

Concerned Resident and Taxpayer
Brookside Development
Ramsey, MN 55303
October 26, 2020

City of Ramsey Planning Commission
7550 Sunwood Drive NW
Ramsey, MN 55303

Ramsey Planning Commission Members:

As a neighbor of John and JoDell Seaman, I am highly disappointed that the city's planning commission has taken such a long time to resolve the issue of their retaining wall. They are property owners and taxpayers, and want to improve the use of their own backyard. Many of us neighbors would be blindsided by the city telling us we have to tear down a retaining wall that we invested money and time in building. I cannot imagine the stress and burden this has caused the Seaman family. I would imagine the city has more pressing matters and better ways to improve life for all residents of this city rather than continuing to make this matter a pain for the Seaman family. In my opinion- which I am sure many of our other neighbors share- as the property owners, they should have the right to do what they feel is appropriate to improve their yard. I could understand if they tore down trees on the other side of the path, or interfered with the walking path behind their house, but they did not. There are many other eyesores on residential property around the city of Ramsey, and their retaining wall is not one of them. I have also seen many residents along the path that have cut down trees, built fences etc. so it seems unfair to target the retaining wall.

In summary, the Seaman family have been wonderful neighbors, are not harming anyone with their retaining wall and deserve to have this issue put to rest so they can move on with improving the quality of their yard space that they own and pay taxes on.

Thank you,

A caring and concerned neighbor.
Kendal Payne
7336 168th Cir NW
Ramsey, MN 55303

Attn: Planning Commission

I received a letter in the mail concerning a neighbor's wall built along the trail behind the Brookfield Development and would like to express my thoughts.

My family lives at 7333 168th Cir. NW, 2 houses away from the Seamans. Our family walks the trail often and is so thankful for the city providing trails and parks in our community.

As far as the wall in question goes, our family believes it made perfect sense this family built a wall. Our yard has a much smaller slope toward the trail and we're currently struggling with a washed out back yard. We've added dirt and grass and still have interesting divots where water drains from toward the street through our yard and across the trail. Feel free to come take a look. We can't even imagine what would happen if we were dealing with a greater slope.

It's also interesting to my husband, Joe, and I that our "yard" doesn't go all the way to the trail. When purchasing this house we understood the protected wetland to begin across the trail. It's likely this just wasn't clear to us, but would have been extremely helpful to know upon the purchase.

Our experience of the Seaman family are that they keep a well kept home and lawn. We were thrilled to see their project underway as this has kept debris from sliding onto the trail. When we walk the trail, there are many yards that provide such debris which is not our favorite when our kids are riding hoverboards, bikes and/or rollerblades and slip and fall.

I'm hopeful your team will consider their attempt at solving a messy problem with some great landscaping as the obvious conclusion from any great, level-headed Ramsey resident.

Thank you for taking time to read this...and thank you for working hard on behalf of our great city.

Michelle Boyd

November 3, 2020

City of Ramsey
Planning Commission
7550 Sunwood Dr NW
Ramsey, MN 55303

Ramsey Planning Commission:

As residents of the Brookfield 8th Addition, we wish to show our support for the Seaman family at 7349 168th Cir NW and the improvements they have tried to make to their property this summer. It appears to us that they have done nothing differently than many other residents along the Trott Brook Trail, those being building sheds, pools, retaining walls, etc.

We have heard easements mentioned pertaining to the 8th Addition properties. As homeowners in this addition we were not aware of any such easements to our property and how they would affect us.

We encourage you to grant this family the ability to complete their improvement project as they have been at a standstill for far too many months. These additions will only increase the appearance along this scenic nature trail.

Thank you for your time and attention.

Craig and Deb Hanson
7350 168th Cir NW
Ramsey, MN 55303

To Whom It May Concern:

We are writing this note in support of the retaining wall at 7349 168th Cir NW. As neighbors we walk the path along Trott Brook often and see many creative and beautiful landscaped yards done by our fellow neighbors. We were impressed with the retaining wall built by the Seamans, not only with how attractive it is but also with how well structurely it was built. The path often has leaves, dirt and debris on it but it seems the area around the retaining wall stays pretty clear of those things. We have no concerns with any of the landscaping along the path including the retaining wall.

