



City of Afton

Natural Resources and Groundwater Committee (NRGC)

Agenda

Tuesday, February 7, 2017

5:00 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes**
 - A. Meeting Minutes from January 3, 2017
- 5. Business**
 - A. Election of New Committee Chair
 - B. Revised Will Carlson Sketch Plan Application for a Preservation and Land Conservation Development (PLCD) Subdivision of 218 acres on 60th Street West of Trading Post Trail
 - C. Development of a Template for the Committee's Review of Future Major Subdivisions and Particularly PLCD's
 - D. New Agreement between the State of MN and the USDA for Water Quality
 - E. 1983 Septic Upgrade Program
 - F. Well Testing Update
 - G. Update on Council and Planning Commission Business – Council Member Palmquist
 - H. Natural Resources and Groundwater Management Organizations Updates
- 6. Adjourn**

Natural Resources Groundwater Committee

Afton City Hall

January 3, 2017

Meeting called to order by Jack at 5:06.

Role call

Mark Have

Susan Winsor

Jack Homer

Keith Hoffman

Annie Perkins

Ron Moore

Many residents were present as well.

Later May and Richard Bend arrived.

Keith made motion to accept agenda. Mark seconded it. All voted in favor of agenda.

Business:

- a. Approval of meeting minutes – tabled due to lack of receiving minutes.
- b. Will Carlson Sketch Plan application for PLCD subdivision of 218 acres on 60th
 - a. Keith questioned what the green squiggly lines denote – Will stood up and indicated vegetation tree-line/woodland area. Landmark Surveys put this together. Keith – Q: what defines this tree land/woodland. Not exactly sure. More details
 - b. Keith – likes the layout; set aside conservation easement a large part of the creek. Lots 1,2,3 are likely higher value due to proximity to creek. From a development standpoint that's likely the way you'd want to do it. The "exception" is a horse recovery area. One of Will's family members lives in the homestead near Odell (north east lot 1, not in this plat). Schuster home is on lot 4.
 - c. Joe Bush is developer on behalf of Will Carlson. They work together. Horseshoe Lake, WI. JP Bush Homes. High-end homes. Likely will be 1-1.5 million. Says he has many certifications – groundwater reclamation certification. Maybe not current.
 - d. Keith asked about the new road – that will be pavement or concrete curb and gutter. Jack keeping us on track and directing us off the road topic and back to sketch plan feedback.
 - e. Jack feels the sliver conservation district on north end is ill-advised. Says lots 1, 2 and 3 are too close to the creek.
 - f. Susan – wrote comments – advised attendees to pick up and review. Cites codes and Conservation Overlay district. Added conservation concerns – such as "shoreline management area". Susan suggests considering this conservancy overlay district over high sensitive areas in sketch. Please see her comments. Addressing the already impaired status of the creek, which runs into the St. Croix. Phosphorus load too high, needing to cut it by 27%, she has suggestions to address this issue. Cites South Washington County Watershed District – regarding concerns of erosion carrying sediment and phoserous load. Cites Afton codes (12.70) regarding "no slopes of greater than 12% shall be disturbed". She suggests remove lots 1,2,3 to avoid these issues. Bush

suggests sod will prevent that. Annie questioned that. Bush mentioned city can put language into covenance to dictate the landscaping to designate natural, deep rooted plants vs. short grass.

