

Item 8D.
BCWMC 2-17-22
Additional information
available upon request

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: City of Plymouth County: Hennepin	
Applicant Name: Parkers, LLC c/o Mark Jepson	
Applicant Representative: Kimley-Horn, c/o Aaron Stolte	
Project Name: Parkera LLC	
LGU Project No. (if any): 2021-26	
Date Complete Application Received by LGU: 10/26/2021	
Date of LGU Decision: 12/6/2021	
Date this Notice was Sent: 1/26/2022	
WCA Decision Type - check all that apply	
☐ Wetland Boundary/Type ☐ Sequencing ☐ Replacement Plan ☐ Bank Plan (not credit pur	rchase)
□ No-Loss (8420.0415)	
Part: □ A □ B □ C □ D □ E □ F □ G □ H Subpart: □ 2 □ 3 □ 4 🗵 5 □ 6 □ 7 □]8□9
Replacement Plan Impacts (replacement plan decisions only)	
Total WCA Wetland Impact Area:	
Wetland Replacement Type: Project Specific Credits:	
Bank Credits:	
Bank Account Number(s):	
Bank Account Number(3).	
Technical Evaluation Panel Findings and Recommendations (attach if any)	
☐ Approve ☐ Approve w/Conditions ☐ Deny ☒ No TEP Recommendation	
LGU Decision	
$oxed{\boxtimes}$ Approved with Conditions (specify below) ¹ $oxed{\square}$ Approved ¹ $oxed{\square}$ Denied	d
List Conditions: Watershed (Bassett Creek & Minnehaha Creek) and City of Plymouth permits m	
in place before work beings on site.	
Decision-Maker for this Application: ⊠ Staff □ Governing Board/Council □ Other:	
Decision is valid for: ⊠ 5 years (default) □ Other (specify):	
1 Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. Fo	r proiect-
specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been reco	
the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.	
LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision ¹ .	
☐ Attachment(s) (specify):	
Summary: The replacement plan application is approved as exemption subpart 5.	
¹ Findings must consider any TEP recommendations.	
Attached Project Documents	
⊠ Site Location Map ⊠ Project Plan(s)/Descriptions/Reports (specify):	
= one reaction map = respect ranges, beschiptions, reports (specify).	

Appeals of LGU Decisions

If you wish to <u>appeal</u> this decision, you must provide a written request <u>within 30 calendar days of the date you received the notice</u>. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator Minnesota Board of Water & Soils Resources 520 Lafayette Road North St. Paul, MN 55155 travis germundson@state mn us

St. Paul, MN 55155	
travis.germundson@state.mn.us	
Does the LGU have a <u>local appeal process</u> applicable to this	s decision?
 ✓ Yes¹ ✓ No 	, 400000
¹ If yes, all appeals must first be considered via the local appeals p	process.
Local Appeals Submittal Requirements (LGU must describe how	to appeal, submittal requirements, fees, etc. as applicable)
Notice Distribution (include name)	
Required on all notices:	
	1 Fourth Avenue South, Suite 700, Minneapolis,
MN 55415-1600	
	e Road North, St. Paul, MN 55401
□ □ □ □ □ □ □	renbroich, 3400 Plymouth Blyd, Plymouth MN
55447	, ,
☑ DNR Representative: Melissa Collins, MnDNR, 1200 V	Varner Road, St. Paul, MN 55106
Wes Saunders-Pearce, MnDNR,	1200 Warner Road, St. Paul, MN 55106
M Websel of Bistrict on Websel of March One - BCWMC 16	145 Hillanach Lana Edan Duainia BAN 55246
WWCD, 15520 Willingtonka bivu, Willingtonka Wilv 55545	
⊠ Applicant: Parkera LLC, c/o Mark Jepson, 3800 Amer	ican Boulevard West, Suite 1120, Bloomington MN
55431	
☑ Agent/Consultant: Kimley-Horn and Associates, Inc. 76	7 Eustis Street, Suite 100, Saint Paul MN 55114
Ontional or As Analisable.	
Optional or As Applicable:	wouth Course is 100 Fth Church Foot Cuits 700 Ct
□ Corps of Engineers: US Army Corps of Engineers c/o Sar □ Paul MN 55101-1678	mantna Coungeris, 180 5th Street East, Suite 700, St
☐ BWSR Wetland Mitigation Coordinator (required for bank pla	an applications only):
☐ Members of the Public (notice only):	☐ Other:
Signature: Ben Schambsohl	Date:
Chambroth	1/26/2022

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.



