



STAFF REPORT

DATE: 11/14/22

REGULAR

ITEM#: 4a – PUBLIC HEARING

MOTION

TO: Planning Commission
FROM: Ben Hetzel, Lake Elmo City Planner
AGENDA ITEM: **8265 Hidden Bay Trail N Variance**
REVIEWED BY: Ben Hetzel, City Planner

INTRODUCTION:

David Kranz (Applicant) on behalf of Vonda Brown (Owner) recently submitted a variance application to install a replacement sewage treatment system within 75 feet of a delineated wetland boundary located at 8265 Hidden Bay Trail N, parcel 09.029.21.31.0025 (Subject Property). The replacement sewage treatment system is required to complete a sale of the property.

The proposal is to construct a mound septic system to replace the existing failing septic system that was installed in 1963. To do this, the applicant is proposing to install a 10 foot by 45 foot rock bed mound system, corresponding absorption area, and three tanks. The three tanks would be located outside of the required 75 foot wetland setback. A wetland delineation was completed on September 10, 2022 to identify the appropriate wetland boundary. These components would be installed within 75 feet of the wetland:

- Rock Bed: 60 feet
- Absorption Area: 48.3 feet

ISSUE BEFORE PLANNING COMMISSION:

The Planning Commission is being asked to hold a public hearing, review, and make a recommendation on the request to install a sewage treatment system within 75 feet of a wetland.

VARIANCE REQUEST DETAILS/ANALYSIS:

<i>Address:</i>	8265 Hidden Bay Trail N
<i>PID:</i>	09.029.21.31.0025
<i>Lot Area:</i>	1.1 acres
<i>Existing Zoning:</i>	Rural Single Family, Valley Branch Watershed District, Shoreland Management Overlay District
<i>Surrounding Zoning:</i>	Rural Single Family
<i>Deadline for Action:</i>	Application Complete – 10/6/2022 60 Day Deadline – 12/6/2022 Extension Letter Mailed – N/A 120 Day Deadline – N/A

Applicable Regulations: Article V - Zoning Administration and Enforcement
Article XI- Wetland Protection and Preservation Overlay District
Article XIX Shoreland Management Overlay District

Reason for Request

The applicant and septic system designer have indicated that the proposed component locations are the only viable options for this property. The land further north, closer to the home consists of steep slopes, which cannot accommodate a mound system. The area along the east property line is also not suitable because of an existing drainage way. Staff have visited the site and verified these conditions. Suitable system area is limited to the proposed location.

Section 105.04.520(5)b. states that no part of any septic tank system or of another sewage disposal requiring on-land or in-the-ground disposal of waste shall be located closer than 75 feet from the edge of a wetland.

Shoreland

The subject property is located within a Shoreland Management Overlay District because it is within 1,000 feet of Lake Olson. The City code also requires a 75 foot setback from public waters governed by the Shoreland code. The proposed septic location is approximately 320 feet from the closest point of Lake Olson. The proposed system is located within 48 feet of the wetland of Deer Pond. Deer Pond is not a water body governed by the City's Shoreland regulations according to Table 17-1 of Section 105.12.1260.

CITY AGENCY REVIEW:

This request was distributed to several city departments for review on October 17, 2022. The following departments provided comments on the variance request.

Valley Branch Watershed District (Email)

The proposed system location is above the 100-year flood level of Deer Pond. No Valley Branch Watershed permit is required.

City Engineer (Email)

The system must be at least 10 feet from the nearest property line.

REVIEW AND ANALYSIS/DRAFT FINDINGS:

An applicant must establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 105.12.320 set forth by the MN Stat. 462.357 subd.6 before the City may grant an exception or modification to city code requirements. These criteria are listed below, along with comments from Staff about the applicability of these criteria to the applicant's request.

- 1) **Practical Difficulties.** A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a

variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.

FINDINGS:

Strict enforcement of the code would create an inability to properly dispose of domestic wastewater. The existing topography and well location leave a limited amount of area for a replacement sewage treatment system. The proposed system area is the only practical location. Granting a variance would allow the applicant to use the property in a reasonable manner as there is no public sewer service available at this location.

- 2) **Unique Circumstances.** The plight of the landowner is due to circumstances unique to the property not created by the landowner.

FINDINGS:

The property owners are not responsible for the challenging topography and existing well location. The system cannot be shifted further north due to 30 percent slopes or further east due to an existing drainage way. Areas north of the home have limited space and are within the required setback from the existing private well. The system designer has indicated there are no other viable locations.

- 3) **Character of Locality.** The proposed variance will not alter the essential character of the locality in which the property in question is located.

FINDINGS:

The proposed sewage treatment system would not alter the essential character of the neighborhood. The proposed mound system would be located in the rear yard in an area with mature trees providing screening. Upon installation, the applicant will be required to establish vegetative cover prevent erosion and make the mound system more inconspicuous. Surrounding residential properties also have private sewage treatment systems due to public sewer service not being available to the area.

- 4) **Adjacent Properties and Traffic.** The proposed variance will not impair an adequate supply of light and air to properties adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

FINDINGS:

The proposed request will have no effect on the supply of light and air to adjacent properties or increase congestion in the public streets. Property values should not be diminished from the request. Adjacent residential properties in the area are to be served by similar private or community wastewater treatment systems. It is in the best interest of the adjacent properties for the subject property to have a replacement sewage treatment system installed to avoid sewage smells in the event of a full failure of the existing sewage treatment system.

PUBLIC COMMENT:

A hearing notice was sent to surrounding properties on November 2, 2022. A hearing notice was published in the local newspaper on November 4, 2022. Staff have received two public

comments via email. One public comment was in support of the request and one was against the request.

FISCAL IMPACT:

None

OPTIONS:

The Planning Commission may:

- Recommend approval of the variance.
- Recommend approval of the variance with conditions.
- Recommend denial of the variance, citing recommended findings of fact for denial.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval of the request from David Kranz for a variance to install a sewage treatment system and septic tanks within 75 feet of a delineated wetland boundary.