Matt & Catti Knapp
7158 167th Terrace NW
Ramsey, MN 55303

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catknapp11@comcast.net

City Planning,

My husband, Drew Moldenhauer, and I have been living in the Brookfield Development for about 3 years. We enjoy walking the path often with our dogs and have seen a lot of changes and improvements happen with the pathway and with our neighbors yards over the years. Some of these changes include added gardens, fences and sheds, which all appear to be right alongside the pathway and within the easement. The retaining wall built at the Seaman's is just another of the many changes we have seen, except the retaining wall is beautifully constructed and adds value to a property of a tax-paying family. It looks nice, the weeds are gone and they kept the few viable trees that weren't dead or dropping large limbs onto the path. We support the Seaman's and have no issue with the wall. There is no need to force this family to deconstruct their retaining wall.

Amanda Moldenhauer
7296 168th Circle NW
Ramsey, MN. 55303
Cell: 763.244.9246

7383 168th Circle NW

Ramsey, MN 55303

952-715-2741

Dear City Planning Board:

We see that the Seaman Retaining wall is on your agenda for 11-5-2020. We would like to put our input in as we walk this path everyday. Over the years we have seen many changes, some by home owners and some by nature. We have seen trees and limbs fall on the path, we see washout in many different places that pour out onto the path and into the north side of the path. We see trees being cut down, sheds, pools, fences etc all close to the path in the Brookfield Development. We walked past the Seaman's daily as they were out building and trying to stop the erosion from spilling onto the path and to try and save what trees they could. They continuously kept the path clean not only during the construction but by building this wall it's helped make the path cleaner and safer. We actually wish more yards would have something like this to make the path cleaner and safe for all who frequent it daily. We are in favor of the wall/structure staying in place and hope that this can be resolved soon.

Thanks for taking into consideration and listening to your community members.

Sincerely,
Donna Nelson
16420 Quartz St NW
Ramsey, MN 55303

To Whom It May Concern,

I am writing to you in support of the Seaman Family and the retaining wall they recently installed in their backyard along the walking path.

As a resident of 168th Circle, my family frequents that path and routinely struggles to enjoy our family walks as we push strollers over sticks, logs and large amounts of debris. The Seamans' retaining wall has prevented this debris along their lot line and, in my opinion, has made that area of the walking path more enjoyable. The city should be less concerned with the residents who are trying to make this area more enjoyable, and more concerned with maintaining the parts of the path where the residents are not proactively taking care of the path.

The easements that are in question were never communicated to the residents of 168th Circle. As elected officials who "work for the residents of Ramsey" you have a duty to listen to our opinion and our wishes. Our voices should be heard on decisions made with the land we own and pay taxes on.