Minnesota Wetland Conservation Act Notice of Application

Local Government Unit: City of Plymouth County: Hennepin
Applicant Name: Parkera, LLC c/o Mark Jepson
Applicant Representative: Kimley-Horn , Aaron Stolte
Project Name: Parkera LLC
LGU Project No. (if any): 2021-26
Date Complete Application Received by LGU: 10/26/2021
Date this Notice was Sent by LGU: 11/5/2021
Date that Comments on this Application Must Be Received By LGU¹: 12/2/2021
¹ minimum 15 business day comment period for Boundary & Type, Sequencing, Replacement Plan and Bank Plan Applications
WCA Decision Type - check all that apply
☐ Wetland Boundary/Type ☐ Sequencing ☐ Replacement Plan ☐ Bank Plan (not credit purchase)
□ No-Loss (8420.0415)
Part: □ A □ B □ C □ D □ E □ F □ G □ H Subpart: □ 2 □ 3 □ 4 ☒ 5 □ 6 □ 7 □ 8 □ 9
Replacement Plan Impacts (replacement plan decisions only)
Total WCA Impact Area Proposed:
Application Matarials
Application Materials
¹ Link to ftp or other accessible file sharing sites is acceptable.
Comments on this application should be sent to:
LGU Contact Person: Ben Scharenbroich, Water Resources Supervisor
E-Mail Address: bscharenbroich@plymouthmn.gov
Address and Phone Number: 3400 Plymouth Blvd, Plymouth, MN 55447
Decision-Maker for this Application:
□ Staff □ Governing Board/Council □ Other (specify):
Notice Distribution (include name)
Required on all notices:
SWCD TEP Member: Ms. Stacey Lijewski, HCA, 701 Fourth Avenue South, Suite 700, Minneapolis, MN 55415-1600
⊠ BWSR TEP Member: Ben Carlson, BWSR, 520 Lafayette Road North, St. Paul, MN 55401
☐ LGU TEP Member (if different than LGU contact):
Wes Saunders-Pearce, MnDNR, 1200 Warner Road, St. Paul, MN 55106, MnDNR,
1200 Warner Road, St. Paul, MN 55106
☑ Watershed District or Watershed Mgmt. Org.: BCWMC 16145 Hillcrest Lane, Eden Prairie MN 55346
MWCD, 15320 Minnetonka Blvd, Minnetonka MN 55345
☐ △ Applicant (notice only): Parkera LLC, c/o Mark Jepson, 3800 American Boulevard West, Suite 1120,
Bloomington MN 55431
☐ Agent/Consultant (notice only): Kimley-Horn and Associates, Inc. 767 Eustis Street, Suite 100, Saint Paul
MN 55114

☐ Corps of Engineers: US Army Corps of Engineers c/	o Samantha Coungeris, 180 5th Street East, Suite 700, St			
Paul MN 55101-1678				
☐ BWSR Wetland Mitigation Coordinator (required for base)	ank plan applications only):			
☐ Members of the Public (notice only): ☐ Other:				
Signature:	Date:			
Ben Schambail	11/5/2021			

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

Project Name and/or Number: Dundee Nursery Redevelopment

PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

Applicant/Landowner Name: Mark Jepson, Parkera, LLC **Mailing Address:** 3800 American Boulevard West, Suite 1120

Bloomington, MN 55431

Phone: 402-237-9792

E-mail Address: markj@goparkera.com

Agent Name: Aaron Stolte, Kimley-Horn

Mailing Address: 767 Eustis Street, Suite 100

Saint Paul. MN 55114

Phone: 612-326-9510

E-mail Address: Aaron.stolte@kimley-horn.com

PART TWO: Site Location Information

County: Hennepin City/Township: Plymouth

Parcel ID and/or Address: 3755 Dunkirk Lane/PID# 1711822430037)

Legal Description (Section, Township, Range): Sec 17, Twn 118N, Ran 22W

Lat/Long (decimal degrees): 45.024446°/-93.491105°

Attach a map showing the location of the site in relation to local streets, roads, highways. See Figure 1

Approximate size of site (acres) or if a linear project, length (feet): 6.7 acres

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform 4345 2012oct.pdf

PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted *prior to* this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

The proposed project includes redevelopment of a 23.7-acre site in the northwest quadrant of TH 55 and CSAH 9. The purpose of the project is to redevelop the existing nursery facility into a mixed-use commercial/office and residential development and to expand the church with a pre-school attached to the existing building. The proposed project anticipates impacting all of Wetland 2 (approximately 0.06 acres) for installation of a frontage road and approximately 36 square feet of Wetland 3. No impacts are anticipated to Wetland 1.

