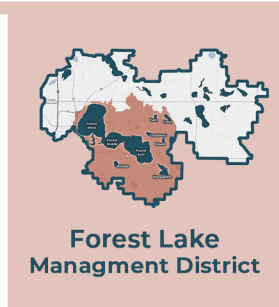




**MEMORANDUM**  
Comfort Lake-Forest Lake Watershed District

**Date:** September 5, 2023  
**To:** CLFLWD Board of Managers  
**From:** Mike Kinney, District Administrator  
**Subject:** CLFLWD Permit 22-043 - Rolling Acres 61



**Background/Discussion**

CLFLWD Permit 22-043 – Rolling Acres 61 is for a proposed seven lot subdivision for single family homes located east of the intersection of 199<sup>th</sup> Street North and Keystone Avenue, City of Scandia.

The total size of the site is 61 acres, and the project would result in approximately 1.8 impervious cover. The project triggered CLFLWD rules 2.0, 3.0, 4.0, 9.0, & 10.0 which require stormwater management, erosion control, and wetland buffers. Stormwater management requirements are met through a ponding area with an infiltration bench and a second infiltration basin. Erosion control requirements will be met with a rock construction entrance, silt fence, and a SWPPP. The grading for the second infiltration basin will require a double silt fence due to wetland proximity. All onsite wetlands will be entered into a perpetual easement through the Reinvest in Minnesota (RIM) program which is administered by the board of water and soil resources. The vegetation requirements of RIM meet or exceed CLFLWD requirements.

**Recommended Motion**

Proposed Motion: Manager \_\_\_\_\_ moves to approve permit application #22-043 with conditions stated in EOR's September 5, 2023, Permit Application #22-043, Scandia memorandum. Seconded by Manager \_\_\_\_\_.

**Attached**

Emmons & Olivier Resources' Memorandum  
Emmons & Olivier Resources' Exhibit

<b>Project</b>	Rolling Acres 61	<b>Date</b>	9-5-2023
<b>To</b>	Mike Kinney	<b>Contact Info</b>	CLFLWD
<b>Cc</b>	Board of Managers	<b>Contact Info</b>	CLFLWD
<b>From</b>	Greg D. Graske, P.E.	<b>Contact Info</b>	EOR
<b>Regarding</b>	Permit Application #22-043, City of Scandia		

**Applicant**

LKRJ Properties, LLC  
 Attn: Larry Reese  
 18712 Fontana Street  
 Columbus, MN 55092  
 Phone: 612-388-8761  
 larryreese25@gmail.com

**Authorized Agent**

Loucks  
 Attn: Todd McLouth  
 7200 hemlock Lane, Suite #300  
 Maple Grove, MN 55369  
 Phone: 763-497-6742  
 tmclouth@loucksinc.com

**Project Purpose:** The proposed project will build a residential subdivision called Rolling Acres 61 on a 61-acre site, resulting in approximately 1.8 acres impervious cover, and including 7 single-family home lots.

**Project Location:** East of the intersection of 199<sup>th</sup> Street North and Keystone Avenue, City of Scandia. The site drains to Sylvan Lake.

**Applicable District Rules:** 2.0, 3.0, 4.0, 9.0 & 10.0

**Recommendation:** Approval, with issuance on receipt of the following:

1. Additional permit review and inspection deposit of \$1,500.

Prior to permit issuance, the following are required:

2. Execution of a maintenance instrument satisfactory to the CLFLWD addressing the ongoing operation and maintenance of the proposed stormwater management features and the protection of vegetated wetland buffer. The proposed instrument shall be provided to the District for review prior to execution, and documentation of recording with the County must be provided before permit issuance.
3. Financial Assurance in the amount of \$142,000 as derived from proposed scope of grading and alteration and estimated cost of stormwater management practices. Of this, financial assurance in the amount of \$132,000 is derived from cost of stormwater management, and is waived on demonstration that the applicant has provided the municipality with a financial assurance, specific to the stormwater facilities, of equal or greater value.

