

Executive Summary for Action

Lower Minnesota River Watershed District Board of Managers Meeting Wednesday, February 21, 2024

Agenda Item

Item 6. F. - 535 Lakota Lane, Chanhassen - work without a permit

Prepared By

Linda Loomis, Administrator

Summary

On Tuesday, February 6, 2024, Initial Disclosures were served upon opposing counsel. Disclosures that were filed are attached for the Board's Information.

Attachments

Plaintiff's Initial Disclosure dated 2-6-2024 Supporting documentation

Recommended Action

No action recommended

Electronically Served 2/6/2024 3:11 PM Carver County, MN

STATE OF MINNESOTA

COUNTY OF CARVER

Case Type: Civil – Other DISTRICT COURT

FIRST JUDICIAL DISTRICT

Lower Minnesota River Watershed District,

Court File No. 10-CV-23-1151

Plaintiff.

PLAINTIFF'S RULE 26.01 INITIAL DISCLOSURES

v.

Eco Real Estate Holdings LLC; and Andrew Polski, individually and as a registered agent for Eco Real Estate Holdings LLC,

Defendants.

Pursuant to Rule 26.01(a)(1), Plaintiff Lower Minnesota River Watershed District, makes the following disclosures:

INTRODUCTORY STATEMENT

The following disclosures are made based on the information reasonably available to Plaintiff as of the date hereof. By making these disclosures, Plaintiff does not represent that it is identifying every document, tangible thing or witness that it may possibly use to support its claims or defenses. Plaintiff does not waive its right to object to the production of any document or tangible thing disclosed herein on the basis of any privilege, the work product doctrine, relevancy, undue burden or any other valid objection. Plaintiff's disclosures represent a good faith effort to identify information it reasonably believes it may use to support its claims or defenses, unless solely for impeachment, as required by Rule 26(a)(1).

Finally, Plaintiff's disclosures are made without in any way waiving: (1) the right to object on the grounds of competency, privilege, relevancy and materiality, hearsay, data

classification or any other proper ground, to use of any such information, for any purpose, in whole or in part, in any subsequent proceeding in this action or any other action; and (2) the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these disclosures.

All of the disclosures set forth below are made subject to the above objections and qualifications.

26(a)(1)(A)

The name, and if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment:

- A. Della Young, Young Environmental Consulting Group, LLC, 6040 Earle Brown Drive, Suite 306, Brooklyn Center, MN 55430; (651) 249-6974. Ms. Young has information regarding the Plaintiff's investigation into the violations on Defendant's property at issue.
- B. Linda Loomis, Lower Minnesota River Watershed District Administrator,112 5th Street East, Suite 102, Chaska, MN 55318; (763) 568-9522. Ms. Loomis has information regarding the Plaintiff's investigation into the violations on Defendant's property at issue, Plaintiff's rules and regulations, and Plaintiff's prior communications with Defendant regarding the violations.
- C. Katy Thompson, Young Environmental Consulting Group, LLC, 6040 Earle Brown Drive, Suite 306, Brooklyn Center, MN 55430; (651) 249-6974. Ms. Thompson has information regarding the Plaintiff's investigation into the violations on Defendant's property at issue.
- D. Dale Denn, HomeStead Septic, 1108 Goldrenrod Lane, Shakopee, MN 55379; (612) 310-7887. Mr. Denn designed and installed sump pump system, which is in violation of Plaintiff's rules and regulations.
- E. Unknown employee of City of Chanhassen Planning Commission, 7700 Market Boulevard P.O. Box 147 Chanhassen, MN 55317; (952) 227-1100. Has knowledge of violations on Defendant's property.

Plaintiff reserves the right to amend this list to add or remove individuals and add or remove subjects of information.

26(a)(1)(B)

A copy of, or a description by category or location of, all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment:

Bates Number	Description of Document
RN 0001 – RN 0029	Technical Memorandum
RN 0030 – RN 0033	May 25, 2022 letter to ECO Real Estate Holdings LLC
RN 0034 – RN 0040	July 25, 2022 letter to ECO Real Estate Holdings LLC
RN 0041 – RN 0043	August 17, 2022 letter to ECO Real Estate Holdings LLC
RN 0044 – RN 0045	LMRWD Individual Permit
RN 0046 – RN 0059	Type I Trench Design Plans
RN 0060 – RN 0062	Septic Invoice and Final Inspection

26(a)(1)(C)

A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries:

Plaintiff seeks injunctive and non-economic relief.

26(a)(1)(D)

For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy judgment:

A. N/A

26(b) Disclosure of Expert Testimony

Disclosure of the identity of any witness that may be used at trial to present evidence under Minnesota Rules of Evidence 702, 703 or 705:

A. Expert witnesses not yet determined.

Dated: February 6, 2024

RINKE NOONAN, LTD.

/s/ Hannah Schacherl

Hannah Schacherl (#0403739)
John C. Kolb (#268938)
Suite 300 US Bank Plaza
1015 W. St. Germain St.
P.O. Box 1497
St. Cloud, MN 56302
(320) 251-6700
(320) 656-3500 fax
Email: HSchacherl@rinkenoonan.com

Email: HSchacherl@rinkenoonan.com Email: JKolb@rinkenoonan.com

ATTORNEYS FOR PLAINTIFF

Electronically Served 2/6/2024 3:11 PM Carver County, MN



Technical Memorandum

To: Linda Loomis, Administrator

Lower Minnesota River Watershed District

From: Katy Thompson, PE, CFM

Della Schall Young, CPESC, PMP

Date: May 12, 2022

Re: 535 Lakota Lane Inspection (LMRWD No. 2022-018)

During the April 16, 2022, board meeting, the administrator and legal counsel informed the managers that the owner of 535 Lakota Lane had made improvements to the property potentially within the Lower Minnesota River Watershed District (LMRWD) within the Steep Slopes Overlay District (SSOD) without a permit. Based on the information, the managers authorized staff to inspect the property to assess whether the owner had violated LMRWD rules. Young Environmental, as LMRWD staff, completed the property inspection because the city of Chanhassen does not have its municipal LGU permit, and our findings are as follows.

Background

The City of Chanhassen (City) contacted the LMRWD on April 13, 2022, regarding a resident, Mr. Andy Polski, who had recently done work to their property at 535 Lakota Lane without a permit (Figure 1). The City was concerned that the work may have been in the LMRWD SSOD and included grading, construction of a retaining wall and drain tile, and tree removals. The City became aware of the violation when Mr. Polski listed the property for sale, and the information included a list of improvements that required City permits; however, no permits had been pulled. City staff investigated the violations and are now working with the property owner to either retroactively issue the permits for the 50 improvements identified or restore the site to previous conditions because the improvements have already been constructed (Attachment 1). The concerns related to the LMRWD SSOD include the following:

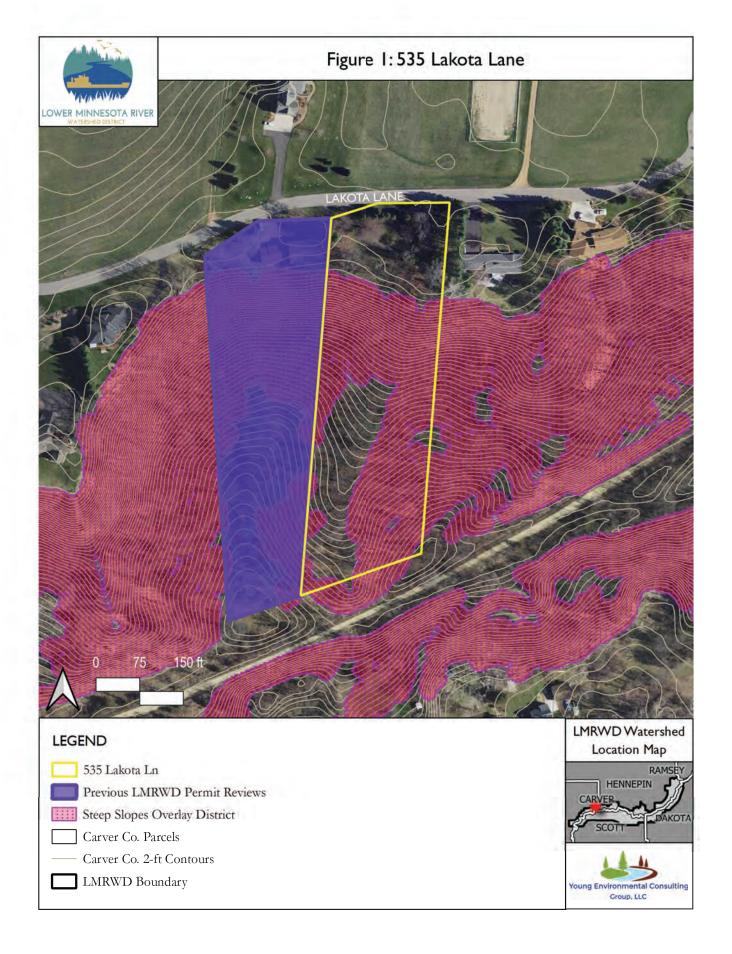
Encroachments into the bluff setback and impact zone from the deck addition,

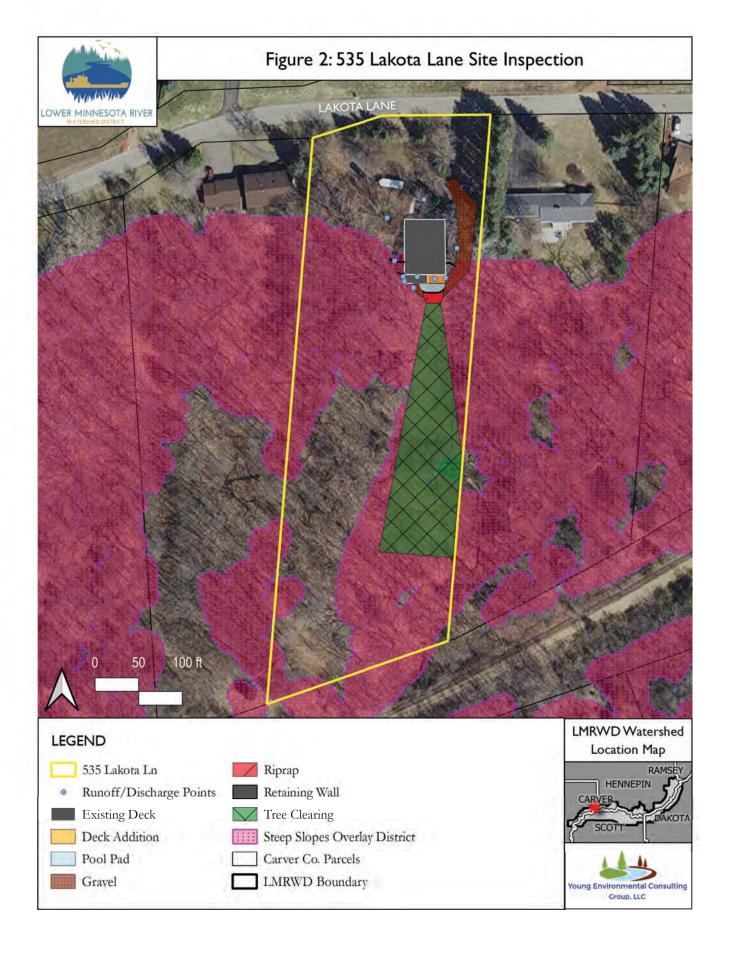
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retaining wall, pool pad, and grading and vegetation removal

- Tree removal on the bluff
- Drain tile and sump pump installation
- Permanent site stabilization to prevent erosion

The approximate extent of the improvements are shown in Figure 2.





