Pohl Townhouse

No Loss Application

APX Construction
March 23, 2026

Submitted by:
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PLAN SET

PART ONE: Applicant Information

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

Applicant/Landowner Name:	Kyle Smith
Mailing Address:	1961 Premier Dr | Suite 318 | Mankato, MN 56001
Phone:	
E-mail Address:	Ksmith@thetailwindgroup.com

Authorized Contact (do not complete if same as above):
Mailing Address:
Phone:
E-mail Address:

Agent Name:	Bolton & Menk, Inc. | Addeline Theis Paradis | Natural Resource Specialist
Mailing Address:	K 1960 Premier Drive | Mankato, MN 56001
Phone:	507-380-4578
E-mail Address:	Addeline.theisparadis@bolton-menk.com

PART TWO: Site Location Information

County: **Blue Earth** **City/Township:** **City of Mankato**
Parcel ID and/or Address: **Refer to Figure 1: Location Map**
Legal Description (Section, Township, Range): **20, 108N, 26W**
Lat/Long (decimal degrees):
Attach a map showing the location of the site in relation to local streets, roads, highways.
Approximate size of site (acres) or if a linear project, length (feet): **4.8 acres**

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

http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf

PART THREE: General Project/Site Information

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

A wetland delineation was conducted on November 11, 2025 to determine the boundaries of the aquatic resources present onsite. A TEP meeting was held November 19, 2025 to review the identified wetland boundary. The Notice of Decision (NOD) was issued on December 23, 2025. Through this review, incidental status was also reviewed for an aquatic resource present on site.

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

APX Construction is designing and proposing to construct townhomes/apartment housing located off Pohl Road. Currently the plot is mostly pasture that is hayed with the eastern portion a large historic wetland. The project will use site grading to prepare the site for construction, construction of new impervious surfaces, stormwater pond, and construction of multiuse homes. Construction is proposed to begin early Summer of 2026.

Site grading will occur to create the site's new stormwater pond. Two retaining walls will be constructed to hold back soil and prevent erosion on slopes around the new impervious surfaces. While the western portion of the site is relatively flat, the east side of the property slopes down to the edge of a large historic wetland. A 16-foot buffer is planned from the grading limits to the historic wetland limit which aligns with city design code. The grading limits will fill in the incidental wetland that the delineation identified (0.20 acres) but this system is non-jurisdictional under WCA, due to the fact it was created after 1992 for the purpose of capturing and holding stormwater. For more information on the incidental status, please refer to the NOD for the Type & Boundary.

A new stormwater pond is being proposed onsite at the same location as the smaller one. The proposed stormwater pond will be larger as it will collect a larger amount of stormwater to reflect the needs of the proposed impervious surface.

PART FOUR: Aquatic Resource Impact[1] Summary

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

Aquatic Resource ID (as noted on overhead view)	**Aquatic Resource Type** (wetland, lake, tributary etc.)	**Type of Impact** (fill, excavate, drain, or remove vegetation)	**Duration of Impact** Permanent (P) or Temporary (T)[1]	**Size of Impact**[2]	**Overall Size of Aquatic Resource** [3]	**Existing Plant Community Type(s)** in Impact Area[4]	**County, Major Watershed #, and Bank Service Area #** of Impact Area[5]
Incidental Wetland	Wetland	Fill	(P)	0.20	N/A	Type 2/3	Blue Earth, 32, 9

[1]If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".
[2]Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).
[3]This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".
[4]Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.
[5]Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

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

PART FIVE: Applicant Signature

☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature: _____ Date: 3/23/2020

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

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

Attachment B

Supporting Information for Applications Involving Exemptions, No Loss Determinations, and Activities Not Requiring Mitigation

Complete this part ***if*** you maintain that the identified aquatic resource impacts in Part Four do not require wetland replacement/compensatory mitigation OR ***if*** you are seeking verification that the proposed water resource impacts are either exempt from replacement or are not under CWA/WCA jurisdiction.