“Move to recommend approval of a variance to install a sewage treatment system within 75 feet of a delineated wetland boundary at 8265 Hidden Bay Trail N.”

RECOMMENDED CONDITIONS OF APPROVAL

1. The wetland must be fully protected by dual silt fence prior to the installation of the sewage treatment system.
2. The mound system and all disturbed areas must be seeded and mulched immediately following sewage treatment system installation.
3. The existing sewage treatment system and tanks must be properly abandoned.
4. The applicant must obtain all other necessary City, State, County, and other governing body permits and approvals before the commencement of any construction activity onsite. These include, but not limited to, a Washington County Subsurface Sewage Treatment System permit.
5. This variance approval is for a reduced wetland setback in the proposed component locations as per the revised site survey dated October 18, 2022. Any deviation in system component locations would require approval from the City of Lake Elmo.
6. This variance approval shall become void if the sewage treatment system and tanks have not been installed within 12 months of the City’s approval.

ATTACHMENTS:

- 1) Land Use Application
- 2) Written Statements
- 3) Alex Pepin Emails
- 4) Location Map
- 5) Certified Survey
- 6) Site Photos
- 7) Wetland Delineation Report
- 8) Valley Branch Watershed District email
- 9) City Engineer Email
- 10) Public Comment



11/9/2022, 8:41:35 AM

1:2,257

Parcels

Easement Lines

COMPUTED UTILITY_DRAINAGE

DNR Protected Waters ID

MNWASH038007.sid

Green: Band_2

Blue: Band_3

Red: Band_1

Green: Band_2

Blue: Band_3

Red: Band_1

MNWASH026009.sid

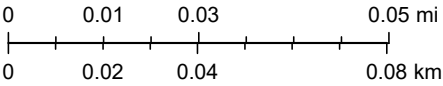
MNWASH032009.sid

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Red: Band_1

Red: Band_1

Red: Band_1

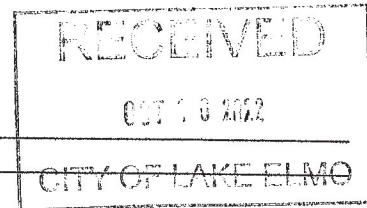


Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

VARIANCE APPLICATION



Applicant: David Kranz
Address: 2401 34th Ave S, Minneapolis, MN 55406
Phone # 612-239-3712
Email Address: davekranz@msn.com

Fee Owner: Thomas and Vonda Brown
Address: 192 Jade Trail North, Apartment 306, Lake Elmo, MN 55042
Phone # 651-283-5952
Email Address: vloisbrown@gmail.com

Engineer: Alex Pepin, Ten Thirty Environmental Solutions
Address: 1684 132nd Ave NE, Blaine, MN 55449
Phone # 612-248-4281
Email Address: alex.pepin@tenthirtyenvironm

Property Location (Address): 8265 Hidden Bay Trl N, Lake Elmo MN 55042
Complete Legal Description: _____
OACES ACRES 3RD ADDITION, LOT 24, BLOCK 0
PID#: 09.029.21.31.0025

Detailed Reason for Request: A new septic system is require to sell home. Location of one
corner of the septic soil treatment area is located approximately 50 ft from wetland.
Washington County requires a 75ft setback to the wetland.

*Variance Requests: As outlined in LEC Section 103.00.110 (c), the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows: The reason for the variance is this is the only location on the property that can
accept the soil treatment area. All other areas on the property were explored with
inadequate area for a septic system and/or disturbed soils being encountered.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 10/6/2022

Signature of fee owner: Vonda L Brown Date: 10/6/22

To: The City of Lake Elmo

The letter states that my son-in-law, David Kranz, on my behalf may apply for the permit variance to build a new septic system on our property at 8265 Hidden Bay Trail N, Lake Elmo.

Sincerely,

Owner: Vonda Brown

Signature of owner: Vonda L Brown

Date: Oct 6, 2022

Variance Application Written Statement for 8265 Hidden Bay Trail N, Lake Elmo

Prepared by: David Kranz

Updated: 10/17/2022

2 Written Statement

a. Current property owners

Thomas G & Vonda L Brown
192 Jade Trail N, Lake Elmo, MN 55042

Carmela S Kranz, Daughter has Power of Attorney
2401 34th Ave S, Minneapolis, MN 55406

b. Site data

Property Address: 8265 HIDDEN BAY TRL N LAKE ELMO MN 55042

Property Description: OACE ACRES 3RD ADD Lot 24

Property ID: 09.029.21.31.0025

Parcel Size: 1.1 acre

Zoning: Rural Single Family

c. Lake Elmo City Code

Wetland Code, 75 foot setback

d. Proposal

New septic system with mound corner located ~50' from start of wetland. See Septic Design and Property Survey

e. Narrative

A new septic system is required to sell the home owned by Tom and Vonda Brown. Present septic system is original, dating from 1963 home build.

A new septic was designed and located by engineer Alex Pepin, Ten Thirty Environmental Solutions (TTES on 7/21/22) at the best location on the property after evaluating alternatives for topographical gradient, setback from property boundaries, the home and water well. The design location is considered the only viable location.

Washington County rejected the Septic application (on 9/1/22) noting the designed mound measured 52' from the start of the wetland identified in the National Wetland Inventory. Washington County proposed we (1) identify the wetland using a trained professional and (2) get a variance from the City of Lake Elmo.

Andy Kranz performed a wetland delineation (on 9/10/22), identifying the actual wetland boundary which substantially agrees with the National Wetland Inventory. See attached Wetland Delineation report.

