)	**Address**	**City**	**State**	**Zip**	**Phone**
Traditional Ventures LLC	1987 Manning Ave. S.	Afton	MN	55001	651-271-3552

Project Address

AG — **AFTON** **MN** **55001**

Zoning Classification	Existing Use of Property	PID# or Legal Description
1802820220005	1802820220002	

Description of Request

Land Restoration and Land Grading permit to construct a grassed waterway

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 [signature] Date 7/8/15

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

FEES: **DEPOSITS:**

CUP $250 ~~$100~~ Grading

$600 ~~$1000~~ Grading Deposit

850.00 ~~1100.00~~ ~~2,550.00~~ TOTAL:

DATE PAID: 8/3/15

CHECK #: 12258

RECVD. BY: [illegible]

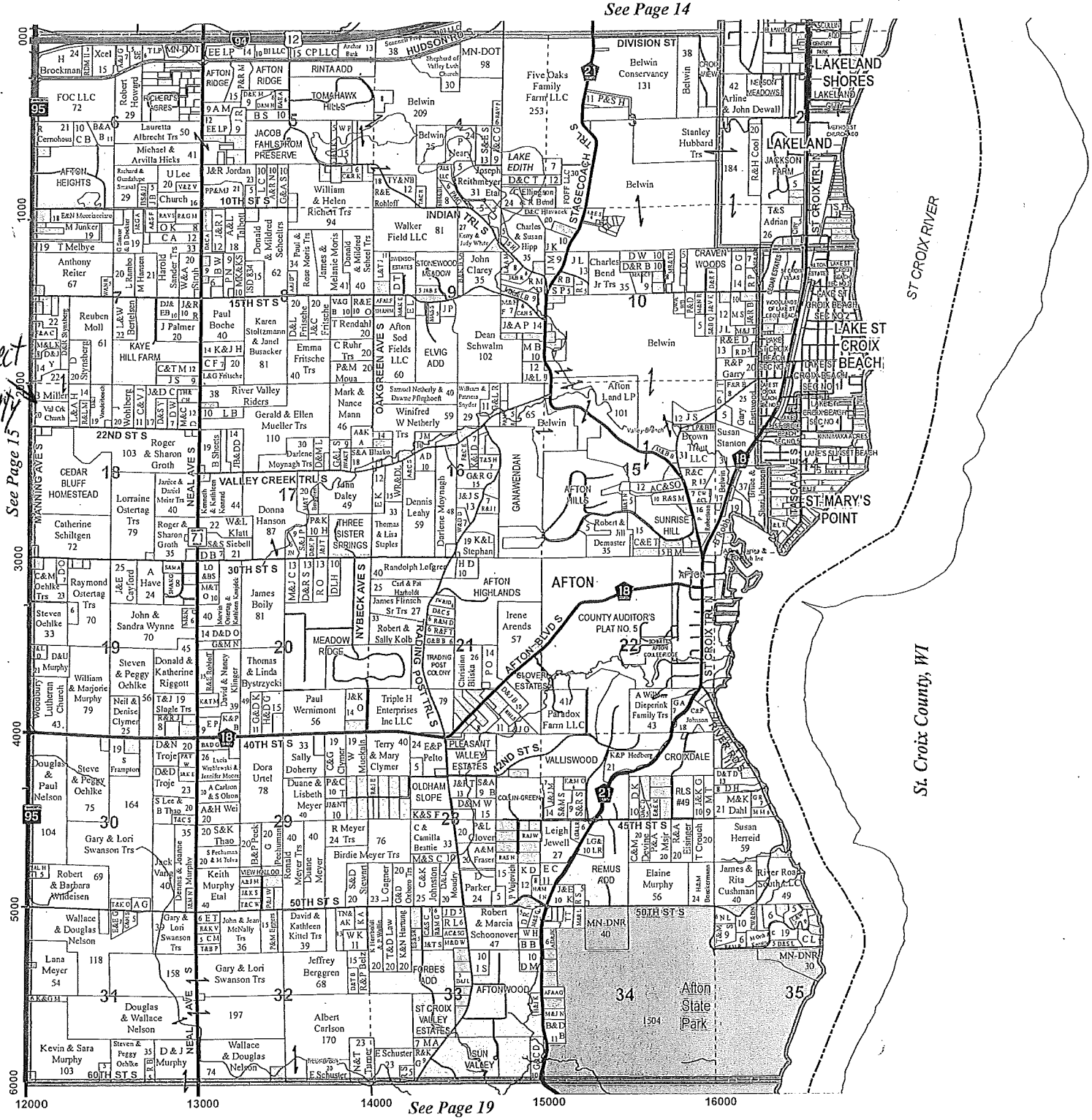
ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION

WCD may Represent me as agent [signature] 7/8/15

Cities of Afton, St. Marys Point, Lakeland, Lake St. Croix Beach & Lakeland Shores

T.28N. - R.20W.

See Page 14



See Page 15

Subject Property

See Page 19

winter scene-
St. Croix Valley

Photo by Pete Ganzel

Copyright Washington County, 2012

Business Record Details »

Minnesota Business Name
Traditional Ventures L. L. C.

Business Type
Limited Liability Company (Domestic)

MN Statute
322B

File Number
700061700023

Home Jurisdiction
Minnesota

Filing Date
9/13/2013

Status
Active / In Good Standing

Renewal Due Date
12/31/2015

Registered Office Address
1987 Manning Avenue S
Afton, MN 55001
USA

Registered Agent(s)
(Optional) None provided

Mailing Address
1987 Manning Avenue South
Afton , MN 55001
USA

Manager
Danielle Lea Wamstad
1987 Manning Avenue S
Afton, MN 55001
USA

Principal Executive Office Address
1987 Manning Avenue S
Afton, MN 55001
USA

Filing History

Filing History

Select the item(s) you would like to order: Order Selected Copies

	Filing Date	Filing	Effective Date
	9/13/2013	Original Filing - Limited Liability Company (Domestic)	

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YUN DAVID & JUNGHEE
1903 MANNING AVE
AFTON MN 55001

CHEUNG DANIEL K
2520 HALLER LN E
MAPLEWOOD MN 55119

CEDAR BLUFF DEV LLC
7300 METRO BLVD # 300
EDINA MN 55439

LAMB DOUGLAS K & BRENDA L
15 POINT RD
BAYPORT MN 55003

KURTZ MARK & LAURA
8795 NE KOURA RD
BAINBRIDGE ISLAND WA 98110-4507

PRAIRIE CEME MOUND
14949 62ND ST N
STILLWATER MN 55082-0006

WAMSTAD CHARLIE & DANIELLE
1987 MANNING AVE S
AFTON MN 55001

WENZEL JAY & STEPHANIE J
10790 SAILOR WAY
WOODBURY MN 55129

CEDAR BLUFF DEV LLC
7300 METRO BLVD # 300
EDINA MN 55439

STYNSBERG DEAN A & KURT B RENTSCHLER
12121 15TH ST S
AFTON MN 55001-9747

GROTH ROGER E & SHARON M
12431 22ND ST S
AFTON MN 55001

TRADITIONAL VENTURES LLC
1987 MANNING AVE S
AFTON MN 55001

HEADRICK LARRY G & ANNE M
12210 22ND ST S
AFTON MN 55001

FINGER DONALD & JACQUELINE TRS
11900 VALLEY CREEK RD
WOODBURY MN 55129

SOMMERS STEPHEN M & MARGARET
12115 S 22ND ST
AFTON MN 55001

Wamstad
Traditional/Ventura

Easy Peel® Labels
Use Avery® Template 5160®

Feed Paper

Bend along line to expose Pop-up Edge™

AVERY® 5160®

DESIGN REPORT
FOR
WAMSTAD PROPERTY
GRASSED WATERWAY

SECTION 7 & 18, T-28N, R-20W
CITY OF AFTON, WASHINGTON COUNTY

PREPARED BY
JAMES A. LANDINI, PE
WASHINGTON CONSERVATION DISTRICT
455 HAYWARD AVE. N.
OAKDALE, MN 55128
651-275-1136 XT21

February 2015

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

JAMES A. LANDINI, PE DATE: 2/27/15 REG. NO 44939

DESIGN REPORT

WAMSTAD GRASSED WATERWAY

WASHINGTON COUNTY

February 2015

GENERAL INFORMATION:

The Wamstad property is located in the SW ¼ of the SW ¼ of Section 7 and the NW ¼ of the NW ¼of Section 18, Township 28 North, Range 20 West (City of Afton), Washington County, Minnesota. The Washington Conservation District has identified a potential pollution problem due to eroding sediment.

The objective of this project is to construct a grassed waterway which outlets to an existing stable area. The area is near the headwaters of Valley Creek.

James A. Landini, PE, has designed this project.

SYSTEM COMPONENTS:

The proposed grass waterway will be designed using NRCS MN Standard 412. Approximately 1500 lineal feet of grassed waterway will be constructed to convey the runoff.

HydroCad software was used to model the runoff, storage and outlet. A ten-year storm event (4.1 "-24 hour) was used to model a waterway. A surface outlet will be used on the project. The outlet will be to the existing waterway.

The grassed waterway flows southeasterly from the site, continuing down Valley Creek to the St. Croix River.

The grassed waterway will be planted in a waterway seed mix. A double sided straw erosion blanket will be used to promote vegetation establishment on the excavated portion of the grassed waterway. Side slopes on the grassed waterway will be 10:1 where excavated.

Soils:

No soils investigation was completed for this project. Soils in the work area are identified in the published Washington County Soil Survey as 301B Lindstrom silt loam.

There was no observed evidence of existing tile drainage on the property. If existing tile drainage is encountered during construction, it will be connected to the grassed waterway.

DESIGN CONSIDERATIONS:

This project will be designed using current NRCS Minnesota Practice Standards. The waterway was sized for the 10 yr precipitation event. The landowner would like a field access road to cross the waterway in the future, so the model includes a hypothetical future culvert. The project will use current NRCS Operation & Maintenance documents and Construction & Material Specifications.

Onsite inspection will be based on current NRCS guideline. Field Office/SWCD staff will complete project staking and construction observation. The engineer will be responsible for project certification.

Permit Considerations:

Discharges from non-point source agricultural and silvicultural activities excluded from NPDES permit requirements under 40 CFR pt. 122.3(e). This portion of Valley Creek is not listed as a trout stream.

NRCS Conservation Practice Standard 412 is listed as an exemption from permitting under Clean Water Act Section 404(f) (1) (A).

A DNR work in public waters permit is not required because the drainage area for that tributary at the mouth is less than 5 sq. miles and it is not a designated trout stream in this project area.

A land reclamation and land grading permit is required from the City of Afton. All excavated soil shall be placed on site to fill existing rills. The excavated disturbance is 35,100 sq. ft. and will move 1,777 cyd of soil.

A work in the floodplain permit is required for Valley Branch Watershed District. The first 585 linear feet of waterway are proposed to be excavated to ensure the waterway stays on the present course. The current topography is in jeopardy of meandering straight across the field. The remainder of the waterway is a vegetation change from row crops to the waterway seed mix, the natural topography meets the NRCS grassed waterway design. The entire grassed waterway is proposed to be 60' of waterway seed mix which should be harvested at least twice per year for maintenance.

A wetland disturbance permit is not required. The waterway has a history of agriculture. The waterway does not exhibit wetland; vegetation, soils, or water present for two weeks of the growing season.

OPERATION AND MAINTENANCE PLAN

FOR

WAMSTAD PROPERTY

GRASSED WATERWAY

PREPARED BY

JAMES A. LANDINI, PE

OPERATION AND MAINTENANCE PLAN

This operation and maintenance plan has been reviewed by the owner.

X

Owner

X

Technician

GRASSED WATERWAY

OPERATION & MAINTENANCE PLAN

A properly operated and maintained grassed waterway is an asset to your farm. The estimated life span of this installation is at least 10 years. The life of this waterway can be assured and usually increased by developing and carrying out a good operation and maintenance program.

For grassed waterways it is important to maintain the capacity and vegetative cover and ensure that runoff reaches the waterway. The following tasks are required to properly operate and maintain this practice to obtain good performance:

1. Inspect the waterway after heavy rains for damage. Inspect annually for damage due to normal use.
2. Protect waterway from damage by farm equipment and vehicles. Do not use the waterway as a road, and practice care when crossing to prevent tillage marks or wheel tracks. Maintain constructed width by lifting or disengaging tillage equipment before crossing the waterway.
3. Avoid planting end rows along the side of the waterway, as they often divert water from the waterway and contribute to gully development. Avoid other farming operations which would hinder water entry.
4. Perform grading operations adjacent to the waterway as needed to ensure that runoff enters the grassed waterway rather than being diverted parallel to the waterway causing gully Formation.
5. Do not spray the waterway with herbicides intended for adjacent crops. Avoid crossing waterways during spray operations, and then cross only if the spray equipment is completely shut off.
6. Fertilize waterways the first spring after seeding and thereafter as necessary to maintain a vigorous stand of grass.
7. Mow waterways as needed to maintain a healthy, vigorous sod. For wildlife benefits, delay the first mowing until after nesting birds have hatched (about August 1).
8. Prevent trees and brush from growing in the waterway. Regular mowing will control woody vegetation.
9. Do not overgraze the waterway. Do not graze waterway during establishment of vegetation and when soil conditions are wet.
10. Remove sediment deposits to maintain capacity of grassed waterway and reseed as needed. Maintain effective erosion control on the contributing watershed to prevent sedimentation.
11. Fill and seed all rills or small gullies that occur in the waterway. Reestablish vegetative cover immediately where scour erosion has removed established seeding.
12. Where rock checks are installed, replace any dislodged rock and fill back to grade if displacement or settlement occurs.

CONSTRUCTION & MATERIAL SPECIFICATIONS

FOR

WAMSTAD PROPERTIES

GRASSED WATERWAY

SECTION 7 & 18, TOWNSHIP 28 N, RANGE 20 W

CITY OF AFTON, WASHINGTON COUNTY

FEBRUARY 2015

PREPARED BY

JAMES A. LANDINI, PE

WASHINGTON CONSERVATION DISTRICT

455 HAYWARD AVE. N.

OAKDALE, MN 551208

651-275-1136 X21

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

JAMES A. LANDINI, PE DATE: 2/27/2015 REG. NO. 44939

CONSTRUCTION AND MATERIAL SPECIFICATIONS

NOTICE: The applicable Minnesota Construction and Material Specifications for Conservation Practices and Standard Construction Details are attached to and are part of the plan.

Minnesota Construction and Material Specifications applicable to this job:

MN-2 Clearing & Grubbing

MN-6 Seeding, Sprigging and Mulching

MN-27 Diversions and Waterways

MN-227 Waterways - Topsoiled

Job: Wamstad Property Grassed Waterway

County: Washington

Date: 2/27/2015

SPECIFICATION INFORMATION

The enclosed specifications are provided by the Natural Resources Conservation Service (NRCS). This project has not been designed by the NRCS. Any reference to the NRCS or JPA in these documents shall mean the design engineer or their representative.

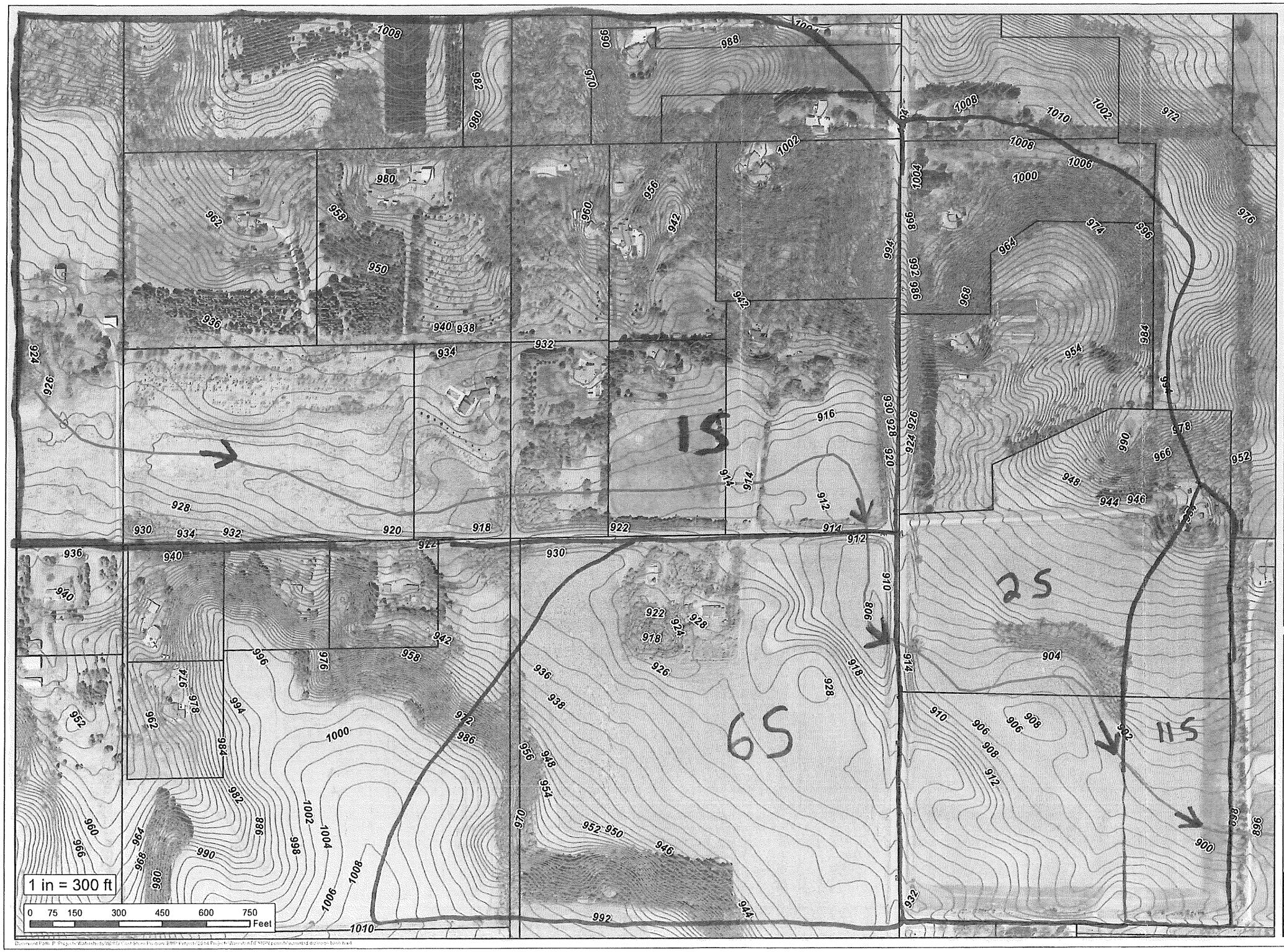
Utilities

The design engineer makes no representation as to the existence of any utilities underground or overhead. Landowners or operators and contractors shall be aware of their liabilities concerning damage to utilities or to resulting damage created by such action.

It is the landowners and contractors responsibility to contact Gopher 1-call before the start of any construction.

Construction Safety

The installation of works of improvement on this project are to be conducted in accordance with reasonable standards of safety and health (a guide for this type of program is Construction Industry, OSHA Safety and Health Standards, 29 CFR 1926/19100). The landowner or operator and the contractor are responsible for conducting the construction operations in a safe manner.