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Summary

<u>Project Name</u>: Polski Residence—Work Without Permit

Purpose: Unpermitted residential improvements and grading

in the SSOD

Project Size: Unknown, estimated 1,400 square feet in SSOD and

approximately 3,700 square feet of new impervious

surfaces.

<u>Location</u>: 535 Lakota Lane, Chanhassen

(Parcel ID No. 251300020)

<u>LMRWD Rules</u>: Rule F—Steep Slopes

Recommended Board Action: None, information only

The property is located in the Bluffview Addition, platted in 1958 and constructed in 1978. It is currently listed by the Carver County tax assessor as having one story and four bedrooms in 2,318 square feet. The current listing states that the property is five bedrooms, three bathrooms, and 4,864 square feet—significantly larger than the County information provided.

A review of County aerial photography clearly shows the construction of the new aboveground pool pad, deck addition, and retaining wall and riprap noted in the field (Figures 3 and 4).

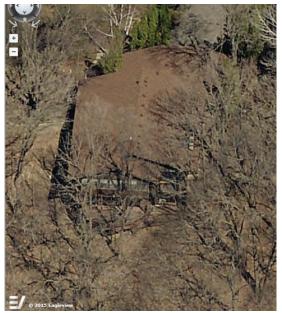




Figure 3. Carver County aerial images of 535 Lakota Lane (left taken April 15, 2015, and right taken November 21, 2020.).

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Figure 4. Western view of 535 Lakota Lane (top image taken on April 24, 2018; bottom image taken on April 8, 2020.).

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Site Inspection

On May 5, 2022, Young Environmental staff visited 535 Lakota Lane to document site conditions. Prior to inspecting the property, staff noted that it appeared the occupant was home. Staff knocked on the door to talk to the homeowner, but no one answered the door. Staff then walked around the property and took photos to document the site conditions (Attachment 2). Staff observed the following:

- 1. Twelve roof, sump pump, or drain tile discharge points were identified coming from the house and discharging onto the property. Ten of these were discharged into the SSOD.
- 2. Extensive tree-clearing activities occurred downslope from the property.
- 3. Gravel and riprap were placed to create a level surface for the aboveground pool and held in place with a retaining wall.
- 4. Gravel was placed on the east hillside and side yard for RV parking.

Rules Review

The District regulates land-disturbing activities that affect one acre or more under Rule B and create more than one acre of new impervious surfaces. The improvements appear to have disturbed less than one acre within the LMRWD boundary and resulted in approximately 3,700 square feet of new impervious surfaces, indicating that neither Rule B nor D apply. However, the total amount of disturbance will be confirmed by the City when an on-site survey is completed.

Rule F—Steep Slopes Rule

The District regulates land-disturbing activities within the SSOD and requires a permit for activities that involve the excavation of 50 cubic yards or more of earth or the displacement or removal of 5,000 square feet or more of surface area or vegetation within the overlay area. The improvements appear to have been subject to this rule, given the amount of tree clearing and grading within the SSOD. Exemptions to Rule F exist for native plantings and removal of noxious, exotic, or invasive vegetation as well as for pruning of diseased or dead trees within the SSOD; however, the applicant must provide a rationale for the tree and vegetation clearing as well as the total area affected by their activities.

For work within the SSOD, the applicant must provide documentation that a qualified professional or professional engineer registered in the state of Minnesota has certified this area as suitable for the proposed activities, structures, or uses resulting from the construction. Because the homeowner appears to have completed most of the improvements, a professional must evaluate them to determine if the retaining walls, deck, pool pad, gravel, and riprap placement will be stable and not cause further erosion of the slope because no documentation has been provided.

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Finally, staff identified 12 discharge points around the property during the site inspection, including 10 within the SSOD, which can create unstable slope conditions. Rule F explicitly states that land-disturbing activities may not result in any new water discharge points on the steep slopes or along the bluff. The homeowner must redirect these discharge points away from the SSOD.

Summary of Findings and Recommendations

As per the inspection of the property conducted on May 5, 2022, the improvements do violate the LMRWD Rule F—Steep Slopes Rule and must be corrected with an after-the-fact permit. To address the permit violation, the staff recommends continued work with the City and the property owner to address the identified concerns and issue an after-the-fact permit.

We recommend drafting a letter to the property owner outlining the Rule F violation and required restoration or corrective actions. The letter will include a timeline for addressing the violation and required submittals, including the following:

- 1. Apply for an LMRWD Individual Permit, and pay the permit fee of \$750.
- 2. Provide documentation of the tree- and vegetation-clearing activities within the SSOD.
- 3. Provide an evaluation by a professional engineer that the slope can withstand the constructed improvements as is.
- 4. Redirect stormwater runoff from the house (roof and gutter as well as sump pump discharges) away from the SSOD.

If the property owner does not comply, then as the LMRWD's legal counsel recommends, the violation order would be served on the owner and recorded with the property title.

Attachments

- Attachment 1 City Review Memo
- Attachment 2 Photos from May 5, 2022, site visit

Attachment 1—City Review Memo



CITY OF CHANHASSEN

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May 2, 2022

2ND NOTICE

ECO Real Estate Holdings LLC P.O. Box 1199 Clark, CO 80428

Re:

535 Lakota Lane – Work Without Permit

Dear ECO Real Estate Holdings LLC:

On April 18, 2022 the City sent you a letter making you aware of several violations of City Code on your property and requesting that you work with staff to address these issues. To date, staff has not received a response this letter. Please provide staff with a timeline for submitting a survey of the property and addressing the other issues raised in the initial letter by **May 20, 2022.**

As a reminder, based on the information available and staffs' observations during a site visit on April 12, 2022, staff believes the following items will need to be addressed:

Planning Department:

- · Probable encroachment into required bluff setback and impact zone
 - Deck addition
 - o Retaining wall
 - o Pool pad and above-ground pool
 - o Grading and vegetation removal associated with limestone around pool pad
- As-built/updated survey needed to accurately depict current conditions on property and determine exact extent and nature of encroachment into the bluff setback and impact zone
- If survey shows alterations made within bluff setback and bluff impact zone, one of the following must be done:
 - o Remove alterations and restore bluff area to pre-existing conditions
 - Request an after-the-fact variance
 - The City may not grant all or part of the requested variance
 - If elements of the variance request are not granted, they would need to be removed
 - If elements of the variance are granted, the City would impose conditions to mitigate the impact of the various elements

Questions about these requirements can be addressed to the City's Associate Planner, MacKenzie Young-Walters at 952-227-1132 or mwalters@ci.chanhassen.mn.us.

Environmental Resources:

- Tree removal within bluff. A survey of trees removed from bluff, including diameter and species will be needed.
 - Based on extent of removals, native trees will be required to be planted to restore the bluff to pre-removal conditions.

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535 Lakota Lane May 2, 2022 Page 2

Questions about this requirement can be addressed to the City's Environmental Resource Specialist, Jill Sinclair at 952-227-1133 or jsinclair@ci.chanhassen.mn.us.

Water Resources Department:

- A survey of the stormwater-related improvements including but not limited to the concrete apron and
 draintile installation will be needed to understand the extent of the work completed. Additional
 stipulations may be required from the findings of the survey.
- The site must be permanently stabilized to prevent erosion and sediment transport. After completion
 of any work related to this letter the homeowner shall schedule an erosion control inspection with the
 City and address any issues from that inspection.

Questions about this requirement can be addressed to the City's Water Resources Engineer, Joe Seidl at 952-227-1168 or jseidl@ci.chanhassen.mn.us.

Building Department:

- Permits for the following exterior improvements need to be obtained:
 - o Deck addition
 - New footings and railings on existing deck
 - O Windows, exterior doors, garage overhead door
 - o Porch converted into master bedroom

In addition to the permits needed for exterior improvements, permits are required for interior improvements that have been completed. We have several photos showing interior improvements and have received a list of 50 improvements that have been made to the property within the last three years. The list is included with this letter. Items on the list highlighted in green have been permitted and items in red were completed without permits. Please contact the Building Department to schedule an interior walkthrough of your property. Staff would ask that you or your representative accompany us for this process. Once staff walks through the property, we can begin to provide you with a path towards compliance with the Building Code.

To schedule a walkthrough of the property or if you have any questions about Building Code/permit requirements, please contact the City's Building Official, Eric Tessman at 952-227-1199 or etessman@ci.chanhassen.mn.us.

Your cooperation in correcting these issues is appreciated.

Respectfully,

MacKenzie Young-Walters, AICP

Associate Planner

ec: Eric Tessman, Building Official

Jill Sinclair, Environmental Resources Specialist

Joe Seidl, Water Resources Engineer

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535 Lakota Lane May 2, 2022 Page 3

List of Improvements in past 3 years

Building permit obtained

Building permit needed Zoning permit needed

- New Roof, ice & water, roof vents, etc.
- All new windows (17) LoE high efficiency windows
- All new moldings, casing, baseboard, etc.
- All new subfloor on main level
- Main level ceiling removed; raised 6" and all new drywall
- All new blown in cellulose insulation in attic space
- All walls that were opened closed cell spray foam insulated
- All new solid pine interior doors 100% of the house
- · New overhead garage door w. windows
- New fire door to garage
- New double glass French door at entry
- New footings on deck
- New laminate beams and posts added to support master suite over deck
- Screened in porch converted to massive master suite
- Added WC to master bath, completely gutted and added huge his/her shower, all heated ceramic tile, everything new.
- Added large master closet w. barn doors, custom California style shelving and hangers
- Roughed in 220V for baseboard heat if needed in owner's suite addition, but has

not been needed. Very efficient as it was all spray foamed.

- All 3 bathrooms completely renovated with new plumbing, custom tile work, vanities, flooring, etc.
- All new engineered hardwood and carpet on mail level.
- All new cabinets, vanities, moldings, crown, custom wood wraps on HVAC duct work, beams, etc.
- Added walls to create 3rd bedroom on main level and closet.
- Added built in cabinets and butcher block top/entertainment center w. data conduit center in main level living room
- All new countertops (white granite in main kitchen, quartz in bathrooms, and butcher block in lower level kitchen).
- Wall removed separating dining area from kitchen; and custom island installed w. prep sink.
- All new plumbing w. pex supply lines, drain pipes, frost proof silcocks
- All new HVAC duct work, air supplies, and cold air returns (house was previously on electric baseboard heat)
- New high efficiency furnace
- Added New A.C. Condensing Unit and hook ups/plumbing
- New Water Heater

535 Lakota Lane May 2, 2022 Page 4

- New Washer & Dryer
- All new appliances in (2) kitchens
- Commercial style finish in laundry/hobby room with butcher block counter tops, custom sink, built in cabinets, etc.
- Added drain tile and sump pump in the basement (French drain style to sump basket).
- All new drywall in lower level ceiling.
- · All new recessed lights and light fixtures throughout house
- All new paint throughout the interior and exterior
- Created mudroom off garage with custom bench and bead board coat hooks.
- · Patching and skim coat of garage concrete floor, painted garage
- Added concrete apron w. drain for rainwater runoff
- Seal coated entire driveway
- Replaced roof, siding, door, and painted shed
- Graded, seeded, and repaired over 1/2 of front/side yard
- Installed underground electric dog fence around the entire perimeter of house and back yard, trenched in driveway.
- Added custom mulch and pruned all trees, extensive cleanup of over grown shrubs, etc. in yard
- Added a great RV parking space on east side of house w. limestone driveway and electric hookup
- Added custom concrete landscaping curbing around the entire house.
- New mulch
- \$52,000 retaining wall and deck addition to create a pad for pool/swim spa with an infinity
 feel overlooking the MN River Bluffs view. Completely drain tiled, compacted, 25 tons of
 limestone 8-12' rock on slope to prevent any erosion. 12" of compacted limestone class-5
 rock on the actual pad pool pad.
- Added above ground pool w. filtration system and pump (in garage during the off season, but comes with the house)
- \$26,120 Completely new gravity fed Septic System fall of 2021 w. directional bore for drain field at lower elevation approximately 65' SW of house down the hill to leave room for an outbuilding just west of the house. All new tanks, drain field, etc.