- g. Susan – lots 4 and 5 have steep portions which should be appended to open lots to conservation easement. Bush – says lot 4 is keeping homestead due to steep slope. Lot 5 is designed to avoid steep slope. Says he's received information from DNR as to how to avoid building /disturbing steep slope.
- h. Susan – lots 14, 15 and 16 append into the conservation easement. Has concerns of these.
- i. Jack – agrees with Susan comments above. Jack questioning the lot acreage total. Says there's 240 acres. Curious about the road that goes across the property in north east corner. Bush states they own that property. Bush says there is discussion regarding that road entrance. They may make that an add'l cul de sac and avoid that road entrance off Odell. Jack suggesting a circular road, and eliminate NE entrance, resulting in more land use.
- j. Mayor notes that our preview is to address natural resources and groundwater. The road topics are the preview of the planning commission. We're to stick to NRGW and other issues will be addressed by other committees.
- k. Jack feels the silver of Conservation Easement on north end should be eliminated and moved to a great beneficial area for both open space and for development. Jack feels that would also help improve efficiency of development.
- l. Keith – concerns in lots 1,2,3. We are to help control runoff of pesticides. Can we put something in the convenient to control pesticide use. Bush says sure, that can be done.
- m. Mayor clarified role of NRGW committee – we are to address concern and help suggest action to avoid ill affects to land/water.
- n. Bush says the conservation easement has control
- o. Ron says the CE is held by the Land – they lay out the rules. However the entity in charge of implementation of covenance is up to HO Association. The MN Land Trust would monitor the HO Ass. Portions or all of CE could be open to the public. Annie asked who determines whether or not this open space should be open to the public.
- p. May – this area feeds into the St. Croix Watershed district. The open space could provide an education opportunity. This could be a project to address education opportunity. May suggested education possibilities regarding lots 1,2,3. Joe says there is access off 60th.
- q. Discussion of access or lack of access to Open Space for public access.
- r. Keith – questioning septic tank questions. No soil test have been done. Joe says that is mandatory prior to becoming buildable.
- s. Keith – two water basins for stormwater runoff. Joe – that says it just a suggestion based on proposed slopes.
- t. May – asked about HO Ass. How can we ensure they practice “green residence” – Joe says that is a result of the convienance.

- u. Annie – see notes. Joe suggested possibly giving up Lot 3 in compromise to ensure integrity of Trout Brook – as the park dedication fee.
- v. Jack asked Mayor and Ron what timeline we have to make our recommendations. Bush was hoping to get to Planning commission and Park committee to review in Feb. Park committee meeting tonight at 7:00 to discuss.
- w. Susan asked when Watershed weighs in – sometime prior to Planning committee.
- x. Jack suggested NRGW committee to meet again earlier to publish our final recommendation. Susan suggested we incorporate Watershed recommendations.
- y. May asked how he feels about obtaining an Env'l Impact study. Joe says that'll likely delay.
- z. Resident stated that under Land Use Sec. 12-89, C.12 requires an Environmental assessment worksheets (EAW) – determines whether or not an Env'l Impact Study is required – be done over 80 acre development.
- aa. May suggested Joe present 2-3 options of potential entities to conduct an EAW. Joe said he agrees.
- bb. Citizens stated their support for NRGW to take the proper amount of time to make recommendation.
- cc. Susan – section 12-1329 B. states purple shoreline management districts must be reviewed by DNR and Watershed district.
- dd. Ron states the EAW does not take place at the sketch plan stage. Therefore, we'll make our recommendations

5B – MIDS Jack makes a motion to support the Planning commission recommendation to the city council. Motion and second to support. Mayor asked if Ron could bring us all up to speed. Ron – originally MIDS came up for adoption into zoning code. The council originally said yes. The consultant reviewed our zoning code to look how MIDS could be incorporated. They created a special zoning code to address storm water runoff. That was then reviewed at the Planning commission. They had many concerns, feeling that MIDS were less stringent and they thought it might be difficult to incorporate. Ron gave all concerns back to our consultant. Turns out MIDS is not less stringent. Afton only has a few sentences and then delegates to either watershed or city engineer. Therefore, our Afton requirements are not clearly defined. MIDS would put performance standards directly into our code – where language is currently lacking. Mayor – two supplemental pieces: 1) % of impervious in MIDS was lower than that in our ordinance and 2) one procedural step the City Council did not accept planning commission recommendation, but put back for further consideration. There is a potential – Susan suggested approving MIDS with language that says if Afton has more stringent language/rules in code then that would supersede. Ron says city is in the process of reviewing all this. Even if no language currently exists that states more stringent, Mayor recommends that we still put language in to protect to include future more stringent. All in favor of motion passes to recommend adoption of MIDS with language.

Susan nominated Mae as Committee Chair and Jack seconded; May respectfully declined due to health. May nominated Susan – she declined. Susan nominated Keith. May suggested Jack take the job. Table nomination until next month. Tabled D. Mayor gave update already on process of MIDS. That is only issue right now. Tabled F.