Stipulations of Permit:

4. Buffer/Conservation Area markers shall be placed prior to any lot grading or home construction. Markers shall be placed at each lot line, with additional markers at an interval of no more than two hundred (200) feet.
5. A permit transfer will be required for each individual lot from the developer to the home builders. In conjunction with transfer, a site plan with lot specific erosion control requirements will be required. See the District website for lot specific erosion control requirements.
6. A final copy of the fully executed RIM conservation easement over Outlot A shall be provided to the District.
7. Implementation of the submitted Operations & Maintenance plan for the required buffer area.
8. Submittal of as-built survey for all stormwater features and pipe.

**Rule 2.0: Stormwater Management**

The proposed project will build a residential subdivision called Rolling Acres 61 on a 61 acre site, resulting in approximately 1.8 acres impervious cover and including 7 single-family home lots. For the area of the site in which stormwater drains to the southwest, stormwater will be routed to a stormwater pond with a large, connected infiltration bench. There is also an infiltration basin capturing a small amount of impervious area and green space that flows to the northeast. All runoff from proposed impervious areas is captured by infiltration BMPs. Soil borings at the locations of the proposed BMPs have been provided showing soils suitable for infiltration and confirming adequate separation from the groundwater table.

Volume at each point of discharge may not increase from predevelopment conditions for the 24-hour precipitation event with a return frequency of two years, or five years if the site is within a landlocked basin, or an area that drains to a landlocked basin. The drainage area that flows to the northeast flows to a series of wetlands and is not considered landlocked. Pretreatment is provided by routing runoff through greenspace before reaching the BMP. The proposed infiltration area slightly reduces volume for this drainage area for the two-year event therefore meeting District volume requirements.

The stormwater pond with infiltration bench is routed southwest to a landlocked low spot in the landscape. This landlocked area extends offsite to the South and West. With incorporation of the large pond and infiltration bench, the submitted modeling indicates that the proposed improvements will not increase the 100-year elevation at this location onsite or offsite. The ponding area provides pretreatment prior to runoff reaching the infiltration bench. The calculations also show that volumes are reduced to the landlocked area for the 5-year event, therefore meeting District volume requirements.

All stormwater facilities are also designed to capture the volume of stormwater runoff from the 2-year event per rule 2.3.3.

Discharge from the site reduces peak rates compared to existing conditions at all discharge locations, thereby satisfying District Rate Control requirements. A summary table of rates leaving the site is below.

### Rate Control Summary

Conditions	2-year	10-year	100-year
Existing (cfs)	3.2	17	71
Proposed (cfs)	1.6	8	38

Landlocked areas are prone to additional flood risk from wet weather patterns and/or back-to-back rain events. The outlet route and elevation for the landlocked area has been provided by the applicant. Low floors have been set to be at least three feet above the 100-year elevation of the landlocked area and the low opening set at least 1-foot above the EOF. All low floor and low openings also meet District freeboard requirements over stormwater BMPs and wetlands.

Calculations have been provided showing a negligible change to bounce and inundation of the downstream wetlands. This meets the requirements of Rule 2.3.4.

A detailed SWPPP has been provided indicating the proposed stormwater facilities will be constructed concurrently with the work authorized by the permit.

#### **Rule 3.0: Erosion Control**

The proposed project includes a rock construction entrance, silt fence downstream of graded areas, along with a detailed SWPPP. The grading of the north infiltration basin is close to the adjacent wetland. Double silt fence has been provided at this location. The proposed plans meet District erosion control requirements.

The District may require the installation of additional sediment control best management practices at a later time, if deemed necessary based on site conditions during construction.

