PERMIT

PERMIT MUST BE POSTED AT PROJECT SITE, VISIBLE FROM ROAD

Permit Number: 19-16
Permit Date: 06/07/19

Permit Granted To:

Holiday Inn - Right Choice Lodging LLC

Project Address: 1155 Highway 10 E
City, State, ZIP: Detroit Lakes, MN 56501

Project Type: Reconstruction of existing parking lot pavement: Impervious surface coverage more than 1 acre

Permit Granted with the Following Conditions to be Satisfied by the Permit Holder:

2) Project will be constructed as shown on approved Construction Plans, prepared by APEX Engineering, Sheets 1, 4 & 6 dated May 31, 2019, Sheets 5 & 7 dated June 6, 2019, Hydro International Plan Sheet dated June 6, 2019.
3) Owner is responsible for long-term maintenance of the project as described on Sheet 3 of the approved Construction Plans, prepared by APEX Engineering, dated May 31, 2019.
4) Any erosion occurring within the vegetated area located between the Turf Reinforcement Mat (TRM) and Detroit Lake, must be repaired within 14 days using TRM.
5) The applicant will adhere to all conditions imposed by the City to discharge into it's stormwater facility as outlined in the email from the City Engineer, dated 06/06/19 and the written acceptance of the agreement dated June 7, 2019.

AMENDED - June 18, 2019 Board of Managers Meeting per Attorney Skoyles letter dated June 19, 2019 to Right Choice Lodging LLC regarding construction sequencing of concrete valley gutter, updated letter of credit in the amount of $35,000 and installation of First Defense Unit by October 15, 2019.

**All measures must conform to other applicable Zoning and Shoreland Ordinance regulations (Becker County, City of Detroit Lakes, Minnesota Pollution Control Agency, MN Department of Natural Resources)

This permit is valid for 18 months.

Permit may be revoked at any time upon violation of Pelican River Water Management Rules. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.

Signature of Tera Guetter, District Administrator
19 June 2019

Mr. Douglas Anselmin
General Manager, Holiday Inn
1155 Highway Ten East
Detroit Lakes, Minnesota  56501

Dan Sampson
President
Right Choice Lodging, L.L.C.
1155 Highway Ten East
Detroit Lakes, Minnesota  56501

Re: Parking lot reconstruction and Stormwater Plan

Gentlemen:

Thank you for attending our monthly meeting on 18 June 2019. As you know, the Managers denied your request for a relief from District Rules. District Rule 4.15 provides that a relief may only be granted if the Managers determine that “special conditions apply to the structure or land under consideration that do not generally apply to other land or structures in the District, [that] because of the unique conditions of the property involved, undue hardship to the applicant would result, as distinguished from mere inconvenience, if the strict letter of the rules was carried out.” The rule provides that “a hardship cannot be created by the landowner or their contractor. Economic hardship is not grounds for issuing a relief. The proposed activity for which the relief is sought will not adversely affect the public health, safety, welfare; will not create extraordinary public expense; will not adversely affect water quality, water control, drainage in the District.”

The Managers determined that your request could not be granted under Rule 4.15 for a number of reasons, including that your request would adversely affect water quality, water control and drainage in the District, but agreed to modify the 6 June 2019 permit as follows:

Right Choice Lodging, L.L.C. shall install a concrete valley gutter and other concrete curbing, install directional bore in the pipe from the parking lot to the City basins, prepare area and install rock in the location of the First Defense System. Right Choice Lodging, L.L.C. shall provide a Letter of Credit to the Pelican River
Watershed District in the amount of $35,000.00 and order the First Defense System on or before 21 June 2019. The asphalt will not be installed until after installation of the concrete valley gutter and outlet pipe is completed. Right Choice Lodging, L.L.C. shall install the First Defense System as soon as the asphalt and weather conditions allow, but no later than 15 October 2019.

Thank you again for taking the time to express your concerns to the Managers at our 18 June 2019 meeting.

Please be advised that failure to comply with these permit directives will leave the District no choice but to enforce the District Rules in Court.

Very truly yours,

RAMSTAD, SKOYLES & WINTERS, P.A.

Karen Skoyles

cc: Tera Guetter

KS;ks
Doug Anselmin
RE: Approval

June 20th, 2019

Dear Mr. Anselmin,

Please be advised that Right Choice Lodging DBA Holiday Inn of Detroit Lakes has been approved for a $35,000 Letter of Credit through Choice Bank.

Should you have any further questions, don’t hesitate to get in touch with me.

Sincerely,

Edward Sheeley
VP Business/VIP Banker
eddies@bankwithchoice.com
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**Date:**

07/01/2019

**Signatures:**

[Signature]

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