Valley Branch Watershed District engineer, John P Hanson, reviewed the design on 9/12/22 and determined the septic mound is located at above the 100 year flood plain. No VBWD permit is required. See copy of John P Hanson's email

A property land survey was completed on 9/28/22 by EG Rud surveyor. Survey locates the home, wetland markers, septic mound markers, and the property boundary.

f. Why the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property

Design engineer Alex Pepin states (see Reason for Variance Alex Pipin email 2022-09-06.pdf)

Reviewing the design, Alex Pepin, stated in the email "this is the only location on the property that can accept the soil treatment area, which then also forces the tanks to be in their location to achieve drainback to the pump tank. The reason the soil treatment area needs to be where it is is that there is a slope with over 30% slope just upslope from the area and a drainageway to the east. Both of these constraints will impact the functionality of the septic system. The septic tanks are then placed as far away from the wetland while also being able to get drainback to the pump tank to prevent freezing; which again is a functionality of the system constraint. The setback variance is preferred as the septic is designed to properly treat the wastewater prior to contact with a restriction, in this case the periodically saturated zone in the soil profile. Putting the mound further east would put it in the stormwater flow path and while berming can be constructed to divert the stormwater around the mound there is significant infiltration of the stormwater into the soil which will continue along the path shown in the design causing hydraulic loading issues into the soil (overloading the soil with water during rain events). The slope similarly will cause hydraulic concerns with the functionality of the system. On slopes over 20% there is concern the wastewater will flow horizontally along the native grade rather than infiltrating into the soil causing a hydraulic failure along the toe of the mound where the not fully treated wastewater would pool. For these reasons a variance to the wetland setback is proposed. All other areas on the property were explored with inadequate area for a septic system and/or disturbed soils being encountered"

g. Unique circumstances not created by the landowner

Modern septic systems in Washington County have strict requirements. As described in statement 2f, there is no other practical location that satisfies the slope and hydrological requirements.

h. Why this would not alter essential character of the neighborhood

While the mound location is less than the required setback, at 50' from the wetland it will not be overly prominent. The new mound will be located where the majority of the vegetation removed is buckthorn. An effort will be made to preserve all adjacent mature oak and maple trees.

Re: 8265 HIDDEN BAY TRL N, CITY OF LAKE ELMO

Alex Pepin <alex.pepin@tentthirtyenvironmental.com>

Tue 9/6/2022 8:19 AM

To: David Kranz <davekranz@msn.com>

Cc: Michael Capra <Mike@capras.com>

Good morning Dave,

That is great Andy can do that for you. You will need to apply for a variance with the City here (<https://cms8.revize.com/revize/lakeelmomn/Document%20center/Applications/Variance.pdf>) with zoning contacts here (https://www.lakeelmo.org/departments/planning___zoning/index.php). I know we had originally discussed the need for a variance and with the design I was hoping the County would be ok with the 75' to cattails, but as the County indicated in reality the wetland probably starts 20 or so feet prior to the cattails.

You will want to fill out the variance once the wetland delineation is completed. When the wetland delineation is completed if you could get Andy or even do it yourself you will need to measure the distances to the stakes I have onsite for B5, B4, B1 and pump tank outlet those will then be the required setback distances to the soil treatment area (B1, B4 and B5) and the setback distance to the tanks (Pump tank outlet).

The reason for the variance is this is the only location on the property that can accept the soil treatment area, which then also forces the tanks to be in their location to achieve drainback to the pump tank. The reason the soil treatment area needs to be where it is is that there is a slope with over 30% slope just upslope from the area and a drainageway to the east. Both of these constraints will impact the functionality of the septic system. The septic tanks are then placed as far away from the wetland while also being able to get drainback to the pump tank to prevent freezing; which again is a functionality of the system constraint. The setback variance is preferred as the septic is designed to properly treat the wastewater prior to contact with a restriction, in this case the periodically saturated zone in the soil profile. Putting the mound further east would put it in the stormwater flow path and while berming can be constructed to divert the stormwater around the mound there is significant infiltration of the stormwater into the soil which will continue along the path shown in the design causing hydraulic loading issues into the soil (overloading the soil with water during rain events). The slope similarly will cause hydraulic concerns with the functionality of the system. On slopes over 20% there is concern the wastewater will flow horizontally along the native grade rather than infiltrating into the soil causing a hydraulic failure along the toe of the mound where the not fully treated wastewater would pool. For these reasons a variance to the wetland setback is proposed. All other areas on the property were explored with inadequate area for a septic system and/or disturbed soils being encountered.

Let me know if you have any additional questions.

Alex Pepin

612-248-4281

Ten Thirty Environmental Solutions

www.tentthirtyenvironmental.com

On Mon, Sep 5, 2022 at 10:47 AM David Kranz <davekranz@msn.com> wrote:

Mike and Alex,

I have made an appointment with Andy Kranz (he is my son who does this for a living) and he will do a detailed wetland delineation survey later this week. Knowing that every foot matters, he will take the

necessary soil samples.

Alex - We would like to get this underway immediately, so I would really like your help with understanding the process of completing the variance. Please respond to this email and feel free to call me on my mobile.

Thanks,
Dave Kranz
mobile: 612-239-3712

From: Michael Capra <Mike@capras.com>
Sent: Saturday, September 3, 2022 12:51 PM
To: David Kranz <davekranz@msn.com>
Cc: Alex Pepin <alex.pepin@tenthirtyenvironmental.com>
Subject: Fwd: 8265 HIDDEN BAY TRL N, CITY OF LAKE ELMO

Hello David-

I wanted to let you know that the County is going to require you to get a wetland delineation and variance to install the new system as designed. You may want to reach out to Alex Pepin and the City of Lake Elmo to figure out what is needed to complete the variance request. Unfortunately, the property owner is the one responsible for getting the necessary delineation and variance. Alex Pepin may be able to refer you to someone for the wetland delineation.

Thank you,
Mike Capra

Get [Outlook for iOS](#)

From: Tyler Dale <Tyler.Dale@co.washington.mn.us>
Sent: Thursday, September 1, 2022 10:30 AM
To: Michael Capra <Mike@capras.com>
Subject: 8265 HIDDEN BAY TRL N, CITY OF LAKE ELMO

Hi Mike,

I am contacting you as you are listed as the application contact. I conducted a site and soil review for the system at the address above, report attached. On the site map the designer states that B1 and B5 are 75 feet from Wetland/Start of cattails. I believe that the wetland begins before the start of cattails. There is a change in vegetation from broad leaf plants to grasses approximately 54' from borings B5 and B1. This corresponded to the location of the start of the Freshwater Emergent Wetland as identified by the [Nation Wetland Inventory](#). The map below shows the designers boring locations, yellow dots, and the wetland boundary, solid pink.