#### **Rule 4.0: Lake, Stream, and Wetland Buffer Requirements**

The land that is being subdivided includes four wetland areas. The applicant has provided a MnRAM indicating that one of these wetlands (Wetland 4) has a classification of Manage 1 and the other three wetlands have a classification of Manage 2. The buffer plan shows the required buffer areas around the wetlands. All the wetlands, buffer areas, and a significant amount of surrounding upland will be included in Outlot A. All of Outlot A will have a Perpetual Reinvest in Minnesota (RIM) Conservation Easement placed over it. The easement is administered by the Minnesota Board of Water and Soil Resources on behalf of the State of Minnesota. The conservation easement will require perpetual maintenance of the conservation area in an undisturbed state, and far exceeds the required buffer widths.

A vegetation survey has been completed indicating that the buffer areas exceed 30% undesirable species. Accordingly, sections 4.5.2 and 4.5.3 of the wetland buffer rule require that the applicant submit and implement a planting plan. A vegetation management plan has been provided for the conservation easement area including a detailed operations and maintenance plan for both grassland management and woody cover management. These plans include the types of activities needed to reduce the undesirable species onsite and, specifically, within the buffer area. The buffer maintenance instrument required as condition #2 above must incorporate this plan as it applies to the buffer area.

### **Rule 5.0: Shoreline and Streambank Alterations**

The proposed project does not trigger this rule; a DNR general permit applicable to owners who hold a District permit is not in effect.

### **Rule 6.0: Watercourse and Basin Crossings**

The proposed project does not trigger this rule; no roadways, utilities, or water control structures are proposed in the bed of District waterbodies.

### **Rule 7.0: Floodplain and Drainage Alterations**

The proposed project does not trigger this rule; Scandia has a state-approved floodplain ordinance.

### **Rule 8.0: Wetland Management**

The proposed project does not trigger this rule; the District is not the LGU for wetland impacts.

### **Rule 9.0: Fees**

The fees for the proposed project are the \$10 application fee and the \$5,400 review and inspection deposit. The applicant has submitted \$3,910, however an additional \$1,500 is required because the project triggers the District's Buffer rule.

### **Rule 10.0: Financial Assurances**

The financial assurance required for the proposed project is \$142,000, on the basis of \$10,000 for the extent of grading and alteration and \$132,000 for the estimated cost of stormwater management facilities. A financial assurance to CLFLWD for stormwater management facilities is not needed if the applicant demonstrates that the applicant has provided the municipality with a financial assurance, specific to the stormwater facilities, of equal or greater value.

### **Rule 11.0: Variances**

The proposed project does not require a variance.