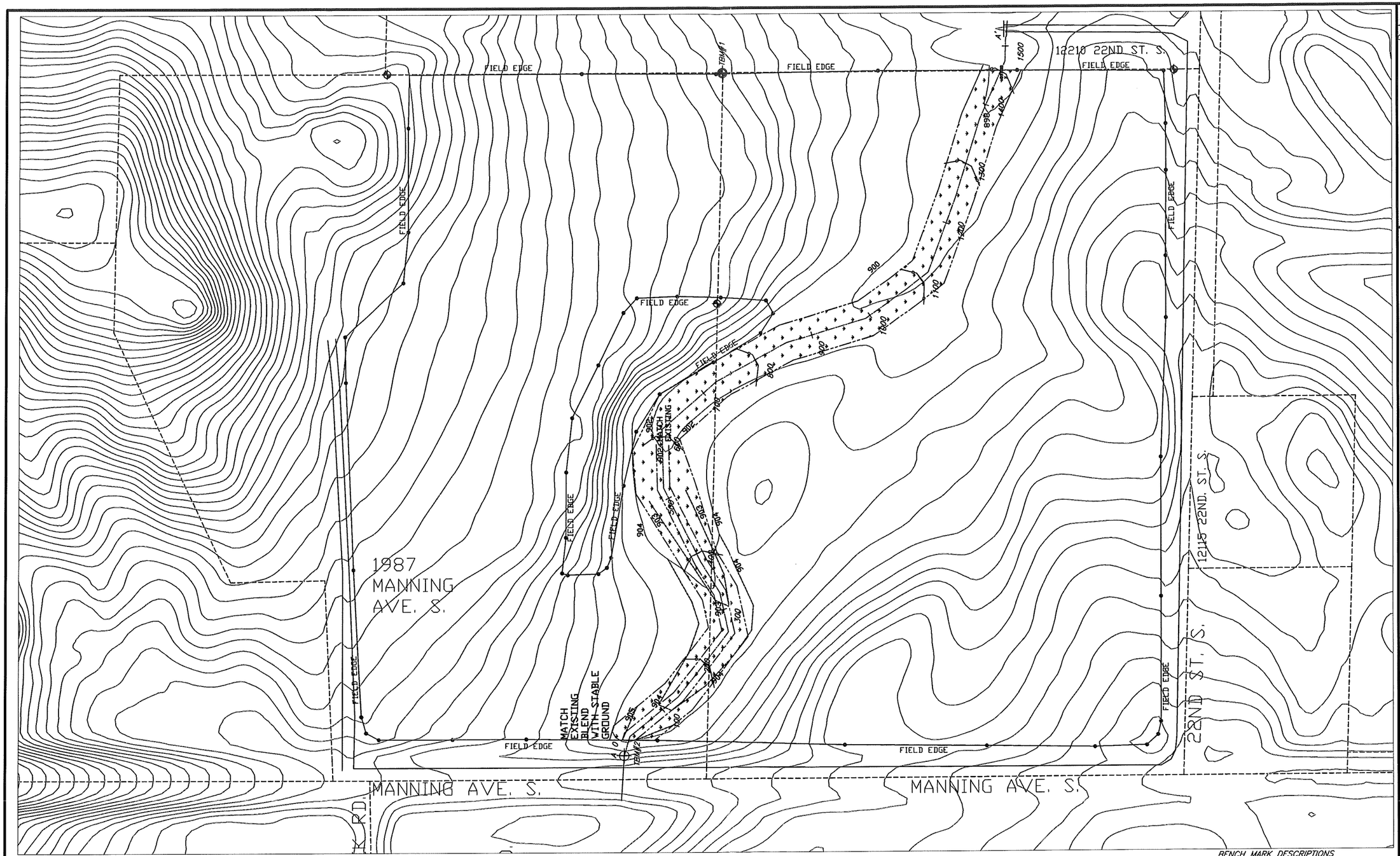
KEY TO FEATURES

- Parcels
- 2 ft Contours (LiDAR)
- Streams (DNR 24K)

Wamstad
Drainage area map
Afton, MN

2013 Aerial Photo

WASHINGTON CONSERVATION DISTRICT



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

DATE: 2/27/2015

JAMES A. LANDINI REG. NO. 44939

LEGEND

Benchmark, Temporary	TBM#1
Contour	
Proposed Contour	
Grassed Waterway	
Silt Fence / Bioroll	
Waterway Seed	

0 150 300

Scale in Feet

BENCH MARK DESCRIPTIONS

BM #1: Elev = 912.74
Fence post.

BM #2: Elev = 905.54
RCP Invert.

WASHINGTON COUNTY COORDINATE SYSTEM
NAD 1983 CONUS GEOID G03WGSB4
US SURVEY FEET

NAVD88 Geoid09

Date

Designed #

Drawn #

Checked #

Approved #

WAMSTAD PROPERTY CONCEPT
GRASSED WATERWAY PLAN VIEW

Washington County, Minnesota

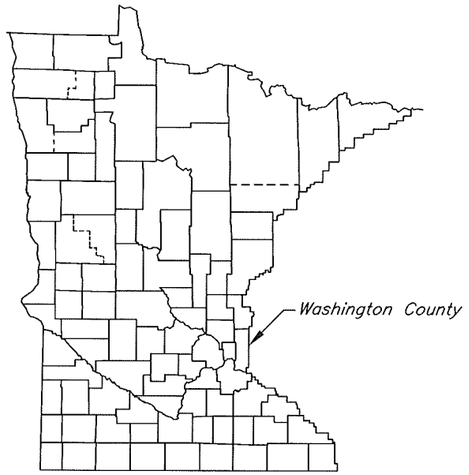
WASHINGTON CONSERVATION DISTRICT

File No.
wamstad design.dwg

Eng. Job Class
1

2/27/2015

Sheet 1 of 1



LOCATION IN MINNESOTA

DETAIL PLANS FOR

WAMSTAD PROPERTY
GRASSED WATERWAY
WASHINGTON COUNTY, MINNESOTA

DESIGN DATA

149.7	Capacity, cfs
X	Embankment TW
NA	Pipe Drop Diameter
NA	Pipe Diameter
2	Embankment Depth
VARIES	Embankment Slopes
2	Spillway Depth

CONSTRUCTION CERTIFICATION

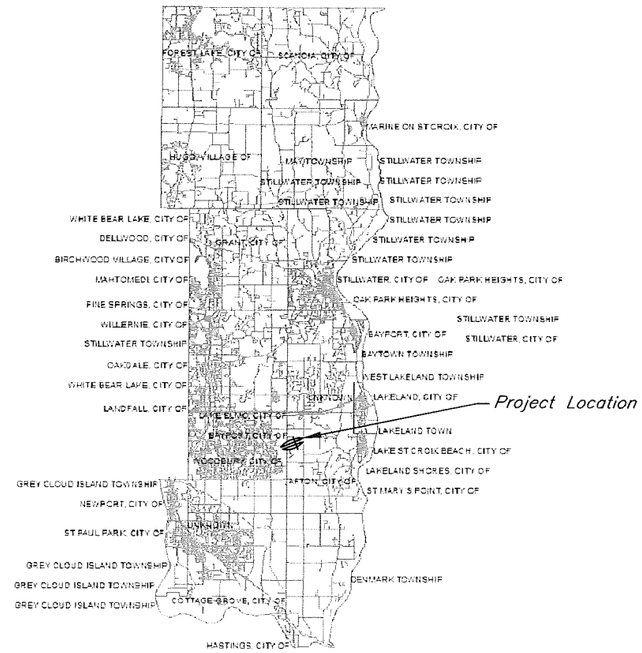
This installation meets NRCS standards and specifications. ___ Yes ___ No
Inspected by: _____.
Certified by: _____.
Date: _____.

Engineering Job Class IV
Eng Job Class Criteria (P.S. ???)
Capacity 149.7 cfs
Velocity 3.7 fps

R. 20 W.

T. 28 N.

N



INDEX OF DRAWINGS	
Sheet Number	Title
1	Cover Sheet
2	Plan View
3	Profiles, Quantities and Specifications

I HAVE REVIEWED AND UNDERSTAND THE PLANS AND SPECIFICATIONS AND AGREE TO COMPLETE THE WORK ACCORDINGLY. FAILURE TO MEET THESE PLANS AND SPECIFICATIONS MAY JEOPARDIZE ANY COST SHARE APPLIED FOR. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO SECURE ALL NECESSARY PERMITS AND LICENSES, AND TO COMPLETE THE WORK IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL LAWS. MODIFICATION OF THESE PLANS OR SPECIFICATIONS MUST BE APPROVED BY THE NATURAL RESOURCES CONSERVATION SERVICE BEFORE INSTALLATION. I ASSUME RESPONSIBILITY FOR NEGOTIATIONS AND AGREEMENTS WITH THE CONTRACTORS.

_____
OWNER

Before start of construction, the owner(s) of any utilities involved must be notified. The excavator is responsible for giving notice by calling "Gopher State One-Call" at (651) 454-0002 (twin cities metro area) or (800) 252-1166 (all other locations) at least 48 hours prior to any excavation.

Minnesota specifications for conservation practices apply for all materials and construction work. these specifications are part of this plan.

NOTE: Changes in the drawings or specifications must be authorized by the owner and the NRCS representative with the proper approval authority.

The owner is responsible for obtaining land rights and local, state, and federal permits or other permission necessary to perform and maintain the practice.

1000 0 1000 2000
Scale in Feet

LOCATION MAP
City Of Afton
Section 7 & 18

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

James A. Landini DATE: 2/25/2015
JAMES A. LANDINI REG. NO. 44939

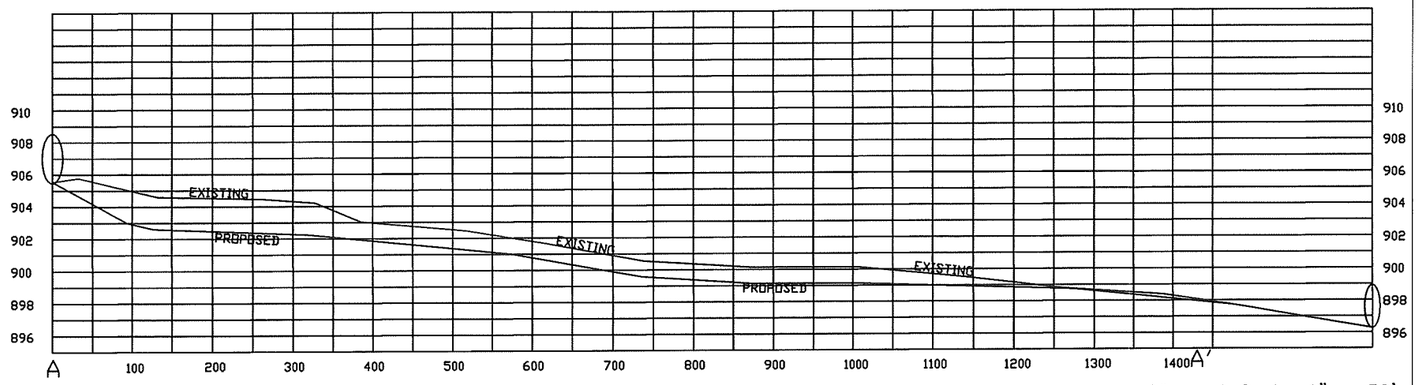
Date #
Designed #
Drawn #
Checked #
Approved #

COVER SHEET
GRASSED WATERWAY
Washington County, Minnesota

WASHINGTON CONSERVATION DISTRICT

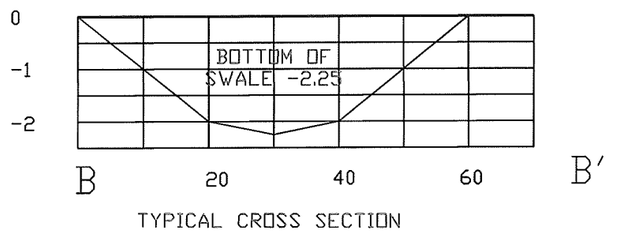
File No.
wamstad design.dwg
Eng. Job Class
IV
2/27/2015
Sheet 1 of 3

Profile



Viewport Scale: 1" = 50'
Grid Scale = 1:10

Waterway Cross Section



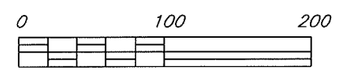
TYPICAL CROSS SECTION

Viewport Scale: 1" = 50'
Grid Scale = 1:10

SUMMARY OF ESTIMATED QUANTITIES

Quantity	Unit	Item
1	Job	Mobilization
1777	Cu.Yd.	1777 Cu.Yds. Excavation
1	L.S.	Salvaging & Spreading Topsoil
2	Acres	Waterway Seeding Mix
2	Acres	Clear & Grub
560	Lin.Ft.	Silt fence or Bioroll
2600	Sq. Yd.	Erosion Blanket, Landlok S2

WATERWAY SEEDING MIX
20% SMOOTH BROMEGRASS
15% PARK KENTUCKY BLUEGRASS
15% FAWN TALL FESCUE
10% MEADOW FESCUE
15% POTOMAC ORCHARDGRASS
15% ANNUAL RYEGRASS
10% PERENNIAL RYEGRASS
10% CLIMAX TIMOTHY
SEED 25-30 LBS/ACRE



Scale in Feet

CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL

Conservation projects with more than one acre of non-cropland soil disturbance are operating under an exclusion from National Pollution Discharge Elimination System (NPDES) permitting requirements for construction site storm water discharges. However the following provisions will be implemented to provide construction site erosion and sediment control for these projects regardless of size:

Locate topsoil or other temporary stockpiles of soil in locations where they will not be subject to erosion from concentrated flow.

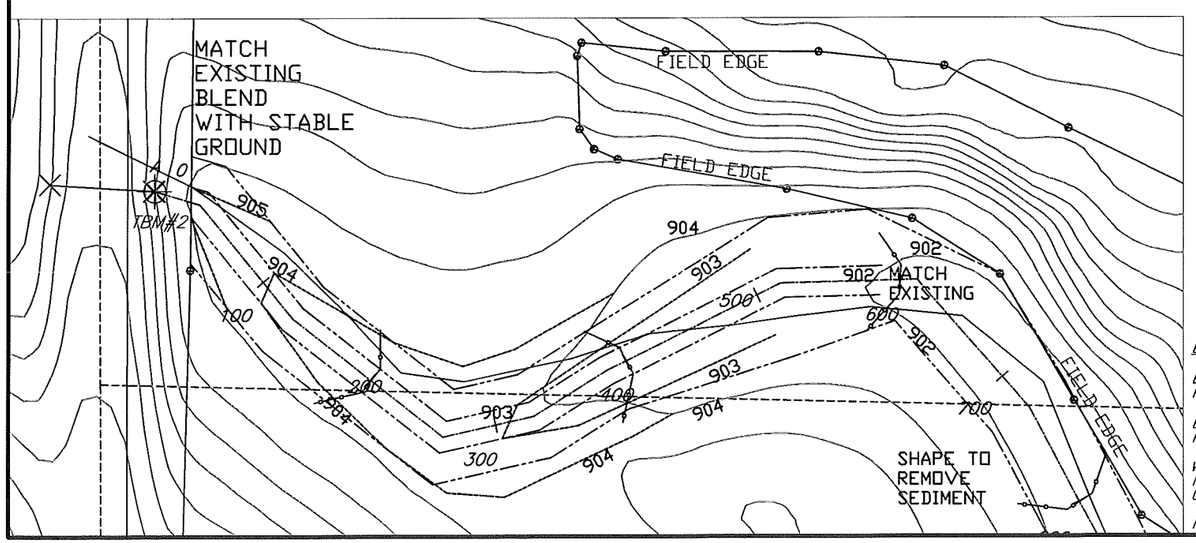
1. *When permanent vegetation must be disturbed, Limit the area of disturbance to the minimum required for the project.*
2. *Seed, or otherwise stabilize, disturbed areas in accordance with the planting and erosion control specifications for the project. Stabilization must be done within 14 days after the construction activity in that portion of the site has temporarily or permanently ceased, unless work is completed after the fall seeding cutoff date.*
3. *If a grassed waterway or diversion will be completed after the fall seeding cutoff date, do not leave a loosened soil surface over winter. Track the finished grade to compact the soil surface for temporary erosion protection. implement seeding and stabilization as soon as feasible in the spring.*
4. *Project specific requirements (describe or show N/A for not applicable):*
   - *a) Mulching: N/A*
   - *b) Fabric barriers: N/A*
   - *c) Silt fence or filter log: MN/DOT 3886, 2573 and 3897*
   - *d) Other: Erosion Blanket MN/DOT 3885 & 2575*

NOTE: Excessive sediment discharges from any project that impact water quality may result in enforcement action under state water quality protection rules.

April 2008

LEGEND

Benchmark, Temporary	TBM#1
Contour	
Proposed Contour	
Grassed Waterway	
Silt Fence / Bioroll	
Waterway Seed	



BENCH MARK DESCRIPTIONS

BM #1: Elev = 912.74
Fence post.

BM #2: Elev = 905.54
RCP Invert.

WASHINGTON COUNTY COORDINATE SYSTEM
NAD 1983 CONUS GEOID G03WGS84
US SURVEY FEET

NAVD88 Geoid09

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

DATE: 2/27/2015

JAMES A. LANDINI REG. NO. 44939

Date
Designed
Drawn
Checked #
Approved #

GRASSED WATERWAY PROFILES

Washington County, Minnesota

Denmark Section 15

WASHINGTON CONSERVATION DISTRICT

File No. *wamstad design.dwg*
Drawing No. *####*
2/27/2015
Sheet *3* of *3*

7b

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

Planning Commission Memo

Meeting: August 31, 2015

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: August 19, 2015

Re: Peter Hill, Owner of an Undeveloped Parcel with PID # 22.028.20.31.0005, and Grant Weissner, Owner of the Property at 3750 Paradox End Avenue South, Application for Conditional Use Permit for Grading Project at 3750 Paradox End Avenue South and the Undeveloped Parcel to the East

---

Background

The Washington Conservation District has received grant funding for water quality improvements, and is working with numerous property owners to address erosion issues to reduce the amount of sediment that erodes into streams. Grant Weissner and Peter Hill are working with the Washington Conservation District regarding a proposal to construct a grade control structure to reduce gully erosion at 3750 Paradox End Avenue S and the property to the east. The extent of grading requires a conditional use permit (CUP).

The purpose of the proposed project is to catch the large volume of surface water that flows off of the Paradox End cul de sac and onto the property to the north, as well as to manage groundwater that flows through the soil but hits bedrock and comes out into a gully, and to provide a stable flow path downhill for both of these water sources to reduce erosion. The project involves two rock french drain structures, draintile to capture and direct the ground water, check dams to slow the water as it flows downhill, and a turf reinforcement mat to reinforce the vegetation along the waterway. There will be no change in the volume of the water flowing down the waterway. The flow of the water will be better managed to reduce erosion.

The City Engineer has reviewed the grading plans, and is recommending approval of the grading application with a number of revisions. The City Engineer's report is attached. James Landini, who prepared the grading plan, has reviewed the City Engineer's comments. Regarding the turf reinforcement mat, Mr. Landini indicated he normally does not use the layer of topsoil on top of the mat. While this means the turf takes a bit longer to grow, he has not had problems with the turf growth. In response to the City Engineer's comments regarding rip rap at the downstream outlet, Mr. Landini indicated the outlet is a check dam, constructed of rocks and logs, which should serve the same purpose as the rip rap. Regarding the spacing of the check dams, the length of the check dams does not allow the spacing suggested by the City Engineer. Mr. Landini will discuss these items with the City Engineer and make necessary revisions.

Findings
The Planning Commission's recommendation should include findings that are the basis of its recommendation.

Conditions
If the Planning Commission recommends approval of the conditional use permit, it is recommended that the following conditions be placed on the permit approval.

1. All appropriate provisions of the Afton Code of Ordinances shall be complied with for the duration of the permit.
2. Grading plans shall be reviewed and approved by the City Engineer
3. City Engineer specifications and recommendations for all work shall be met for the duration of the permit.
4. The grading plan shall be constructed according to plans approved by the City Engineer. Silt fences or other types of erosion control shall be properly installed prior to construction; and shall be maintained in good condition until the construction is complete.
5. Non-compliance with the conditions of this permit shall be considered a violation, and may result in revocation of this permit.
6. Compliance with conditions of this permit shall be monitored on a periodic basis.
7. Construction shall begin within one year of the date of issuance of this permit or the permit shall become null and void.

Planning Commission Direction Requested:
Motion regarding the Grant Weissner and Peter Hill application for Grading CUP at 3750 Paradox End Avenue S. and the parcel to the east with PID 22.028.20.31.0005, with conditions, if desired.

RECEIVED

AUG 3 2015

CITY OF AFTON

CITY OF AFTON
GRADING PERMIT APPLICATION

Z-29-15

Owner	Address	City	State	Zip	Phone
Peter & Cherie Hill	13212 McGinty Rd	Minnetonka	MN	55305	612-207-6161

Applicant (if different than owner)	Address	City	State	Zip	Phone
Peter & Cherie Hill	13212 McGinty Rd	Minnetonka	MN	55305	612-207-6161

Project Address

37512 Paradox End Ave. S. AFTON MN 55001

Zoning Classification	Existing Use of Property	PID# or Legal Description
Rural Residential	Vacant	22028203100005

Description of Request

Install Grade Stabilization structures to reduce gully erosion

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: 7/8/15

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

FEES:

CUP $250 ~~$100~~ Grading

DEPOSITS:

$600 ~~$1000~~ Grading Deposit

TOTAL: $850.00/100

DATE PAID: 8/3/15

CHECK #: 12258

RECVD. BY: P.B.

ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION

PLEASE RECOGNIZE JAMES LANDINI OF THE WASHINGTON CONSERVATION DISTRICT AS OUR REPRESENTATIVE IN THIS MATTER, THANK YOU

Z-29-15
Hill

CITY OF AFTON
GRADING PERMIT APPLICATION

project under

Owner	Address	City	State	Zip	Phone
Grant & Carol Wiessner	3750 Paradox End Ave. S.	Afton	MN	55001	612-889-6295

Applicant (if different than owner)	Address	City	State	Zip	Phone
Grant & Carol Wiessner	3750 Paradox End Ave. S.	Afton	MN	55001	612-889-6295

Project Address

3750 Paradox End Ave. S. AFTON MN 55001

Zoning Classification	Existing Use of Property	PID# or Legal Description
Rural Residential	Rural Residential	2202820320006

Description of Request

Install Grade Stabilization structures to reduce gully erosion.

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.

Grant M Wiessner 8/4/15

Signature of Owner/Applicant Date

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

FEES:

CUP $250

~~Grading $100~~

DEPOSITS:

~~Grading Deposit $1000~~

TOTAL: $250.00

DATE PAID: 8/3/15

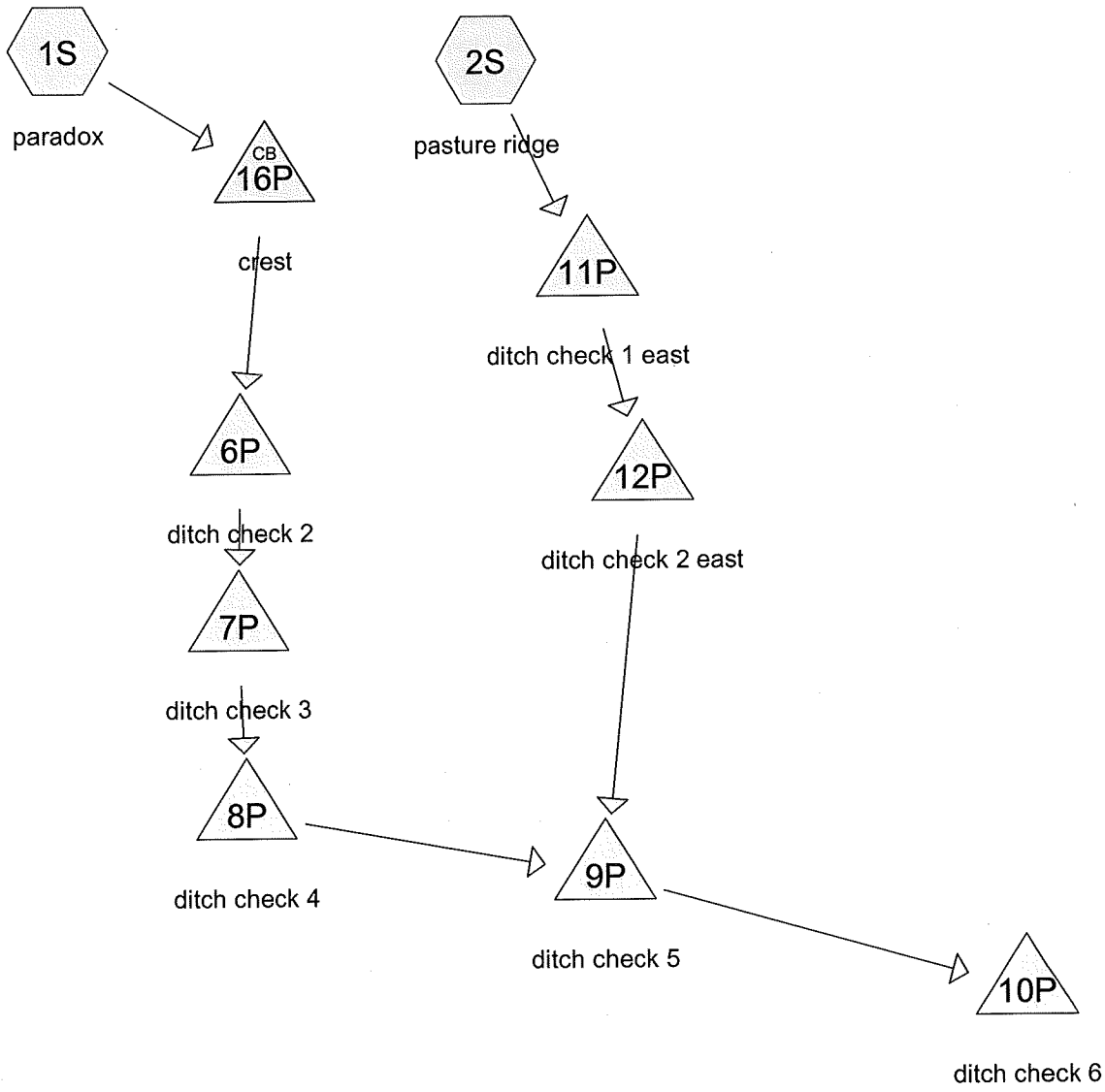
CHECK #: 12258

RECVD. BY:

ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION

PLEASE RECOGNIZE JAMES LANDINI OF THE WASHINGTON CONSERVATION DISTRICT AS OUR REPRESENTATIVE IN THIS MATTER,

THANK YOU, Grant M Wiessner

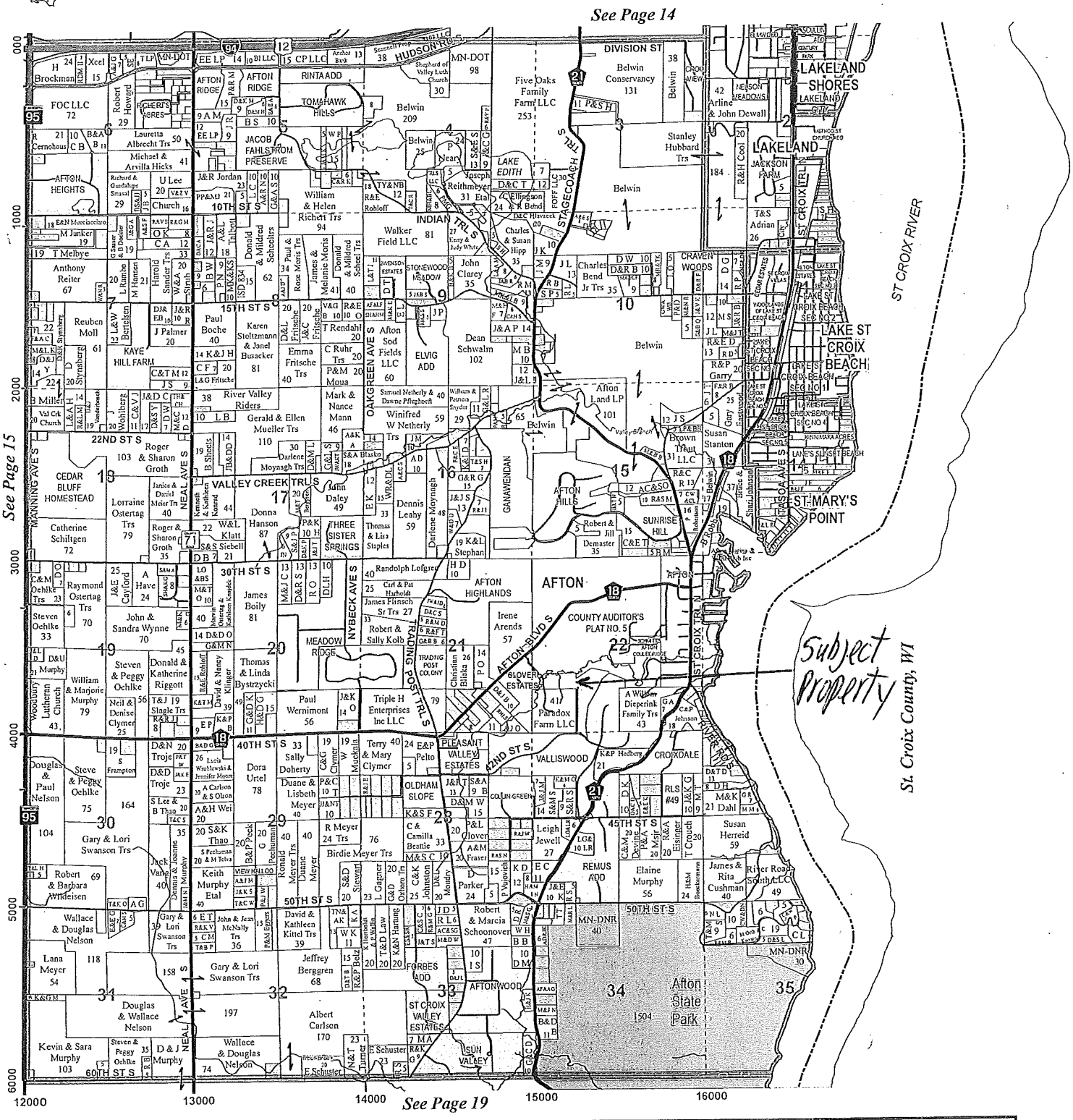


Subcat Reach Pond Link

Drainage Diagram for weisnerhill73015
Prepared by {enter your company name here}, Printed 7/30/2015
HydroCAD® 9.10 s/n 04550 © 2009 HydroCAD Software Solutions LLC

Cities of Afton, St. Marys Point, Lakeland, Lake St. Croix Beach & Lakeland Shores

T.28N. - R.20W.



winter scene-
St. Croix Valley

Photo by Pete Ganzel

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LAUDERDALE GREGG E & LISA M DAMON
PO BOX 323
AFTON MN 55001-0323

MICHAUD LAVONNE & GREG BLOOM
3660 PASTURE RIDGE RD
AFTON MN 55001

BINDER ERIN A & MARK W
15601 36TH ST
AFTON MN 55001

PARADOX FARM LLC
250 S HAMLINE
ST PAUL MN 55105

RUDD ALLEN B & DIANNE K
4100 PASTURE RIDGE RD S
AFTON MN 55001

SCHATT STEVEN M & AMY K
14851 AFTON BLVD CT
AFTON MN 55001

WIESSNER GRANT M & CAROL G
3750 PARADOX END AVE S
AFTON MN 55001

AFTON COULEE RIDGE HOMEOWNERS ASSN
6 COULEE RIDGE RD
AFTON MN 55001

HERMISON MARK E & ROES SUSAN
3801 PARADOX END AVE S
AFTON MN 55001

SEVENICH JOHN & BETH
10 COULEE RIDGE RD
AFTON MN 55001

MILLER DANIEL J & CLAUDIA V CASTELL-MILLE
14933 AFTON BLVD S
AFTON MN 55001

HILL PETER L & CHERIE L
13212 MCGINTY RD
MINNETONKA MN 55305

CAROLE J ANDERSON REV TRS
3770 PASTURE RIDGE RD S
AFTON MN 55001

SEVENICH JOHN & BETH
10 COULEE RIDGE RD
AFTON MN 55001

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

PAHL DOUGLAS & ELIZABETH PAHL
14997 AFTON BLVD S
AFTON MN 55001

WIESSNER GRANT M & CAROL G
3750 PARADOX END AVE S
AFTON MN 55001

NOLZ MARGUERITE K
15339 AFTON BLVD S
AFTON MN 55001

HEISER JASON K
3790 PASTURE RIDGE RD S
AFTON MN 55001

PORUPSKY MARC A & JENNIFER K
14893 AFTON BLVD CT
AFTON MN 55001

FIEDLER ROBERT L & YVONNE K
4489 SNAIL LAKE BLVD
SHOREVIEW MN 55126

PENNELLA GREGORY M & SUSAN E CLIFFORD
3975 PARADOX END AVE S
AFTON MN 55001

Easy Peel® Labels
Use Avery® Template 5160®

Feed Paper

Bend along line to expose Pop-up Edge™

AVERY® 5160®

PCL XL error
Subsystem: KERNEL
Error: UnsupportedProtocol
Operator: 0x0
Position: 0

WSB & Associates, Inc.
engineering · planning · environmental · construction

477 Temperance Street
St. Paul, MN 55101
Tel: 651-286-8450
Fax: 651-286-8488

Memorandum

To: ***Ron Morse, City of Afton***

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

Date: ***August 25, 2015***

Re: ***Drainage Review – Washington Conservation District – Weissner/Hill Ravine Grade Stabilization***
WSB Project No. 01856-450

A proposed plan was submitted for a ravine stabilization project at the Wiessner/Hill properties in the City of Afton. The proposed project is proposing to stabilize the ravines using rock and log grade control structures along with a French Drain to minimize flows discharging in the ravine. As a part of this submittal the following was reviewed:

- Project specifications
- Plans
- Stormwater calculations

The following are recommended improvements that should be considered as a part of the final design:

- The plans shall identify the class of Turf Reinforcement Mat (TRM) the will be used in the regraded channel. The TRM shall be capable of withstanding the proposed velocities and shear stresses anticipated in the ravine. It is estimated that shear stresses may be as high as 8.0 lbs/ft^2 or greater.
- Will the placement of the TRM include a layer of topsoil to promote vegetative growth as per MnDOT specifications? If it does it should include the installation of a temporary erosion control blanket on top of the TRM.
- Provide more detail for how the proposed French drain system will outlet on the downstream end. It is not anticipated that all the water will infiltrate due to the gradient of the ravine. Will an outlet with riprap be needed on the downstream end?
- Modify the plans to ensure that flows at the 24" draintile inlet for a 10-Year storm event will be capable of flowing into the 24" draintile without spilling over.
- Using the following equation for ditch check spacing:
  Ditch Check Spacing = (100 * Check Height)/Gradient Percent
  Ditch Check Spacing = (100 * 2')/22%
  Ditch Check Spacing = 9.1 feet

Based on these calculations it is recommended that additional grade stabilization structures be considered.

Overall I would recommend approval of grading application; however the applicant should revise and resubmit their plans to address the concerns as identified above. Please contact us if you have any questions regarding these review comments.

DESIGN REPORT
FOR
WIESSNER / HILL PROPERTY
GRADE CONTROL STRUCTURE (NRCS 410)

SECTION 22, T-28N, R-20W
CITY OF AFTON, WASHINGTON COUNTY

PREPARED BY
JAMES A. LANDINI, PE
WASHINGTON CONSERVATION DISTRICT
455 HAYWARD AVE. N.
OAKDALE, MN 55128
651-275-1136 XT21

March 2015

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

JAMES A. LANDINI, PE DATE: 3/31/15 REG. NO 44939

DESIGN REPORT

WIESSNER / HILL GRADE CONTROL STRUCTURE

WASHINGTON COUNTY

May 2015

GENERAL INFORMATION:

The Wiessner / Hill property is located in the NW ¼ of the SE ¼ of Section 22, Township 28 North, Range 20 West (City of Afton), Washington County, Minnesota. The Washington Conservation District has identified a potential pollution problem due to eroding sediment.

The objective of this project is to construct a Grade Control Structure which outlets to an existing stable area. The area is a tributary of Kell's Coulee.

James A. Landini, PE, has designed this project.

SYSTEM COMPONENTS:

The proposed grade control structure will be designed using NRCS MN Standard 410. Approximately 500 lineal feet of gully will be stabilized to convey the runoff.

HydroCad software was used to model the runoff, storage and outlet. An Atlas 14 ten-year storm event (4.17 "-24 hour) was used to model the waterway. A surface outlet will be used on the project. The outlet will be to the existing floodplain.

The grade control structures flow northeasterly from the site, continuing down Kell's Coulee to the St. Croix River.

The grade control structure will be planted in appropriate plants to stabilize the soil. A double sided straw erosion blanket will be used to promote vegetation establishment on the excavated portion of the grade control structure.

Soils:

No soils investigation was completed for this project. Soils in the work area are identified in the published Washington County Soil Survey as 174F Gale silt loam.

There was no observed evidence of existing tile drainage on the property. If existing tile drainage is encountered during construction, it will be connected to the grade control structure outlet.

DESIGN CONSIDERATIONS:

This project will be designed using current NRCS Minnesota Practice Standards. The structure was sized for the 10 yr precipitation event.

Onsite inspection will be based on current NRCS guideline. Field Office/SWCD staff will complete project staking and construction observation. The engineer will be responsible for project certification.

Permit Considerations:

NRCS Conservation Practice Standard 410 is listed as an exemption from permitting under Clean Water Act Section 404(f) (1) (A).

A DNR work in public waters permit is not required because the project does not impact protected water of the state.

A land reclamation and land grading permit is required from the City of Afton. All excavated soil shall be placed on site to fill existing rills. The excavated disturbance will be to grade two headcuts and subcut for the log check dams and rock check dams.

A wetland disturbance permit is not required. The gully does not exhibit wetland; vegetation, soils, or water present for two weeks of the growing season.

OPERATION AND MAINTENANCE PLAN

FOR

WIESSNER / HILL PROPERTY

GRADE CONTROL STRUCTURE

PREPARED BY

JAMES A. LANDINI, PE

OPERATION AND MAINTENANCE PLAN

This operation and maintenance plan has been reviewed by the owner.

X

Owner

X

Technician

CONSTRUCTION & MATERIAL SPECIFICATIONS

FOR

WIESSNER / HILL PROPERTIES

GRADE CONTROL STRUCTURES

SECTION 22, TOWNSHIP 28 N, RANGE 20 W

CITY OF AFTON, WASHINGTON COUNTY

MARCH 2015

PREPARED BY

JAMES A. LANDINI, PE

WASHINGTON CONSERVATION DISTRICT

455 HAYWARD AVE. N.

OAKDALE, MN 551208

651-275-1136 X21

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

JAMES A. LANDINI, PE DATE: 3/31/2015 REG. NO. 44939

GRADE CONTROL STRUCTURE

OPERATION & MAINTENANCE PLAN

A properly operated and maintained grade control structure is an asset to your property. The estimated life span of this installation is at least 10 years. The life of this structure can be assured and usually increased by developing and carrying out a good operation and maintenance program.

For grade control structures it is important to maintain the capacity and vegetative cover and ensure that runoff reaches the waterway. The following tasks are required to properly operate and maintain this practice to obtain good performance:

1. Inspect the waterway after heavy rains for damage. Inspect annually for damage due to normal use.
2. Perform grading operations adjacent to the waterway as needed to ensure that runoff enters the waterway rather than being diverted parallel to the waterway causing gully Formation.
3. Fertilize waterways the first spring after seeding and thereafter as necessary to maintain a vigorous stand of vegetation.
4. Prevent trees and brush from growing in the waterway. Occasional trimming will control woody vegetation.
5. Remove sediment deposits to maintain capacity of waterway and reseed as needed. Maintain effective erosion control on the contributing watershed to prevent sedimentation.
6. Fill and seed all rills or small gullies that occur in the waterway. Reestablish vegetative cover immediately where scour erosion has removed established seeding.
7. Where rock checks are installed, replace any dislodged rock and fill back to grade if displacement or settlement occurs.
8. Where log checks are installed, replace any dislodged material and fill back to grade if displacement or settlement occurs.

SPECIFICATION INFORMATION

The enclosed specifications are provided by the Natural Resources Conservation Service (NRCS). This project has not been designed by the NRCS. Any reference to the NRCS or JPA in these documents shall mean the design engineer or their representative.

Utilities

The design engineer makes no representation as to the existence of any utilities underground or overhead. Landowners or operators and contractors shall be aware of their liabilities concerning damage to utilities or to resulting damage created by such action.

It is the landowners and contractors responsibility to contact Gopher 1-call before the start of any construction.

Construction Safety

The installation of works of improvement on this project are to be conducted in accordance with reasonable standards of safety and health (a guide for this type of program is Construction Industry, OSHA Safety and Health Standards, 29 CFR 1926/19100). The landowner or operator and the contractor are responsible for conducting the construction operations in a safe manner.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

NOTICE: The applicable Minnesota Construction and Material Specifications for Conservation Practices and Standard Construction Details are attached to and are part of the plan.