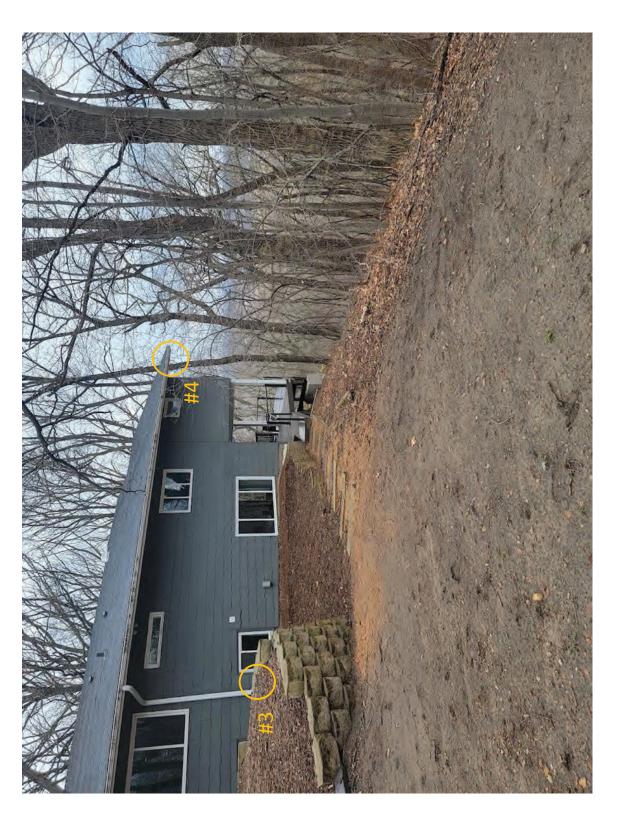
Attachment 2—Photos from May 5, 2022, site visit