6 Annie motioned to adjourn and Keith and Jack second. All in favor.

NRGC Memo

Meeting: February 7, 2017

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

To: Natural Resources and Groundwater Committee Members

From: Ron Moorse, City Administrator

Date: January 30, 2017

Re: Will Carlson Sketch Plan for a Preservation and Land Conservation Development Subdivision for 218 acres of Land Located on 60th Street West of Trading Post Trail (**Revised Plan**)

Background

The sketch plan for a subdivision on 60th Street west of Trading Post Trail has been revised based on input from the NRGC, the Park Committee and neighboring property owners. The revised sketch plan is attached. The two most significant changes are the elimination of the loop road with the connection to Odell Avenue in favor of a cul de sac, and the elimination of one of the three lots fronting on 60th Street in the southwest corner of the property.

Access

The Lower St. Croix Valley Fire Department has indicated that, while the loop road with the connection to Odell Avenue would be the best access option, the cul de sac option is acceptable to them. Another option is the cul de sac with an emergency access connection to Odell that would only be used by emergency vehicles.

Environmental Assessment Worksheet (EAW)

The developer is in the process of preparing the EAW based on the revised sketch plan, and plans to provide a draft EAW for initial review by mid-February.

NRGC Recommendation Requested

Motion regarding feedback to the applicant and recommendations to the Planning Commission and the City Council regarding the Revised Will Carlson Sketch Plan for a Preservation and Land Conservation Development Subdivision for 218 acres of land located on 60th Street West of Trading Post Trail.

PRELIMINARY

PRESERVATION & LAND CONSERVATION DEVELOPMENT - SKETCH

PRELIMINARY

Part of the Southeast Quarter of Section 32 and part of the Southwest Quarter of Section 33,
all in Township 28 North, Range 20 West, City of Afton, Washington County, Minnesota

Developer:



J.P. Bush
HOMES
Lakeland, Minnesota

Property Owner: Will Carlson

TOTAL PARCEL AREA = 218.6 acres

Proposed Conservation Easements
OPEN SPACE = 109.7 acres
(50.2% gross parcel area)

Proposed Lots (20 total) = 100.6 acres

Proposed Road Right of Way = 8.3 acres

Proposed Road Right of Way Width = 60 feet

Proposed Road Right of Way Width
(60th Street South) = 33 feet from center line

Proposed Length of Cul-De-Sac -
Point A to Point B = 3,400 lineal feet
Point C to Point D = 690 lineal feet

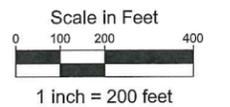
Proposed Road Type - 24 foot wide rural section
All proposed lots have a minimum of 2.5 acres of buildable area.

Legend

- Denotes slopes 12% to 17.9%
- Denotes slopes over 18%
- Denotes wetland location.
- Denotes stream.
- Denotes general surface water flow.
- Denotes proposed culvert location.
- Denotes proposed house site.
- Denotes proposed septic area.
- Denotes proposed driveway location.

Contours are at two foot intervals and are based on data provided by the Minnesota Department of Natural Resources.

Wetland, Shoreland and stream locations are approximate and are based on data obtained through the National Wetlands Inventory - V2 online interface and the City of Afton Zoning Map (MAP 11).