Minnesota Construction and Material Specifications applicable to this job:

MN-2 Clearing & Grubbing

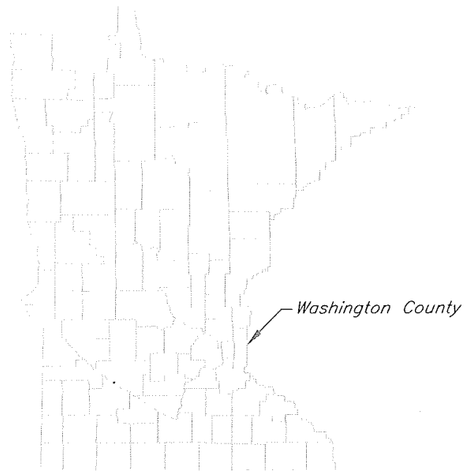
MN-6 Seeding, Sprigging and Mulching

MN-44 Corrugated Polyethylene Tubing

Job: Wiessner / Hill Property Grade Control Structure

County: Washington

Date: 3/31/2015



LOCATION IN MINNESOTA

DETAIL PLANS FOR

WEISNER/HILL GRADE STABILIZATION STRUCTURE

WASHINGTON COUNTY, MINNESOTA

DESIGN DATA

31	Capacity, cfs
X'	Embankment TW
2'	Pipe Drop Diameter
2	Pipe Diameter
X'	Embankment Depth
4:1	Embankment Slopes
1'	Spillway Depth

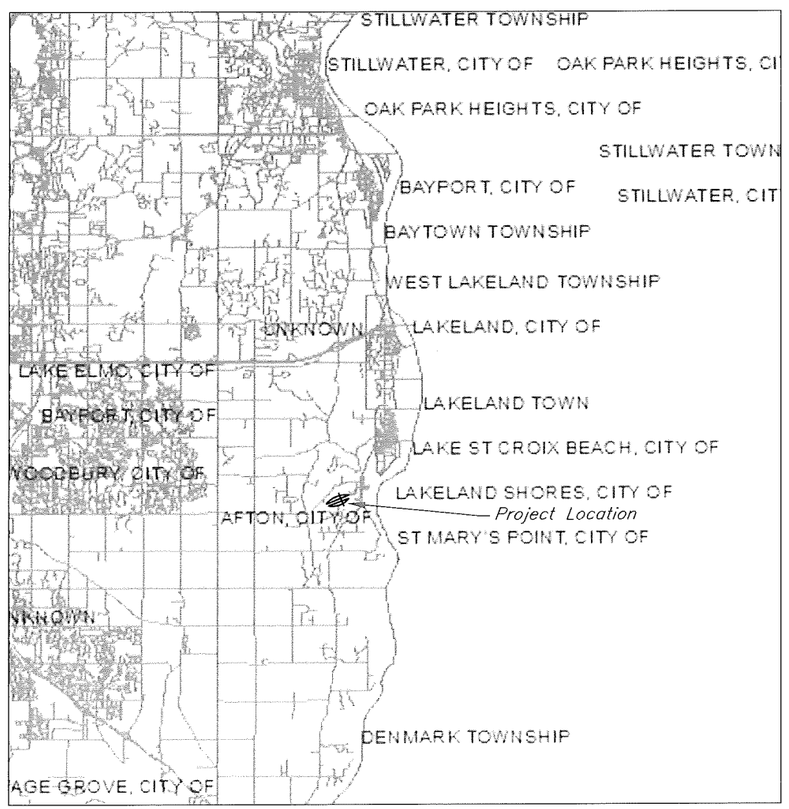
Engineering Job Class V
Eng Job Class Criteria (P.S. 410)
Capacity 31 cfs

CONSTRUCTION CERTIFICATION

This installation meets NRCS standards and specifications. ___ Yes ___ No
Inspected by: _____.
Certified by: _____.
Date: _____.

R. 20 W.

T. 28 N.



400 0 400 800
Scale in Feet

LOCATION MAP
CITY OF AFTON
Section 22

INDEX OF DRAWINGS	
Sheet Number	Title
1	Cover Sheet
2	Plan View, Quantities and Specifications
3	Erosion Control
4	Profiles
5	Planting Plan
6	Details

Before start of construction, the owner(s) of any utilities involved must be notified. The excavator is responsible for giving notice by calling "Gopher State One-Call" at (651) 454-0002 (twin cities metro area) or (800) 252-1166 (all other locations) at least 48 hours prior to any excavation.

Minnesota specifications for conservation practices apply for all materials and construction work. these specifications are part of this plan.

NOTE: Changes in the drawings or specifications must be authorized by the owner and the NRCS representative with the proper approval authority.

The owner is responsible for obtaining land rights and local, state, and federal permits or other permission necessary to perform and maintain the practice.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

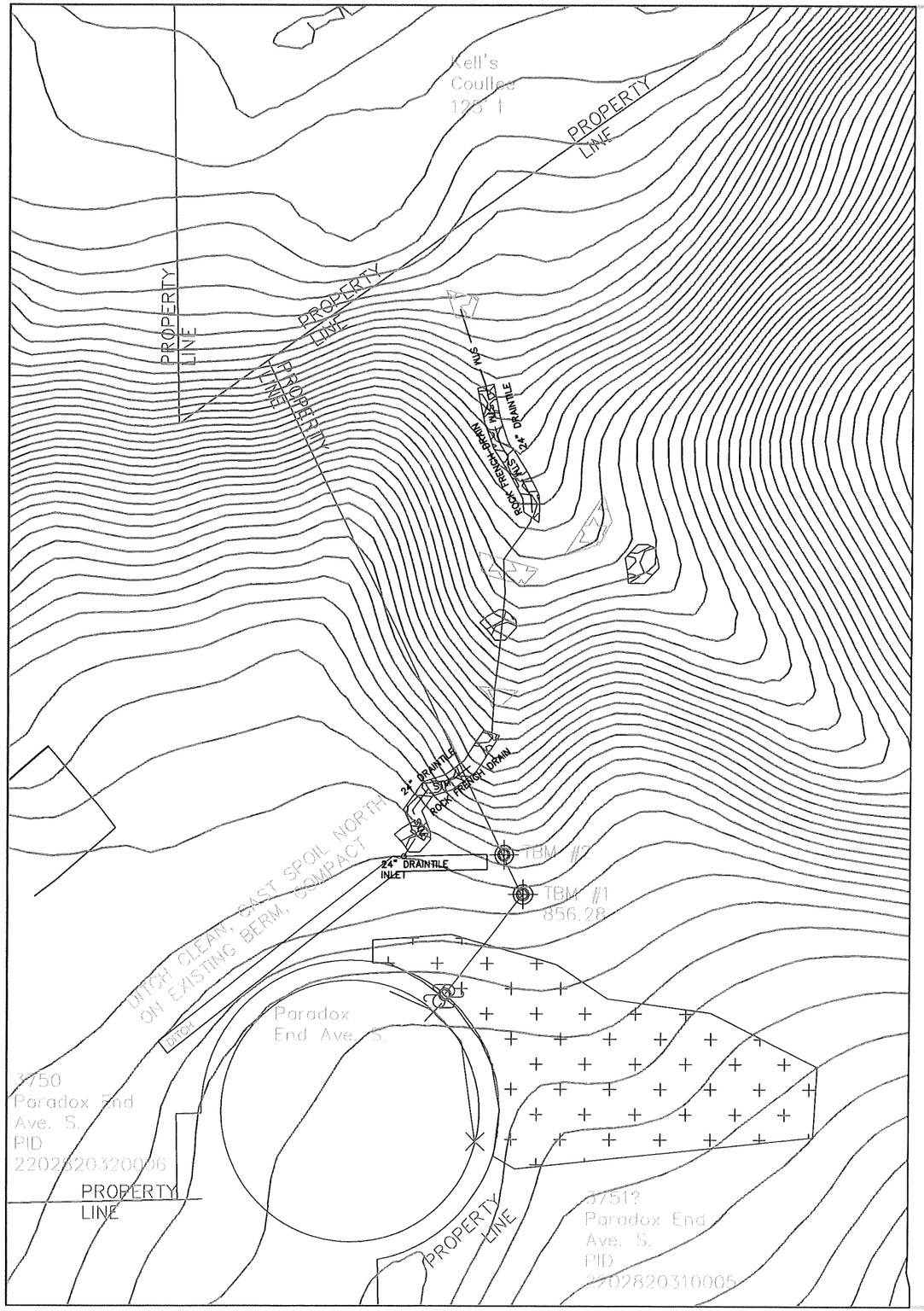
[signature] DATE: 5/31/2015
JAMES A. LANDINI REG. NO. 44939

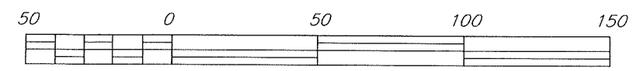
Date #
Designed ___ #
Drawn ___ #
Checked # ___ #
Approved # ___ #

COVER SHEET
GRADE STABILIZATION STRUCTURE
Washington County, Minnesota

WASHINGTON CONSERVATION DISTRICT

File No.
weisnerhilldesign.dwg
Eng. Job Class
5
5/31/2015
Sheet 1 of 6





LEGEND

Benchmark, Temporary	TBM#1
Contour	
Contour, Index	90
Common Excavation	CE
Earthfill, Class "C" Compaction	C
Rock Check Dam	
Proposed Storm	STM
Proposed Grading	
Proposed Turf Reinforcement Mat	
Buckthorn Harvest Area	
Log Check Dam	

CONSTRUCTION NOTES

1) TBM Are Nails At The Base Of Trees or Found Iron Pipe.
2) Berm Overflow X Top of Berm
3) BASIN SLOPES X 4:1, X 6:1, X 3:1

CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL

Conservation projects with more than one acre of non-cropland soil disturbance are operating under an exclusion from National Pollution Discharge Elimination System (NPDES) permitting requirements for construction site storm water discharges. However the following provisions will be implemented to provide construction site erosion and sediment control for these projects regardless of size:

Locate topsoil or other temporary stockpiles of soil in locations where they will not be subject to erosion from concentrated flow.

1. When permanent vegetation must be disturbed, Limit the area of disturbance to the minimum required for the project.
2. Seed, or otherwise stabilize, disturbed areas in accordance with the planting and erosion control specifications for the project. Stabilization must be done within 14 days after the construction activity in that portion of the site has temporarily or permanently ceased, unless work is completed after the fall seeding cutoff date.
3. If a grassed waterway or diversion will be completed after the fall seeding cutoff date, do not leave a loosened soil surface over winter. Track the finished grade to compact the soil surface for temporary erosion protection. implement seeding and stabilization as soon as feasible in the spring.
4. Project specific requirements (describe or show N/A for not applicable):
   a) Mulching: N/A
   b) Fabric barriers: N/A
   c) Silt fence: N/A
   d) Other: N/A

NOTE: Excessive sediment discharges from any project that impact water quality may result in enforcement action under state water quality protection rules.

April 2008

SUMMARY OF ESTIMATED QUANTITIES

Quantity	Unit	Item
1	Job	Mobilization
.25	Acres	Clear & Grub (includes removal and disposal of old silt fence)
2360	Sq.Yd.	Geotextile Fabric
270.2	Sq.Yd.	Turf Reinforcement Mat
108	Cu.Yd.	Rip Rap MNDOT Class IV
4	Each	Log Check Dam Per Detail
138	LF	24" Drain Tile
298.7	Cu. Yd.	Common Excavation
587.4	Sq. Yd.	Erosion Control Blanket Landlok S2 or equal
196.7	Cu. Yd.	Washed Course Filter Rock
1	LS	Brush Bundles includes harvesting Buckthorn and branches
300	LF	Bioroll check dam
1	Each	Inlet Agridrain BG24 and Protection
.25	Acres	Seed and Mulch
30	Each	Shrubs
360	Each	Plugs

BENCH MARK DESCRIPTIONS

BM #1: Elev = 1003.28
Found Iron Pipe.

BM #2: Elev = 999.24
Found Iron Pipe.

Assumed coordinate system and elevation.
Property lines per Valliswood 3rd Addition Plat Doc. #1304

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

James A. Landini DATE: 5/31/15

JAMES A. LANDINI REG. NO. 44939

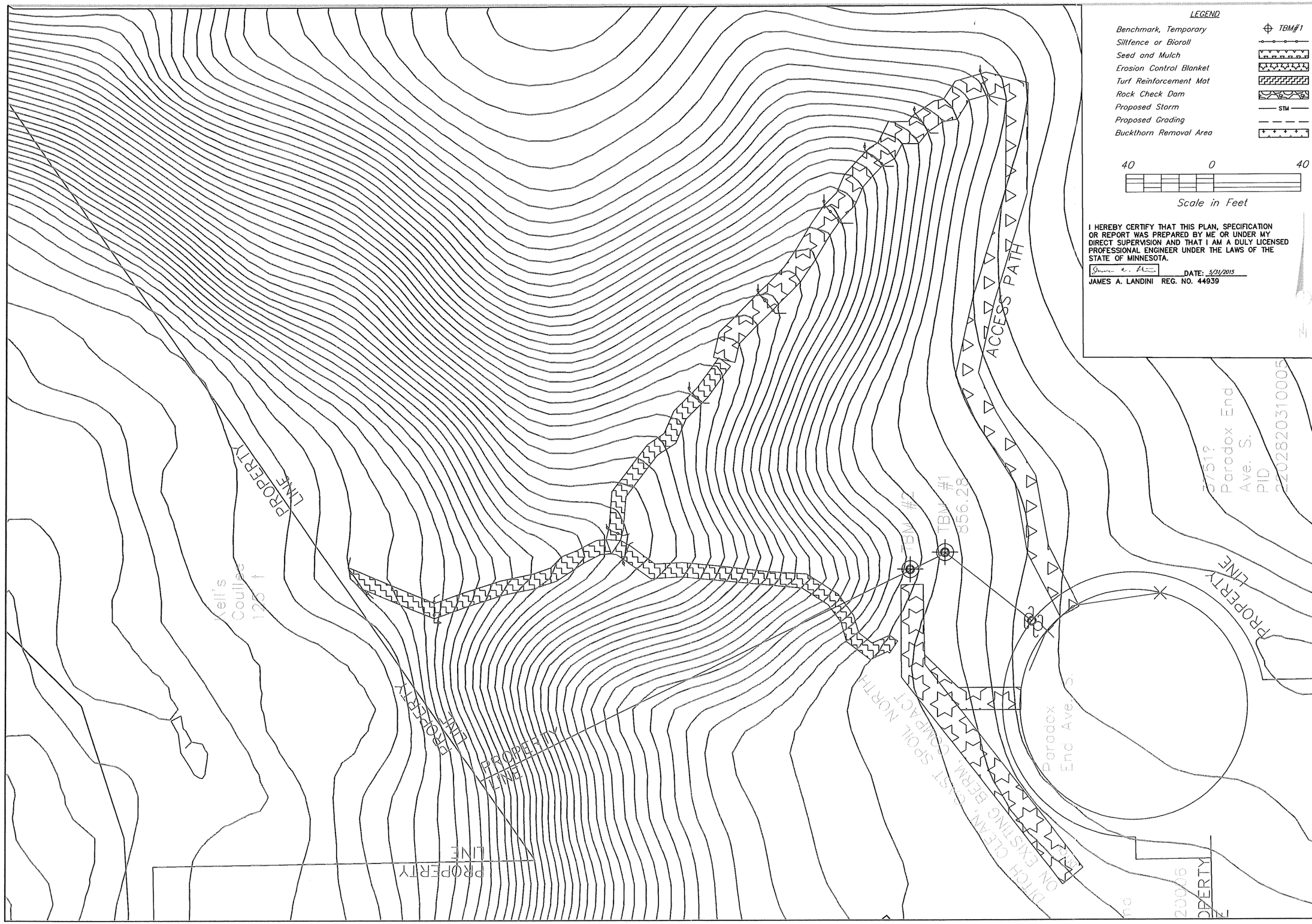
Date #
Designed
Drawn
Checked #
Approved #

GRADE CONTROL STRUCTURE
PLAN VIEW, QUANTITIES AND SPECIFICATIONS

Washington County, Minnesota

WASHINGTON CONSERVATION DISTRICT

File No.
weisnerhilldesign.dwg
Eng. Job Class
5
5/31/2015
Sheet 2 of 6



LEGEND

Benchmark, Temporary	TBM#1
Siltfence or Bioroll	
Seed and Mulch	
Erosion Control Blanket	
Turf Reinforcement Mat	
Rock Check Dam	
Proposed Storm	STM
Proposed Grading	
Buckthorn Removal Area	

40 0 40

Scale in Feet

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

DATE: 5/31/2015

JAMES A. LANDINI REG. NO. 44939

Date

Designed #

Drawn #

Checked #

Approved #

EROSION CONTROL

Washington County, Minnesota

WASHINGTON CONSERVATION DISTRICT

File No.