To address this discrepancy I would propose that the wetland boundary is identified and located on the ground by a trained professional. This would allow for an accurate place to measure the setback from. If the

proposed system is closer than 75' a variance from the City will be required

Please let me know if you have any questions.

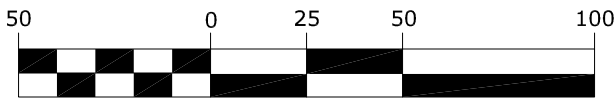
Tyler Dale | Senior Environmental Specialist
Washington County Department of Public Health and Environment
14949 62nd Street North, Stillwater, MN 55082
651-430-6741

A great place to live, work and play...today and tomorrow

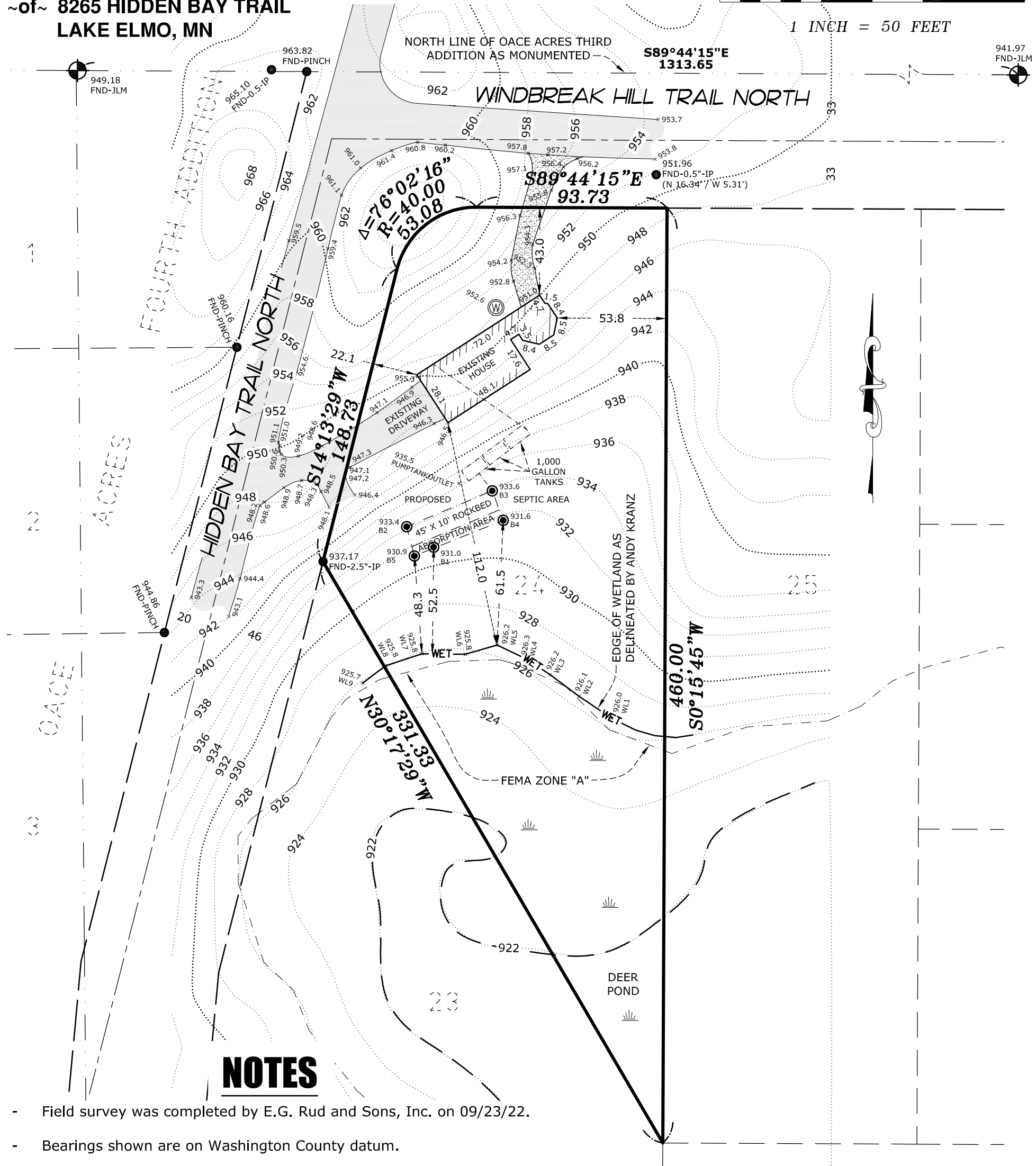
CERTIFICATE OF SURVEY

~for~ DAVID KRANZ
~of~ 8265 HIDDEN BAY TRAIL
LAKE ELMO, MN

GRAPHIC SCALE



1 INCH = 50 FEET



NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 09/23/22.
- Bearings shown are on Washington County datum.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Parcel ID Number: 09.029.21.31.0025.
- Total parcel area = 49,467 S.F. (1.14 Acres).
- Surveyed premises shown on this survey map is in Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain.) and Flood Zone A (Areas without a base flood elevation.), according to Flood Insurance Rate Map Community No. 270505 Panel No. 0240 Suffix E by the Federal Emergency Management Agency, effective date 02/03/2010.

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- X 952.36 DENOTES EXISTING SPOT ELEVATION
- DENOTES SOIL BORING. (BY OTHERS)
- ⊙ DENOTES FOUND JUDICIAL LANDMARK
- ⊙ DENOTES WELL
- ⊙ DENOTES WET LAND
- ▨ DENOTES BITUMINOUS SURFACE
- ▨ DENOTES GRAVEL SURFACE

Lot 24, OACE ACRES THIRD ADDITION, Washington County, Minnesota.

