



1  
2 **Minutes of the Special Meeting of the Brown's Creek Watershed District Board of**  
3 **Managers, May 30, 2007.**

4  
5 **WCD Offices, 1380 W. Frontage Road, Hwy. 36**  
6 **Stillwater, MN**

**APPROVED**

7  
8 **ROLL CALL**

Present:	Others Present:
Craig Leiser, President	Karen Kill, Administrator
Rick Vanzwol, Vice-President	Paula Guetter, Recording Secretary
Gail Pundsack	Lisa Tilman, EOR
Gerald Johnson, Secretary	Michael Welch, Smith Partners
Connie Taillon, Treasurer	Cindy Weber
	Mike Brandt

- 9
- 10 **1. Call Special Meeting to order @ 5:10 PM**  
11 President Leiser called the Special Meeting to order at 5:10 PM.
- 12
- 13 **2. Approve Special Meeting Agenda**  
14 **Manager Vanzwol, seconded by Manager Pundsack, moved to approve the meeting**  
15 **agenda as presented. Vote 5/0.**
- 16
- 17 **3. Permit/Rules**
- 18 **a.) Permit #07-10 Oak Park Center – Board Action**  
19 Lisa Tilman, EOR, presented the proposed project and the engineer's review memo dated  
20 May 30, 2007 for permit number 07-10 Oak Park Center, Oak Park Heights, MN. The  
21 proposed project included the construction of an 11,000 square foot retail building and  
22 associated parking on a 1.24-acre site. The site is located east of Norrell Avenue and  
23 south of T.H. 36 and drains north to the MnDOT ROW and ultimately to Long Lake.  
24 The submitted drainage area map indicates that the full building roof will drain to the  
25 proposed raingarden. A plan indicating the location of roof scuppers and downspouts is  
26 needed to clarify the direction of roof drainage.  
27

1 Lisa Tilman pointed out the developer has recently submitted a revised plan set,  
2 increasing the size of the raingarden. The 2-year proposed rate is within reasonable  
3 tolerances for compliance with the District standard under the amended rules. However,  
4 the proposed rate for the 1.5-year storm shows a more significant difference from the  
5 District standard, which is the applicable standard under the 2000 rules. The project is in  
6 an area subject to the revised TSMP co-operative agreement and is therefore exempt from  
7 the volume control standard. The project meets a pollutant loading and erosion control  
8 standard.

9  
10 The building lowest floor elevation needs to be raised 0.23 feet to meet the floodplain  
11 standard. Manager Leiser asked the developer if additional fill will be a problem. The  
12 developer responded that the additional fill will not be a problem.

13  
14 Lisa Tilman suggested a different outlet structure or pervious pavement to meet the 1.5-  
15 year requirement. Manager Leiser suggested excavating and filling with better soil. Lisa  
16 Tilman stated that, although you can do this, it will only achieve so much.

17  
18 EOR proposes eight conditions of the permit. Manager Pundsack questions how much  
19 pervious surface would be necessary to meet the 1.5-year requirement. Lisa Tilman  
20 responded that she did not have enough time to figure that out since the issue came up in  
21 just the last few hours. Manager Johnson stated he would like to see the suggestions  
22 tonight before they take a vote. Manager Vanzwol asked what the applicant thinks of the  
23 conditions and situation at hand. Mr. Brandt responded that they have made good faith  
24 efforts to work with the District; they received the comments on Friday and turned them  
25 around by today's meeting. He says they want to work with BCWD to make it work. He  
26 stated that he was just finding out that they didn't meet the rate control standard now and  
27 believes they could create some infiltration area on the back of the property. He asked  
28 the Board to work with him; he hoped that he has proven his willingness to work with the  
29 Board. Manager Leiser pointed out that this area flows toward Long Lake, an MPCA  
30 impaired water body. The District has and continues to use significant resources to  
31 improve the water quality, which is why the Board carefully reviews any project draining  
32 to Long Lake. Manager Leiser asked what will get the project in compliance with the  
33 rate control standard for the 1.5-year event. Mr. Brandt stated that if it were a big  
34 problem he would not be asking to move forward at this time. Manager Leiser asked the  
35 developer if approval was granted tonight would he be able to work with EOR to get the  
36 problem fixed. Manager Vanzwol and Manager Johnson stated that they do not like the  
37 idea of having an open-ended approval. Manager Leiser asked the developer if the other  
38 conditions listed by EOR were acceptable. The developer was hesitant on the ability to  
39 get the surety on time. Manager Leiser asked if the plan had received final plat approval;  
40 Mr. Brandt assured the Board that final plat approval has been granted and a copy could  
41 be sent to Administrator Kill.

42  
43 **Manager Vanzwol, seconded by Manager Johnson, moved to approve the permit**  
44 **with the eight conditions of 5/30/07 if met on or before Noon on June 11, 2007.**

45  
46 Ms. Weber points out that the surety may not be achievable by June 11, 2007. Manager  
47 Taillon questioned the time limit. Manger Leiser believed the time frame would give the

1 Board discretion to revisit the permit review at the next regular meeting if the applicant is  
2 not able to achieve the rate control standard for the 1.5-year storm event.

3  
4 **Manager Vanzwol, seconded by Manager Johnson, moved to amend the motion to**  
5 **require conditions 1, 2, 3, 5, 7 be met for permit approval by Noon on June 11, 2007;**  
6 **however, the remaining conditions 4, 6, and 8 must be met before the permit will be**  
7 **issued. Vote 5/0.**

8  
9 **4. Adjournment**

10 **Manager Vanzwol, seconded by Manager Taillon, moved to adjourn the meeting at 5:40**  
11 **PM. Vote 5/0.**

12  
13  
14 Respectfully Submitted by  
15 Paula Guetter, Recording Secretary