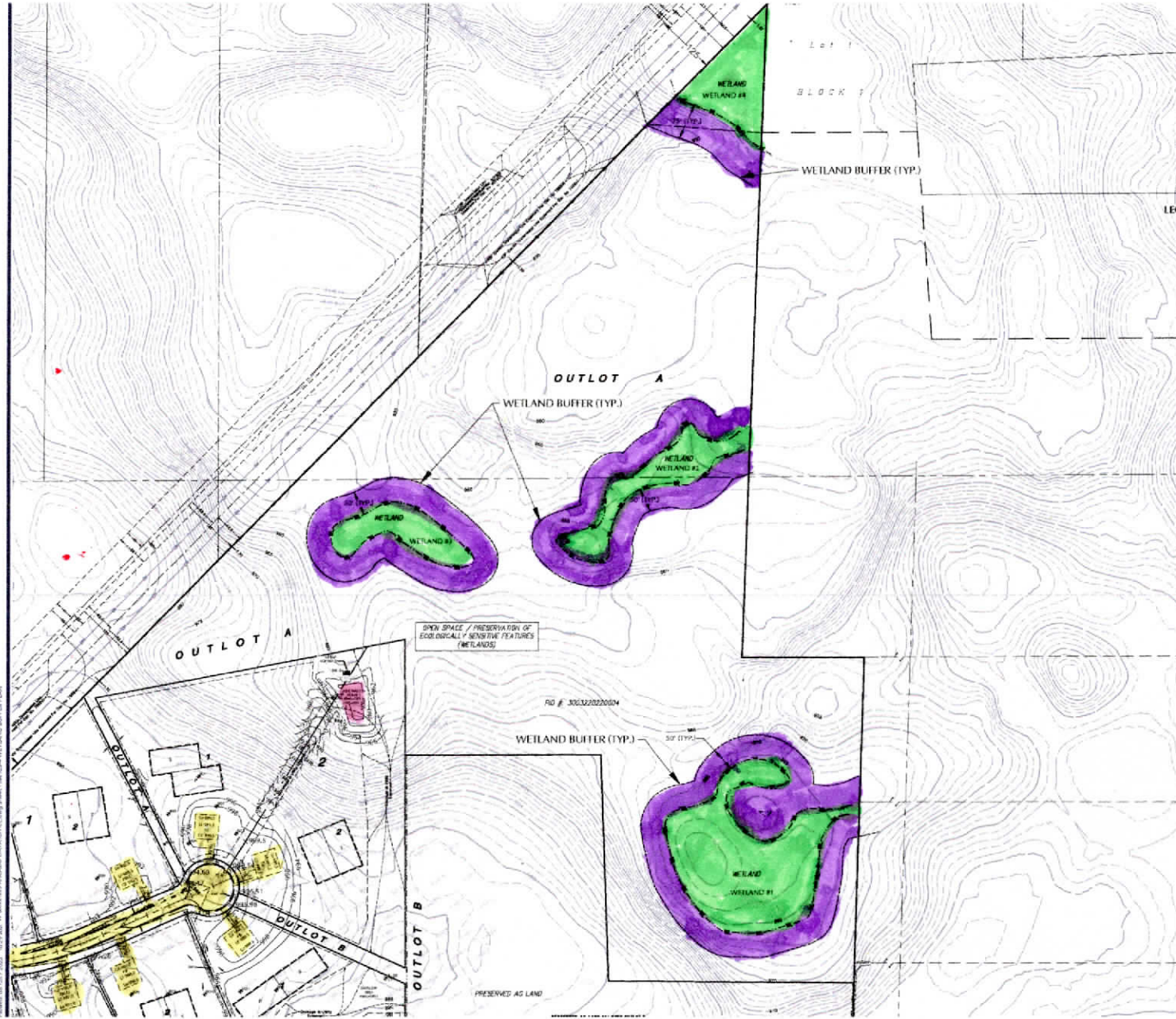
### **Submittals Received**

The following submittals were received and reviewed as the basis for this permit application review:

1. Application, received November 17, 2022, prepared November 14, 2022, prepared by Applicant.
2. Application fee in the amount of \$10, received November 17, 2022.
3. Permit review and inspection deposit in the amount of \$3,900, received November 17, 2022.
4. Plan Set (10-pages), received August 25, 2023, last revised August 23, 2023, prepared by Loucks.
5. Stormwater Management Plan with Calculations, received July 26, 2023, last revised July 25, 2023, prepared by Loucks.
6. Minnesota Wetland Conservation Act Notice of Decision, received November 17, 2022, dated November 3, 2022.
7. Plat for Rolling Acres 61, received July 26, 2023, undated, prepared by Loucks.

8. Soil Borings, received November 17, 2022, prepared November 14, 2019, prepared by Intertek.
9. Geotechnical Evaluation, received July 26, 2023, dated March 10, 2023, prepared by Chosen Valley Testing, Inc..
10. Wetland Delineation Report, received November 17, 2022, prepared September 2022, prepared by SEH.
11. Engineer's Estimate for Rolling Acres 61, received July 26, 2023, dated July 25, 2023, prepared by Loucks.
12. Landscaping Plan, received July 26, 2023, dated July 25, 2023, prepared by Loucks.
13. Outlot A (with conservation easement), received July 26, 2023, dated July 26, 2023, prepared by Loucks.
14. Response to 12-8-2022 Engineer's Report, received July 26, 2023, dated July 25, 2023, prepared by Loucks.
15. Response to 8-17-2023 Engineer's Report, received August 25, 2023, dated August 25, 2023, prepared by Loucks.
16. Conservation Plan for State of Minnesota Conservation Easements, received September 5, 2023, dated September 4, 2023, prepared by Applicant.
17. Technical Memorandum regarding MnRAM and buffer vegetation, received August 25, 2023, dated August 25, 2023, prepared by SEH.
18. Draft Perpetual Reinvest in Minnesota Conservation Easement Template, received September 5, 2023, undated, prepared by Board of Water and Soil Resources.