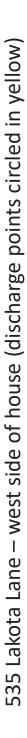




535 Lakota Lane – front of house (discharge points circled in yellow)

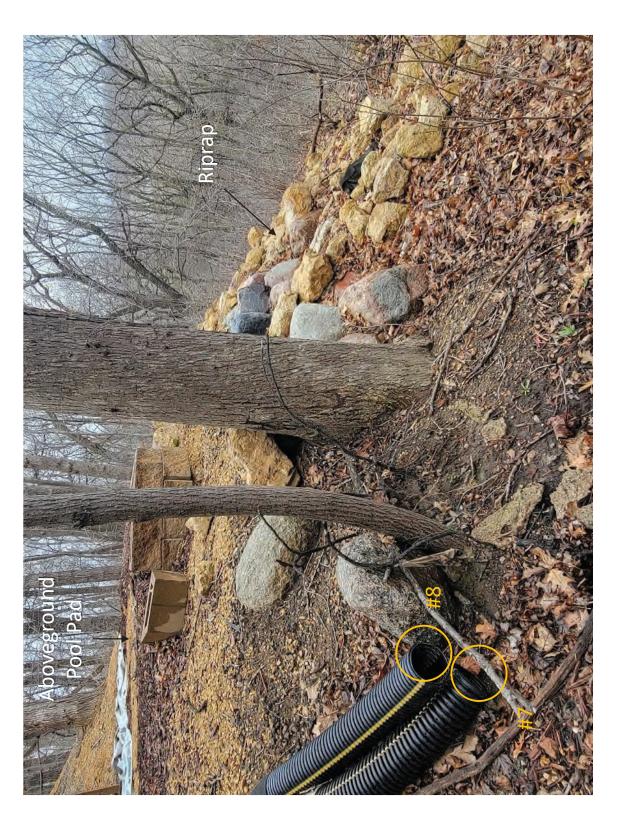


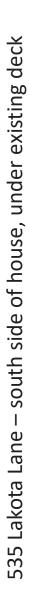


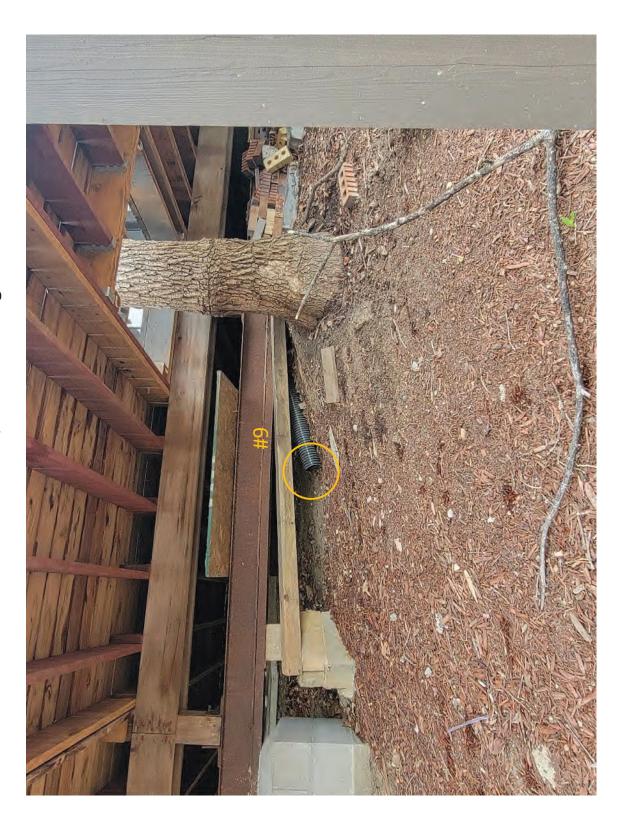


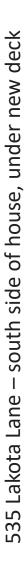


535 Lakota Lane – west side of house (discharge points circled in yellow)







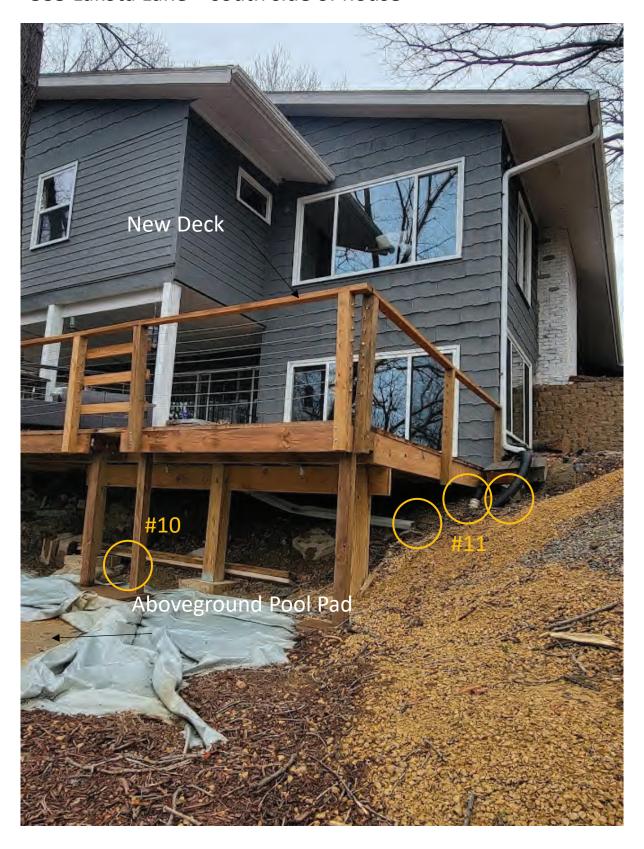




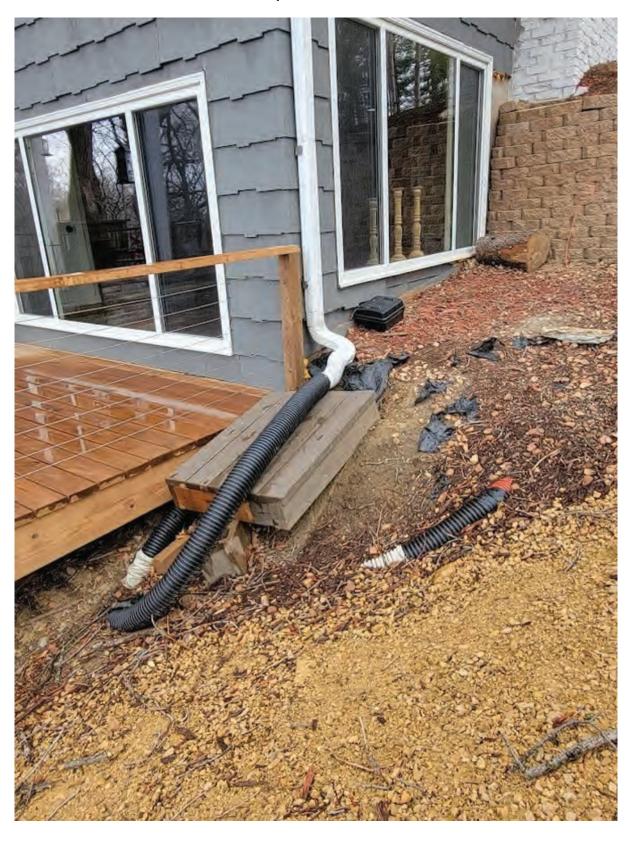
535 Lakota Lane – south side of house



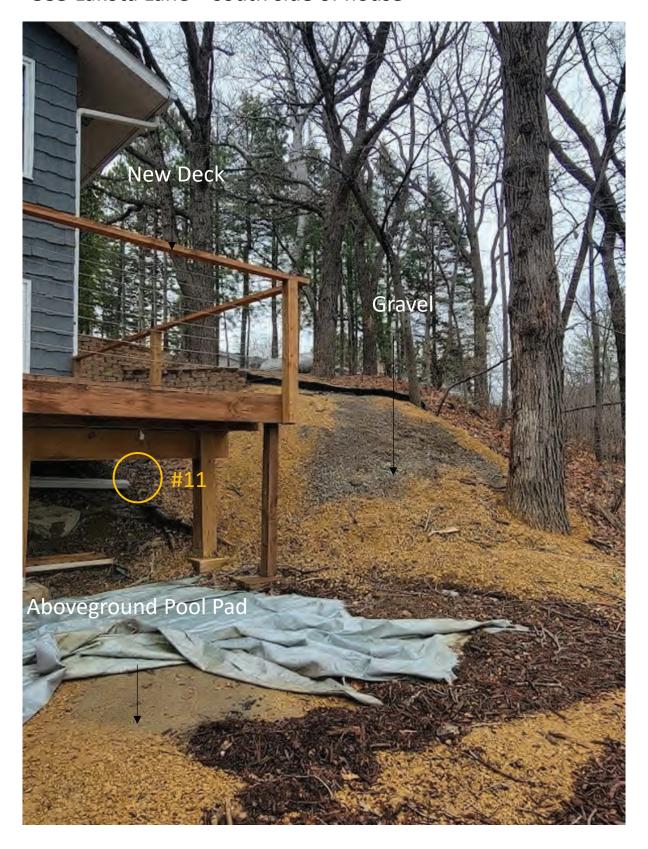
535 Lakota Lane – south side of house



535 Lakota Lane – Close up of Point #11



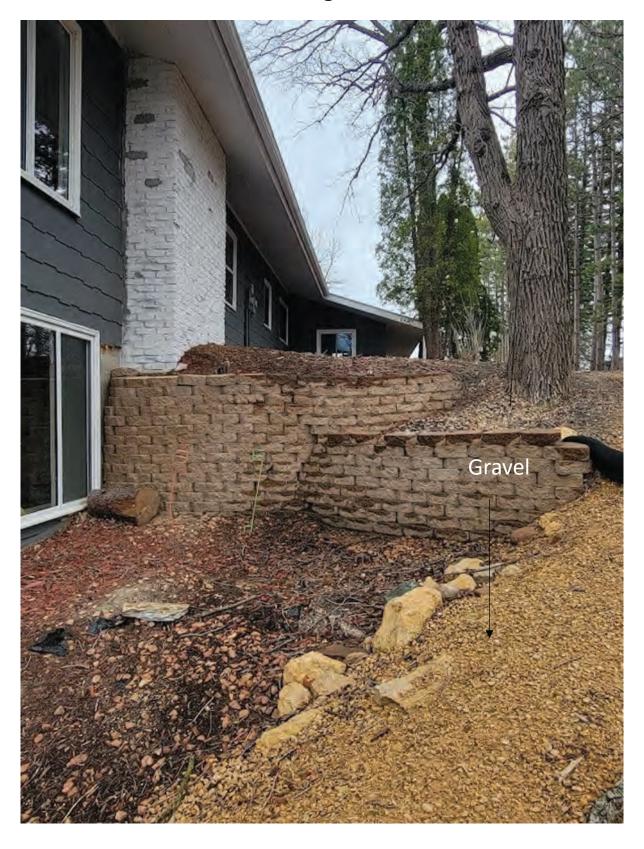
535 Lakota Lane – south side of house

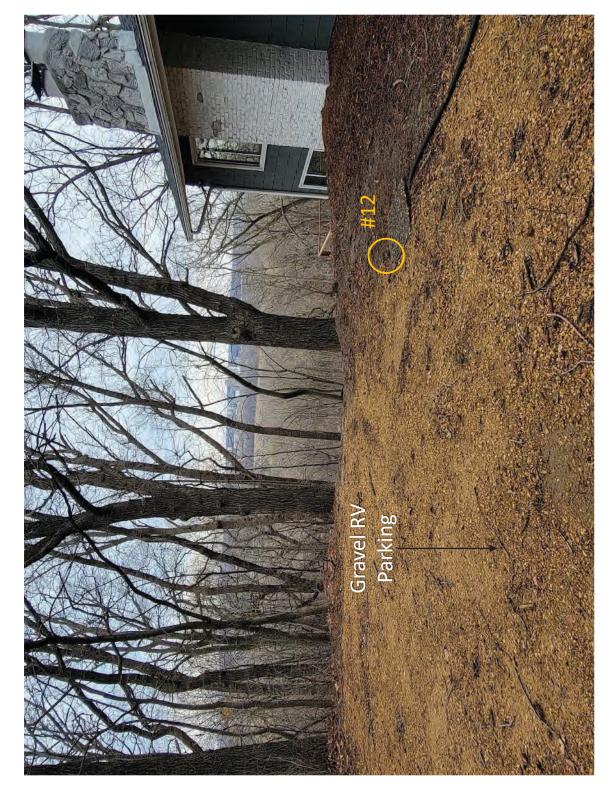


535 Lakota Lane – east side of house



535 Lakota Lane – east retaining walls





535 Lakota Lane – east side of house (discharge points circled in yellow)

535 Lakota Lane – south view from aboveground pool pad





CITY OF CHANHASSEN

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May 25, 2022

FINAL NOTICE

ECO Real Estate Holdings LLC P.O. Box 1199 Clark, CO 80428

Re:

535 Lakota Lane - Work Without Permit

Dear ECO Real Estate Holdings LLC:

On April 18, 2022 the City sent a letter making you aware of several violations of City Code on your property and requesting that you work with staff to address these issues. Staff has not received a response to this letter and as a result, staff sent a second letter requiring that you provide a timeline for addressing the issues by May 20, 2022. To date, no timeline has been received. If the issues listed below are not addressed by **June 10**, **2022**, the City will begin enforcement actions.

As a reminder, based on the information available and staffs' observations during a site visit on April 12, 2022, staff believes the following items will need to be addressed:

Planning Department:

- · Probable encroachment into required bluff setback and impact zone
 - Deck addition
 - o Retaining wall
 - o Pool pad and above-ground pool
 - o Grading and vegetation removal associated with limestone around pool pad
- As-built/updated survey needed to accurately depict current conditions on property and determine exact extent and nature of encroachment into the bluff setback and impact zone
- If survey shows alterations made within bluff setback and bluff impact zone, one of the following must be done:
 - Remove alterations and restore bluff area to pre-existing conditions
 - o Request an after-the-fact variance
 - The City may not grant all or part of the requested variance
 - If elements of the variance request are not granted, they would need to be removed
 - If elements of the variance are granted, the City would impose conditions to mitigate the impact of the various elements

Questions about these requirements can be addressed to the City's Associate Planner, MacKenzie Young-Walters at 952-227-1132 or mwalters@ci.chanhassen.mn.us.

Environmental Resources:

 Tree removal within bluff. A survey of trees removed from the bluff, including diameter and species will be needed.

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535 Lakota Lane May 25, 2022 Page 2

> Based on extent of removals, native trees will be required to be planted to restore the bluff to pre-removal conditions.

Questions about this requirement can be addressed to the City's Environmental Resource Specialist, Jill Sinclair at 952-227-1133 or jsinclair@ci.chanhassen.mn.us.

Water Resources Department:

- A survey of the stormwater-related improvements including but not limited to the concrete apron and
 draintile installation will be needed to understand the extent of the work completed. Additional
 stipulations may be required from the findings of the survey.
- The site must be permanently stabilized to prevent erosion and sediment transport. After completion
 of any work related to this letter, the homeowner shall schedule an erosion control inspection with the
 City and address any issues from that inspection.

Questions about this requirement can be addressed to the City's Water Resources Engineer, Joe Seidl at 952-227-1168 or jseidl@ci.chanhassen.mn.us.

Building Department:

- Permits for the following exterior improvements need to be obtained:
 - o Deck addition
 - New footings and railings on existing deck
 - o Windows, exterior doors, garage overhead door
 - o Porch converted into master bedroom

In addition to the permits needed for exterior improvements, permits are required for interior improvements that have been completed. We have several photos showing interior improvements and have received a list of 50 improvements that have been made to the property within the last three years. The list is included with this letter. Items on the list highlighted in green have been permitted and items in red were completed without permits. Please contact the Building Department to schedule an interior walkthrough of the property. Staff would ask that you or your representative accompany us for this process. Once staff walks through the property, we can begin to provide you with a path towards compliance with the Building Code.

To schedule a walkthrough of the property or if you have any questions about Building Code/permit requirements, please contact the City's Building Official, Eric Tessman at 952-227-1199 or etessman@ci.chanhassen.mn.us.

Your cooperation in correcting these issues is appreciated.

Respectfully,

MacKenzie Young-Walters, AICP

Associate Planner

ec: Eric Tessman, Building Official

Jill Sinclair, Environmental Resources Specialist

Joe Seidl, Water Resources Engineer

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List of Improvements in past 3 years

Building permit obtained

Building permit needed Zoning permit needed

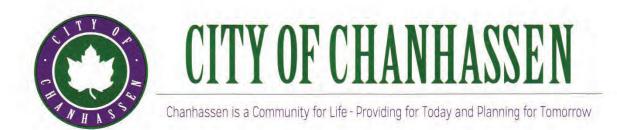
ning permit needed

- New Roof, ice & water, roof vents, etc.
- All new windows (17) LoE high efficiency windows
- All new moldings, casing, baseboard, etc.
- All new subfloor on main level
- Main level ceiling removed; raised 6" and all new drywall
- All new blown in cellulose insulation in attic space
- All walls that were opened closed cell spray foam insulated
- All new solid pine interior doors 100% of the house
- · New overhead garage door w. windows
- New fire door to garage
- New double glass French door at entry
- New footings on deck
- New laminate beams and posts added to support master suite over deck
- Screened in porch converted to massive master suite
- Added WC to master bath, completely gutted and added huge his/her shower, all heated ceramic tile, everything new.
- Added large master closet w. barn doors, custom California style shelving and hangers
- Roughed in 220V for baseboard heat if needed in owner's suite addition, but has

not been needed. Very efficient as it was all spray foamed.

- All 3 bathrooms completely renovated with new plumbing, custom tile work, vanities, flooring, etc.
- All new engineered hardwood and carpet on mail level.
- All new cabinets, vanities, moldings, crown, custom wood wraps on HVAC duct work, beams, etc.
- Added walls to create 3rd bedroom on main level and closet.
- Added built in cabinets and butcher block top/entertainment center w. data conduit center in main level living room
- All new countertops (white granite in main kitchen, quartz in bathrooms, and butcher block in lower level kitchen).
- Wall removed separating dining area from kitchen; and custom island installed w. prep sink.
- All new plumbing w. pex supply lines, drain pipes, frost proof silcocks
- All new HVAC duct work, air supplies, and cold air returns (house was previously on electric baseboard heat)
- New high efficiency furnace
- · Added New A.C. Condensing Unit and hook ups/plumbing
- New Water Heater
- New Washer & Dryer

- All new appliances in (2) kitchens
- Commercial style finish in laundry/hobby room with butcher block counter tops, custom sink, built in cabinets, etc.
- Added drain tile and sump pump in the basement (French drain style to sump basket).
- All new drywall in lower level ceiling.
- All new recessed lights and light fixtures throughout house
- All new paint throughout the interior and exterior
- Created mudroom off garage with custom bench and bead board coat hooks.
- Patching and skim coat of garage concrete floor, painted garage
- Added concrete apron w. drain for rainwater runoff
- Seal coated entire driveway
- Replaced roof, siding, door, and painted shed
- Graded, seeded, and repaired over 1/2 of front/side yard
- Installed underground electric dog fence around the entire perimeter of house and back yard, trenched in driveway.
- Added custom mulch and pruned all trees, extensive cleanup of over grown shrubs, etc. in vard
- Added a great RV parking space on east side of house w. limestone driveway and electric hookup
- Added custom concrete landscaping curbing around the entire house.
- New mulch
- \$52,000 retaining wall and deck addition to create a pad for pool/swim spa with an infinity feel overlooking the MN River Bluffs view. Completely drain tiled, compacted, 25 tons of limestone 8-12' rock on slope to prevent any erosion. 12" of compacted limestone class-5 rock on the actual pad pool pad.
- Added above ground pool w. filtration system and pump (in garage during the off season, but comes with the house)
- \$26,120 Completely new gravity fed Septic System fall of 2021 w. directional bore for drain field at lower elevation approximately 65' SW of house down the hill to leave room for an outbuilding just west of the house. All new tanks, drain field, etc.



July 25, 2022

ECO Real Estate Holdings LLC P.O. Box 1199 Clark, CO 80428

Re: 535 Lakota Lane – Work Without Permit

Dear ECO Real Estate Holdings LLC:

In response the City's notice of violations regarding your property at 535 Lakota Lane, you had indicated that you would meet with staff to apply for the required building permits during the last week of June. To date, no permit applications have been received. Based on staff's April 12, 2022 site visit, it is appears that the structure is in violation of the Building Code (most recent enforcement letter attached for reference). If permit applications are not filed by **August 11, 2022**, the City will revoke the building's Certificate of Occupancy (relevant rule attached).