I hereby certify that this plan, survey 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.

By:
Minnesota License No. 41578

Dated 18th day of October 2022.

DATUM: Washington			JOB NO. 221036LS	
REVISIONS			SCALE: 1" = 50 '	
1	10/18/22	ADDED SEPTIC DESIGN	BCD	DATE: 09-27-22
2				DRAWN BY: BCD
3				CREW: DT/CT
NO.	DATE	DESCRIPTION	BY	



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





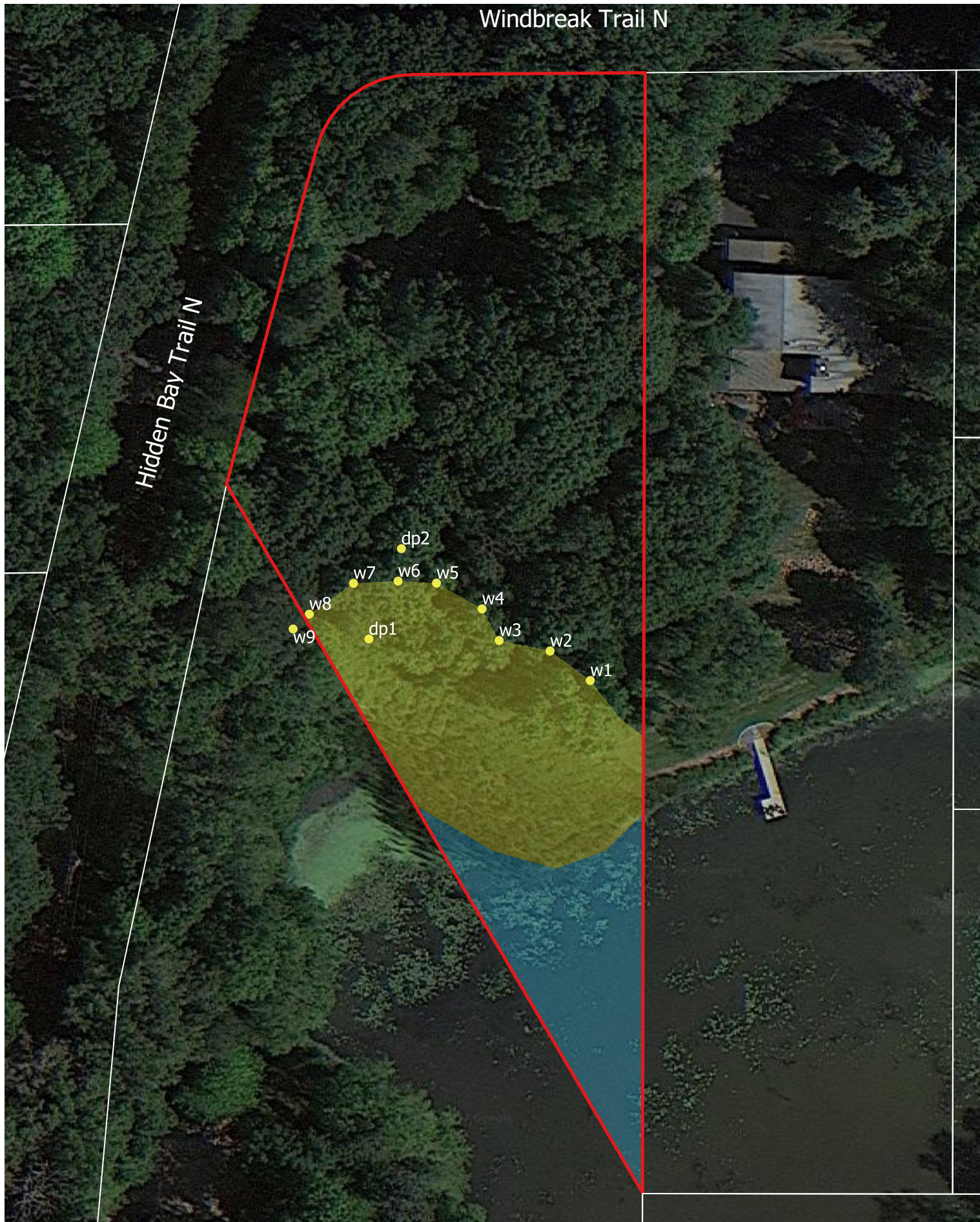












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N
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Andy Kranz

Wetland Delineation Map 8265 Hidden Bay Trail N Washington County, MN

25 0 25 50 75 100 ft

- Property Boundary
- Wetland_Delineation
 - Deep Marsh and Shallow Open Water
 - Fresh (Wet) Meadow
- Wetland Data Points

Wetland Delineation

Memo

Date: September 22, 2022

To: Thomas and Vonda Brown c/o David Kranz

From: Andy Kranz

Subject: Wetland Delineation: Septic Update for 8265 Hidden Bay Trail N, Washington County, MN

On September 10, 2022, I performed a delineation of wetlands and waterbodies on the property located at 8265 Hidden Bay Trail North, Lake Elmo, Minnesota 55042 in Washington County. This memo describes the findings of the wetland delineation and will be used to support a project to update the septic system that is currently located on the Property.

Wetland delineation was conducted on the 1.11-acre Property on September 10, 2022. The northern 0.76 acre is upland. It includes a house with driveways to the west and northeast and a septic system to the south. A woodland separates the residence from wetland in the southern 0.35 acre of the Property. The woodland is situated on a south-facing slope and is dominated by white oak (*Quercus alba*) with abundant common buckthorn (*Rhamnus cathartica*)

Upland-wetland boundary spatial data were collected and vertices (w1-w9) were flagged on the ground. USACE determination data (dp1, dp2) were collected at representative upland and wetland positions (enclosed map). Spatial data was captured with a GNSS receiver capable of submeter accuracy. Representative photographs of the Property are enclosed.