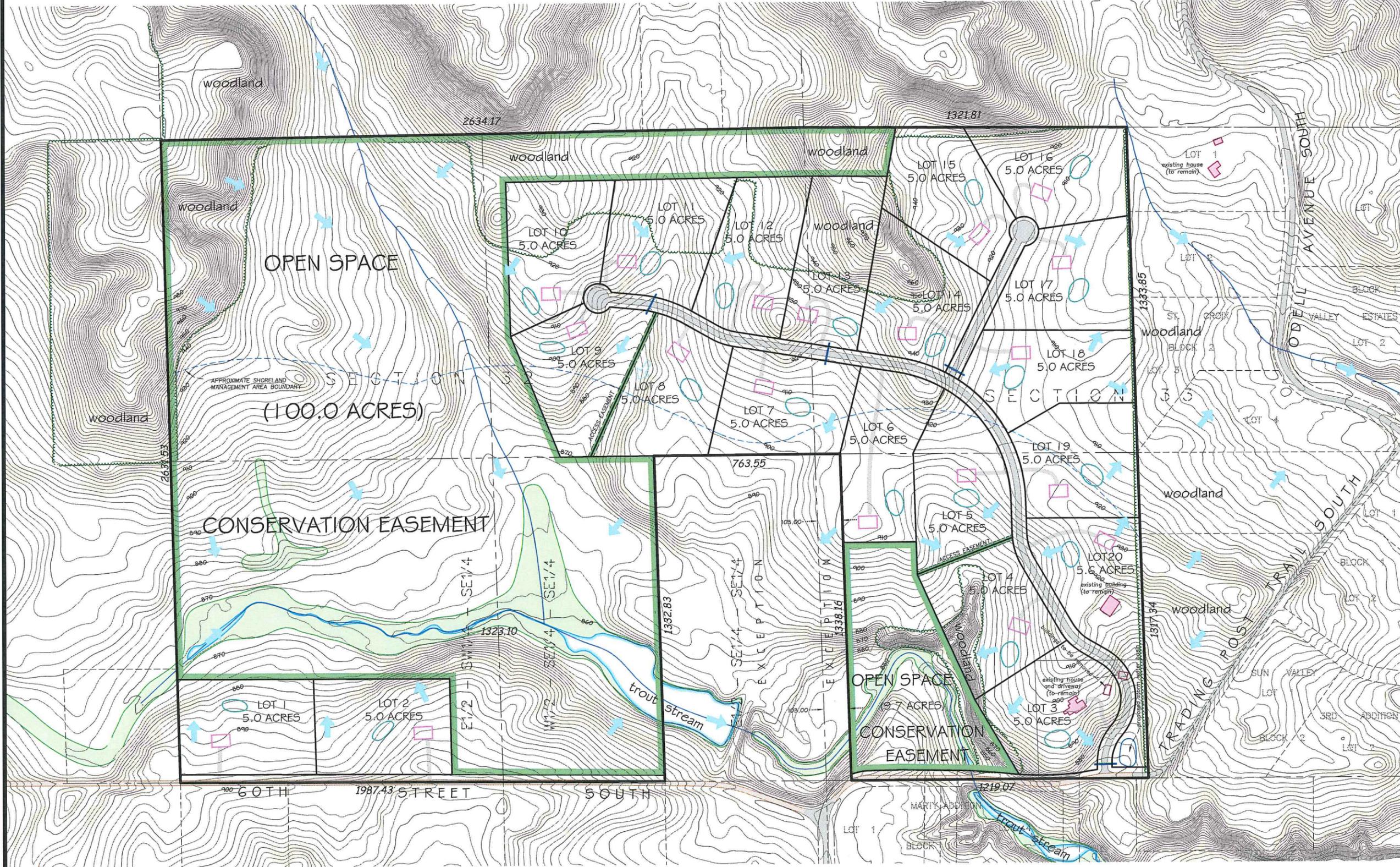


OFFICIAL COPIES OF THIS MAP ARE CRIMP SEALED

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

Landmark Surveying, Inc.
PRELIMINARY
Milo B. Horak, Minnesota License No. 52577

January 17, 2017
Date



Landmark Surveying, Inc.
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 Scandia, Minnesota 55073
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 E-mail: inthefield@frontier.net

NRGC Memo

Meeting: February 7, 2017

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

To: Natural Resources and Groundwater Committee Members

From: Ron Moorse, City Administrator

Date: January 31, 2017

Re: Template for the Committee's Review of Major Subdivisions, Particularly Preservation and Land Conservation Subdivisions

Committee member Keith Hoffman has suggested that, as the Committee has now had the experience of reviewing a Preservation and Land Conservation Development (PLCD) sketch plan, the Committee may want to develop a template or checklist to guide its review of future PLCD sketch plans to ensure the review process is consistent with and inclusive of the goals and purpose of the Committee.

State pairs up with USDA on water quality

Dayton signs \$350 million agreement

By Christopher Magan
cmagan@pioneerpress.com

Minnesota could protect close to 100 square miles of land that is key to improving water quality, thanks to a new federal partnership that provides money for farmers willing to put property into conservation easements.

Gov. Mark Dayton signed the deal with the U.S. Department of Agriculture, worth \$350 million in federal funding, during a Tuesday ceremony in the state Capitol rotunda. The agreement is the latest progress on one of the governor's key priorities: improving the state's rivers,

lakes and groundwater.