weisnerhilldesign.dwg

Eng. Job Class

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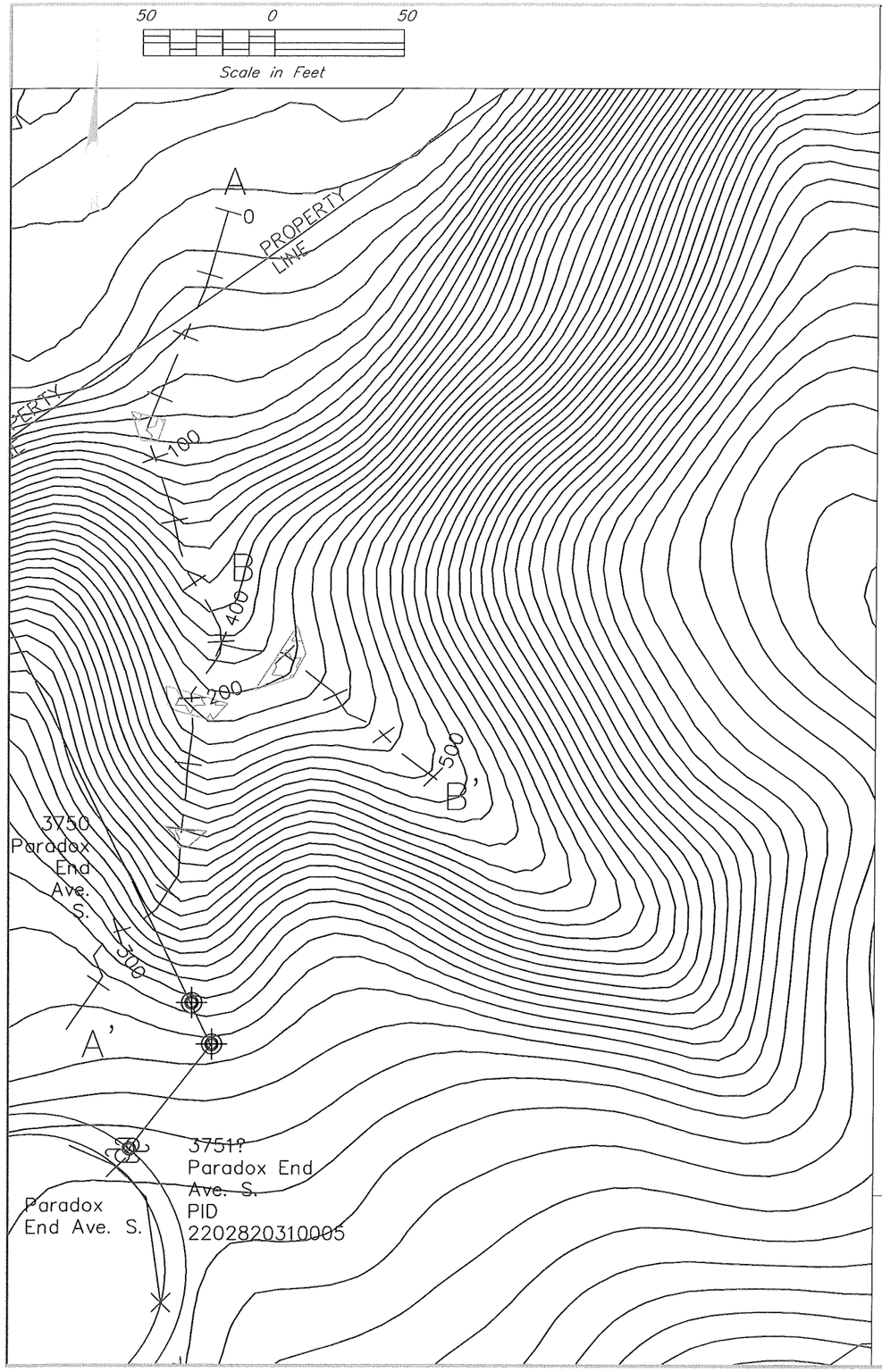
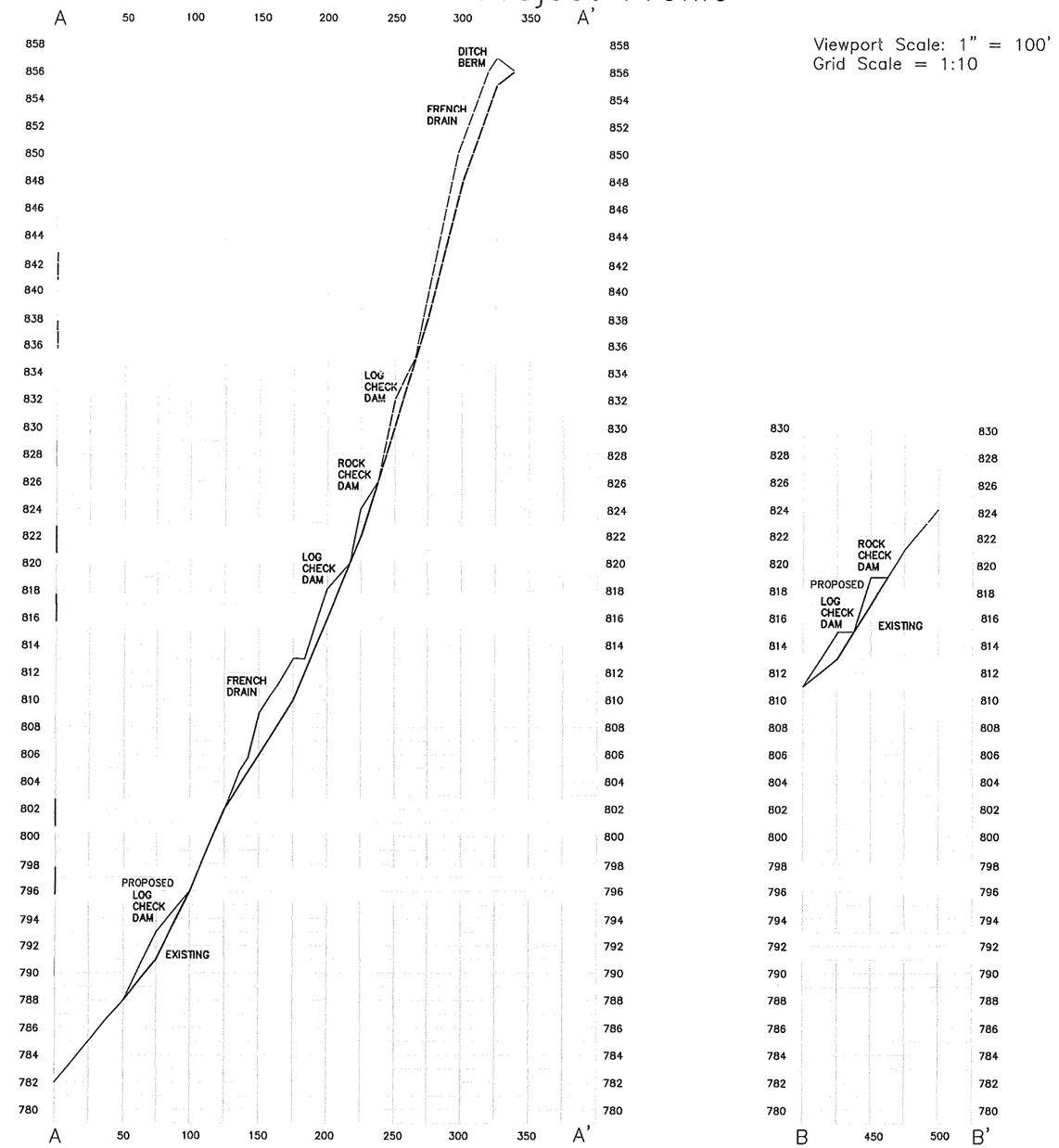
5/31/2015

Sheet 3 of 6



Project Profile



Viewport Scale: 1" = 100'
Grid Scale = 1:10

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

James A. Landini _____ DATE: 5/31/15

JAMES A. LANDINI REG. NO. 44939

Date
Designed
Drawn #
Checked #
Approved #

GRADE CONTROL STRUCTURE EMBANKMENT PROFILES

Washington County, Minnesota

AFTON Section 33

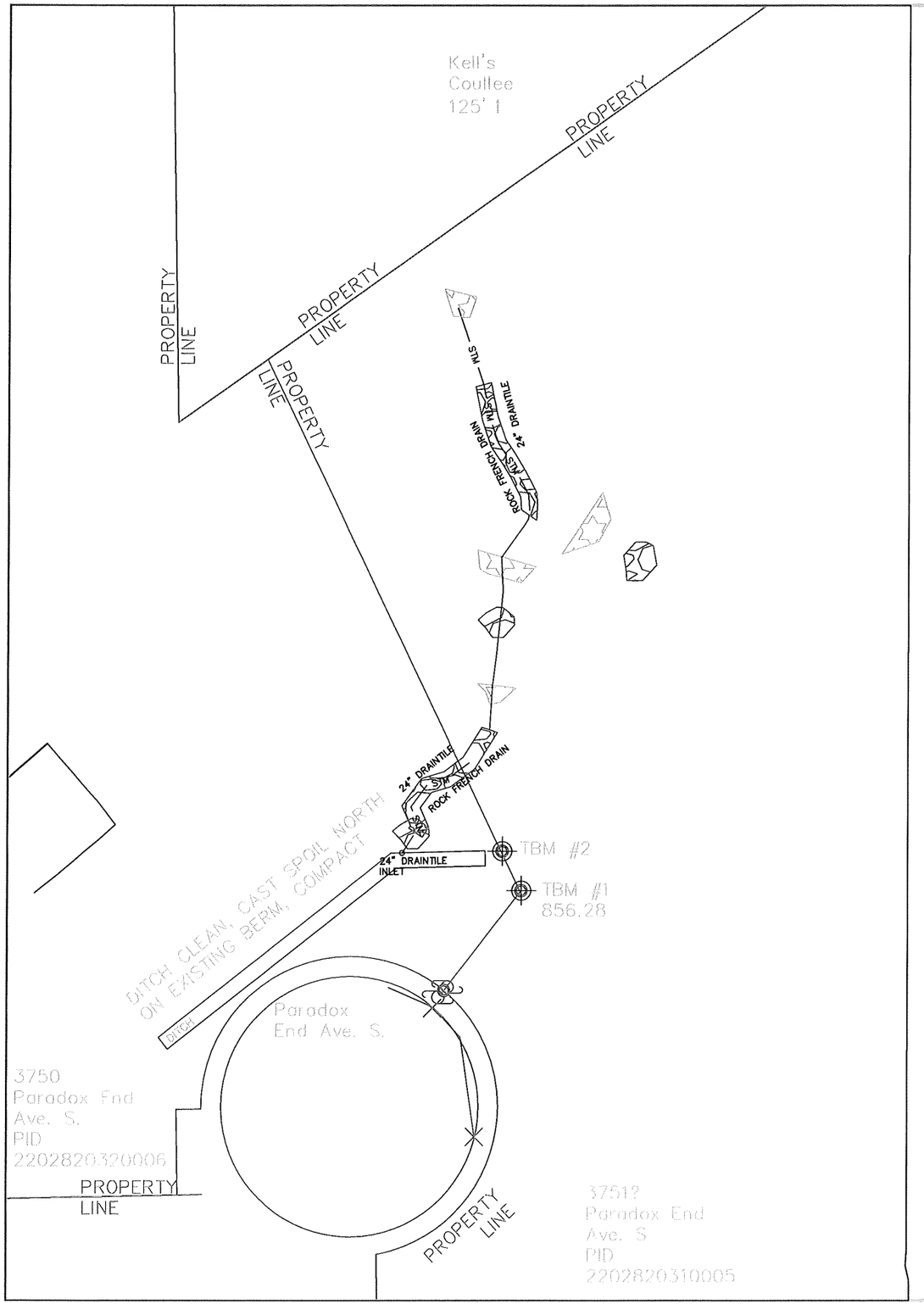
WASHINGTON CONSERVATION DISTRICT

File No. weisnerhilldesign.dwg

Drawing No. ####

5/31/2015

Sheet 4 of 6



50 0 50 100 150

Scale in Feet

LEGEND

Benchmark, Temporary	TBM#1
Contour	
Contour, Index	90
Common Excavation	CE
Earthfill, Class "C" Compaction	C
Rock Check Dam	
Proposed Storm	STM
Proposed Grading	
Proposed Turf Reinforcement Mat	
Buckthorn Harvest Area	
Log Check Dam	

SEED MIX

Quantity	Botanical Name	Common Name
	Muhlenbergia racemosa	*Upland Wild Timothy*
	Elymus canadensis	*Canada Wild Rye*
	Elymus virginicus	*Virginia Wild Rye*
	Bromus kalmii	*Prairie Brome*
	Bromus ciliatus	*Fringed Brome*
	Elymus hystrix	*Bottlebrush Grass*
	Spartina pectinata	*Prairie Cord Grass*
	Smilacina racemosa	*Slolomon's Plume*
	Smilacina stellata	*Starry Solomon's Plume*
	Solidago graminifolia	*Grass Leaved Goldenrod*
	Pycnanthemum virginianum	*Mountain Mint*
	Rubeckia hirta	*Black Eyed Susan*

CHECK DAM PLANT LIST

Quantity	Unit	Item	
			18" o.c.
60	plug	*Carex sprengelli (Long Beaked Sedge)*	18" o.c.
60	plug	*Carex pensylvanica (Pennsylvania Sedge)*	18" o.c.
60	plug	*Carex brevior (Plains Oval Sedge)*	
60	plug	*Galium boreale (Northern Bedstraw)*	18" o.c.
60	plug	*Lobelia siphilitica (Great Blue Lobelia)*	18" o.c.
60	plug	*Geranium maculatum (Wild Geranium)*	18" o.c.
10	2 gallon	*Viburnum lentago (Nannyberry)*	5' o.c.
10	2 gallon	*Diervilla lonicera (Dwarf Bush Honeysuckle)*	5' o.c.
10	2 gallon	*Cornus sericea (Red osier Dogwood)*	5' o.c.
390	TOTAL		

BENCH MARK DESCRIPTIONS

BM #1: Elev = 1003.28
Found Iron Pipe.

BM #2: Elev = 999.24
Found Iron Pipe.

Assumed coordinate system and elevation.
Property lines per Valliswood 3rd Addition Plat Doc. #1304

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James A. Landini DATE: 5/31/15

JAMES A. LANDINI REG. NO. 44939

Date #
Designed #
Drawn #
Checked #
Approved #

GRADE CONTROL STRUCTURE
PLAN VIEW, QUANTITIES AND SPECIFICATIONS

Washington County, Minnesota

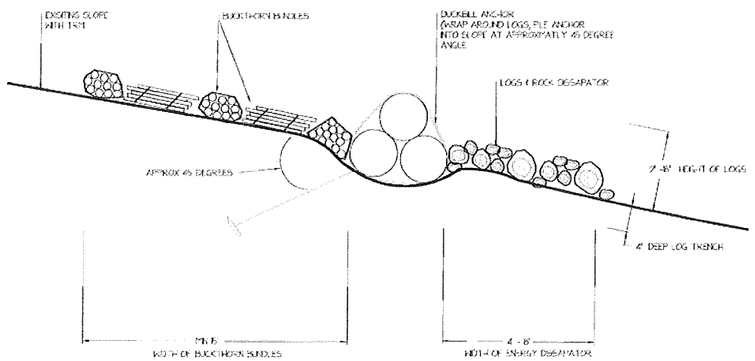
WASHINGTON CONSERVATION DISTRICT

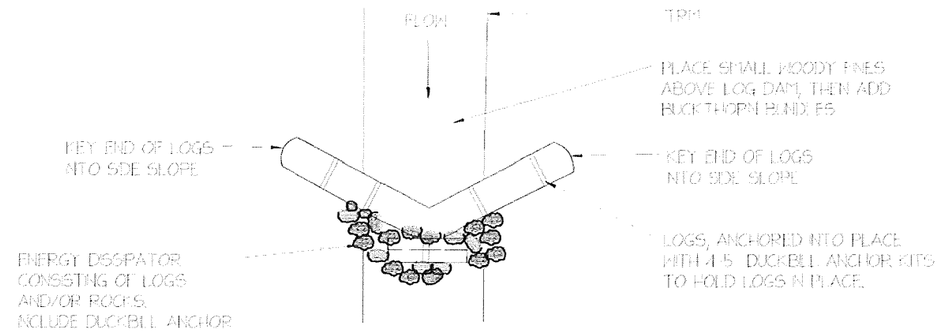
File No.
weisnerhilldesign.dwg

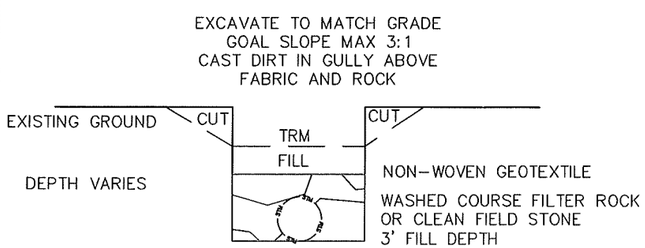
Eng. Job Class
5

5/31/2015

Sheet *5* of *6*

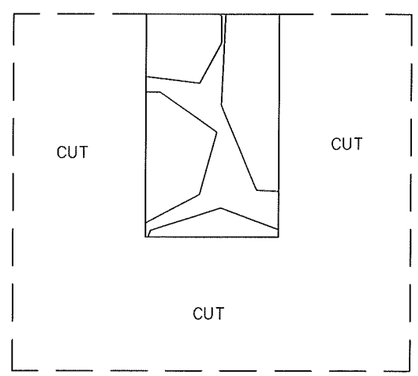






SECTION
FRENCH DRAIN

NOT TO SCALE



PLAN
FRENCH DRAIN

CONSTRUCTION NOTES:

1. *Rock riprap shall be placed without damaging underlying geotextile.*
2. *When the drain outlet material is placed on bedrock, additional geotextile may be placed under the drain outlet to prevent migration of the drain outlet material into fractures in the bedrock.*

MATERIAL NOTE

The geotextile shall conform to the Class I requirements in Table 1 (woven) or Table 2 (nonwoven) material specification 592, except the percent open area of the woven shall be greater than 6%, and the porosity of the nonwoven shall be greater than 30%.

RIPRAP
GRADATION

PERCENT SMALLER	WEIGHT RANGE (LBS.)	SIZE RANGE (IN.)
100	400	18
75	120	12
50	50	9
10	2	3

Min. gradation
MNDOT Class III

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT 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.

_____DATE: 5/31/15

JAMES A. LANDINI REG. NO. 44939

Date #
Designed #
Drawn #
Checked #
Approved #

DETAILS

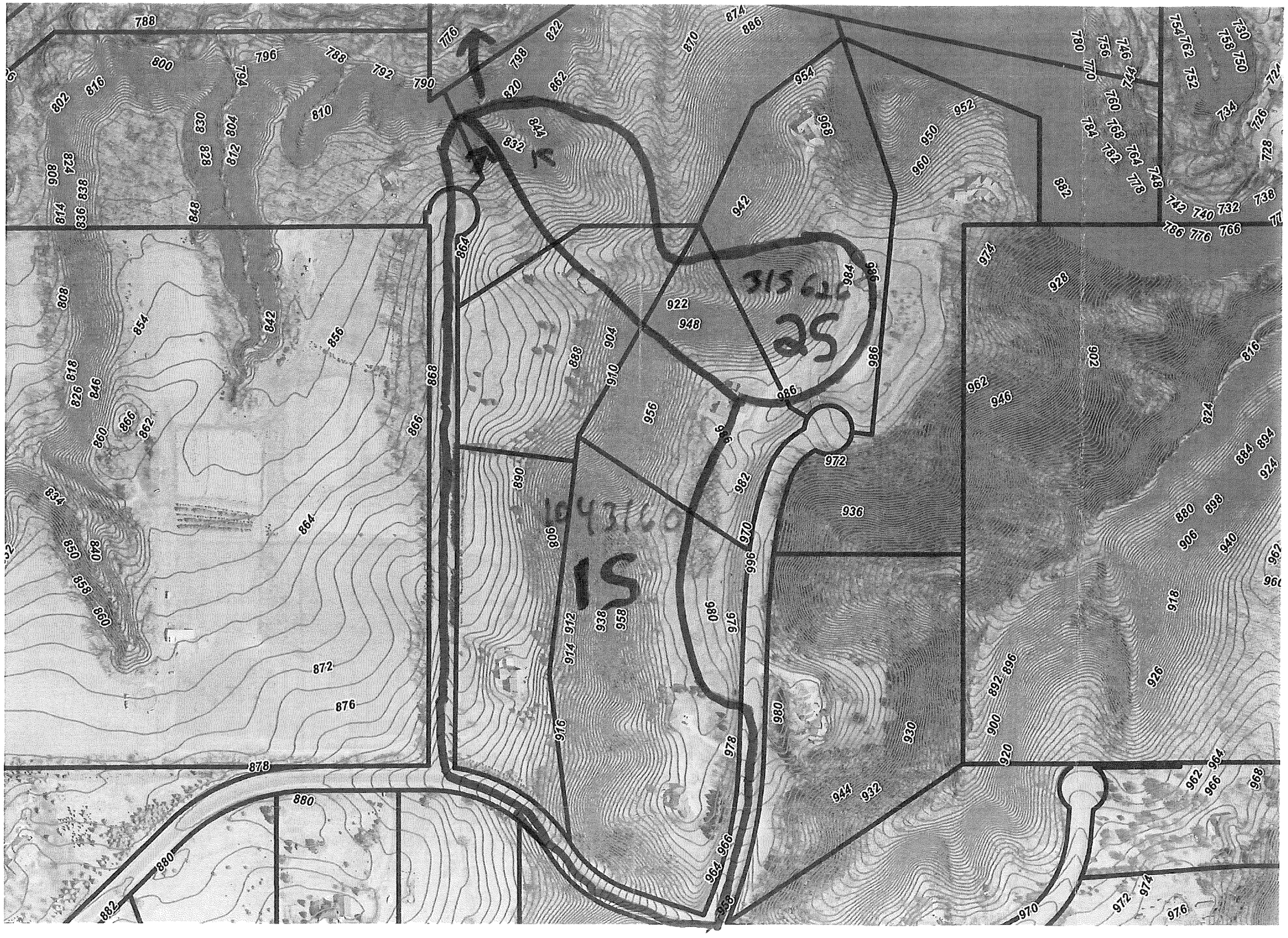
WASHINGTON County, Minnesota

WASHINGTON CONSERVATION DISTRICT

Drawing Name

Eng. Job Class
5

Sheet 6 of 6



315 626
25
1043160
15

7c

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

Planning Commission Memo

Meeting: August 31, 2015

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: August 25, 2015

Re: Elaine Murphy Application for Grading CUP at the Parcel West of 15824 50th Street with PID # 27.028.20.43.0001

Recommendation to continue consideration of this application to the October 5, 2015 Planning Commission meeting.

Due to two issues related to the application, it is recommended the application and its public hearing be continued to the October 5, 2015 Planning Commission meeting. One issue is that the public hearing notice incorrectly stated the address of the property on which the project is proposed to be constructed. The second issue is that the City Engineer has made a recommendation for a significant change in the design that will require discussion with the property owner and significant design revisions. Continuing consideration of this application to the October Planning Commission meeting will enable both of these issues to be addressed.

Planning Commission Direction Requested:
Motion to continue the Elaine Murphy application for Grading CUP at the Parcel West of 15824 50th Street with PID # 27.028.20.43.0001 to the October 5, 2015 Planning Commission meeting.