A wetland delineation was conducted by Kimley-Horn on August 25, 2020. The City of Plymouth approved the wetland boundaries and types as shown in the delineation report in a Notice of Decision (NOD) dated 2/3/2021. This decision is valid for five years.

In a letter dated December 1, 2020, the US Army Corps of Engineers approved the wetland boundaries (2020-02270-EJW).

The applicant is requesting that the wetlands are reviewed as "incidental" per Wetland Conservation Act: 8420.0105, Subpart 2, Part D. and that the wetlands are reviewed for Approved Jurisdiction Determination. Supporting information is provided in Attachment B.

PART FOUR: Aquatic Resource Impact¹ Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)		remove	Impact	Size of Impact ²	Overall Size of Aquatic Resource ³	Type(s) in Impact Area4	County, Major Watershed#, and Bank Service Area# of Impact Area ⁵
Wetland 2	Wetland	Fill	Р	0.06 ac	0.06 ac	Shallow Marsh	Hennepin, 20, 7
Wetland 3	Wetland	Grading to expand pond	Р	36 sq ft	0.11 ac	Shallow Marsh	Hennepin, 20, 7

¹If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

N/A

PART FIVE: Applicant Signature

	• •	•	
	here if you are requesting a <u>pre-application</u> consultating the consultation of the co	ion with the Corps and LGU based on the information you on review if this box is checked.	u have
	re below, I attest that the information in this applicati o undertake the work described herein.	ion is complete and accurate. I further attest that I posse	ss the
Signature:	Mad D. Jepsen	Date: 10/21/2021	

I hereby authorize Kimley-Horn to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

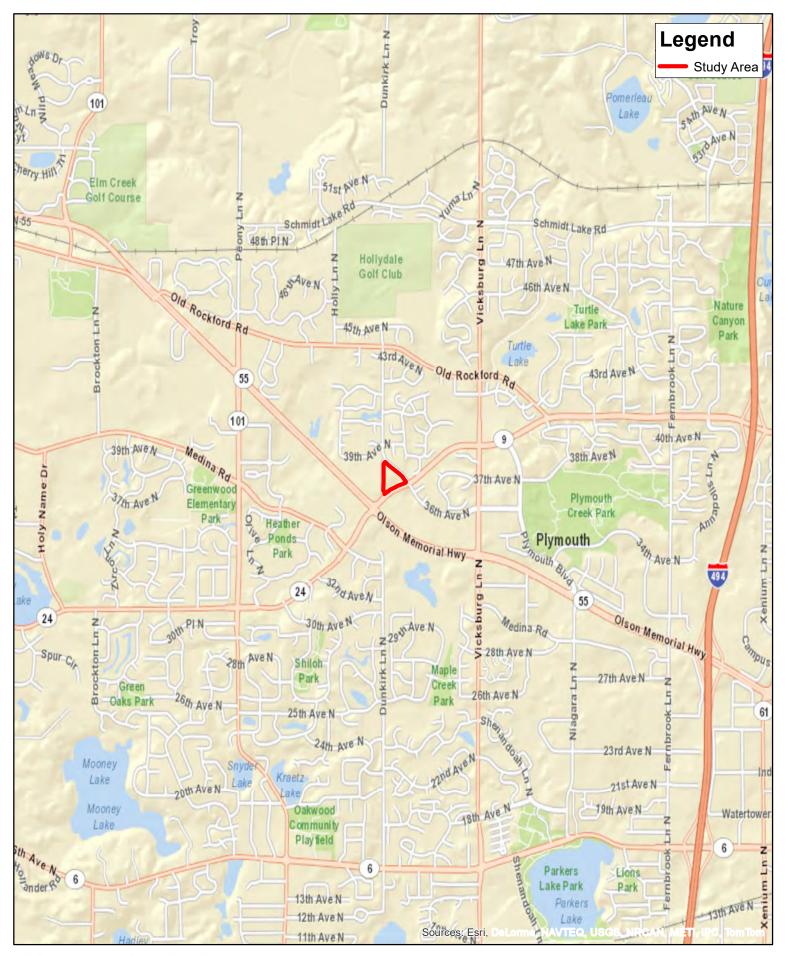
¹ The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