Data point dp1 was collected in a fresh, wet meadow dominated by reed canary grass (*Phalaris arundinacea*). Soil indicators observed include Loamy Mucky Mineral (F1). Hydrologic indicators observed include Geomorphic Position (D2) and Fac-Neutral Test (D5). Conditions were drier than normal (sum = 9) at the time of survey according to a WETS analysis of a 30-year dataset (1992–2022) from a nearby weather station (St. Paul Downtown Airport, MN).

Hybrid cat-tail (*Typha × glauca*) becomes dominant to the south of the wet meadow, and the wetland transitions to deep marsh and shallow open water communities. A boundary between the wet meadow and adjacent communities was delineated using desktop resources including multi-year aerial photograph interpretation. See the enclosed Wetland Delineation Map and Determination Data Sheets.

At the time of delineation numbered/labeled stakes were present that demarcated the limits of the proposed septic project. Distances between these and the nearest wetland vertices were measured on the ground:

w4 to pump tank outlet:	82.5 ft
w4 to B4:	69.5 ft
w5 to B4:	62.0 ft
w6 to B1:	52.0 ft
w7 to B5:	49 ft

Please contact me with any questions regarding the wetland delineation at the Property.

Respectfully submitted,



Andy Kranz
Botanist and Wetland Delineator
2220 30th Ave S
Minneapolis, MN 55406
andrew.r.kranz@gmail.com
507-459-3150

Enclosed: Wetland Delineation Map
 USACE Wetland Determination Data Sheets
 Site Photographs

Wetland Delineation Photographs



View north from the upland-wetland boundary.



View east from the upland-wetland boundary.



View south from the upland-wetland boundary.

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Midwest Region See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp:11/30/2024 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: <u>Hidden Bay Trail North Septic Update</u>	City/County: <u>Lake Elmo / Washington County</u>	Sampling Date: <u>9/10/2022</u>
Applicant/Owner: <u>David Kranz</u>	State: <u>MN</u>	Sampling Point: <u>dp1</u>
Investigator(s): <u>Andy Kranz</u>	Section, Township, Range: <u>S9 T29N R21W</u>	
Landform (hillside, terrace, etc.): <u>Toe slope</u>	Local relief (concave, convex, none): <u>concave</u>	
Slope (%): <u>0-3</u>	Lat: <u>45.013133</u>	Long: <u>-92.938476</u>
Datum: <u>UTM 15</u>		
Soil Map Unit Name: <u>Poskin silt loam</u>	NW1 classification: <u>PEM1A</u>	
Are climatic / hydrologic conditions on the site typical for this time of year? Yes <u> </u> No <u> X </u> (If no, explain in Remarks.)		
Are Vegetation <u> N </u> , Soil <u> N </u> , or Hydrology <u> N </u> significantly disturbed? Are "Normal Circumstances" present? Yes <u> X </u> No <u> </u>		
Are Vegetation <u> N </u> , Soil <u> N </u> , or Hydrology <u> N </u> naturally problematic? (If needed, explain any answers in Remarks.)		

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u> X </u> No <u> </u> Hydric Soil Present? Yes <u> X </u> No <u> </u> Wetland Hydrology Present? Yes <u> X </u> No <u> </u>	Is the Sampled Area within a Wetland? Yes <u> X </u> No <u> </u>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------

Remarks:
 Fresh (wet) meadow in a residential neighborhood; separates a pond to the south from a wooded upland slope to the north. The wetland is partially shaded by trees rooted near or beyond the upland boundary. Site conditions were drier than normal at the time of delineation according to WETS analysis.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u> 30' </u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u> 3 </u> (A) Total Number of Dominant Species Across All Strata: <u> 3 </u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u> 100.0% </u> (A/B)																																
1. <u>Acer negundo</u>	5	Yes	FAC																																	
2. <u>Fraxinus pennsylvanica</u>	5	Yes	FACW																																	
3. _____																																				
4. _____																																				
5. _____																																				
	10	=Total Cover																																		
Sapling/Shrub Stratum (Plot size: <u> </u>)				Prevalence Index worksheet: <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:40%; text-align: right;">Total % Cover of:</td> <td style="width:10%;"></td> <td style="width:10%; text-align: right;">Multiply by:</td> <td style="width:40%;"></td> </tr> <tr> <td>OBL species</td> <td style="text-align: center;">10</td> <td style="text-align: right;">x 1 =</td> <td style="text-align: center;">10</td> </tr> <tr> <td>FACW species</td> <td style="text-align: center;">85</td> <td style="text-align: right;">x 2 =</td> <td style="text-align: center;">170</td> </tr> <tr> <td>FAC species</td> <td style="text-align: center;">5</td> <td style="text-align: right;">x 3 =</td> <td style="text-align: center;">15</td> </tr> <tr> <td>FACU species</td> <td style="text-align: center;">0</td> <td style="text-align: right;">x 4 =</td> <td style="text-align: center;">0</td> </tr> <tr> <td>UPL species</td> <td style="text-align: center;">0</td> <td style="text-align: right;">x 5 =</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Column Totals:</td> <td style="text-align: center;">100</td> <td style="text-align: right;">(A)</td> <td style="text-align: center;">195 (B)</td> </tr> <tr> <td colspan="4">Prevalence Index = B/A = <u> 1.95 </u></td> </tr> </table>	Total % Cover of:		Multiply by:		OBL species	10	x 1 =	10	FACW species	85	x 2 =	170	FAC species	5	x 3 =	15	FACU species	0	x 4 =	0	UPL species	0	x 5 =	0	Column Totals:	100	(A)	195 (B)	Prevalence Index = B/A = <u> 1.95 </u>			
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Herb Stratum (Plot size: <u> 5' </u>)				Hydrophytic Vegetation Indicators: <u> </u> 1 - Rapid Test for Hydrophytic Vegetation <u> X </u> 2 - Dominance Test is >50% <u> X </u> 3 - Prevalence Index is ≤3.0 ¹ <u> </u> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																																
1. <u>Phalaris arundinacea</u>	80	Yes	FACW																																	
2. <u>Typha X glauca</u>	5	No	OBL																																	
3. <u>Persicaria amphibia</u>	5	No	OBL																																	
4. _____																																				
5. _____																																				
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Woody Vine Stratum (Plot size: <u> </u>)				Hydrophytic Vegetation Present? Yes <u> X </u> No <u> </u>																																
1. _____																																				
2. _____																																				
	=Total Cover																																			