7d

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

Planning Commission Memo

Meeting: August 31, 2015

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: August 19, 2015

Re: Dan Dickinson Variance Application at 15876 Afton Boulevard

---

Background

Dan Dickinson is requesting a variance to the minimum lot size requirement to enable the property at 15876 Afton Boulevard to be approved as a buildable lot. The minimum lot size requirement is 22,500 square feet, which is commonly three historically platted 50 foot by 150 foot parcels (7,500 sq. ft. each) combined to create one parcel. The Dickinson property is made up of two historically platted parcels of 7,500 square feet each, for a total of 15,000 square feet. The lowest elevation of the property is 720 feet, well above the floodplain level of 692.

History of property
This property has contained buildings in the past. The original buildings were a church and parsonage. After the church was decommissioned, the buildings were used at various times as City offices, a County library and a single family dwelling/art studio. The house was moved in 1984 and the church was completely destroyed by a fire in June of 1998.

Mr. Dickinson purchased the property in 1999, and applied for a variance to the minimum lot size requirements in 2002. At that time, Molly Shodeen of the DNR indicated that the DNR would not need to certify the lot size variance, as the lots were existing lots of record. While the variance was approved, the variance expired before Mr. Dickinson moved forward with the construction of a house on the property. A copy of the resolution regarding the variance is attached.

Lot Size Variance Standards
The Planning Commission and Council have reviewed the issue of the buildability of lots in the Village Historic Site District (VHS) that are nonconforming in size and undeveloped. The direction from both is that the variance process is to be used to provide flexibility regarding the buildability of lots that do not meet the minimum size requirement. The Planning Commission agreed on five standards to be used in its review of these variance applications. They are as follows:

1. The principal structure, including a garage for a residential parcel, must be able to meet all required setbacks, including creek and bluff setbacks.
2. A commercial property must have sufficient area for off-street parking.
3. If two contiguous substandard parcels could be combined and not meet the 22,500 sq. ft. size requirement, they are not separately buildable.
4. The capacity of the planned wastewater treatment system needs to be taken into consideration prior to granting a variance for buildability.
5. If a need is demonstrated, the expiration period of the variance may be extended beyond one year.

A site plan showing a proposed house on the property is attached. The site plan shows that the house can meet the setback requirements. The attached aerial photo with topography shows that the property does not have steep slopes. The two substandard parcels are proposed to be combined to create one buildable lot. The planned wastewater treatment system does have capacity to serve the property. Mr. Dickinson has requested an extension of the expiration period for the variance, so that the timing of construction of a house can be planned to coincide with the availability of sewer service to the property.

Variance Factors

In addition to the three factors used to determine practical difficulty and the standards listed above, the St. Croix Bluffland and Shoreland ordinance requires that when considering a proposal or zoning amendment within the St. Croix River District, the City shall address the following items in making its decisions:

A. Preserving the scenic and recreational resources of the St. Croix Riverway, especially in regard to the view from and use of the river.
B. The maintenance of safe and healthful conditions.
C. The prevention and control of water pollution, including sedimentation.
D. The location of the site with respect to floodways, floodplains, slopes, and blufflines.
E. The erosion potential of the site based on degree and direction of slope, soil type, and vegetative cover.
F. Potential impact on game and fish habitat.
G. Location of the site with respect to existing or future access roads.
H. The amount of wastes to be generated and the adequacy of the proposed disposal systems.
I. The anticipated demand for police, fire, medical, and school services and facilities.
J. The compatibility of the proposed development with uses on adjacent land.

Findings

The Planning Commission needs to provide findings that are the basis for its recommendation.

Conditions

If the Planning Commission recommends approval, it may include conditions with its approval. Recommended conditions are as follows

1. The two parcels must be combined into one parcel
2. The house must meet all setback requirements.
3. The house must meet impervious coverage requirements
4. The house plan must comply with the Design Review Committee review and recommendations
5. The applicant must provide a grading and erosion control plan, and the plan must be approved by the City Engineer
6. A further condition could be added regarding the extension of the expiration period for the variance

Planning Commission Direction Requested:

Motion regarding a recommendation concerning the Dan Dickinson request for a variance at 15876 Afton Boulevard South, with conditions if desired.

RECEIVED

AUG 6 2015

CITY OF AFTON

Z-30-15

CITY OF AFTON
VARIANCE APPLICATION
WITH DESIGN REVIEW IN THE HISTORIC DISTRICT

Owner	Address	City	State	Zip	Phone
DANIel Dickinson	PO Box 296	Afton	Mn	55001	651 436-7925

Applicant (if different than owner)	Address	City	State	Zip	Phone

Project Address: 15876 Afton Blvd — AFTON MN 55001

Zoning Classification	Existing Use of Property	PID# or Legal Description
VHS-C		# 22-028-20-11-0025

Please list the section(s) of the code from which the variance(s) are requested.

Description of Request

Variance (LOT Area Per dwelling 7,000 Sq FT)

~~That variance Expiration does not~~

Request That Variance Will not Expire

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] — 3-8-15

Signature of Owner/Applicant — Date

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:		**Escrow:**
Variance	$250	$600
Design Review	$50	

TOTAL: $850.00

DATE PAID: 8/6/15

CHECK #: 5816

RECVD BY: [signature]

ATTACH COPY OF DEED OR PROOF OF OWNERSHIP TO APPLICATION

City of Afton, Minnesota **[VARIANCE QUESTIONAIRE]**

Applicant(s): DANIel Dickinson
Phone: 651 436-7925
Mailing Address: PO Box 296
Property Address for variance: 15876 Afton Blvd

Variance request description: need a variance to Rebuild on Pre existing LOT That not conforming

City Ordinance Section number(s), that variance is requested for: ?

Answer the following questions to the best of your ability - based on the criteria found in section 12-77 of Afton's Code (Land Use, Appeals and Variances). Completing this questionnaire will help the Planning Commission and the City of Afton evaluate your application in light of the requirements of Afton's Variance Ordinance. It does not guarantee that your variance request will be approved. If needed use a separate page.

Background: This questionnaire is designed to help you and the City of Afton determine whether a variance should be granted. Please consult with the City Administrator who can help you with your variance application and explain the Variance Ordinance to you. The City Administrator will work with you to ensure that the variance you request is the minimum variance required to provide the same rights commonly enjoyed by other properties in the same zoning district. Because of special provisions for certain types of construction, the City Administrator will also determine whether the property is in the Flood Plain District. There are also special provisions for earth-sheltered construction.

Criteria #1a *The property in question cannot be put to a reasonable use- if used under the conditions allowed by this Ordinance.* **Applicant** - Can the property in question be used in a reasonable manner if used under the conditions allowed by the Afton Use Code? Explain: yes

Criteria #1b *The requested use, must be a reasonable use in order to receive a variance.* **Applicant** - Please explain why the proposed use which requires a variance is a reasonable use for this property?
The Building That property Burned Down. want To Rebuild new Home

Criteria #2 *Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size, shape, topography, or other circumstances over which the property owner, since enactment of this Ordinance, have had no control.* **Applicant** - What exceptional or extraordinary circumstances related to the property do not apply generally to other properties in the same zone or vicinity? Extraordinary circumstances would include lot size, irregular lot shape or topography. Are there other circumstances over which you, as the property owner, have no control?

Explain? LOT Size Sub Standard

Criteria #3 *That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.* **Applicant** - How does the literal interpretation of the provisions of the Afton ordinance (from which you are requesting a variance) deprive you of rights commonly enjoyed by other properties in the same zoning district? Explain: several sub standard LOTS in old village

Criteria #4 *The special conditions or circumstances do not result from actions of the applicant.* **Applicant** - How did these exceptional circumstances related to the property come about? Did actions by you create these circumstances? Explain: no problem result of fire

Criteria #5 *That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to owners of other lands, structures, or buildings in the same district.* **Applicant** - Will the granting of the requested variance confer on you, the applicant, any special privilege that is denied by this ordinance to owners of other lands, structures, or buildings in the same zoning district? Explain: no

Criteria #6 *The variance requested is the minimum variance which would alleviate the hardship.* **Applicant** - Is the variance you are requesting the minimum variance which would alleviate the practical difficulty or hardship for your property? Explain: yes

Criteria #7 *The variance would not be materially detrimental to the purposes of this Ordinance, or to property in the same zone.* **Applicant (Optional)** - Will the variance be materially detrimental to the purposes of this Ordinance, or to property in the same zone? How would the use of the property, if allowed by the variance, affect other properties in the vicinity?
Explain: no negative effect on surrounding properties

Criteria #8 *Economic conditions or circumstances alone shall not be considered in the granting of a variance request if a reasonable use of the property exists under the terms of the ordinance.* **Applicant** - Is the requested variance for economic reasons?
Explain: no economic reason

Criteria #9 *In the Flood Plain District, no variance shall be granted which permits a lower degree of flood protection than the Regulatory Flood Protection Elevation for the particular area or permits standards lower than those required by state law.* **Applicant (optional), PC** - Is the property in a Flood Plain District? ☐ Yes ☒ No

Criteria #10 *Variances shall be granted for earth-sheltered construction by state statutes when in harmony with this Ordinance.* **Applicant** - Is the variance for earth-sheltered construction? ☐ Yes ☒ No

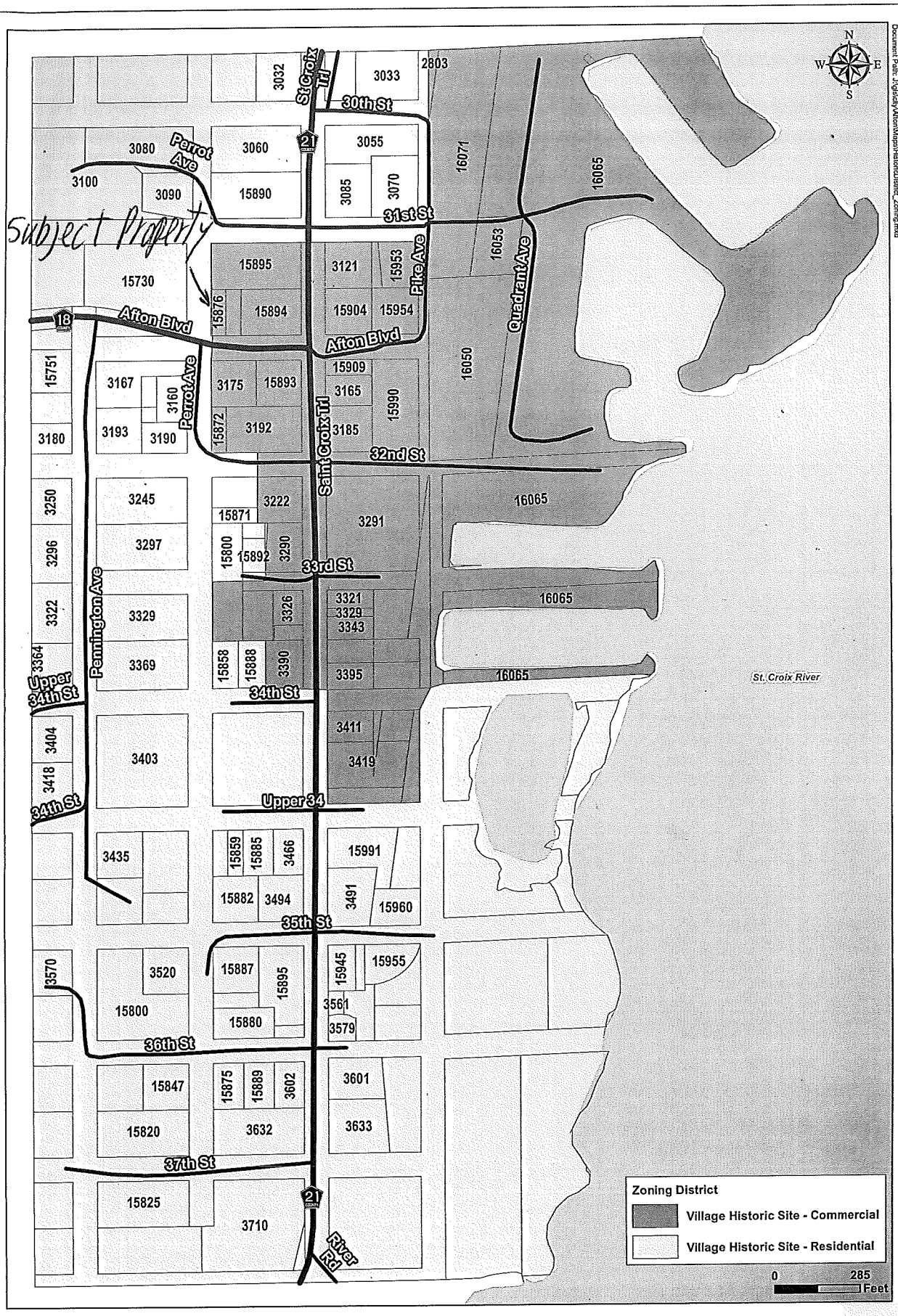
ADDITIONAL CRITERIA THAT MAY BE CONSIDERED BY THE PLANNING COMMISSION (PC) AND/OR CITY COUNCIL(CC)- Applicant responses to criteria #11 and criteria #12 are optional.

Criteria #11 *Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance.* **Applicant (Optional), PC** - Is the requested variance in harmony with the Afton ordinances and code? How will this variance if granted (and the proposed use of the property allowed) affect the essential character of the area?

Explain: new home will Bring The Highest BEST use of The PROPERTY

Criteria #12 *Variances shall only be permitted when they are in harmony with the general purposes and intent of the Afton Comprehensive Plan.* **Applicant (Optional), PC** - Is the requested variance in harmony with the Afton comprehensive plan?

Explain: yes



City of Afton

Historic District Zoning
Afton, Mn

WSB & Associates, Inc.

RESOLUTION 2002 - 14

CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

A RESOLUTION APPROVING A VARIANCE AS REQUESTED BY DANIEL AND LAURA DICKINSON

WHEREAS, the City of Afton is a municipal corporation organized and existing under the laws of the state of Minnesota; and

WHEREAS, the City Council of the City of Afton has adopted zoning, subdivision, and building regulations as part of the Afton Code of Ordinances, to promote the orderly, economic, and safe development and utilization of land within the City; and

WHEREAS, Daniel and Laura Dickinson have made application to the City for a variance from Section 12-581 (b) to build a new home on a pre existing parcel consisting of two city lots in Afton, Minnesota; and

WHEREAS, the applicants have negotiated in good faith and have been unable to acquire an additional 7,500 square feet; and

WHEREAS, the Planning Commission held a Public Hearing on April 1, 2002 and unanimously recommended approval of the Variance; and

WHEREAS, the City Council considered all of the comments, concerns and recommendations of the Planning Commission, the neighboring property owners and the applicants at their regular meeting on April 16, 2002.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Afton hereby approves a **VARIANCE** as requested by the applicants to build a new home on a pre-existing parcel located at 15876 Afton Blvd. South and legally described in the attached legal description; and

THEREFORE, ALSO BE IT RESOLVED THAT approval of the **VARIANCE** is subject to the following Conditions and Findings:

CONDITIONS:

1. Obtain certification from the DNR.
2. Compliance with the Design Review Committee recommendations.
3. The building must be an earth tone or summer vegetation color.
4. Upgrade/replacement of the septic system to current codes.
5. Applicant shall provide a grading plan for review and approval as specified in the City Engineer's March 14, 2001 letter.
6. Variance/grading permit escrow will be refunded upon completion, inspection and approval of the grading work by the City Engineer

FINDINGS:

1. The applicant has negotiated in good faith and is unable to acquire an additional 7,500 square feet.
2. If no variance is granted, the applicant will not have reasonable use of the property.
3. The proposal is consistent with the goal of section 12-142 (a) (5) – to establish and improve property values.
4. These are unique conditions not caused by the landowner.
5. Hardship - The original building located on this property was destroyed by a fire.

APPROVED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 16TH DAY OF APRIL, 2002.

Charles D. Devine, Mayor

ATTEST:

Laurence E. Whittaker, City Administrator

BINDER MARK W
or Current Resident
3245 PENNINGTON AVE S
AFTON MN 55001

BLOMGREN BERYL A TRS
or Current Resident
1230 N WESTERN AVE # 309
LAKE FOREST IL 60045

AFTON CARE ST CROIX LLC
or Current Resident
13115 50TH ST S
AFTON MN 55001

NAUMAN DOROTHY M & RICHARD L
or Current Resident
1101 LECUYER CT
STILLWATER MN 55082

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

BRASEL JEAN A & STEVE H
or Current Resident
3175 PERROT AVE S PO BOX 56
AFTON MN 55001

BIAGINI SUE E
or Current Resident
15904 AFTON BLVD S PO BOX 85
AFTON MN 55001

KALLSTROM ROBERT H
or Current Resident
PO BOX 52
AFTON MN 55001

AFTON MARKET SQUARE INC
or Current Resident
3121 ST CROIX TRL S
AFTON MN 55001

ANDERSON BARTON C & SUSAN R
or Current Resident
3167 PENNINGTON AVE S
AFTON MN 55001

HOFFMANN KEITH M & JUDITH M
or Current Resident
PO BOX 379
AFTON MN 55001-0379

DOHERTY TIMOTHY C & MONICA L
or Current Resident
15954 AFTON BLVD
AFTON MN 55001

DEMATTEO THOMAS D & DONNA M
or Current Resident
PO BOX 40
AFTON MN 55001

BRINKMAN AMY M & GREGORY J
or Current Resident
PO BOX 177
AFTON MN 55001

ARMSTRONG CRAIG & DIANE
or Current Resident
3085 ST CROIX TRL S
AFTON MN 55001

WASHINGTON COUNTY
or Current Resident
11660 MYERON RD N
STILLWATER MN 55082

MAAS GARY
or Current Resident
16688 7TH ST S
LAKELAND MN 55043

DICKINSON MARY J TRS
or Current Resident
15895 31ST ST S PO BOX 296
AFTON MN 55001

THOEMKE MICHAEL S & KATHRYN J
or Current Resident
PO BOX 334
AFTON MN 55001-0334

GATHJE GEORGE L
or Current Resident
3193 PENNINGTON AVE S
AFTON MN 55001

DAHLEEN MARCIA K
or Current Resident
3060 SAINT CROIX TRAIL S
AFTON MN 55001-9673

BROOKS STEWART C & KATHLEEN L
or Current Resident
3090 PERROT AVE S
AFTON MN 55001

MEMORIAL EVANG CHURCH AFTON
or Current Resident
15730 AFTON BLVD S
AFTON MN 55001