Sincerely,

Hanna and Max Pryor

7383 168th Circle NW

Ramsey, MN 55303

952-715-2741

Dear Planning Committee,

We are writing to you today based on the letter we received about the Seaman's wall and Easement. We wanted to let you know that we are in agreement with our neighbors putting in the retaining wall and hope that it can stay in place for many various reasons. One reason, we are happy that they spent the time, effort, and money by putting this wall in as it has decreased the erosion issues we have been experiencing since move in between our two yards. We have both had to bring in dirt and new sod over the past 3 years to fix the issue of the grading that the city approved of and gave the final stamp to the builder. We had contacted the builder and city multiple times to get assistance and never did. We have continued to try and deal with this personally between the two families. Second, Trees have fallen in our yards, on the path and one on our house due to this erosion and rotting. Requests were put into the city to remove the trees, but the city declined removal resulting in the falls and damage to our home. This resulted in both of us spending hours cleaning it up ourselves and paying a company to come out to help with removal. If we had known this was the cities problem, we could have saved ourselves hundreds of dollars. Does the city plan on paying us back since it is in the easement and we could have gotten in trouble for removing? All we have been trying to do is keep it safe for those walking, riding etc. on the path. Third, with the yard erosion so bad due to the way the city checked off the grading and basically set us up as home owners for failure we have had to put thousands extra into multiple areas to get our deck built to code and had to have things built up way more than the builder expected because he couldn't see all the erosion when he first came out. Fourth, We run a home for adults with disabilities and we walk the path daily and have done so since moving in, there is continuous dirt, debris, sticks, holes and more on the path up and down. Which is overly concerning to us and is a safety Hazard. The one thing that has been great ever since our neighbors put up the wall is it looks cleaner and the pathway is well taken care of, so we do not worry about the safety in that area. The dirt continues to slide in our yard and onto the path that we must clean but we have noticed the neighbors has stopped due to the wall. So, we ask the city what are you going to do with this since it is an easement that we know we cannot touch but we continue to struggle with the same problems? Fifth, we also ask and question why up and down the path trees have been taken down, sheds that touch the path, spots on the north side of the path being cleared and have a fire pit, chairs and more. All for look and enjoyment. All while we as neighbors are truly trying to solve a problem. Sixth, being their neighbor, we love how clean their yard and the path looks since trying to fix these issues. Plus, it is not even finished, we know more trees and other like agriculture were going in. Not to mention, it has helped the other trees from Falling. It's odd that as you walk the path around the neighborhood you will see several homes with retaining walls up and the easement being used in all sorts of ways but yet our neighbors are not able to keep their wall? Why has the city allowed all of this and all of a sudden they come to reprimand home owners on our street? Seventh, I find it interesting that We do not recall a conversation being had with Capstone about the easement and the fact we would be unable to do anything we wanted with the land. In fact, we were sold on how our property line went all the way back to the water as if we had all this land we could utilize. Being one of the highest paying taxpayers in the city I find it absurd we are unable to actually use the land. Not to mention we are paying taxes on a school across from our neighborhood that our children are unable to utilize. My solution would be and hope that we as tax payers and the city can resolve this as it has gone on far too long: since we are unable to touch the easement the city either use our tax money instead of taking more \$ from us to build us all retaining walls along 168th circle and correct the issues they approved of and to pay to take care of our trees as the erosion is causing them to fall on our homes and are all dying. Or we would like to see the easement moved to the north side so we can clean and fix up these issues on our own without the city hounding those that they work for. All we are and have been trying to do is keep our yards clean, intact and from harming those that walk this path daily.

Unfortunately, we are unable to attend this hearing but if you have any other questions please feel free to come with questions, solutions, or concerns.

Sincerely,

Heather and Leo Ramos
7353 168th circle NW
Ramsey, MN 55303
612-594-4951
Sidebysidewithyou@yahoo.com

We received notice concerning this in the mail and would like to address the planning commission.

My family and I live have lived at 7372 168th Circle NW since the summer of 2019 and are frequent users of the trail system. Professionally, I have been in the construction industry for almost 15 years, and am a managing partner of an earthwork/civil contractor in the area.

In regards the issue of the Seaman's Fill Material on their property and retaining wall. I have no concerns about the fill material and retaining wall that was put it in at 7349 168th Circle NW, and would like Planning Committee to consider granting this Conditional Use Permit (CUP) to the Seaman's. Here is my personal and professional opinion for consideration.