**Gopher State One Call**  
 FROM CITY AREA 121-454-0002  
 TO 1-877-468-2176

**WARNING**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING FOR DEVIATIONS OF ALL EXISTING UTILITIES. THEY SHALL COORDINATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.  
 THE CONTRACTOR SHALL CONTACT Gopher State One Call AT 1-877-468-2176 AS EARLY AS POSSIBLE IN ADVANCE FOR THE LOCATION OF ALL UNDERGROUND UTILITIES. CALLS SHOULD BE MADE IMMEDIATELY AFTER THE CONTRACTOR HAS IDENTIFIED THE LOCATION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING THE ABOVE WHEN DAMAGED OR BEING CONTRIBUTED AT NO COST TO THE OWNER.

**LEGEND**

EXISTING	PROPOSED
Light Pole	Light Pole
Power Pole	Power Pole
Electric Meter	Electric Meter
Gas Meter	Gas Meter
Telephone Pedestal	Telephone Pedestal
Sign	Sign
Band Drain	Band Drain
Soil Boring	Soil Boring
Storm Sewer	Storm Sewer
Drainage	Drainage
Underground Electric	Underground Electric
Underground Fiber Optic	Underground Fiber Optic
Underground Gas	Underground Gas
Underground Telephone	Underground Telephone
Overhead Utility	Overhead Utility
Fence	Fence
Contour	Contour
Spot Elevation	Spot Elevation
Direction of Flow	Direction of Flow
Building Footprint	Building Footprint

**WETLAND DELINEATED BY SEH, INC. DATED 09-23-2022**  
**WETLAND MRRAM BUFFER - PER SEH VEGETATION SURVEY DATED 08-25-2023**

**RECOMMENDED BUFFER WIDTHS**

Basin ID	Management Class	CLWFD Buffer Width
WETLAND 1	MANAGE 2	50'
WETLAND 2	MANAGE 2	50'
WETLAND 3	MANAGE 2	50'
WETLAND 4	MANAGE 1	75'

**PROFESSIONAL SIGNATURE**

License No. 22383  
 Date: 03/25/23

**QUALITY CONTROL**

Locusts Project No. 22393  
 Project Lead: TWM  
 Drawn By: TRM  
 Checked By: TRM  
 Review Date: 03/25/23

**SHEET INDEX**

- CO-1 COVER SHEET
- C1-1, C1-2 EXISTING CONDITIONS
- C2-1 SITE PLAN
- C2-2 GRADING PLAN
- C2-3 SWPPP PLAN
- C2-4 SWPPP NOTES
- C3-4 WETLAND BUFFER PLAN
- C4-1 STORM SEWER & STREET PLAN
- C5-1 CIVIL DETAILS
- L1-1 LANDSCAPE PLANS
- L2-1 LANDSCAPE DETAILS

**WETLAND BUFFER PLAN**  
**C3-4**

0 100 200  
 SCALE IN FEET

**ROLLING ACRES 61**

GRANITE HOME HOMES, INC.

**LOUCKS**

PLANNING  
 CIVIL ENGINEERING  
 LAND SURVEYING  
 LANDSCAPE ARCHITECTURE  
 ENVIRONMENTAL

7500 Heillock Lane, Suite 200  
 Maple Grove, MN 55359  
 763.424.5505  
 www.loucksinc.com

**CADD CHANGES**

**REVISIONS**

Date	City Submittal
07/25/23	CITY SUBMITTAL
08/04/23	CITY COMMENTS
08/31/23	CITY COMMENTS
08/28/23	WETLAND MRRAM

**22-043 EXHIBIT #2**