Identify the specific exemption or no-loss provision for which you believe your project or site qualifies:

8420.0420 Subpart A – No-Loss Criteria

Provide a detailed explanation of how your project or site qualifies for the above. Be specific and provide and refer to attachments and exhibits that support your contention. Applicants should refer to rules (e.g. WCA rules), guidance documents (e.g. BWSR guidance, Corps guidance letters/public notices), and permit conditions (e.g. Corps General Permit conditions) to determine the necessary information to support the application. Applicants are strongly encouraged to contact the WCA LGU and Corps Project Manager prior to submitting an application if they are unsure of what type of information to provide:

8420.0420 Subpart A – No-Loss Criteria

There are no historical or jurisdictional wetland impacts associated with the permit and therefore the impacts of the incidental wetland that have been discussed in this application meets No-Loss criteria.

Appendix

Pohl Townhomes

APX Construction

Figure 1: Location Map

March 2026

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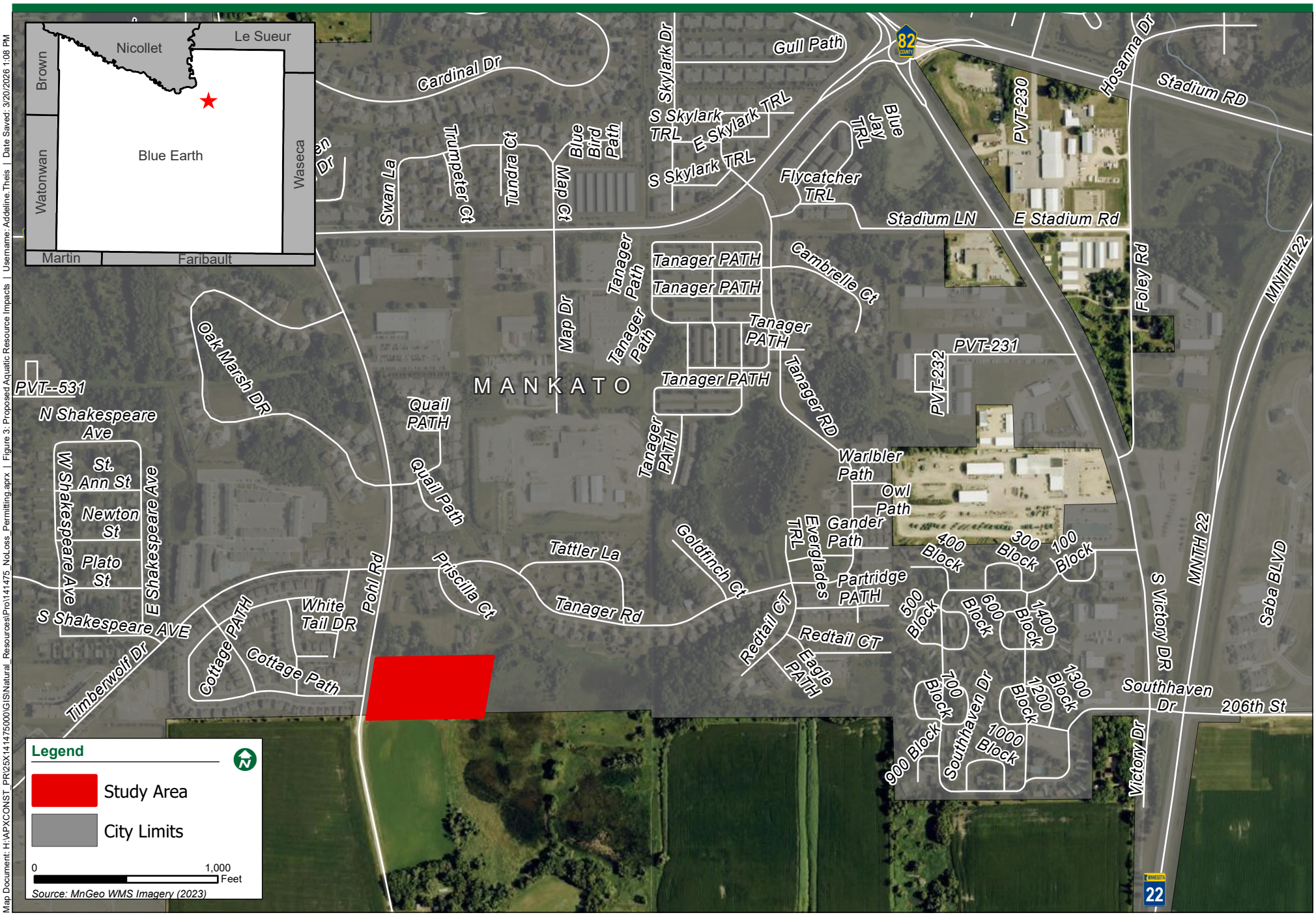