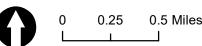
³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

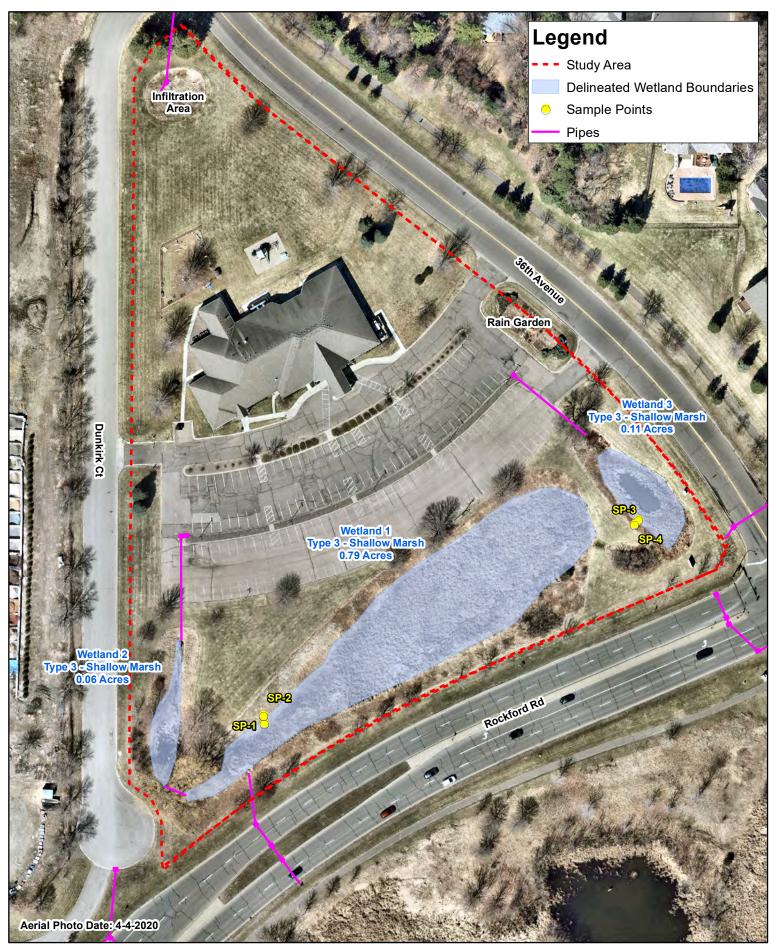
⁴Use Wetland Plants and Plant Community Types of Minnesota and Wisconsin 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

⁵Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

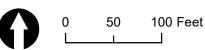














Minnesota Wetland Conservation Act Notice of Application

Local Government Unit: City of Plymouth County: Hennepin
Applicant Name: Bove's Properties LLC
Applicant Representative: Midwest Natural Resources, Inc.
Project Name: 10805 S. Shore Drive
LGU Project No. (if any): 2022-01
Date Complete Application Received by LGU: 1/18/2022
Date this Notice was Sent by LGU: 2/3/2022
Date that Comments on this Application Must Be Received By LGU¹: 2/25/2022
¹minimum 15 business day comment period for Boundary & Type, Sequencing, Replacement Plan and Bank Plan Applications
WCA Decision Type - check all that apply
☐ Wetland Boundary/Type ☐ Sequencing ☑ Replacement Plan ☐ Bank Plan (not credit purchase)
□ No-Loss (8420.0415) □ Exemption (8420.0420)
Part: □ A □ B □ C □ D □ E □ F □ G □ H Subpart: □ 2 □ 3 □ 4 □ 5 □ 6 □ 7 □ 8 □ 9
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Replacement Plan Impacts (replacement plan decisions only)
Total WCA Impact Area Proposed:
Application Materials
\boxtimes Attached \square Other ¹ (specify):
¹ Link to ftp or other accessible file sharing sites is acceptable.
Comments on this application should be sent to:
LGU Contact Person: Ben Scharenbroich, Water Resources Supervisor
E-Mail Address: bscharenbroich@plymouthmn.gov
Address and Phone Number: 3400 Plymouth Blvd, Plymouth, MN 55447
Decision-Maker for this Application:
☐ Staff ☐ Governing Board/Council ☐ Other (specify): Will be considered by the Plymouth City Council
at their 03/08/2022 meeting unless otherwise noticed.
Notice Distribution (include name)
Required on all notices:
⊠ SWCD TEP Member: Ms. Stacey Lijewski, HCA, 701 Fourth Avenue South, Suite 700, Minneapolis, MN 55415-1600
☑ BWSR TEP Member: Ben Carlson, BWSR, 520 Lafayette Road North, St. Paul, MN 55401
☐ LGU TEP Member (if different than LGU contact):
□ DNR Representative: Melissa Collins, MnDNR, 1200 Warner Road, St. Paul, MN 55106
Wes Saunders-Pearce, MnDNR, 1200 Warner Road, St. Paul, MN 55106, MnDNR,
1200 Warner Road, St. Paul, MN 55106
☐ Watershed District or Watershed Mgmt. Org.: Bassett Creek Watershed Management Commission, c/o
Keystone Waters 16145 Hillcrest Lane, Eden Prairie, MN 55346
Applicant (notice only): Bove's Properties, LLC c/o Joy Akinloye, 10805 S. Shore Drive, Plymouth MN 55441
Agent/Consultant (notice only): Midwest Natural Resources, Inc. 1032 W. 7th Street, Suite 150, St. Paul,
MN 55102