If you have any questions about Building Code/permit requirements, please contact the City's Building Official, Eric Tessman, at 952-227-1199 or etessman@ci.chanhassen.mn.us.

Your cooperation in correcting these issues is appreciated.

Respectfully,

MacKenzie Young-Walters, AICP

Associate Planner

Enclosures

ec: Eric Tessman, Building Official

Jill Sinclair, Environmental Resources Specialist

Joe Seidl, Water Resources Engineer

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1 REVISOR 1300.0220

1300.0220 CERTIFICATE OF OCCUPANCY.

Subpart 1. **Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building, structure, or portion of a building or structure shall be made until the building official has issued a certificate of occupancy for the building or structure under this part. Issuance of a certificate of occupancy is not approval of a violation of the code or other ordinances of the municipality. Certificates presuming to give authority to violate or cancel the code or other ordinances of the municipality are not valid.

Exception: A municipality has the option of requiring certificates of occupancy for:

- A. "U" occupancies constructed under the International Building Code;
- B. accessory structures constructed under the International Residential Code; or
- C. used manufactured homes moved into or within a jurisdiction.
- Subp. 2. **Existing structures.** The legal occupancy of any structure existing on the date of adoption of the code shall be permitted to continue without change.
- Subp. 3. Change in use. Changes in the character or use of an existing structure must comply with chapter 1305 or 1311.
- Subp. 4. **Moved buildings.** Buildings or structures moved into or within a jurisdiction shall comply with the provisions of the code for new buildings or structures.

Exception:

- A. buildings designed to comply with chapter 1311; or
- B. a residential building relocated within or into a municipality need not comply with the Minnesota Energy Code or Minnesota Statutes, section 326B.439.
- Subp. 5. **Certificate issued.** After the building official inspects a building or structure and finds no violations of the code or other laws that are enforced by the Department of Building Safety, the building official shall issue a certificate of occupancy containing the following:
 - A. the building permit number;
 - B. the address of the structure:
 - C. the name and address of the owner;
- D. a statement that the described portion of the structure has been inspected for compliance with the requirements of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
 - E. the name of the building official;

2 REVISOR 1300.0220

- F. the edition of the code under which the permit was issued;
- G. the use and occupancy classification;
- H. the type of construction;
- I. if an automatic sprinkler system is provided; and
- J. any special stipulations and conditions of the building permit.
- Subp. 6. **Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that the portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.
- Subp. 7. **Revocation.** The building official may issue a written suspension or revocation of a certificate of occupancy issued under the code if the certificate is issued in error or on the basis of incorrect information supplied, or if the building or use of the building, structure, or portion of the building or structure is in violation of any ordinance or regulation or a provision of the code.

Statutory Authority: MS s 16B.59; 16B.61; 16B.64; 326B.02; 326B.101; 326B.106; 326B.13

History: 27 SR 1471; 32 SR 5; L 2007 c 140 art 4 s 61; art 13 s 4; 39 SR 91

Published Electronically: January 23, 2015



May 25, 2022 FINAL NOTICE

ECO Real Estate Holdings LLC P.O. Box 1199 Clark. CO 80428

Re: 535 Lakota Lane - Work Without Permit

Dear ECO Real Estate Holdings LLC:

On April 18, 2022 the City sent a letter making you aware of several violations of City Code on your property and requesting that you work with staff to address these issues. Staff has not received a response to this letter and as a result, staff sent a second letter requiring that you provide a timeline for addressing the issues by May 20, 2022. To date, no timeline has been received. If the issues listed below are not addressed by **June 10**, **2022**, the City will begin enforcement actions.

As a reminder, based on the information available and staffs' observations during a site visit on April 12, 2022, staff believes the following items will need to be addressed:

Planning Department:

- Probable encroachment into required bluff setback and impact zone
 - Deck addition
 - o Retaining wall
 - o Pool pad and above-ground pool
 - o Grading and vegetation removal associated with limestone around pool pad
- As-built/updated survey needed to accurately depict current conditions on property and determine exact extent and nature of encroachment into the bluff setback and impact zone
- If survey shows alterations made within bluff setback and bluff impact zone, one of the following must be done:
 - o Remove alterations and restore bluff area to pre-existing conditions
 - Request an after-the-fact variance
 - The City may not grant all or part of the requested variance
 - If elements of the variance request are not granted, they would need to be removed
 - If elements of the variance are granted, the City would impose conditions to mitigate the impact of the various elements

Questions about these requirements can be addressed to the City's Associate Planner, MacKenzie Young-Walters at 952-227-1132 or mwalters@ci.chanhassen.mn.us.

Environmental Resources:

 Tree removal within bluff. A survey of trees removed from the bluff, including diameter and species will be needed.

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> Based on extent of removals, native trees will be required to be planted to restore the bluff to pre-removal conditions.

Questions about this requirement can be addressed to the City's Environmental Resource Specialist, Jill Sinclair at 952-227-1133 or jsinclair @ci.chanhassen.mn.us.

Water Resources Department:

- A survey of the stormwater-related improvements including but not limited to the concrete apron and
 draintile installation will be needed to understand the extent of the work completed. Additional
 stipulations may be required from the findings of the survey.
- The site must be permanently stabilized to prevent erosion and sediment transport. After completion
 of any work related to this letter, the homeowner shall schedule an erosion control inspection with the
 City and address any issues from that inspection.

Questions about this requirement can be addressed to the City's Water Resources Engineer. Joe Seidl at 952-227-1168 or jseidl <u>a ci.chanhassen.mn.us</u>.

Building Department:

- Permits for the following exterior improvements need to be obtained:
 - o Deck addition
 - o New footings and railings on existing deck
 - o Windows, exterior doors, garage overhead door
 - o Porch converted into master bedroom

In addition to the permits needed for exterior improvements, permits are required for interior improvements that have been completed. We have several photos showing interior improvements and have received a list of 50 improvements that have been made to the property within the last three years. The list is included with this letter. Items on the list highlighted in green have been permitted and items in red were completed without permits. Please contact the Building Department to schedule an interior walkthrough of the property. Staff would ask that you or your representative accompany us for this process. Once staff walks through the property, we can begin to provide you with a path towards compliance with the Building Code.

To schedule a walkthrough of the property or if you have any questions about Building Code/permit requirements, please contact the City's Building Official. Eric Tessman at 952-227-1199 or etessman @ci.chanhassen.mn.us.

Your cooperation in correcting these issues is appreciated.

Respectfully.

MacKenzie Young-Walters, AICP

Associate Planner

ec: Eric Tessman. Building Official

Jill Sinclair, Environmental Resources Specialist

Joe Seidl, Water Resources Engineer

g plan code enforcement 535 lakota joint letter 535 lakota 3rd notice doex

List of Improvements in past 3 years

Building permit obtained Building permit needed

- Zoning permit needed
 - New Roof, ice & water, roof vents, etc.
 - All new windows (17) LoE high efficiency windows
 - · All new moldings, casing, baseboard, etc.
 - · All new subfloor on main level
 - · Main level ceiling removed; raised 6" and all new drywall
 - All new blown in cellulose insulation in attic space
 - All walls that were opened closed cell spray foam insulated
 - All new solid pine interior doors 100% of the house
 - New overhead garage door w. windows
 - New fire door to garage
 - New double glass French door at entry
 - New footings on deck
 - New laminate beams and posts added to support master suite over deck
 - Screened in porch converted to massive master suite
 - Added WC to master bath, completely gutted and added huge his/her shower, all heated ceramic tile, everything new.
 - Added large master closet w. barn doors, custom California style shelving and hangers
 - Roughed in 220V for baseboard heat if needed in owner's suite addition, but has

not been needed. Very efficient as it was all spray foamed.

- All 3 bathrooms completely renovated with new plumbing, custom tile work, vanities, flooring, etc.
- All new engineered hardwood and carpet on mail level.
- All new cabinets, vanities, moldings, crown, custom wood wraps on HVAC duct work, beams, etc.
- Added walls to create 3rd bedroom on main level and closet.
- Added built in cabinets and butcher block top/entertainment center w. data conduit center in main level living room
- All new countertops (white granite in main kitchen, quartz in bathrooms, and butcher block in lower level kitchen).
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 feel overlooking the MN River Bluffs view. Completely drain tiled, compacted, 25 tons of
 limestone 8-12' rock on slope to prevent any erosion. 12" of compacted limestone class-5
 rock on the actual pad pool pad.
- Added above ground pool w. filtration system and pump (in garage during the off season, but comes with the house)
- \$26,120 Completely new gravity fed Septic System fall of 2021 w. directional bore for drain
 field at lower elevation approximately 65' SW of house down the hill to leave room for an
 outbuilding just west of the house. All new tanks, drain field, etc.



CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

August 17, 2022

ECO Real Estate Holdings LLC P.O. Box 1199 Clark, CO 80428

Re: 535 Lakota Lane – Revoked Certificate of Occupancy

Dear ECO Real Estate Holdings LLC:

On July 25th the City informed you that as a result of your failure to apply for the required building permits for the improvements made to 535 Lakota Lane the City would revoke the home's Certificate of Occupancy if the required permit applications were not submitted by August 11, 2022. To date, no building permit applications have been received.

For this reason, effective immediately, the Certificate of Occupancy for the house located at 535 Lakota Lane in Chanhassen Minnesota is hereby revoked.

Please contact me at 952-227-1199 or etessman@ci.chanhassen.mn.us if you have any questions about Building Code/permit requirements and what will be required to obtain a new Certificate of Occupancy.

Respectfully,

Ein Tesomon

Eric Tessman Building Official

Enclosures

ec:

MacKenzie Young-Walters, AICP, Associate Planner Jill Sinclair, Environmental Resources Specialist Joe Seidl, Water Resources Engineer

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1 REVISOR 1300.0220

10-CV-23-1151

1300.0220 CERTIFICATE OF OCCUPANCY.

Subpart 1. Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building, structure, or portion of a building or structure shall be made until the building official has issued a certificate of occupancy for the building or structure under this part. Issuance of a certificate of occupancy is not approval of a violation of the code or other ordinances of the municipality. Certificates presuming to give authority to violate or cancel the code or other ordinances of the municipality are not valid.

Exception: A municipality has the option of requiring certificates of occupancy for:

- A. "U" occupancies constructed under the International Building Code;
- B. accessory structures constructed under the International Residential Code; or
- C. used manufactured homes moved into or within a jurisdiction.
- Subp. 2. **Existing structures.** The legal occupancy of any structure existing on the date of adoption of the code shall be permitted to continue without change.
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- Subp. 5. Certificate issued. After the building official inspects a building or structure and finds no violations of the code or other laws that are enforced by the Department of Building Safety, the building official shall issue a certificate of occupancy containing the following:
 - A. the building permit number;
 - B. the address of the structure;
 - C. the name and address of the owner;
- D. a statement that the described portion of the structure has been inspected for compliance with the requirements of the code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified;
 - E. the name of the building official;

2 REVISOR 1300.0220

- F. the edition of the code under which the permit was issued;
- G. the use and occupancy classification;
- H. the type of construction;
- I. if an automatic sprinkler system is provided; and
- J. any special stipulations and conditions of the building permit.
- Subp. 6. **Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that the portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.
- Subp. 7. **Revocation.** The building official may issue a written suspension or revocation of a certificate of occupancy issued under the code if the certificate is issued in error or on the basis of incorrect information supplied, or if the building or use of the building, structure, or portion of the building or structure is in violation of any ordinance or regulation or a provision of the code.