"Through this landmark agreement, Minnesota will be better able to protect and improve our waters for our families, natural habitat and our future," Dayton said in a statement. "Clean water is everyone's challenge, and everyone's responsibility."

A bipartisan group of lawmakers joined Dayton to celebrate the pact. It requires Minnesota to put up \$150 million in matching funds over the coming years, and about \$55 million of that money has already been budgeted and more is included in legislation proposed by Dayton.

The money will be used by

the state's Conservation Reserve Enhancement Program, or CREP, which compensates landowners who voluntarily put their property into conservation easements.

State officials say the money could go a long way toward helping farmers who need to install 50-foot buffer strips of perennial plants between crops and state waters. The new agreement will be focused on roughly 60,000 acres of land in 54 counties across the southern and western parts of the state.

Lawmakers approved the buffer law in 2015, and agencies are working to determine which lands need protection. During his push for the bill, Dayton highlighted studies that found more than 40 per-

cent of Minnesota waters are polluted or impaired.

"It's important that we have people here that don't always agree on everything, that agree on this thing," said Rep. Rick Hansen, DFL-South St. Paul, who was one of a bipartisan group of lawmakers who worked to pass the buffer law.

The buffer legislation passed with bipartisan support, but agricultural groups and many Republican lawmakers have said the new rules are problematic. Rep. Steve Green, R-Fosston, introduced a bill last week that would repeal the buffer law.

A Dayton spokesman said the governor would veto any repeal of his buffer legislation, but he is open to exploring ways to improve the law.

NRGC Memo

Meeting: February 7, 2017

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

To: Natural Resources and Groundwater Committee Members
From: Ron Moorse, City Administrator
Date: January 30, 2017
Re: 1983 Septic Upgrade Program

Background

Attached is a news clipping from 1983 regarding a \$7 million septic system upgrade program by Washington County. This appears to be the program through which the County, with the help of federal funding, upgraded or replaced a number of failing septic systems in the Old Village area, which included the construction of the "201" cluster septic system that serves approximately a dozen homes on River Road. At that time, the new systems were expected to last at least 20 years. The planned Downtown Village Improvement Project will replace these systems with a small-scale community wastewater collection and treatment system.

1,118 new septic systems slated

By Curtis Lawrence
Staff Writer

The Washington County Board Tuesday approved engineering contracts for a \$7 million project to replace septic tanks in 11 cities and townships.

Under the plan, 1,118 Washington County homes will get new septic systems.

A study of 2,705 septic systems by the county last year indicated that many were leaky, had problems with backed-up sewage or were contaminating the groundwater, said Bob Bieraugel of the planning department.

Individual septic systems are used in many rural and suburban communities to treat human wastes.

The project is expected to begin next spring with completion scheduled for winter of 1985.

Communities participating in the project include, the cities of Af-ton, Marine-on-St. Croix and Lake St. Croix Beach and the townships of Baytown, Denmark, Forest Lake, Grey Cloud, Grant, May, New Scandia and Stillwater.

Federal funds will cover 86 percent of the cost of the project. State money will cover 9 percent, and special assessments paid by the property owners will make up the remaining 6 percent.

As administrator of the project, Washington County will be required to provide \$205,000 for design work on the project, but will

be reimbursed with federal funds.

Bieraugel said that problems with many of the septic systems stem from their age and lack of maintenance.

Under the provision which allows federal funds to be used for the project, communities must be responsible for making sure the new systems are inspected regularly.

Bieraugel said that if the systems are maintained properly, they should last at least 20 years without major repairs.

Lyle Doerr, a county building inspector, said that many of the septic tanks were installed in rural areas before 1972, when the county began inspection of septic systems.

Superfund aid expected for 15 Minnesota sites

As many as 15 Minnesota sites contaminated by wastes are expected to be on a new list of areas designated for cleanup under the federal superfund.

\$150,000 taken

Man pleads guilty in bilking investors

By Lucy Dalglish

Staff Writer

Paul man pleaded in Dakota District

the victims they would earn tax-free 24 percent interest, he said.