☑ Corps of Engineers: US Army Corps of Engineers, St. Paul District				
☐ BWSR Wetland Mitigation Coordinator (required for bank plan applications only):				
☐ Members of the Public (notice only): ☐ Other:				
Signature:	Date:			
Ben Schambartil	02/03/2022			

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

WETLAND PERMIT APPLICATION BOVE'S PROPERTIES – PLYMOUTH, MN

Prepared for: Bove's Properties, LLC 10805 S. Shore Drive Plymouth, MN 55441



JANUARY 5, 2022



Prepared by: Midwest Natural Resources, Inc. 1032 West 7th Street, Suite 150 St. Paul, Minnesota 55102 www.mnrinc.us

Project Name: Bove's Properties, Plymouth, MN

PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

Applicant/Landowner Name: Bove's Properties, LLC, Contact: Joy Akinloye

Mailing Address: 10805 S. Shore Drive, Plymouth, MN 55441

Phone: 952-300-1067

E-mail Address: joytotheworld26@gmail.com

Authorized Contact (do not complete if same as above):

Mailing Address:

Phone:

E-mail Address:

Agent Name: Ken Arndt, Midwest Natural Resources, Inc. **Mailing Address:** 1032 W. 7th St. Suite 150, St. Paul, MN 55102

Phone: 651-788-0641

E-mail Address: ken.arndt@mnrinc.us

PART TWO: Site Location Information

County: Hennepin City/Township: Plymouth

Parcel ID and/or Address: 10805 South Shore Drive

Legal Description (Section, Township, Range): NW ¼ of Section 36, T118N, R22W

Lat/Long (decimal degrees):

Attach a map showing the location of the site in relation to local streets, roads, highways.

(See Figure 1 of attached wetland permit application)

Approximate size of site (acres) or if a linear project, length (feet): The project area is approximately 1-acre in size.

PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted *prior to* this application then describe that here and provide the Corps of Engineers project number.

MN Wetland Conservation Act Notice of Decision by the City of Plymouth dated November 13th, 2020

ACOE Regulatory File No. MVP-2020-01996-BBY Letter dated Nov. 25th, 2020 - Approved Jurisdictional Determination

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

The site is proposed to be developed with a residential group home and associated infrastructure.

PART FOUR: Aquatic Resource Impact¹ Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

ID (as noted on	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Impact Permanent (P)	Size of	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵
Wetland A	wetland	fill	Р	3,779 sq. ft. (0.0867 ac.)	Ι ΙΝΙ / Δ	Type 2 Fresh Wet Meadow	Hennepin, 20, 7

¹If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

⁴Use Wetland Plants and Plant Community Types of Minnesota and Wisconsin 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

⁵Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

¹ The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

Project Name: Bove's Properties, Plymouth, MN

PART FIVE: Applicant Signature

Check here if you are requesting a <u>pre-application</u> consultation with the Corps and LGU based on the informat provided. Regulatory entities will not initiate a formal application review if this box is checked.	ion you have
By signature below, I attest that the information in this application is complete and accurate. I further attest that authority to undertake the work described herein.	possess the
Signature: My Date: 01/04/2022	2

I hereby authorize **Ken Arndt** to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.