Map Document: H:\APXCONST_PR\25X141475000\GIS\Natural_Resources\Pro\141475_NoLoss_Permitting.aprx | Figure 3: Proposed Aquatic Resource Impacts | Username: Addeline.Theis | Date Saved: 3/20/2026 1:08 PM

Figure 2: Proposed Project Layout

March 2026

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Map Document: H:\APXCONST_PR\25X141475000\GIS\Natural_Resources\Pro\141475_NoLoss_Permitting.aprx | Figure 3: Proposed Aquatic Resource Impacts | Username: Addeline.Theis | Date Saved: 3/23/2026 2:20 PM

Map Document: H:\APXCONST_PR\25X141475000\GIS\Natural_Resources\Pro\141475_NoLoss_Permitting.aprx | Figure 3: Proposed Aquatic Resource Impacts | Username: Addeline.Theis | Date Saved: 3/24/2026 8:28 AM

PROVIDE CLEAN SAWCUTS ON ALL MATCH POINTS

ROADWAY UTILITY PATCH

REMOVE & REPLACE C&G, PAVEMENT SECTION, AND DRAINTILE. MATCH EXISTING SECTIONS, GRADES, MATERIALS, ETC.

POHL ROAD

PUBLIC WALK 5-FT WIDE SIDEWALK & 3-4-FT BOULEVARD

8" CONCRETE DRIVEWAY

B618 C&G, TYP

6' SETBACK

30' SETBACK

80.7'

34'

36.6'

33.9'

24'

36.5'

BITUMINOUS PAVEMENT, TYP

10'X16' WASTE ENCLOSURE

BIKE RACK PAD

16'X40' DOG RUN

18'X26' PATIO AREA

23 EACH 9'X19' STALLS

46 EACH 9'X19' STALLS

21'

24'

20'

BUILDING 1
FFE=997.5

BUILDING 2
WEST FFE=997.0
EAST FFE=993.0

BUILDING 3
WEST FFE=992.5
EAST FFE=988.5

7' WIDE, 4" THICKENED EDGE WALK, TYP

GRINDER STATION

BASIN BREAKLINE, TYP

16.5' WETLAND BUFFER

MINIMUM 42-INCH HEIGHT RAIL OR FENCE TO BE PROVIDED ALONG LENGTH OF RETAINING WALL (DETAIL TO BE DETERMINED)

RETAINING WALL, SEE GRADING PLAN FOR ELEVATIONS

29'

42'

7-FT WIDE THICKENED EDGE WALK, TYP

PARKING SUMMARY
84 UNITS REQUIRING 1.5 STALLS/UNIT
126 STALLS REQUIRED
138 STALLS PROVIDED

DENSITY CALCULATIONS
COMBINED LOT SIZE - 11.67 ACRES
PROPOSED UNITS - 84 UNITS
DENSITY = 7.2 UNITS/ACRE
CODE MAXIMUM = 7.26 UNITS/ACRE (6,000 SF/UNIT)
BUILDING COVERAGE = 0.70 ACRES = 6%

HORZ. SCALE 0 25 50 FEET

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NOT FOR CONSTRUCTION

ALEC W. PIETZ, P.E.
LIC. NO. 59617 DATE XX/XX/XXXX

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MANKATO, MN 56001
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Email: Mankato@bolton-menk.com
www.bolton-menk.com

DESIGNED	NO.	ISSUED FOR	DATE
AWP			
DRAWN AWP			
CHECKED AWP			
CLIENT PROJ. NO. 25X.141475			

POHL TOWNHOMES LLC
POHL LOFTS
SITE PLAN

SHEET C5.01

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