Many of Chehadeh's victims

return

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Actor Simon C actor wh ens of shows d thedral 61, was episode

Special Council Meeting Highlights of January 12, 2017

- The oaths of office were administered to Mayor Bend, and Council members Randy Nelson and Bill Palmquist for their new terms beginning in 2017.
- The Council approved the annual appointments for 2017.
- The Council Reconsidered its action regarding moving forward with the process to issue Street Reconstruction Bonds to fund street improvements in 2017, in favor of issuing Abatement Bonds for the same purpose, and cancelled the Street Reconstruction Bonds hearing that was scheduled for January 17, 2017.
- The Council approved moving forward with the refinancing of the Downtown Village Improvement Project Temporary Bonds Series 2015A through the issuance of new temporary improvement bonds in the amount of \$2 million.
- The Council authorized staff to obtain information regarding the replacement of the existing projector in the Council chambers with a large screen TV.
- The Council discussed a proposal for engineering services related to developing bid specifications for the 2017 street improvement projects, and continued action on the proposal to the January 17, 2017 Council meeting.
- The Council reviewed updated financial information regarding the Downtown Village Improvements Project.

Regular Council Meeting of January 17, 2017

- The Council Designated US Bank as the City's official depository, and designated the St. Paul Pioneer Press as the City's Official Newspaper where public notices are published.
- The Council adopted the 2017 regular meeting schedule for the Council and the Planning Commission.
- The Council approved the Marcus and McLaurin Variance application for an addition and remodel to the house at 4270 River Road.
- The Council adopted Ordinance 01-2017 amending Sec. 12-132.B.3 regarding minimum requirements for contiguous parcels under common ownership, with a revision recommended by the Planning Commission.
- The Council directed that an ordinance amendment eliminating "Storage Enclosed or Screened Principal Use" from the list of allowed uses in the I1A and I1B Zoning Districts be referred back to the Planning Commission as written.
- The Council authorized staff to move forward with the process of finalizing an ordinance to integrate Minimal Impact Design Standards into the Zoning Code.
- The Council accepted a proposal from WSB for engineering services related to the 2017 Street Reclamation Projects in the amount not to exceed \$150,995.
- The Council directed staff to survey other cities regarding the percentage increase in consulting engineer rate schedules for 2017.
- The Council approved the Brown Trout LLC application for Variance and Minor Subdivision for a lot line rearrangement and shared driveway at 15311 Putnam Boulevard and 2573 Stagecoach Trail.
- The Council adopted a resolution authorizing the sale of \$2 million of General Obligation Temporary Improvement Bonds, Series 2017A.
- The Council designated the firm of Holstad and Knaak as the City Attorney and Prosecuting Attorney for 2017, and designated WSB as the City Engineer for 2017.
- The Council approved the outline for the formation of a Grants Committee.
- The Council approved the payout of 50% of accrued sick leave for former City Clerk Kim Swanson Linner.
- The Council approved temporary staffing for 20 hours per week during the hiring process for the City Clerk position.
- The Council directed that Requests for Proposals for Auditor and IT consultant be conducted during 2017.
- The Council directed that a public hearing be scheduled regarding the sale of Abatement Bonds to fund the 2017 Street Improvement projects.
- The Council approved the Public Works Committee to investigate the paving of 60th Street from Trading Post Trail to Neal Avenue, including discussions with Denmark Township and identification of funding sources, and authorized the Public Works Committee to consult with the City Attorney.

Planning Commission, January 9

- Chris Eng, Washington County Economic Development Director provided information regarding the feasibility and benefits of attracting data center and high-tech and medical uses to the Industrial Zones.
- Motion approved to recommend approval of the Marcus and McLaurin Variance Application at 4270 River Road with the staff's recommended conditions.
- Motion approved to continue the ordinance amendment to Sec. 12-134 to the February 6, 2017 Planning Commission meeting to enable the ordinance language to be clarified, in the I1A and I1B Zoning Districts, to eliminate only storage screened as a principal use and not storage enclosed.
- Motion approved to recommend approval of the ordinance amendment to Sec. 12-132. B.3 with the following revised exception language: "In the case of two contiguous existing nonconforming lots under common ownership, each containing an existing residence, these lots will be excepted from this subparagraph, as long as the residences continue to qualify as existing legally nonconforming structures."
- Motion approved to recommend the Council disregard adding Minimal Impact Design Standards to the zoning code.