Statutory Authority: MS s 16B.59; 16B.61; 16B.64; 326B.02; 326B.101; 326B.106; 326B.13

History: 27 SR 1471; 32 SR 5; L 2007 c 140 art 4 s 61; art 13 s 4; 39 SR 91

Published Electronically: January 23, 2015



LMRWD Individual Permit Application

535 Lakota after-the-fact permit

Organization Contact Info	Authorization Agent Contact Info
Andrew Polski	Andrew Polski
27918 Silver Spurt St, Steamboat Springs, CO, 80487	27918 Silver Spurt St, Steamboat Springs, CO, 80487
andrewlpolski@gmail.com	andrewlpolski@gmail.com
+17636396522	+17636396522
General Project Info	Project Area Details

General Project Info	Project Area Details
Name of Proposed Project	Proposed Project Location
535 Lakota after-the-fact permit	535 Lakota Lane, Chaska, MN, 55318
Type of development	Total Project Area (acres)
Residential	2.70
Anticipated Start Date	Total Disturbed Area (acres)
01-May-2023	0.20
Existing Land Use	Existing Impervious Area (acres)
Residential	2.30
Proposed Land Use	Proposed New Impervious Area (acres)
Residential	2.10
Is the project in an unincorporated area?	Is this project in the MnDOT right-of-way?
No	No
Is the project located in a High Value Resource Area?	Is the project located in a Steep Slope Overlay District?
No	Yes
Is the project located in a floodplain	

Project Description

After-the-fact permit required per Linda Loomis for retaining wall/pad in the back yard, storm water, sump pump discharge points, etc.

Rules	Fees
-------	------

Rule Applicability (check all that apply)	Permit Fee Amount
Stormwater Management Steep Slopes	\$ 250.00

Exhibits

Exhibit title

Signature

Full name of property owner or designated agent Andrew Polski

Type I Trench Design

DATE: 5/15/2019

CLIENT: Eco RealEstate Holdings Inc.

510 Pleasant View Road Chanhassen, MN 55317

SITE: 535 Lakota Lane

Chaska, MN 55318

DESIGNER: Dale J Denn

HomeStead Septic 1108 Goldenrod Lane Shakopee, MN 55379 MPCA License #583 Cell: 612-310-7887

Email: Homesteadseptic@outlook.com

For new construction lots, all septic sites shall be protected in the field with fencing/identification up to the time of installation. Existing home lots, do not disturb septic site and keep all heavy equipment and vehicles off of the site. Any trees that need removal must be done without rubber tired equipment, ie, track machines to avoid soil compaction and undue disturbance. Cut tree trucks as close to surface as possible and leave stumps intact, do not excavate. Grinding is ok with a portable grinder.

Contact Dale Denn with any questions, comments, or concerns about this Septic Design.

This Cover Page with Designer Signature, electronic or otherwise, hereby certifies that I have completed this septic design in accordance with all applicable State Septic Rules. Local rules may vary from State Rules. Installer to verify all aspects of applicable Local Rules and setbacks that may be more restrictive than State Rules. Local Units of Governments are required to publish any rule or portion thereof that differs from State Rules. Consult with Local Unit of Government.

Dale Denn

DESIGNER

IGNATURE

3226

MPCA CERT#

5/15/2019

DATE

Property Card

Parcel ID Number

251300020

Taxpayer Information

Taxpayer Name ECO REAL ESTATE HOLDINGS LLC

> Mailing Address 510 PLEASANTVIEW RD CHANHASSEN, MN 55317-

Prop	erty Address	
	Address	
	535 LAKOTA LN	
	City	
	CHASKA, MN 55318	



Parcel Inf	ormation			
Uses	Res 1 unit	GIS Acres	2.93	Net Acres
		Deeded Acres	}	
		Plat	BLUFFVIEW A	ADDITION
		Lot	002	
		Block		9 年表現的表現的表現的

Building Information		
Building Style 1 Story Frame	Above Grade Finished Sq Ft	Bedrooms 4
Year Built 1978	Garage Y	

/liscellaneous	Information			
School District	Watershed District	Homestead	Green Acres	Ag Preserve
0112	WS 060 LOWER MN RIVER	N	N	N

Assessor Information				
Estimated Market Value	2018 Values (Payable 2019)	2019 Values (Payable 2020)		Last Sale
Land	\$171,900.00	\$180,500.00	Date of Sale	7/11/2018
Building	\$375,500.00	\$388,900.00	Sale Value	\$333,000.00
Total	\$547,400.00	\$569,400.00		

The data provided herewith is for reference purposes only. This data is not suitable for legal, engineering, surveying or other similar purposes. Carver County does not guarantee the accuracy of the information contained herein. This data is furnished on an 'as is' basis and Carver County makes no representations or warranties, either expressed or implied, for the merchantability or fitness of the information provided for any purpose. This disclaimer is provided pursuant to Minnesota Statutes §466.03 and the user of the data provided herein acknowledges that Carver County shall not be liable for any damages, and by using this data in any way expressly waives all claims, and agrees to defend, indemnify, and hold harmless Carver County, its officials, egents, employees, etc. from any and all claims brought by anyone who uses the information provided for herein, its employees or agents, or third parties which arise out of user's access. By acceptance of this data, the user agrees not to transmit this data or provide access to it or any part of it to another party unless the user includes with the data a copy of this disclaimer.



Preliminary Evaluation Worksheet



. Contact Inf	ormation						V	04.02.2019
Property	Owner/Client:	Eco Realesta	te Holding	s Inc		Date	Completed:	5/15/2019
	Site Address:	535 Lakota	Lane, Cha	ska, MN 553	18		Project ID:	
	Email:			***			Phone:	763-639-6562
٨	Nailing Address:	510 Pleasa	ntview Roa	d, Chanhass	en, MN 5531	7		
Leg	gal Description:						W 31707 12 55230	The state of the s
	Parcel ID:			TWP:		SEC:		RNG:
. Flow and (General System	Information						
Proje	t-Provided Info ect Type: ject Use: Re	☐ New Construc	ction Other Establ	☑ Replacem	ent	☐ Expansion	□ R	epair
Reside	ential use: #	Bedrooms:	5	Dwelling 9	Sq.ft.:	U	Infinished Sq	. Ft.:
		# Adults:		# Chi	ldren:		# Teena	gers:
	In-home busi	ness (Y/N):	No	If yes, des	cribe:		/////////////////////////////////////	
Additio	onal current or		Clothes Wa	shing Machine		ff. Furnace* er source - sh	□ Other: [nould not go	into system
	pated non-dome	L	None					
	e is complete 8	_	Hone	d water				
				117.4.57		gnature & da		-
B. Desig	gner-determine	-				mation as ne	-	
	D	esign Flow:	750	GPD		oated Waste		sidential
		BOD:		mg/L TSS		mg/L C	il & Grease	mg.
#	Descripti	ion	Mn. ID#	Well Depth (ft.)	Casing Depth (ft.)	Confining Layer	STA Setback	Source
	, p = .			>50	50	20,01	50'	Jource
1								
2				-	-			



Preliminary Evaluation Worksheet



Sit	e within 200' of noncommunity transient well (Y/N) No Yes, source:			
Site within a drinking water supply management area (Y/N) No Yes, source:				
Site in a Well Head	Protection inner wellhead management zone (Y/N) No Yes, source:			
Buried water	r supply pipes within 50 ft of proposed system (Y/N) No			
B. Site local	ted in a shoreland district/area? Yes Yes, name:			
	Elevation of ordinary high water level: ft Source:			
Classifica	ation: Tank Setback: 50 ft. STA Setbk: 50 ft.			
C. Site local	ted in a floodplain? No Yes, Type(s):			
	Floodplain designation/elevation (10 Year): ft Source:			
	Floodplain designation/elevation (100 Year): ft Source:			
D. Property	Line Id / Source: Owner Survey County GIS Plat Map Other:			
E. ID distan	ce of relevant setbacks on map:			
	✓ Building(s) ✓ Property Lines ☐ OHWL ☐ Other:			
4. Preliminary So	oil Profile Information From Web Soil Survey (attach map & description)			
	Map Units: Lester/Kilkenny Loams Slope Range: 15-30 %			
List	landforms: Upland Summit/River Terrace			
Landform	position(s): Back/ Side Slope			
Paren	t materials: Till			
	Depth to Bedrock/Restrictive Feature: 66+ in Depth to Watertable: 66+ in			
1.00	Septic Tank Absorption Field- At-grade:			
Map Unit Ratings	Septic Tank Absorption Field- Mound:			
50	Septic Tank Absorption Field- Trench:			
5. Local Govern	ment Unit Information			
	Name of LGU: City of Chanhassen			
	LGU Contact: Eric			
	LGU-specific setbacks: Same as 7080 but have Bluff Ordinance			
LGU-specif	fic design requirements: Same as 7080 but have Bluff Ordinance			
LGU-specific in:	stallation requirements: Same as 7080 but have Bluff Ordinance			
	Notes:			



Field Evaluation Worksheet



1. Project Information	v 04.02.2019
Property Owner/Client:	Eco Realestate Holdings Inc Project ID:
Site Address:	535 Lakota Lane, Chaska, MN 55318 Date Completed: 5/15/2019
2. Utility and Structure Info	rmation
Utility Locations Identified	Gopher State One Call #
Locate and Verify (see Site Ev	valuation map)
3. Site Information	
Vegetation type(s):	Forest Landscape position: Back/ Side Slope
Percent slope: 15	% Slope shape: Linear, Concave Slope direction: south
Describe the flooding or	run-on potential of site: sheet flow over in-ground trenches
Describe the need for Ty	pe III or Type IV system:
Note:	
Elevations and Benchmarks in	dentified on map? (Y/N): Yes If yes, describe: basement floor 100'
Proposed soil treatmen	t area protected? (Y/N): Yes If yes, describe: in Woods on steep slope
4. General Soils Information	
Filled, Compacted, Disturbe	ed areas (Y/N): No
If yes, describe:	
	Soil observations were conducted in the proposed system location (Y/N):
A	soil observation in the most limiting area of the proposed system (Y/N):
Number of soil o	bservations: 3 Soil observation logs attached (Y/N): Yes
	Percolation tests performed & attached (Y/N): No
5. Phase I. Reporting Inform	nation
	Depth Elevation
Periodically saturated soil:	
Standing water:	in ft Percolation Rate: min/inch
Bedrock:	in ft Soil Hyd Loading Rate: 1 gpd/ft ²
Benchmark:	100 ft
Benchmarck Location:	basement floor
Differences between soil surv	vey and field evaluation: sandy soil, more like outwash on stream terrace
Site evalua	ation issues / comments: Trees and stumps have to be removed. Some large.
Anticipa	ated construction issues: steep slope to drainfield site, drainfield area 15%



ONSTEE SEWAGE TREATMENT PROGRAM

Soil Observation Log

v 04.02.2019

Project ID:

Consistence 5/15/2019 Friable Friable Friable (Date) 84.1 535 Lakota Lane, Chaska, MN 55318 Linear, Concave 05/15/19 Auger Organic Matter ----- Structure-----Elevation: Moderate Moderate Moderate Grade Bedrock Date Slope shape Observation Type: Single grain (License #) Granular Granular Granular Shape 583 Alluvium hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws. Slope %: Location / Address: ☐ Toe Slope Indicator(s) E I Soil survey map units: Lester/Killkenny Redox Kind(s) ☐ Foot Slope □ Loess clear and sunny/pm ✓ Back/Side Slope (Signature) ✓ Lacustrine Mottle Color(s) Denn 10yr 3/3 Outwash 81 Shoulder Eco Realestate Holdings Inc Matrix Color(s) 10yr 2/2 10yr 2/2 10yr 5/3 10yr 4/3 Soil parent material(s): (Check all that apply) Summit Rock Frag. % <35% <35% Comments No ReDox seen to 72" Weather Conditions/Time of Day: <35 <35 Landscape Position: (check one) Forest (Designer/Inspector) Observation #/Location: Sandy Loam Loamy Sand Sandy Loam Fine Sand Texture Dale Vegetation: Depth (in) 27-50 50-72 16-27 0-16 Client:



Project ID:

Additional Soil Observation Logs

			ברים ווכמוכה ביים ווכומו ווים		2111	1	בסכמנוסון / שמתו בססי		JOJ FRANCE	נמ דמובי בוומז	333 Lakola Laile, Cilaska, Mil 33318
Soil parent n	Soil parent material(s): (Check all that apply)	heck all th	hat apply)	Outwash	ash 🖸 Lacustrine	Loess		Alluvium	☐ Bedrock	☐ Organic Matter	: Matter
Landscape Po	Landscape Position: (check one)	k one)	Summit	Shoulder	☑ Back/Side Slope	☐ Foot Slope	1	☐ Toe Slope SI	Slope shape	Linear	Linear, Concave
Vegetation:		Forest		Soil sun	Soil survey map units: Lester/Killkenny	ester/Killker	P	Slope %:	15.0	Elevation:	
Weather Con	Weather Conditions/Time of Day:	of Day:			clear and sunny/PM	Iy/PM			Date:	02	05/15/19
Observation	Observation #/Location:			82	2			Observa	Observation Type:	4	Auger
Depth (in)	Texture	Rock	Matrix Color(s)	-	Mottle Color(s)	Redox Kind(s)		Indicator(s)		Structure	
()		Frag. %		-			-1		Shape	Grade	Consistence
9-0	sandy loam	<35%	10yr 3/2						Granular	Moderate	Friable
6-17	sandy loam	<35%	10yr 4/3		10yr 3/3				Granular	Moderate	Friable
17-23	Med/C Sand	35-50%	10yr 4/4		10yr 5/4				Granular	Moderate	Friable
23-30	sandy loam	<35%	10yr 4/4		10yr 5/4				Granular	Moderate	Friable
		1	10yr 4/4		10yr 5/4						
30-72	sandy loam	<35%			10yr 6/3/2			75	Single grain		



Design Summary Page



1. PROJECT INFORMATION			1	04.02.2019
Property Owner/Client: ECO Realesta	ate Holdi	ngs Inc	Project ID:	
Site Address: 535 lakota L	ane, Cha	ska, 55318	Date:	05/15/17
Email Address:			Phone:	763-639-6562
2. DESIGN FLOW & WASTE STRENGTH	Attac	h data / estimate basis for Other Establishn	nents	
Design Flow:	750	GPD Anticipated V		Residential
BOD:			l & Grease:	mg/L
Treatment Level:	С	Select Treatment Level C for residential se	L	
3. HOLDING TANK SIZING		Select Treatment Level C for residential se	speic tunk ejjit	CIIC.
				1000 11
Minimum Capacity: Residential =400 gal/b	edroom, C			
Code Minimum Holding Tank Capacity:			or Compartr	
Recommended Holding Tank Capacity:		Gallons in Tanks	or Compartr	nents
Type of High Level Alarm:		(Set @	75% tank ca	pacity)
Comments:				
4. SEPTIC TANK SIZING				
A. Residential dwellings:		-		
Number of Bedrooms (Residential):	5			
Code Minimum Septic Tank Capacity:	2250	Gallons in 2 Tanks	or Compartr	nents
Recommended Septic Tank Capacity:	2250	Gallons in 2 Tanks	or Compartr	nents
Effluent Screen & Alarm (Y/N):	No	Model/Type:		
B. Other Establishments:				
Waste received by:		GPD x	Days Hyd. Re	etention Time
Code Minimum Septic Tank Capacity:		Gallons In Tanks	or Compartr	nents
Recommended Septic Tank Capacity:		Gallons In Tanks	or Compartr	nents
Effluent Screen & Alarm (Y/N):		Model/Type:		
5. PUMP TANK SIZING				
Pump Tank 1 Capacity (Minimum):	1060	Gal Pump Tank 2 Capacity	(Minimum):	Gal
Pump Tank 1 Capacity (Recommended):	1060	Gal Pump Tank 2 Capacity (Reco	mmended):	Gal
Pump 1 42.0 GPM Total Head	18.3		Total Head	ft
Supply Pipe Dia. 2.00 in Dose Vol:	187.0	gal Supply Pipe Dia.	Dose Vol:	Gal
3050 VOL.	107.0	Tear Supply Tipe Dia.	Dose vot:	Gal



Design Summary Page



6. SYSTEM AND DISTRIBU	ITION TYPE			Project	t ID:		
Soil Treatment Type:	Trench		D	istribu	tion Type	e: Gravity Distribution	
Elevation Benchmark:	100	ft	Benc	hmark	Location	: bsmnt floor	
MPCA System Type:	Type I		Di	stribut	ion Media	Registered Product:	
Type III/IV Details:						EZ Flo	
7. SITE EVALUATION SUM	MARY:						
Describe Limiting Condition:	Redoxim	orphic Featu	ires/Sat	urated	Soils		
Layers with >35% Rock Fr						ow: % rock and layer thickness, a	mount of
soil credit and any addi				1.00			
Note:							
	Depth		Depth		Elevation	1	
Limiting Condition:		inches	5.5	_	78.6	ft	
Minimum Req'd Separation:	36	inches	3.0	ft	Elevation	Critical for system com	pliance
Code Max System Depth:	30	inches	2.5	ft [81.6	ft	
This is the maximimum dept			oution me	dia. Neg	ative Deptl	n (ft) means it must be a mound.	
Soil Texture:	L	oamy Sand					
Soil Hyd. Loading Rate:	1.00	GPD/ft ²		Percola	ation Rate	e: 4.00 MPI	
Contour Loading Rate:	13		Note:				
Measured Land Slope:	15.0	%	Note:				
Comments	use cent	er feed distr	ribution	and br	eak trend	thes into 7 equal sections. (15% r	ule)
8. SOIL TREATMENT ARE	A DESIGN S	UMMARY					
Trench:		23.21	-				
	'20 ft ²	Sidewal		12	in	Trench Width	
Total Lineal Feet 2	40 ft	No. of Tr	renches	4		Code Max. Trench Depth 30	
Contour Loading Rate 1	3.0 ft	Min.	Length	58	ft	Designed Trench Depth 30/up	side in
Bed:	1.2	ei i sasi					
Dispersal Area	ft ²	Sidewal			in	Maximum Bed Depth	in
Bed Width	ft	Bed	Length		ft	Designed Bed Depth	in
Mound:	1.3					5	
Dispersal Area	ft ²		Length		ft	Bed Width	ft
Absorption Width	ft	Clean Sa			ft	Berm Width (0-1%)	ft
Upslope Berm Width	ft	Downslop			ft	Endslope Berm Width	ft
Total System Length	ft	Systen	n Width		ft	Contour Loading Rate	gal/ft
·					Pro	ject ID: #REF!	



Design Summary Page



Non-Level and Unequal Pressure Distribution Elevation	At-Grade:								
Endslope Berm ft System Length ft System Width ft Level & Equal Pressure Distribution No. of Laterals Perforation Spacing ft Perforation Diameter In Lateral Diameter In Min Dose Volume gal Max Dose Volume gal Non-Level and Unequal Pressure Distribution Elevation Pipe Volume (gal/ft) Pipe Perf Size Spacing (ft) (in) Lateral 1 Interest In		Bed Width		ft	Bed Length		ft	Finished He	ight ft
Level & Equal Pressure Distribution No. of Laterals Perforation Spacing	Contour Lo	oading Rate		gal/ft l	Jpslope Berm		ft	Downslope Be	erm ft
No. of Laterals Perforation Spacing ft Perforation Diameter in Min Dose Volume gal Max Dose Volume (ft) Pipe Size Volume (ft) (in) (gal/ft) Pipe Pipe Perf Size Spacing (in) (ft) (in) Minimum Dose Volume Lateral 2 Lateral 3 Lateral 3 Lateral 4 Lateral 5 Lateral 6 Maximum Dose Volume gal Lateral 7 Maximum Dose Volume gal L	End	Islope Berm		ft System Length]ft	System Wi	idth ft
Lateral Diameter In Min Dose Volume gal Max Dose Volume gal Spacing Spacin	evel & Equ	ial Pressure	Distribution	n					
Alon-Level and Unequal Pressure Distribution Elevation Pipe Size (ft) Pipe Volume (gal/ft) Pipe Length (ft) Pipe (in) Pipe				1	ation Spacing		ft Per	foration Diame	eter in
Elevation Pipe Size Pipe Volume (gal/ft) Length (ft) (in) (ft) (in) (ft) (in)	Latera	al Diameter		in Min	Dose Volume		gal	Max Dose Volu	ume gal
Lateral 1 Lateral 2 Lateral 3 Lateral 4 Lateral 5 Lateral 6 A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X mg/L X 8.35 ÷ 1,000,000 = lbs. BOD/day B. Target BOD Concentration = Design Flow X Target BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X mg/L X 8.35 ÷ 1,000,000 = lbs. BOD/day Lbs. BOD To Be Removed: PreTreatment Technology: Disinfection Technology: Disinfection Technology: Thereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws. Dale Denn Spacing (ft) (in) Minimum Dose Volume Maximum Dose Volume Lateral 5 Lateral 6 Maximum Dose Volume Spacing (in) Minimum Dose Volume Spacing (in) Maximum Dose Volume Spacing (in) Minimum Dose Volume Spacing (in) Maximum Dose Volu	lon-Level a	and Unequa	l Pressure I						
Lateral 2 Lateral 3 Lateral 4 Lateral 5 Lateral 6 A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X			The second second	Volume					Minimum Dose
Lateral 3 Lateral 4 Lateral 5 Lateral 6 A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X	Lateral 1								Volume
Lateral 4 Lateral 5 Lateral 6 A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X									gal
Lateral 5 Lateral 6 A. Additional Info for At-Risk, HSW or Type IV Design A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X	Jan San San A						-		
Lateral 6 A. Additional Info for At-Risk, HSW or Type IV Design A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X									
A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X	A tutting of the						-		
A. Starting BOD Concentration = Design Flow X Starting BOD (mg/L) X 8.35 ÷ 1,000,000 gpd X	Laterato			<u></u>					gat
PreTreatment Technology: Disinfection Technology: C. Organic Loading to Soil Treatment Area: mg/L X gpd x 8.35 ÷ 1,000,000 ÷ ft² = lbs./day 10. Comments/Special Design Considerations: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws. Dale Denn *Must Meet or Exceed Targ *Required for Levels A & B lbs./day 583 5/15/2019		gpd t BOD Conce	X entration =	mg/ Design Flow mg/	L X 8.35 ÷ 1,0 v X Target BO L X 8.35 ÷ 1,0	000,000 = D (mg/L) X 000,000 =	8.35 ÷ 1,000	lbs. BOD/day	
Disinfection Technology: *Required for Levels A & B C. Organic Loading to Soil Treatment Area: mg/L X gpd x 8.35 ÷ 1,000,000 ÷ ft² = lbs./day 10. Comments/Special Design Considerations: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws. Dale Denn 583 5/15/2019	Pre	Treatment	Technology	_	Carrie Marie Marie			*Must N	Neet or Exceed Targe
C. Organic Loading to Soil Treatment Area: mg/L X gpd x 8.35 ÷ 1,000,000 ÷ ft² = lbs./day 10. Comments/Special Design Considerations: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws. Dale Denn 583 5/15/2019									
mg/L X gpd x 8.35 ÷ 1,000,000 ÷ ft² = lbs./day 10. Comments/Special Design Considerations: I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws. Dale Denn 583 5/15/2019								, nequi	ca 101 201010 71 a p
I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws. Dale Denn 583 5/15/2019	C. Organ					000,000 ÷		ft ² =	lbs./day/
I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws. Dale Denn 583 5/15/2019	10. Comn	nents/Speci	ial Design C	onsideratio	ns:				
Dale Denn 583 5/15/2019						cordance w	ith all applic	rable ordinance	or rules and laws
	THEFE		nac i nave C	Inpleted th	iii work iii ac	COLUBILLE W			
THE TOTAL TO		(Designer)			(Signatu	re)		icense #)	(Date)