SOIL

Sampling Point: dp1**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR 2/2	100					Mucky Loam/Clay	
5-15	10YR 2/2	90	10YR 4/1	10	D	M	Loamy/Clayey	
15-24	10YR 2/1	85	7.5YR 2.5/3	15	C	M	Loamy/Clayey	Distinct redox concentrations

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.**Hydric Soil Indicators:**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input checked="" type="checkbox"/> Loamy Mucky Mineral (F1)
<input type="checkbox"/> 2 cm Muck (A10)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input type="checkbox"/> Redox Depressions (F8)

Indicators for Problematic Hydric Soils³:

<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Very Shallow Dark Surface (F22)
<input type="checkbox"/> Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.**Restrictive Layer (if observed):**
 Type: _____
 Depth (inches): _____
Hydric Soil Present? Yes ☒ No ☐

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:Primary Indicators (minimum of one is required; check all that apply)

<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> True Aquatic Plants (B14)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Gauge or Well Data (D9)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Crayfish Burrows (C8)
<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Stunted or Stressed Plants (D1)
<input checked="" type="checkbox"/> Geomorphic Position (D2)
<input checked="" type="checkbox"/> FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____
Water Table Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____
Saturation Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____
(includes capillary fringe)			

Wetland Hydrology Present? Yes ☒ No ☐

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Midwest Region See ERDC/EL TR-10-16; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp:11/30/2024 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Hidden Bay Trail North Septic Update City/County: Lake Elmo / Washington County Sampling Date: 9/10/2022

Applicant/Owner: David Kranz State: MN Sampling Point: dp2

Investigator(s): Andy Kranz Section, Township, Range: S9 T29N R21W

Landform (hillside, terrace, etc.): Back slope Local relief (concave, convex, none): none

Slope (%): 5-10 Lat: 45.013233 Long: -92.938425 Datum: UTM 15

Soil Map Unit Name: Poskin silt loam NWI classification: PEM1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No X (If no, explain in Remarks.)

Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes X No

Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u> </u> No <u>X</u> Hydric Soil Present? Yes <u> </u> No <u>X</u> Wetland Hydrology Present? Yes <u> </u> No <u>X</u>	Is the Sampled Area within a Wetland? Yes <u> </u> No <u>X</u>
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Remarks:
 Upland hardwood forest on a slope that separates a residence and septic drainage from a wet meadow. Site condition drier than normal at time of delineation according to WETS analysis.

VEGETATION – Use scientific names of plants.

<table style="width: 100%;"> <tr> <th style="text-align: left;">Tree Stratum</th> <th style="text-align: center;">(Plot size: <u>30'</u>)</th> <th style="text-align: center;">Absolute % Cover</th> <th style="text-align: center;">Dominant Species?</th> <th style="text-align: center;">Indicator Status</th> </tr> <tr><td>1. <u>Quercus alba</u></td><td></td><td style="text-align: center;">20</td><td style="text-align: center;">Yes</td><td style="text-align: center;">FACU</td></tr> <tr><td>2. <u>Acer negundo</u></td><td></td><td style="text-align: center;">15</td><td style="text-align: center;">Yes</td><td style="text-align: center;">FAC</td></tr> <tr><td>3. <u>Fraxinus pennsylvanica</u></td><td></td><td style="text-align: center;">5</td><td style="text-align: center;">No</td><td style="text-align: center;">FACW</td></tr> <tr><td>4. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2"></td><td style="text-align: center;">40</td><td colspan="2" style="text-align: center;">=Total Cover</td></tr> </table> <table style="width: 100%;"> <tr> <th style="text-align: left;">Sapling/Shrub Stratum</th> <th style="text-align: center;">(Plot size: _____)</th> <th></th> <th></th> <th></th> </tr> <tr><td>1. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>2. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>3. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>4. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2"></td><td></td><td colspan="2" style="text-align: center;">=Total Cover</td></tr> </table> <table style="width: 100%;"> <tr> <th style="text-align: left;">Herb Stratum</th> <th style="text-align: center;">(Plot size: <u>5'</u>)</th> <th></th> <th></th> <th></th> </tr> <tr><td>1. <u>Glechoma hederacea</u></td><td></td><td style="text-align: center;">30</td><td style="text-align: center;">Yes</td><td style="text-align: center;">FACU</td></tr> <tr><td>2. <u>Ageratina altissima</u></td><td></td><td style="text-align: center;">30</td><td style="text-align: center;">Yes</td><td style="text-align: center;">FACU</td></tr> <tr><td>3. <u>Rhamnus cathartica</u></td><td></td><td style="text-align: center;">10</td><td style="text-align: center;">No</td><td style="text-align: center;">FAC</td></tr> <tr><td>4. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>5. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>6. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>7. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>8. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>9. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>10. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2"></td><td style="text-align: center;">70</td><td colspan="2" style="text-align: center;">=Total Cover</td></tr> </table> <table style="width: 100%;"> <tr> <th style="text-align: left;">Woody Vine Stratum</th> <th style="text-align: center;">(Plot size: _____)</th> <th></th> <th></th> <th></th> </tr> <tr><td>1. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td>2. _____</td><td></td><td></td><td></td><td></td></tr> <tr><td colspan="2"></td><td></td><td colspan="2" style="text-align: center;">=Total Cover</td></tr> </table>	Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	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Yes <u> </u> No <u>X</u> </div>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>5</u>	x 2 = <u>10</u>	FAC species <u>25</u>	x 3 = <u>75</u>	FACU species <u>80</u>	x 4 = <u>320</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>110</u> (A)	<u>405</u> (B)	Prevalence Index = B/A = <u>3.68</u>	
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Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: dp2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-18	10YR 2/1	100					Loamy/Clayey	
18-24	10YR 2/1	95	10YR 3/1	5	D	M	Loamy/Clayey	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils ³ :
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Very Shallow Dark Surface (F22)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> 2 cm Muck (A10)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	
<input type="checkbox"/> Thick Dark Surface (A12)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	
<input type="checkbox"/> Sandy Redox (S5)	
<input type="checkbox"/> Stripped Matrix (S6)	
<input type="checkbox"/> Dark Surface (S7)	
<input type="checkbox"/> Loamy Mucky Mineral (F1)	
<input type="checkbox"/> Loamy Gleyed Matrix (F2)	
<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Redox Depressions (F8)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes _____ No <u>X</u>
Remarks:	