- Erosion Concerns; I understand before the install of the fill and retaining wall, there was some erosion due to the steep slope left behind the house. The grading plan submitted by the developer was approved by the City. In my experience, whether vegetation is established or not, if you get a steep enough slope and enough water running off the roof and around the house, it doesn't matter how much vegetation is in place, if its running fast enough it can cause erosion. This was happening on the Seaman Property, and within the trail easement. The install of fill to lessen the rate that water sheds away from the home and hardscapes is a way you combat that issue. Furthermore was the install of a retaining wall was the correct thing to do to retain this amount of fill dirt, while maintaining aesthetics along the trail easement, as well as lessen the erosion as water runs freely from the yard, over the wall, and hits the bituminous trail, and dissipating runoff towards the Brook.
- In regards to the floodplain; If the data/modeling the current floodplain hasn't been fully updated since the 1970's, it seems a bit unfair to reference that as an issue in consideration of this CUP, a single family home with minimum shared acreage in the floodplain when you consider the floodplain in its entirety . There has been a lot of development to the surrounding area since the 1970s. Per the timeline given, it wasn't initiated for review until August 2020. Just in the immediate general area, there has been the construction of the entire Brookfield Development (including that Seaman's lot) and a bituminous trail, well after 1973. I would think that would have been enough nearby disturbance to update the all of the modeling of the floodplain. The approximately 100 Cubic Yards of topsoil fill on one single lot does seem like a drop in the bucket compared to all the land development permitted and completed. Can the City provide documentation of revising the floodplain for the bituminous trail from FEMA?
- Consistency and Easement Encroachment; Simple as taking a walk down the trail and seeing several properties in this same floodplain that have been altered in one way or the other. The difficulty of tracking all alterations to the easement and floodplain I'm sure is not easy for the planning commission, but should be considered while reviewing this CUP request.
- Developer Comments/ Notice of Floodplain; I understand no comments were made by the seller about the floodplain, which I feel should have been addressed given the location of it. I understand the permitting of this is all taken care of on the front end for the development, but if the floodplain is inside the taxable land purchased by the buyer, and property taxes are to be paid, notice should be given by the seller to the buyer in reference to not being able to fully utilize/alter the purchased property. While an in-depth explanation may not be a requirement of the seller, a copy of the site plan that, may or may not, have some gray text on it calling out a floodplain, is not sufficient for the typical homeowner to fully understand.

I do hope this can resolved with common sense and considered for approval, and movement to the next step. I do appreciate all the hard work by the planning commission, made up of fellow Ramsey Residents. I trust a complete and considerate review will be done.

Regards,
Blake Smith
Ramsey Resident

To whom it may concern:

I understand there has been concern in regards to a retaining wall built by the Seaman family on 168th Circle in Ramsey. As a member of the community and neighborhood, their addition has had a positive impact on the walking trail. We have experienced less mud run-off onto the trail which obviously makes for a more positive walking experience and I would assume less future maintenance for those who maintain the trail. Aesthetically speaking, their retaining wall fits into the landscape.

As someone who also purchased from Capstone, we were not made aware of the easement rules and regulations by the builder or realtor. We have a large portion of our property we are not able to use as we would like because it was never brought to our attention prior to purchasing the property which negatively impacts our daily living.

Please contact me with any questions, concerns, or comments.

Ashley Swanson
7277 168th Circle NW
Ramsey, MN 55303

Attn: Planning Commission
To whom it may concern,

I am writing in regards to my neighbors, John & Jodell Seaman and the upcoming hearing concerning the retaining wall they built this past summer near the walking trail that runs through our neighborhood. My husband, Tim, and I are supportive of the Seaman's retaining wall. Many of our yards have had a lot of erosion and runoff from the yards flowing down onto the path. The Seaman's wall not only looks clean and tidy, it actually helps keep dirt, weeds and debris from washing out into the path.

Before we chose to build our home in the Brookfield 8th division, my husband and I walked that trail multiple times. We saw that many people had built retaining walls or brought in landscaping boulders and rocks. We saw people had done up landscaping all the way to the edge of the path. We talked with the realtor from Capstone builders and were told that we would own the land on both sides of the path with a couple feet or so of easement. But there was never once a mention of it being called a floodplain. We pay property taxes to own all of that property and now we are told two years after the purchase that we can't actually do anything on most of the property we pay for. For the city to now try to punish the Seaman's for landscaping their yard when it has never been an issue with other homeowners who have done similar landscaping projects on their properties along the same pathway is very suspicious and frustrating. It is also selective enforcement of a rule. So if you require one family to remove their landscaping, you'd have to do the same for every family who has already invested in landscaping projects along the path.

We ask that you reconsider the easement policies that are being unequally enforced through the neighborhood and allow the Seaman's to keep their retaining wall.

Sincerely,
Karalynn and Tim Tyler
7323 168th Circle NW
Ramsey