HOLZ BRAD L & MICHELLE M
or Current Resident
4206 RIVER RD S
AFTON MN 55001

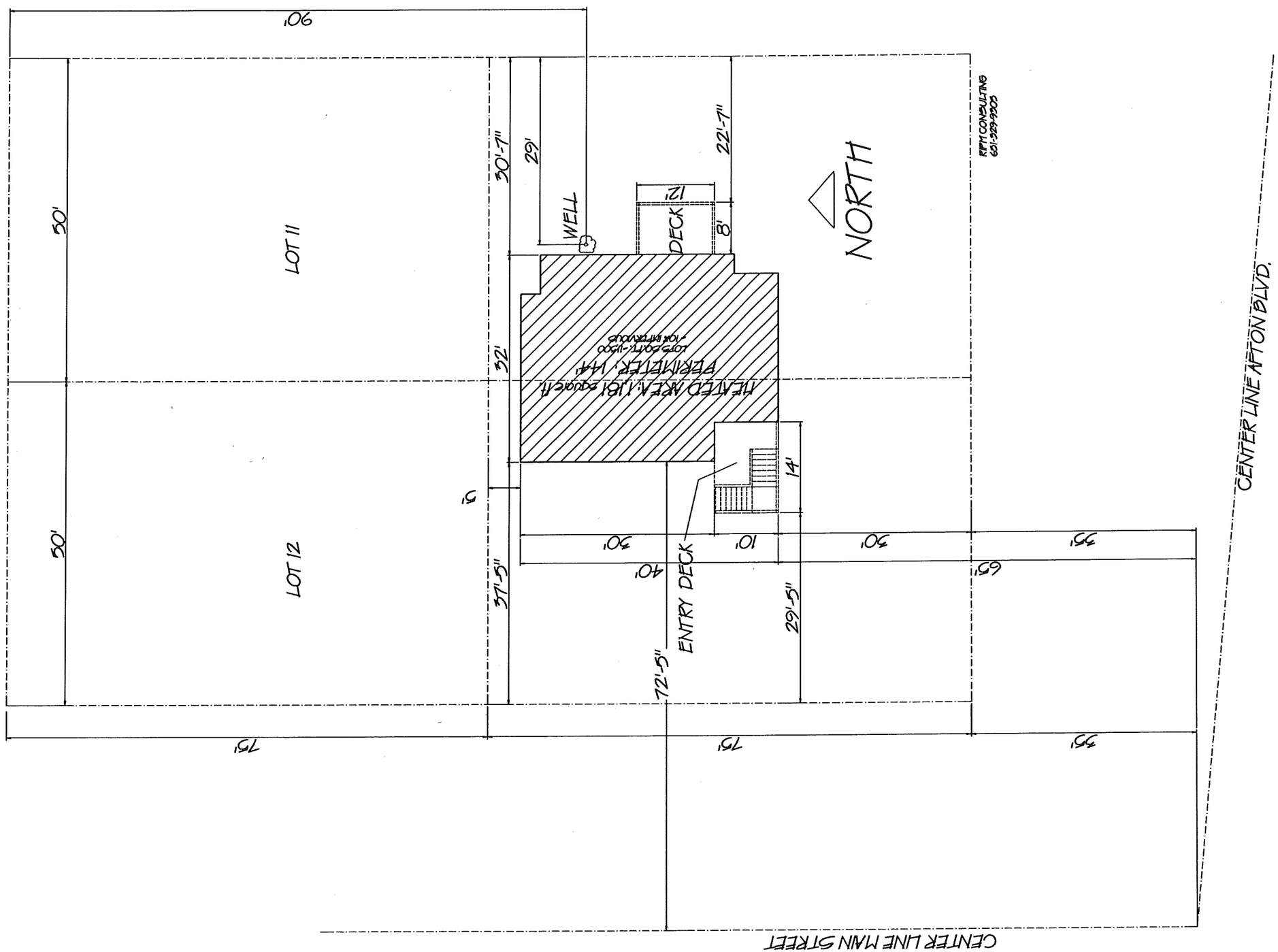
SKLUZACEK PAUL & JOAN
or Current Resident
PO BOX 157
AFTON MN 55001-0157

GUINDON THOMAS & AMY BRYNILDSON
or Current Resident
3222 ST CROIX TRL S
AFTON MN 55001

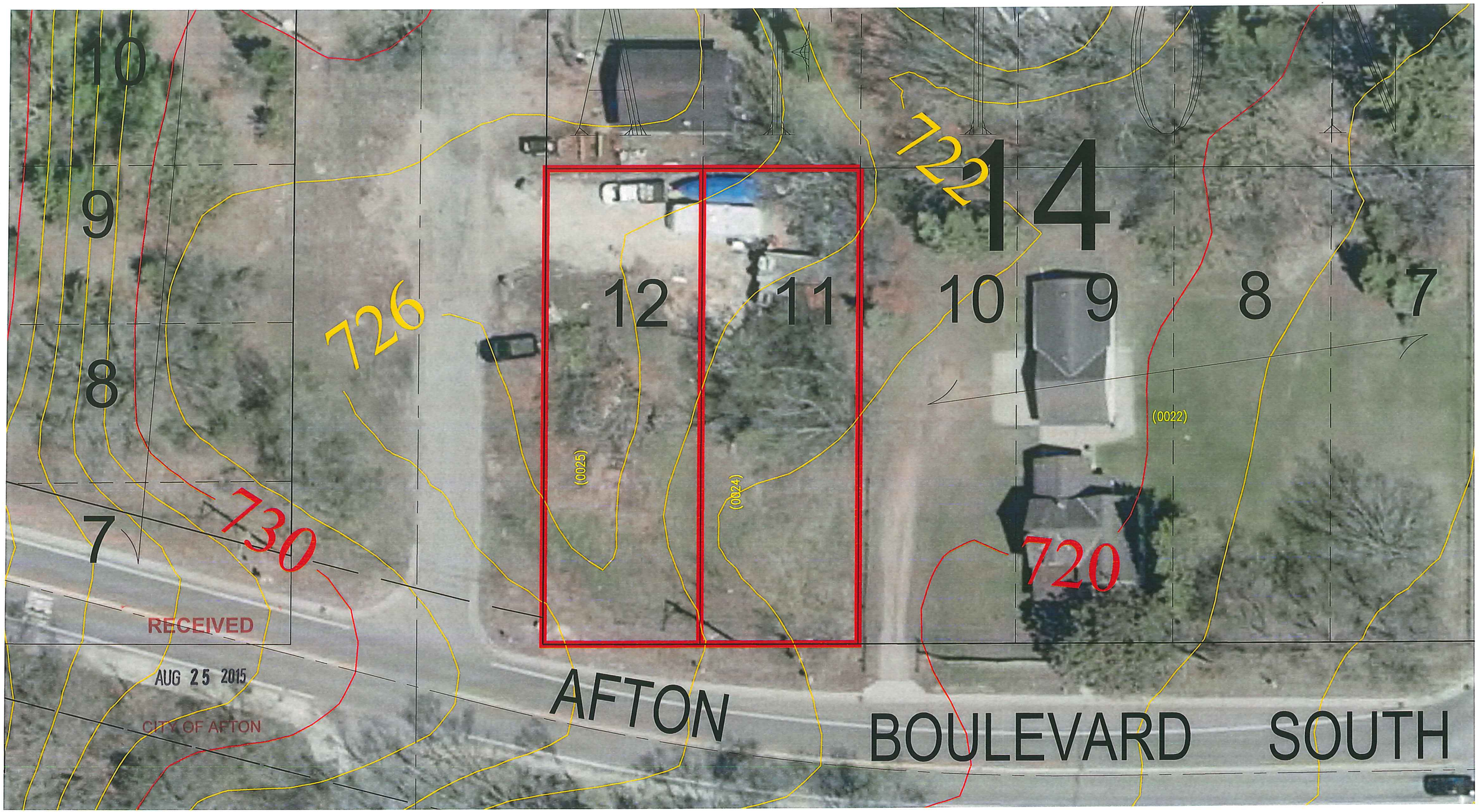
DICKINSON DANIEL D
or Current Resident
PO BOX 296
AFTON MN 55001

NELSON DEBORAH A
or Current Resident
25804 OLINDA TRL
LINDSTROM MN 55045

DICKINSON


106'
30'
LOT 11
30'
LOT 12
30'-7"
29'
WELL
22'-7"
12'
DECK
8'
NORTH
HEATED AREA 1,161 SQUARE FT
PERIMETER 144'
LOTS 2,047-1,500
-TOO IRREGULAR
32'
5'
14'
ENTRY DECK
37'-5"
29'-5"
72'-5"
30'
10'
30'
35'
40'
60'
75'
75'
35'
CENTER LINE MAIN STREET
CENTER LINE AFTON BLVD.
REPH CONSULTING
651-329-9005

$17.00



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AUG 25 2015
CITY OF AFTON

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Washington County

PUBLIC WORKS DEPARTMENT
SURVEY AND LAND MANAGEMENT DIVISION

14949 62nd Street North, P.O. Box 6
Stillwater, Minnesota 55082-0006
(651) 430-6875
surveyor@co.washington.mn.us
www.co.washington.mn.us/surveyor

CONTOUR LEGEND

- 10 FOOT INTERVAL CONTOUR
- 2 FOOT INTERVAL CONTOUR

Contours are provided courtesy of the Minnesota Department of Natural Resources (DNR). The Minnesota DNR makes no representation or warranties, express or implied, with respect to the reuse of data provided herewith, regardless of its format or the means of transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability, or reliability of this data for any purpose. The user accepts the data 'as is', and assumes all risks associated with its use. The Minnesota DNR assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data.

LEGEND

- DNR PROTECTED WATERS
- DNR PROTECTED WETLAND
- DNR PROTECTED WATERCOURSE
- MUNICIPAL BOUNDARY
- PARK BOUNDARY

NORTH

SCALE: 1 inch = 30 feet

SECTION-TOWNSHIP-RANGE INDEX

1602820	1502820	1402820
2102820	2202820	2302820
2802820	2702820	2602820

COUNTY VICINITY MAP

* = LOCATION OF THIS MAP

SECTION VICINITY MAP

22	21	12	11 *
NW		NE	
23	24	13	14
32	31	42	41
SW		SE	
33	34	43	44

PROPERTY IDENTIFICATION NUMBER FORMAT (GEOCODE)

SECTION NUMBER	TOWNSHIP NUMBER	RANGE NUMBER	QUARTER QUARTER	SPECIFIC PARCEL
##	###	##	##	####

(0001) = LAST FOUR DIGITS OF PROPERTY IDENTIFICATION NUMBER

THIS DRAWING IS THE RESULT OF A COMPILATION AND REPRODUCTION OF LAND RECORDS AS THEY APPEAR IN VARIOUS WASHINGTON COUNTY OFFICES. WASHINGTON COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES.

PROPERTY LINES AS SHOWN ARE FOR REFERENCE PURPOSES AND MAY NOT REPRESENT ACTUAL LOCATIONS.

MAP LAST UPDATED: December 15, 2014

NO ADDITIONAL CHANGES HAVE BEEN REPORTED TO DATE

DATE OF CONTOURS: November, 2011 DATE OF PHOTOGRAPHY: May, 2013

Plotted August 25, 2015 at 11:07 a.m. by SURVPUB

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

Planning Commission Memo

Meeting: August 31, 2015

To: Chair Ronningen and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: August 19, 2015

Re: Ordinance Amendment Regarding the Lower St. Croix Bluffland and Shoreland Management Ordinance and the Floodway District Ordinance – **Public Hearing**

Background

The Lower St. Croix Bluffland and Shoreland Management Ordinance and the Floodway District Ordinance include a number of inconsistencies, outdated language, and conflicts with the City's regular zoning requirements. It is important that these items be corrected to provide clarification and avoid future conflicts. At its August 3, 2015 meeting, the Planning Commission discussed the items to be revised and directed staff to prepare an ordinance amendment reflecting these items and to publish notice of a public hearing regarding the ordinance amendment. The public hearing notice has been published and the ordinance amendment is attached for the Commission's review and recommendation. An outline of the revised items is provided below.

Outline of Revised Items

Section 12-132. Minimum requirements, allows up to 20% or 4,350 s.f. whichever is greater, of impervious coverage in the VHS zoning districts. Section 12.637. Minimum district dimensional requirements in the St. Croix Bluffland District, has the following impervious coverage language: "10% of 4,350 s.f., whichever is greater." This is a typo, and should say 10% or 4,350, whichever is greater. The 10% is also inconsistent with the 20% allowed in the VHS districts. The ordinance amendment reflects the "20% or 4,350 s.f., whichever is greater" language.

Sec. 12-832. Certification by the commissioner, requires that "before any zoning district or ordinance amendment or variance becomes final, the Council shall forward the decision to the commissioner. The commissioner of natural resources shall certify in writing that the proposed action complies with the intent of the Wild and Scenic Rivers Acts and the master plan for the Lower St. Croix River in the manner specified in department of natural resources (DNR) regulations, including Mn Rules, § 6105.0540. " The DNR no longer has the authority to certify City variance actions. The ordinance amendment reflects the deletion of the variance certification language from the ordinance.

Sections 12-578 Existing Codes and 12-707 Prohibited Uses have a number of inconsistencies/conflicts. Sec. 12-578 indicates that … "Any provisions of the zoning ordinance, article II of this chapter, relating to the Lower St. Croix Riverway shall remain in full force and effect except as they may be contrary to the provisions of this article…". However, Sec. 12-707 indicates "…All uses not authorized in the local zoning ordinances" are prohibited. Sec. 12-578 includes a number of uses allowed with a conditional use permit that are prohibited in the VHS districts by the zoning ordinance, article II. These include the following:

- Student Housing
-Institutional and medical housing

- Multiple family dwellings with central sewer
-Planned unit developments
-Townhouses with central sewer

The ordinance amendment reflects the deletion of these uses from the St. Croix Bluffland ordinance to eliminate the inconsistency/conflict.

Sec. 12-706. Conditionally Permitted Uses.
In the VHS district, the Conditionally Permitted Uses listed in Section 12-578(C) may be permitted as special uses, in accordance with Section 12-578(B). The term "special uses" has been changed to "conditional uses" because the term "special use" is no longer used in the zoning ordinance article II.

Sec. 12-831. Administrative Procedure
This section requires that application materials related to variances and CUP's be sent to the Minnesota/Wisconsin Boundary Area Commission. It also requires that notices of applications be sent to the City Council of any City within two miles of the affected property. The Minnesota/Wisconsin Boundary Area Commission has been eliminated. Also, the statutory rules regarding administrative procedure do not include notification to neighboring cities. These requirements have been deleted from the ordinance.

Sec. 12-707. Prohibited uses.
Section 12-707 is a listing of prohibited uses. Item E reads as follows: "Downstream from Stillwater in rural districts". This is a portion of a sentence that does not include the specific use that is prohibited downstream from Stillwater. The complete language is as follows: "Marinas upstream from the Boomsite Highway wayside and downstream from Stillwater in rural districts". This language is reflected in the ordinance amendment.

Additional Language Revision in the Floodway District Ordinance
Along with the revisions to the St. Croix Bluffland ordinance, the ordinance amendment includes a revision to one section of the Floodway District Ordinance. Section 12-1001, Permitted uses), is a list of permitted uses in the Floodway District. These include shooting preserves, target ranges and trap and skeet ranges. These uses are specifically prohibited in Sec. 12-134 Uses of the City's zoning code. These uses have been deleted from Section 1001.

Planning Commission Direction Requested:
Motion regarding recommending the approval of the Lower St. Croix Bluffland and Shoreland Management and Floodway District ordinance amendment.

ORDINANCE XX - 2015

CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING CHAPTER 12, SECTIONS, 12-578, 12-637, 12-706, 12-707, 12-831, 12-832, and 12-834 LOWER ST. CROIX BLUFFLAND AND SHORELAND MANAGEMENT REGULATIONS AND SECTION 12-1001 FLOODPLAIN REGULATIONS OF THE AFTON LAND USE CODE

BE IT ORDAINED by the City Council of the City of Afton that Sections 12-578, 12-637, 12-706, 12-707, 12-831, 12-832, and 12-834 LOWER ST. CROIX BLUFFLAND AND SHORELAND MANAGEMENT REGULATIONS AND SECTION 12-1001 FLOODPLAIN REGULATIONS, of the Afton City Code be amended as shown below.

Delete the strike-through language and add the underlined language as shown below.

ARTICLE IV.

LOWER ST. CROIX RIVER BLUFFLAND AND SHORELAND MANAGEMENT[1]

Sec. 12-578. Existing codes.[2]

A. In the village historic site (VHS) district, the following are considered Conditionally Permitted Uses:

1. Seasonal business
2. Cemeteries
3. Churches
4. ~~Student housing~~
5. ~~Institutional and medical housing~~
6. Information centers
7. Medical uses
8. ~~Multiple family dwellings with central sewer~~
9. Day and school nurseries
10. Offices
11. Off-street loading
12. Parks
13. Photo studios
14. ~~Planned unit developments~~
15. Recreation areas--Public and semi-public
16. Retail shopping
17. Historic or scenic structures
18. Taverns or bars

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[1] **Cross reference**—Subdivision requirements for the Lower St. Croix River shoreland, § 12-1496 et seq.
[2] Ord 1997-19, 4/20/99, MS added

~~19. Townhouses with central sewer~~
20. Utility substations
21. Commercial waterfront uses
22. Marinas
23. Hotels[3]
24. Cafes and restaurants
25. Supper clubs
26. Theaters
27. Nursery and garden supplies (exterior or enclosed sales)[4]

Sec. 12-637. Minimum district dimensional requirements.[5]

A. The following chart sets forth the minimum area, setbacks, and other requirements of each district:

	Rural	**VHS**
Minimum lot size above ordinary high-water mark	**5 acres**	**1 acre**
Lot width at building setback line	200 feet	150 feet
Lot width at waterline	200 feet	150 feet
Building setback from ordinary high-water mark	200 feet	100 feet
Building setback from bluffline	100 feet	40 feet
On-site sewage treatment system setback from ordinary high-water mark	200 feet	100 feet
On-site sewage treatment system setback from bluffline	40 feet	40 feet
Maximum structure height	35 feet	35 feet
Maximum total lot area covered by impervious surface	10% (1-1/2 acres)	~~10~~ 20% ~~of~~ or 4,350 s.f., whichever is greater[6]
On slopes less than 12 percent, the controlled vegetative cutting areas setback are from:		
Ordinary high water mark	200 feet	100 feet
Blufflines	40 feet	40 feet

Sec. 12-706. Conditionally Permitted Uses.[7]

A. *Urban district Conditionally Permitted Uses.* "Urban districts" shall mean village historic site (VHS) district conditional ~~special~~ uses. In the VHS district, the Conditionally Permitted Uses listed in Section 12-578(C) may be permitted as conditional ~~special~~ uses, in accordance with Section 12-578(B).

---

[3] Code 1982, § 302.103
[4] Ord 1997-21, 12/15/98
[5] Code 1982, § 302.104, Ord. 97-46, 1/15/02, Ord. 46-2004, 8/17/04
[6] Ordinance 02-2008, 1/9/2008
[7] Res. No. 1997-16, § 18, 6-17-97, (Ord 1997-15, 1/19/99

Sec. 12-707. Prohibited uses.

In all districts within the St. Croix Riverway, the following new uses or expansion of existing uses shall be prohibited:

A. Sand and gravel operations.

B. Junkyards.

C. Mobile home parks.

D. Downhill ski areas.

E. Marinas upstream from the Boomsite Highway wayside and downstream from Stillwater in rural districts.

F. All uses not authorized in the local zoning ordinances.

(Ord 02-2012, § 12-707, 2/21/2012)

DIVISION 4. ADMINISTRATION

Sec. 12-831. Administrative procedure.[8]

A. In addition to the applicable administrative procedures set forth in the zoning ordinance, article II of this chapter, the following procedures shall be implemented with respect to land, subject to this article:

1. A public hearing shall be held by the Planning Commission for all zoning district amendments, Conditional Use Permits, subdivision, and variances.
2. No less than 20 days prior to the public hearing, the City Zoning Administrator shall send notice and copies of the applicants information as specified in Section 12-836 to the following agencies for review and comment:
   a. Department of natural resources.
   b. The Planning Commission.
   c. ~~Minnesota/Wisconsin Boundary Area Commission~~.

B. The applicant for any permit requiring a public hearing shall submit to the Council at least 30 days prior to such hearing, an abstractors certificate showing the names and addresses of all property owners within 500 feet of the affected property, in incorporated areas, or one-half mile in unincorporated areas~~, the affected board of town supervisors, and the City Council of any city within two miles of the affected property~~.

C. Notice of the purpose, time, and place of any such public hearing shall be mailed to all property owners ~~and the elected officials~~ listed in Subsection (B) of this section by the local authority at least ten days prior to the date of the hearing.

D. Notice of the purpose, time, and place of any such public hearing shall be published in the official newspaper of the affected community ~~ies~~ at least ten days prior to the date of the hearing.

Sec. 12-832. Certification by the commissioner.[9]

Before any zoning district or ordinance amendment ~~or variance~~ becomes final, the Council shall forward the decision to the commissioner. The commissioner of natural resources shall certify in writing that the proposed action complies

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[8] Res. No. 1997-16, § 18, 6-17-97

[9] Res 1997-16, § 18, 6/17/1997

with the intent of the Wild and Scenic Rivers Acts and the master plan for the Lower St. Croix River in the manner specified in department of natural resources regulations, including Mn Rules, § 6105.0540.

Sec. 12-834. Permit process.

The permit process for urban and rural districts shall be as follows:

Permits	**Urban District**	**Rural District**
Building permits	LP	LP
Septic permits	LP	LP
Grading permits	LP	LP
Tree cutting permits	LP	LP
Conditional Use Permits[10]	PH-FD	PH-FD
Amendments to ordinance	PH-CC	PH-CC
Amendments to district boundary	PH-CC	PH-CC
Plats and cluster developments	PH-WA-FD	PH-WA-FD
Variances	PH-~~CC~~	PH-~~CC~~

LP - Permit issued by the local authority in accordance with this article and all other local permits.

