

**From:** [Melanie Curtis](#)  
**To:** ["Paul Taunton"](#)  
**Cc:** [Grace Barlow](#); [Kayla Westerlund](#); [Daren Willenbring](#); [Chad Mayes](#); [Jeremy Barnhart](#)  
**Subject:** STOP WORK ORDER: Unpermitted Shoreline Work- 3600 Ivy Place (Code File #22-000546)  
**Date:** Friday, May 6, 2022 4:17:00 PM  
**Attachments:** [image001.png](#)

---

Paul

Thank you for the conversation today. As you are now aware, your property has a considerable amount of protected area within the 75-foot setback as well as wetland buffer. As we discussed, the protected area along the entire shoreline should be maintained as a wetland buffer. It is identified on the building permit survey as the hatched area. Further there were existing in-place shoreline stabilization measures required as part of a project in 2012 that I believe were disturbed by your recent rip rap project. Further I observed work in preparation for the installation of entrance monuments on either side of your driveway. Entrance monuments require a building permit, and have a required setback of 5-feet from property lines; further they cannot be located within the 75-foot setback. Your builder informed me that they will abandon the entrance monument project.

In a separate email today, I sent you the approved site plan for your building permit, as well as the Shoreline Stabilization declaration detailing the stabilization plans. I am printing the remaining materials for you and will let you know on Monday when they are available to pick up.

It is our opinion that the new rip rap, shoreline vegetation disturbance, sand blanket, and stone wall/border are in violation of the abovementioned requirements. Therefore, this email is your notification that the property is in violation and that we have issued a Stop Work order on the site.

Following my discussions with you and Daren Willenbring from Denali, I have agreed to allow construction on the home to continue while we sort out the necessary steps to resolve the shoreline violations. All work associated with the shoreline and landscaping beyond the permitted patio/driveway installations must cease immediately, and remain stopped. Recognize the violations are serious and will require a prompt response from you to resolve.

The Minnehaha Creek Watershed District staff and I will be discussing this on Monday. We will reach out to you and your builder to provide an update on Monday following this discussion. Permits (from the City and/or MCWD) will be required to proceed and to conduct restoration work on site. We hope to have comprehensive direction for you to bring the property back into compliance.

Please reach out if you have any questions.

Your cooperation in this matter is appreciated. Thank you,  
Melanie

**Melanie Curtis**

Direct: 952.249.4627  
[mcurtis@ci.orono.mn.us](mailto:mcurtis@ci.orono.mn.us)

All permits and applications are handled through our online portal - [LINK!](#)

---

**From:** Paul Taunton [mailto:[ptaunton@impactgroup.us](mailto:ptaunton@impactgroup.us)]  
**Sent:** Friday, May 6, 2022 9:59 AM  
**To:** Grace Barlow <[gbarlow@minnehahacreek.org](mailto:gbarlow@minnehahacreek.org)>; Melanie Curtis <[MCurtis@ci.orono.mn.us](mailto:MCurtis@ci.orono.mn.us)>; Kayla Westerlund <[kwesterlund@minnehahacreek.org](mailto:kwesterlund@minnehahacreek.org)>  
**Subject:** RE: Unpermitted Shoreline Work- 3600 Ivy Place

Good morning Grace, Melanie, and Kayla. Thank you for this email Grace.

I have a vm into Melanie this AM asking to speak with her directly. Since getting this email I have contacted the individual that I hired to repair the shoreline work and told them they must stop immediately until further notice. Which they have informed me they have done and are not on the property until further notice.

I did not use the builder (Denali) to do ANY of the shoreline work. In my ignorance I thought I was doing the right thing by repairing existing rip-wrap work that had already been done several years earlier which was done incorrectly.

I would like to speak with someone because I had no idea that I needed to pull a permit to repair existing rip-wrap. I also was not aware that I was not allowed to add sand to an my existing sandy beach. I made sure it was the same style of sand and that it was high quality good clean sand as to not introduce a foreign or poor grade of sand into the lake. If it is not allowed then I am 100% to blame and trust me I will not do that again.

When I spoke to the watershed, the attached is what was sent to me telling me how I needed to repair the existing rip-wrap. (Which I followed to the letter)

My Please accept my apologies for not understanding the process. It was NOT intentional. I thought I was doing exactly what I was supposed to do to protect the shoreline.

Please let me know when you are available as I would like to explain my ignorance here.

Thank you

Paul

**Paul Taunton**  
President / CEO

---



**BUSINESS IMPACT GROUP**  
2411 Galpin Court, Suite 120  
Chanhassen, MN 55317  
[www.impactgroup.us](http://www.impactgroup.us)  
Direct Line: (952) 278-7822  
Cell Phone: (612) 840-5164

---

**From:** Grace Barlow <[gbarlow@minnehahacreek.org](mailto:gbarlow@minnehahacreek.org)>

**Sent:** Thursday, May 5, 2022 1:47 PM

**To:** Paul Taunton <[ptaunton@impactgroup.us](mailto:ptaunton@impactgroup.us)>; [jake@denalicutomhomes.com](mailto:jake@denalicutomhomes.com)

**Cc:** Melanie Curtis <[MCurtis@ci.orono.mn.us](mailto:MCurtis@ci.orono.mn.us)>; Kayla Westerlund  
<[kwesterlund@minnehahacreek.org](mailto:kwesterlund@minnehahacreek.org)>

**Subject:** Unpermitted Shoreline Work- 3600 Ivy Place

Good Afternoon,

Minnehaha Creek Watershed District responded to a complaint regarding shoreline work at 3600 Ivy Place in Orono- after visiting the site (5/4/2022), District Staff were able to confirm unpermitted shoreline work, in the form of sandblanket installation, that will need **to pause until project plans that meet District shoreline requirements are reviewed and approved.**

MCWD's Shoreline and Streambank Stabilization rule covers in the installation of sandblankets, rip rap, and other stabilization practices.

Currently, only permit that is issued to this property is permit 20-551, which is an Erosion Control permit that only covers the construction of the single family home. The plans reviewed and approved under this permit did not contain work to the shoreline and a separate District Shoreline and Streambank Stabilization permit will be required for the work to continue.

Attached are photos documenting the work on site as of 5/4/2022- based on the site visit, the sandblanket on site currently extends across the entirety of the shoreline and will need to be reduced in order to comply with the following requirements;

- Section 8 b: The sand layer must not exceed six inches in thickness, *50 feet in width along the shoreline,*  
*or one-half the width of the lot,* whichever is less, and may not extend more than 10 feet waterward of the ordinary high water mark.

The full rule language and permit application requirements can be found here-

<https://www.minnehahacreek.org/sites/minnehahacreek.org/files/attachments/10.%20Rule%20-%20shoreline.pdf>

Coverage of the areas of shoreline that will have sand removed can be replaced with vegetation with minimal review required to receive a permit. The addition of structural practices (rip rap) in these areas may also be allowable for your site, but this route will take a bit more review to receive a permit. I can provide additional information regarding vegetation or a combination of vegetation and structural practices, depending on which route you are looking to take, as our communication continues.

**For now, please confirm that work to the shoreline will pause until project plans are provided to the District.**

Thanks,

Grace Barlow | Permitting Technician | Minnehaha Creek Watershed District  
15320 Minnetonka Boulevard | Minnetonka, MN 55345 | Office: 952-641-4518

\*\*\*

MCWD has a new, online permitting portal, available [here](#). Please visit the District's [website](#) for additional

information.