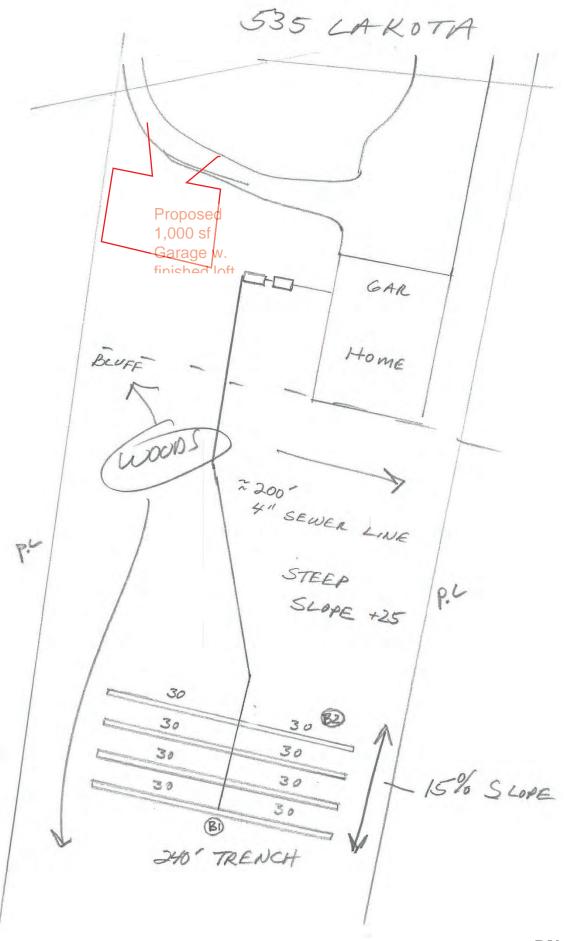


Trench Design Worksheet



1.	SYSTEM SIZING:		Project ID:			v 04.02.2019
A	. Design Flow:		750	GPD		
В	. Code Maximum Depth:		30	inches	Designers Maximum Depth:	30/up side inches
	Soil Loading Rate:		1.00	GPD/ft ²	Contour Loading Rate:	13 gal/ft
	Required Bottom Area: Des	ign Flow			Initial Required Bottom Ar	
		1.00	GPD/ft ² =	750	ft²	
F	Select Dispersal Media:		Rock			
	(selection required)		Registered	Product		
F	. Select Distribution Method		Pressure	☑ Gravit	y-Drop Box	
				Gravity-Oth	ner	
G	6. If distribution media is inst	alled in	contact with s	and or loamy :	sand or with a percolation r	ate of 0.1 to 5 mpi
	indicate distribution or tre	atment r	method:		Serial distribut	ion in 15% sections
2.	TRENCH CONFIGURATION:	ROCK				
A	trench bottom area Abs	dewall orption nches)	Bottom Area Reduction	Bottom Area Multiplier	Design trench bottom area	Cover
		to 11		1		O Distribution
	1	to 17	20%	0.8		7
	18	to 23	34% 40%	0.66		Sidewall
D	Select Sidewall Height:		inches		l ft	
			ft ²	_		Width
	C. Design Bottom Area (2.A):		ft			
	O. Select Trench Width:	L D. M			Takal Baraday d Takas k Laur	
E	E. Total Designed Trench Len	gth: Boti	ft ² ÷	ench width =	ft = ft	gun
F	. Calculate Minimum length	of each		on Contour Lo		IR=
·	, catedate minimum tengan	or each	gpd ÷	on contour Es	gal/ft =	ft
0	G. Number of Trenches:		Minimi	ium base on C	LR Design	ned Number of Trenches
H	H. Length per trench = Actual	Trench	Length ÷ Num	ber of Trench	es (recommended to be equ	ual or exceed 2F)
			ft ÷		-]ft
J	J. Select Trench Spacing:		ft	(typically 5 -	12 ft from center to center)
K	K. Calculate Lawn Area: Tren	ch Lengt	th (2.E) X Tren	ch Spacing (2.	G) = square feet of lawn are	ea
			ft X		ft =	ft² lawn area
L	Select Depth Required to (Cover Dis	tribution Pipe		ft (0.33 ft for pr	essure, 0.5 ft for gravity)
٨	W. Calculate Rock Volume: (Si	dewall Hei	ght (2.B) + Depth	to Cover Pipe (2	J)) X Bottom Area (2.C) = cubic fee	et ÷ 27 = cubic yards
	(ft +		ft) X	ft ² =	ft ³ ÷ 27	yd ³

Α.	Initial required trench bottom area (ft²): (from 1.D)	Sidewall Absorption (inches)	Bottom Area Reduction	Bottom Area Multiplier	Design trench bottom area	
		6 to 11		1		
		12 to 17	20%	0.8		
		18 to 23	34%	0.66		
		24	40%	0.6		
B.	Registered Product:			EZ Flow		Check registered product
C.	Select Sidewall Heigh	nt:	12 inches	= 1	.0 ft	information for specific applicationdetails and
D.	Design Bottom Area (3.A): 7	720 ft ²			design
E.	Registered Width:		3 ft			
	Minimum Designed Tr	rench Length		(3 C) + Trench	Width (3 D)	
г.	Millifiditi Designed 11	-	720 ft ² ÷		1	40 ft
-	Fatau tha Danistavad	-			10	lft.
	Enter the Registered				L	
H.	Number of Componer	nts = Minimum	Total Length	Required divid	led by Compon	nent Length (Round up)
	240	ft ÷	10 ft =	24	components	
J.	Calculate Minimum le					40 ft Flow ÷ CLR = 57.7 ft
K.	Select No. of Trencho	es:	4 Minim	ium based on	CLR	4 Designers Number of Trenche
1.	Length per trench = /	Actual Trench	Length + Nun	nber of Trench	es. Recomm	ended to be equal or exceed 3.J.
	Length per tremen v		40.0 ft ÷	4	trenches =	60.0 ft
M.	. Select Trench Spacin	g:	12 ft	(typically 5 -	12 ft from cer	nter to center)
N.	Calculate Lawn Area	: Trench Leng	th X Trench Sp	acing = squar	e feet of lawn	area
			240	12	ft =	
415			240 ft X	12	IL -	2880 ft ² lawn area



HomeStead Septic
1108 Goldenrod Lane
Shakopee, MN 55379
612-310-7887
Homesteadseptic@outlook.com

Number
1135

Date
10/16/2020

Bill Too
Andy Polski
Fee BealEstate Holdings Inc.

Andy Polski Eco RealEstate Holdings Inc. 510 Pleasant View Road Chanhassan, MN, 55317

535 Lakota Septic Installation

Terms: Net 15 Days from Date of Invoice.

Job Details	Quantity/	Price/Rate	Amount
Estimate	1.00	\$26,120.00	\$26,120.00
Credit #4226 9/15	1.00	(\$1,220.00)	(\$1,220.00)
Credit - less tree removal	1.00	(\$750.00)	(\$750.00)
Credit - Core Drilling	1.00	(\$400.00)	(\$400.00)
Credit - Old tank abatement	1.00	(\$500.00)	(\$500.00)
Credit - if no bluff restoration?	1.00	(\$1,000.00)	(\$1,000.00)

Invoice Total: \$22,250.00

Amount Paid: \$8,000.00

Amount Due \$14,250.00



CITY OF CHANHASSEN

Chanhassen is a Community for Life - Providing for Today and Planning for Tomorrow

	SSTS Cert	ificate of Compliance	(COC)
SSTS Permit #:	2020-02253	Site Address:	535 Lakota Lane
Type of Work:	New System	COC Expire Date:	10/29/2025
	System	Information and Specificat	ions ————
SSTS Type:	Type 1	Treatment Type:	С
Bedrooms:	5	Gallons Per Day:	750
Septic Tank Capacity:	2250	Lift Tank Capacity:	
Residential:	yes	Other Establishment:	
Garbage Disposal	No	Lift in the Basement:	No
Comments:	1		

Property Owner:	Eco Real Estate Holdings Inc.			
Designer:	Homestead Septic - Dale Denn	Phone:	612-310-7887	
License #:	C3226	Evniration-	12/20/2020	

Installer	Homestead Septic - Dale Denn	Phone:	612-310-7887
License #:	C3226	Expiration	12/31/2020

This document serves as a Certificate of Compliance (COC) for this recently installed/repaired subsurface sewage treatment system (SSTS).

The issuance of this COC does not certify that the work of the SSTS Installer is free from defects in the construction of the SSTS and it does not guarantee future hydraulic performance of the SSTS to treat sewage. Unknown site conditions during construction, materials used, water usage, wastewater strength, abuse of the SSTS, and the amount of maintenance will affect the performance and longevity of the SSTS. The owner should periodically refer to the Septic System Owners Guide for the proper use, maintenance and record keeping for this SSTS.

Inspector:	Eric Tessman	Signature	Eir Tosmum
License #:	C465	Date	11/2/20

PH 952.227.1100 · www.ci.chanhassen.mn.us · FX 952.227.1110

7700 MARKET BOULEVARD - PO BOX 147 - CHANHASSEN - MINNESOTA 55317

Figure 552-227-1180 • Fax 952-227-1190 • Www.d.chanhassen.mn.us INSPECTION FOR MISSING CITY OF CHANHASSEN, MINNESOTA TWEIDATE INSPECT. 180 • Fax 952-227-1190 TWEIDATE INSPECT. 180 • Fax 952-227-1190 THE-INSPECT REQUIRED CORRECTIONS MAKE COTRECT & PROCEED TAKEN FOR THE CORRECT & PROCEED CORRECTIONS MAKE COTRECTIONS MAKE COTRECTION AND A 12 12557 GAN - migrature correction until in any areas that require correction until in my areas that require correction until in my areas in inspector MAKE COTRECTION MAKE MAKE MAKE MAKE MAKE MAKE MAKE MAKE	CITY OF CHANHASSEN, MINNESOTA Phone: 952-227-1180 • Fax: 952-227-1190 • www.ci.chanhassen.mn.us	INSPECTION FOR SSTS FIRST PERMIT NO ZO-CZ253		PERMITTEE HOTTING CORRECT & DESCRETE DE	-	2) Trenshes correct with inspection page (2	- Frod STS inspection OK								Make corrections as listed above and schedule a re-inspection. You may not cover, conceal or proceed with construction in any areas that require correction until authorized by the building official. 2:00 pm INEST Time
	CITY OF CHANHASSEN, MINNESOTA 27-1180 • Fax: 952-227-1190 • www.ci.chanhassen.mn.us	INSPECTION FOR MISTERIAL DISTERM DATE 10/12 TIME/DATE INSPECT. DESIRED 2:00 10/13-W49	410	26.1	Let	line beneet in	3 x 30 x 30 deep	DODLIGHED OVER AND	- State	Wiled with sand	Took 1: 1250 gal - moredure:	21 1000 mal - min dolt :	citar transits		schedule a re-insperon in any areas tha