CC - Certification by the commissioner of natural resources prior to final local approval.

PH - Public hearing necessary by the local authority giving 20 days notice of meeting to the commissioner of natural resources and other agencies listed in Section 12-831(A)(2).

FD - Local authority forwards any decisions to the commissioner of natural resources within ten days after taking final action.

WA - The commissioner of natural resources shall submit, after notice of public hearing and before the local authority gives preliminary approval, a written review and approval of the project.

Subdivision II. Floodway District (FW).

Sec. 12-1001. Permitted Uses.

A. General farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.

B. Industrial-commercial loading areas and parking areas.

C. Private and public golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, ~~game farms~~, fish hatcheries, ~~shooting preserves, target ranges, trap and skeet ranges~~, hunting and fishing areas, and single or multiple purpose recreational trails.

D. Residential lawns, gardens, parking areas, and play areas.

[10] Ord 1997-15, 1/19/1999

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

DRAFT City Council Regular Meeting Minutes
August 18, 2015
Afton City Hall
3033 St. Croix Trail
Afton, MN 55001
7:00 P.M.

---

1. THE SPECIAL COUNCIL MEETING WAS CALLED TO ORDER at 7:00 P.M. by Mayor Bend.

2. ROLL CALL: Ross, Palmquist and Mayor Bend. Absent: Nelson, Richter. **Quorum Present.**

ALSO PRESENT: City Attorney Fritz Knaak, Planning Commission Chair Barbara Ronningen, City Administrator Ron Moorse and Deputy Clerk Kim Swanson Linner.

3. APPROVAL OF AGENDA –

A. Item 7A, Sheriff's Monthly Report was moved to Item 3B after the approval of the agenda; it was noted that the Engineer's Report would be moved to accommodate their schedule.

Motion/Second: Palmquist/Ross. To approve the agenda of the August 18, 2015 Regular City Council Meeting as amended. Motion carried 3-0-0.

B. Sheriff's Monthly Report – IRC Report on file; Deputy Sullivan reported that a number of incidents were related to water calls; the City has authorized two more extra patrols for the summer that the deputies will be completing.

4. APPROVAL OF MINUTES -

A. Minutes of the July 16, 2015 Special City Council meeting –

Motion /Second: Palmquist/Bend. To approve the minutes of the July 16, 2015 Special City Council Meeting as presented. Motion carried 3-0-0.

B. Minutes of the June 16, 2015 Regular City Council meeting –

Motion/Second: Bend/Ross. To approve the minutes of the July 21, 2015 Regular City Council Meeting as presented. Motion carried 3-0-0.

5. PUBLIC INPUT – Doug Strom, 4420 Pately Bridge Avenue, spoke for himself and Melissa Strom and neighbors Lee and Ellen Johnson, 4433 Pately Bridge Avenue. He spoke about the poor condition of the road; pictures showed areas of total disintegration and the rest of the road with "alligator" cracks; he noted the pavement is 26 years old. The residents would like a skim coat for the disintegrated areas and a seal coat for the whole length of their road.

6. REPORTS/PRESENTATIONS -

A. Sheriff's Monthly Report – [Item was moved up to 3B.]

B. Valley Branch Watershed District (VBWD) – Kelles Creek Septic Inspection Program - Jill Lucas, VBWD Board Manager and Secretary (and Afton resident) and Jen Koehler, Barr Engineering were in attendance to present findings from the Kelle's Creek water quality study which showed the majority of bacteria are coming from human waste; specifically non-compliant septic systems make up 60-84% of the bacteria load to Kelle's Creek. A cooperative program between VBWD, Washington County, East Metro Water Resources

and the U of M Water Resources Center will be launched to target septic inspections and to connect residents with funds to replace failed septic systems in order to improve the water quality of Kelle's Creek and ultimately the water that flows to the St. Croix River. The VBWD Board is meeting next week; Jill Lucas will return to the September Council meeting to let the City know how it can assist in encouraging the Kelle's Creek watershed residents to participate in the FREE septic inspection program.

C. Jim Bougie, Finance Committee Report – the cash flow report showed $175,000 surplus after the July tax revenue of $909,000; he cautioned it may be due to including "fiscal disparity" received by the City as a tax revenue. Steps will be taken to separate the fiscal disparity payment to the City, so that it does not show up as revenue.

7. CONSENT AGENDA -

A. Just and Correct Claims

B. 4M Fund Transfer - JULY - **Resolution 2015-60**

Motion/Second: Palmquist/Ross. To approve the Consent Agenda as presented, including Resolution 2015-60. ROLL CALL: All Ayes. Motion carried 3-0-0.

8. CITY COUNCIL BUSINESS -

A. Planning Commission Report – Chair Barbara Ronningen reported for the Planning Commission.

1. Solar Energy Systems Ordinance - **Ordinance 03-2015** – Administrator Moorse reviewed that the Planning Commission had developed an ordinance for solar energy regulations based on a model solar energy ordinance provided by a consultant, with revisions to fit Afton's unique characteristics. The Planning Commission held a public hearing at their August 3 meeting, at which there were no public comments. Moorse explained that the language recommended for the maximum size of a residential solar array is related to the visual impact of the array, which is related to the size and height of the array, the size of the lot, the setback of the array from roads or other properties and the amount of screening. The language includes all of these factors. The language differentiates between the VHS district with small lots, and the Rural Residential and Agriculture districts with 5 to 10 acre lots, 10 to 20 acre lots and lots 20 acres or greater. It was noted that larger solar installations in the form of community solar energy systems and solar farms are only allowed in the Industrial District.

Council Discussion

Section 12-230. D.2(a) was pointed out, because it was discussed at the Planning Commission. It is an existing statement in the City Code which guarantees solar access that is being moved from that section to this solar ordinance section. Solar access is provided for in the Comprehensive Plan, therefore, it was decided to leave the statement in at this time. Tweaking the statement can be addressed at the time of updating the Comp Plan within the next two years.

Section 12-230. E.1(a) and (b) were clarified in that the installation would be "on a structure" not a ground-mounted array.

Other items were discussed for clarity purposes, but did not need amending.

Bend noted that these solar regulations have been developed to encourage Afton to be a "green" community and to support its rural environment; not to be commercial in nature.

a. **Summary Ordinance 03-2015** for publication -

Motion/Second: Bend/Palmquist. To adopt Ordinance 03-2015, the Solar Energy Systems regulations as amended and the Summary Ordinance for publication, as presented. ROLL CALL: All Ayes. Motion carried 3-0-0.

2. Sewer Regulations Draft Ordinance Amendment – Administrator Moorse summarized the sewer regulations ordinance and stated that Breanne Rothstein, WSB Planner, was in attendance to answer any questions.

Council Discussion

Council members asked about specific items for clarification by Ms. Rothstein: whether "shut off valves" for sewage were a "real thing" (not as such; however, if "illicit discharge" should it occur, it would be confined at the treatment facility); if individual flow meters for sewage can be installed (yes); can the city monitor flow rates, for instance if residents are emptying a pool (yes, with installation of a flow meter). Rothstein informed that ordinance prohibits illicit discharge, but it doesn't "protect" against it.

Council asked how "out of the norm" this ordinance is from other communities.

Rothstein advised that the ordinance is very standard language and this revision was necessary in order to add the LSTS; however, all language was reviewed to ensure there was no outdated language.

Motion/Second: Bend/Ross. To direct staff to prepare the Draft Sewer Regulations as amended into final ordinance format and provide a Summary Ordinance for publication. Motion carried 3-0-0.

B. Engineering Report

1. Staff Report – Engineer Hankee was not in attendance; the staff report was on file.

a. Crack Fill, Seal Coat and Micro Surfacing Price Quotes – The City Engineer provided the following quotes for street repairs in the city for 2015. Crack filling improvements were identified by the Public Works Committee within the south part of the City. Quotes were solicited to provide seal coat improvements along 32nd Street and Pateley Bridge Avenue, as both roads have been determined to be beyond crack fill repair (This conctract will utilize the remaining seal coat rock stock piled at the garage from 2014. A quote was submitted by Tri County to skim patch poor areas on 32nd Street and Pateley Bridge Avenue. Completion date for these projects is September 30, 2015.

Bend noted, from his phone conversation with Engineer Hankee, that the crack filling is appropriate for sealing streets in reasonable condition so they don't get worse. Seal coating is for improving the totality of the road and skim patching addresses specific areas in need of more correction, it is a very thin layer of asphalt graded over very deteriorated areas. In the absence of the City Engineer, Council discussed the best solution for each type of street repair.

Motion/Second: Bend/Palmquist. To approve the Crack Fill improvements in the south end of the City per the map provided by accepting the quote from Gopher State Sealcoat Inc. for an amount of $28,956.00 and to approve the Skim Patch repairs to the deteriorated areas of 32nd Street and Pately Bridge Avenue by accepting the quote from Tri County in an amount not to exceed $18,000. Motion carried 3-0-0.

b. 15th Street Culvert Replacement – A culvert pipe on 15th Street has failed. The City received a quote from Tri County to replace the pipe. The pipe is 36 inches in diameter and 48 feet long. The quote to replace the steel pipe culvert with a concrete pipe would be $12,000; to replace with a new steel pipe would be $10,000.

Motion/Second: Palmquist/Ross. To approve the repair to a culvert failure on 15th Street S by accepting the quote from Tri County in an amount not to exceed $10,000 to replace the 36" diameter by 48 foot long culvert with a corrugated steel pipe culvert. Motion carried 3-0-0.

2. 3918 and 3904 River Road Wash-Out Update – Administrator Moorse updated Council on the progress of meetings between property owners at 3918 and 3904 River Road, City staff, the City Engineer and the Valley Branch Watershed District (VBWD) regarding repairs for a substantial washout on a steep slope adjacent to River Road. He indicated there may be some funding available through the VBWD, however this

would be the responsibility to those individual properties and the city will have no cost involved. No Council action was needed.

C. Administration –

1. Don Barrett and Jesse Wilcox Request to Allow Existing Structures that are in Violation of the City Code to Remain on the Property at 14725 Afton Boulevard – At issue is a former property owner wanted to construct a pole building, they couldn't because the total size of accessory buildings would then be greater than allowed. So the former owners provided a handwritten letter indicating they would build a living space connecting the detached garage to the older house, making them both one principal structure. The pole building was built, however, the connection of the house to the garage was never built, causing the pole barn to be nonconforming. Sometime later, the former owner demolished the existing detached garage and replaced it with a second dwelling unit structure, which is not allowed. This was done without a building permit and without the knowledge or approval of the City. Mr. Barrett purchased the property with these nonconformities, and sold it to Mr. Wilcox with the same nonconformities; they are requesting that the City Council provide relief by allowing the buildings to remain as-is. Mr. Barrett is requesting clarification regarding whether the structure with the dwelling unit can be considered to be a part of the principal structure. Attached is a memo from the May 20, 2014 Council meeting regarding standards for determining when a structure is considered a part of the principal structure. Moorse indicated that from staff's perspective, the lack of a roof with enclosed finished space beneath it connecting the two structures, and the distance between the two structures, makes them separate structures.

Mayor Bend asked how this issue had come before the Council. He indicated that the Council has no application for a request, therefore, the Council had nothing on which to make a determination. The property owner was informed that an application for a variance would be needed in order for the city to consider any request for allowing non-conformities. No Council action was required or taken. Staff was directed to draft an enforcement letter to be sent to the property owner.

2. Mindpath Media Request to Use House on Wastewater Treatment Site as Setting for Movie Production – Administrator Moorse informed that MindsPath Media, a low budget movie production company focused on the horror film genre, has requested the ability to use the vacant house on the wastewater treatment site for several scenes of a movie production during the Labor Day Weekend. He indicated the company has already used the entrance to the Lake St. Croix Beach City Hall for other scenes in the movie and that Lake St. Croix Beach collected a deposit to cover possible damages. The production company has indicated they will pay the cost of the City Attorney to draft an agreement that protects the city in the case of damage to City property and injury to the cast and crew, that limits be placed on the time of day the house can be used, that Washington County Deputies be notified and requested to monitor the site periodically, and that neighboring property owners also be notified. Because the company will be moving furniture, etc. into the house for the scenes, they would like to have a person stay in the house overnight for security.

Motion/Second: Palmquist/Ross. To authorize the City Attorney to draft up an agreement with MindsPath Media to allow the low budget movie production company to use the vacant house on the wastewater treatment site for several scenes of their movie production during the Labor Day Weekend, to cover site license and costs for any liability by or damage to City property and to direct the above notifications. Motion carried 3-0-0.

3. Tree Removal on City Cartway Property – Administrator Moorse explained that Washington County, in years past, turned over an old cartway off of Afton Boulevard S to the City. There is currently a large cottonwood tree on the cartway property that is leaning toward the neighboring property owner's garage at 14933 Afton Boulevard. It is felt that if the tree was to fall, it would cause extensive damage to the garage. Staff solicited three price quotes for the tree removal. Two of the quotes have separate costs for dropping the tree and removing the tree. One price quote, from SavATree, has one price for taking down the tree to a 20 foot standing stub and removing all cut debris. The SavATree price quote is the lowest cost for both dropping the tree and

removing the debris. Because the tree is very large, it is recommended the debris be removed. Staff is recommending the price quote from SavATree, in the amount of $1,340, be accepted.

Council Discussion

Council discussed the legal aspects of the city doing any maintenance on a "private drive" which has public access. It was noted that the City has, in the past, trimmed dead or leaning trees located on city property when they threaten a neighboring property owner's structures.

Motion/Second: Bend/Palmquist. To approve the quote from SavATree in the amount not to exceed $1,340 for cutting and removing the large cottonwood tree on the city cartway, off of Afton Boulevard S, that threatens to fall on a neighboring property owner's garage. Both accepted a friendly amendment to authorize the City to negotiate a reduced price with SavATree to drop, but not remove, the tree. Motion carried 3-0-0.

Staff was directed to move forward with the process of shutting down the cartway to the original house at the south end of the cartway, as it has level access to the Valliswood development street, Paradox End Avenue, which would give the property a more appropriate address according to Washington County.

4. Jim Cox Proposal for Design of Deputies Facility Adjacent to City Hall – Administrator Moorse explained, as part of the process of planning a city garage for Public Works storage adjacent to City Hall, discussions have been to include a facility for the Sheriff's Deputies. The Design Review/Heritage Preservation Commission has discussed a design concept for the facility. Based on that discussion, Jim Cox, a member of the City's Design Review/Heritage Preservation Commission and an architect, volunteered to prepare a concept plan for the facility. The next step in the process would be to prepare a design that is detailed enough to be used for bidding. The proposal from Jim Cox to design and assist with the bidding and construction of the facility is $2,500 plus expenses (mileage, printing).

Council directed staff to contact the County Sheriff's Office to procure an agreement and a commitment for funds for the City of Afton to incorporate space for the Sheriff's Deputies in a new city public works garage adjacent to City Hall.

5. St. Croix Trail Roadway Improvements in Afton- Streetscape - **Resolution 2015-52** – Administrator Moorse summarized that at the July 21, 2015 regular meeting, the Council adopted a resolution regarding the CR 21 Streetscape/Aesthetics priorities and costs. Due to the extended discussion of numerous options, there was a discrepancy between the intent of the motion-maker and the actual content of the discussion regarding the details of the resolution. The key element needing clarification was whether the proposed resolution included the landscaping in the medians. Based on the recording of the meeting, the discussion did not include specific language regarding the inclusion of the median landscaping. The resolution offered by Council Member Palmquist included the landscaped medians as a top priority of the Design Review Committee. The City Attorney advised that if there was a consensus among the Council members regarding their understanding of the motion vs the language of the resolution, the language of the resolution could be finalized to reflect the Council consensus. Because there was not a consensus among the Council members regarding the inclusion of the median landscaping, the resolution is being brought to the Council for clarification.

Several attempts at motions were made, but they failed for lack of a second.

There was further discussion as to the priority of the median plantings and the need to have them included in the initial construction project.

Bend felt the plantings and mulch are an extravagance and do not give health, safety or welfare to residents, they will require long-term care by the city, and they could probably be added less expensively as a separate bid once the project total is known, and the Council has a chance to access the rest of the streetscape aesthetics in the 2016 budget discussion.

Palmquist noted that the Design Review Committee had recommended the medians for their traffic calming effect and felt if the plantings were not part of the initial construction project, it wasn't guaranteed they would

be included in a future city budget; he did not want to risk the medians being concrete if the plantings were not included in the overall County Road 21 construction project.

Motion/Second: Palmquist/Ross. To approve Resolution 2015-52 (Palmquist version), as amended, for the approval of streetscape aesthetic elements for County Road 21 improvements in Downtown Afton for which the County and the City will cost share 50/50 up to 3% of the construction project budget, which is estimated to allow approximately $300,000. Should the city request more aesthetic elements than the $150,000 match, the city must pick up the additional costs.

Clarified as being included in the motion for streetscape aesthetics were:

Sidewalks, large banded pattern	**$11,000**	
Median, plantings	**$19,950**	
Median, rock mulch	**$ 8,800**	
Lighting, 26 lights	**$254,800**	[a reduction of 4 lights, from $294,000]
Bumpouts, with regular concrete	**$20,250**	[a reduction of approx $5.00/s.f., from $27,000]
Trees, total reduced by 20%	**$56,200**	[a reduction from $70,250]
Pedestrian crosswalks	**$9,900**	
Total	**$380,900**	

ROLL CALL: Ayes-Ross, Palmquist; Nay-Bend. Motion carried 2-1-0.

For clarity, the following were NOT included:

Wayfinding	$11,000
Boulevards	$12,000
Tree grates	$8,800
Pedestrian Site Amenities	$24,000
	$55,800

6. Proposal for Annual Audit – Michael Pofahl – Administrator Moorse indicated Michael Pofahl has prepared the city's annual audit report for a number of years. He submitted a proposal to conduct the annual audit for the 2015 fiscal year at a cost of $5,350, a 3.9% increase over the $5,150 cost for the 2014 audit.

Motion/Second: Palmquist/Bend. To accept the proposal from Michael Pofahl to conduct the 2015 Afton annual audit at a cost not to exceed $5,350. Motion carried 3-0-0.

7. Schedule Special Council meeting for 3-City Facilitated Communication Process – Administrator Moorse explained that Wayne Sandberg, of Washington County, is working to schedule a time for the City Councils of Afton, Lake St. Croix Beach and St. Mary's Point to meet for a facilitated communication process. The date selected, September 9, does not work for several council members from each city.

Staff was directed to contact Washington County to get another date, perhaps in late September or October, as there are no pressing issues.

D. Committee Reports -

1. Public Works – none in attendance.
2. Personnel – Meg K presented software ideas for Task Management and Document Storage.
3. Parks – reviewing details for a Park restroom; they hope to go out for a grant.
4. HPC/DR – the city received two proposals for Historians
5. High Speed Internet – Afton's letter of commitment is almost ready to send to CenturyLink; indications are that the internet service costs will be much less than was estimated.

6. Natural Resources and Groundwater – tomorrow's meeting is at Belwin; looking for mutual cooperation for protection of natural resources.

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

A. Ward 1 Council Member Palmquist – none.

B. Ward 2 Council Member Richter – absent.

C. Ward 3 Council Member Ross – none.

D. Ward 4 Council Member Nelson – absent.

E. Mayor Bend – attended the East Metro Strong workshop with many area mayors in attendance; they did a land use planning exercise meant to incorporate current underlying planning trends of low carbon footprint and low cost to residents; his takeaway was how to satisfy what Afton residents want given that Afton doesn't necessarily want to adhere to planning "values" such as: increase density, increase connectivity to resources in close proximity to residents.

F. City Attorney Knaak – Report on file; the condemnation is going forward with no issues of concern.

G. City Administrator Moorse – none.

11. ADJOURN –

Motion/Second: Palmquist/Ross. To adjourn the meeting at 10:07 p.m. Motion carried 3-0-0.

Respectfully submitted by:

_____

Kim Swanson Linner, Deputy Clerk

Approved by Council (on September 15, 2015) as (check one): Presented:_____ Amended: _____

Signed by Mayor Richard Bend_____ Date_____

DRAFT