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Surface Soil Cracks (B6)	
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Drainage Patterns (B10)	
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> True Aquatic Plants (B14)	<input type="checkbox"/> Dry-Season Water Table (C2)	
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Crayfish Burrows (C8)	
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)	
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Stunted or Stressed Plants (D1)	
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Geomorphic Position (D2)	
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> FAC-Neutral Test (D5)	
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Gauge or Well Data (D9)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)		

Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:	
Remarks:	

RE: 8265 Hidden Bay Trail N, Lake Elmo Septic Design

John P. Hanson <JHanson@barr.com>

Mon 9/12/2022 1:06 PM

To: 'David Kranz' <davekranz@msn.com>

Hi David,

The proposed location appears to be approximately 932 and higher, which is above the 100-year flood level of Deer Pond. No Valley Branch Watershed District permit is required.

Thanks,

John

John P. Hanson, PE

Valley Branch Watershed District Engineer

Barr Engineering Co. | 4300 MarketPointe Drive | Bloomington, MN 55435

office: 952.832.2622 | cell: 612.590.1785

JHanson@barr.com | www.barr.com | www.vbwd.org

resourceful. naturally.



From: David Kranz <davekranz@msn.com>

Sent: Monday, September 12, 2022 12:59 PM

To: John P. Hanson <JHanson@barr.com>

Subject: 8265 Hidden Bay Trail N, Lake Elmo Septic Design

CAUTION: This email originated from outside of your organization.

Hi John,

Per our conversation, attached is the Septic Design at 8265 Hidden Bay Trail N, in Lake Elmo. Please let me know if you see that the design is in the 100 year flood level.

Thanks,

David Kranz

612-239-3712

From: [Jack Griffin](#)
To: [Ben Hetzel](#)
Cc: [Molly Just](#); [Chad Isakson](#)
Subject: Septic System Variance 8265 Hidden Bay Trail
Date: Friday, October 21, 2022 10:46:51 AM

Caution: This email originated outside our organization; please use caution.

Ben,
The proposed septic system must be installed a minimum of 10 feet from the property lines. This setback requirement should be shown on the site plan. Engineering has no other comments.

Thanks ~Jack

John (Jack) W. Griffin, P.E.
Principal / Sr. Municipal Engineer

FOCUS ENGINEERING, INC.
651.300.4264
jack.griffin@focusengineeringinc.com

Ben Hetzel

From: Gordy Grundeen <gordyg@blueskysciences.com>
Sent: Friday, November 4, 2022 7:54 PM
To: Ben Hetzel
Subject: 11-04-22 Variance for Brown's sewage system

Caution: This email originated outside our organization; please use caution.

November 4, 2022

To:
Ben Hetzel, City Planner
City of Lake Elmo

Subject: Variance request for Brown's property = 8265 Hidden Bay Trail

Good morning:

We live across the street from Brown's property - we have known them as neighbors for 52 years!

I am **opposed** to allowing any variance for the 75 foot setback from a wetland. There has been complete opposition to these kind of variances on Hidden Bay Trail going back to the 1960s. My neighbor 3 houses down on the Lake Olson side a few years ago installed a mound system that was acceptable to the City - it was less than 20 feet from Lake Olson. That was/is acceptable. There is no need to allow any new sewage treatment system to be sub-standard.

Tom & Vonda had 1-2 years ago assumed they needed a mound system. I am guessing here, but ~2 weeks ago, a contractor cleared and leveled the spot where the system was intended to be installed. The problem the contractor overlooked was: There is no way to get fill/dirt down a wooded & steep grade to the spot with a truck. I am guessing the sub-contractor backed out of the deal.

Here is my suggestion - it solves two issues at once: Remove the asphalt-surfaced driveway and put the drain field under the driveway; replace the driveway surface with those "environmentally green" bricks with "holes" in them. Grass grows in those holes. No runoff to pollute our lakes.

I believe the well on the North side of the house is about 50 feet from the driveway (which is on the West side of the house).

I think the driveway solution would be a cost reduction - no need to haul in fill. The current septic tank is next to the driveway now, so putting the drain field under the driveway would be less than 5 feet away.

Hope this helps!

Sincerely,

Gordy Grundeen
8270 Hidden Bay Trail
Lake Elmo MN 55042
651-770-1056
text only = 651-347-4779
email = gordy.grundeen@gmail.com

Ben Hetzel

From: Fox, Hilary <Hilary.Fox@allstate.com>
Sent: Wednesday, November 9, 2022 1:17 PM
To: Ben Hetzel
Cc: Justin A Fox
Subject: 8265 Hidden Bay Trail Variance request

Caution: This email originated outside our organization; please use caution.

Dear Mr. Hetzel,

On behalf of myself and my husband, owners of the lot directly to the east of the Browns', please note we have no objections to their variance request and hope the Planning Commission will allow their septic replacement to move forward.

Sincerely,
Hilary and Justin Fox
8311 Windbreak Trail N
Lake Elmo

Hilary B. Fox

Lead Counsel Minnesota and Wisconsin
Allstate Staff Counsel
952.232.9585 cell

***Please note our teams are working remotely on a permanent basis** and we do not have physical locations at which to receive mail or deliveries. Please email us at MinneapolisLegal@allstate.com or WisconsinSCO@allstate.com with a CC to the appropriate attorney or staff member, or contact us for a secure link to upload large or PHI-containing documents. Thank you.