

# Memorandum

City of Baltic, SD – Grant Park and Phillips Crossing Additions



To: Andy Grocott, Goosmann Law Firm  
From: Justin Heim, ISG  
Date: November 9<sup>th</sup>, 2022  
Subject: Grant Park and Phillips Crossing Additions  
cc: Mayor Deborah McIsaac, [mayor@cityofbaltic.com](mailto:mayor@cityofbaltic.com)  
Ed Wilson, [edwilson@alliancecom.net](mailto:edwilson@alliancecom.net)  
John Hughes, [john@hugeslawyers.com](mailto:john@hugeslawyers.com)  
Grant Park Capital, [brian@heftyseeds.com](mailto:brian@heftyseeds.com)  
Banner Associates, Inc., [pat@bannerassociates.com](mailto:pat@bannerassociates.com)

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Mr. Grocott,

Please find the following in response to the letter and supplemental information provided by Goosman Law Firm dated October 24<sup>th</sup>, 2022. The below responses are provided based on the information received. Additional information or amendments required are noted below.

## **Fire Flow Analysis/Watermain Looping**

Analysis provided within 2021 Watermain study noted hydrants within Grant Park and Phillips Crossing containing less than 500 gpm of available flow. Supplementary information provided by Banner Associates notes that adequate fire flow will be provided within the development by looping the watermain between 4<sup>th</sup> and 5<sup>th</sup> Street and along Lovely between 6<sup>th</sup> and 7<sup>th</sup> Street.

In addition, the watermain system that serves Grant Park Development and Phillips Crossing is currently fed from a single source at 5<sup>th</sup> Street. If a watermain break was to occur at this location, 100+ homes would be out of service until the repair is made. It is imperative that redundancy is provided within the system to prevent a situation noted above. It is understood that funding was secured for looping the watermain by ARPA grants and state loans. The City believes this should have been included in the original development plans and these funds could have been utilized upgrading existing City infrastructure. The City requests reimbursement from the developer to complete watermain loops as described above to provide adequate fire flow and system redundancy for the Grant Park and Phillips Crossing residents.

## **Detention Pond Final Design and Drainage Analysis**

Exhibits II and III, Detention Pond Design and Drainage Analysis, have been reviewed and are recommended for approval by Planning & Zoning and City Council with the following amendments:

- Revise detention basin grading to be contained within the property. Current plans show grading within the City ROW.
- Include erosion control blanket or other erosion control measures to protect the basins side slopes during establishment period.
- Provide silt fence between proposed grading and existing property boundaries.
- Include sidewalk along Kathryn Drive adjacent to the detention basin within the construction plans.
  - Article VI, Section 4: Sidewalks: Within all subdivisions, permanent Portland Cement Sidewalks along each side of every street shown on the plat, dedicated to public use, shall be constructed by the builder or developer of new homes. All sidewalks shall either be a minimum of 5 feet in width, or, where the subdivision is abutting existing sidewalks, the sidewalks within the development shall conform to the width of the existing abutting sidewalks.

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- Upon approval from Planning & Zoning and City Council, please provide implementation schedule.

## **Erosion Control**

Meeting held on October 26<sup>th</sup>, 2022 between Grant Park Capital (Andy Grocott and Barry Sackett), City of Baltic (Mayor McIsaac, Ed Wilson, John Hughes, Justin Heim), and DANR (Kelli Buscher and Jill Riedel) noted deficiencies in erosion control throughout the development by DANR. It is our understanding that DANR will be issuing a written compliance report that will need to be addressed by the developer per DANR requirements. It is the developer's responsibility to be in compliance with all DANR requirements throughout the project.

Sediment deposited within Murphy's pond shall be removed and the pond shall be restored to existing conditions.

A timeline of events are provided below for reference:

- June 21, 2022 – DANR issued warning letter noting that the inspection conducted on June 6, 2022 identified a number of deficiencies. The General Storm Permit notes corrective actions be taken and modifications to the SWPPP be made and implemented within seven (7) days of notice. GPC provided response on June 28, 2022.
- August 4, 2022 – City of Baltic issued letter to Grant Park Capital noting deficiencies throughout the development, with emphasis on erosion control.
- August 15, 2022 – DANR issued an inspection report that was conducted on July 13, 2022. The inspection identified many of the same violations from the June 6, 2022 inspection. The Department noted it would be initiating enforcement action for the violations, which could include penalties of up to \$10,000.00 per day per violation. Written response was required by August 22, 2022. Extension was granted to September 1, 2022. GPC provided response to DANR on August 31, 2022.
- October 26<sup>th</sup>, 2022 – DANR conducted a site visit for the Phillips Crossing and Grant Park Developments. A call was scheduled that afternoon to provide a summary of findings. The sites were noted as still containing deficiencies, but improvements were made. An official letter has not been issued by DANR to Grant Park at this time to the City's knowledge.

It is imperative that erosion control deficiencies are addressed prior to resuming construction. DANR provides guidelines and requirements to manage and control sediment throughout all stages of construction. If these guidelines and requirements are neglected, sediment will run off site, causing siltation and deterioration of waters of the state. In addition, downstream property owners are burdened with erosion and siltation. Erosion control within the developments have been an ongoing issue and as improvement has been made, the practices and maintenance are still not up to the DANR and the City's expectations. All concerns and compliance actions must be addressed to DANR's satisfaction.

## **Grant Park Development/Phillips Crossing Development**

As noted in previous correspondence, maintenance of the streets within the development are the responsibility of the Developer until acceptance and approval by the City. Said maintenance includes snow removal during the winter months. The City of Baltic is willing to provide snow removal services within the development for the upcoming winter at a rate agreed upon by the Developer and City.

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The City of Baltic continues to make this project a priority and is dedicated to being an active party in resolving all items noted. If questions arise, please do not hesitate to reach out for further clarification.

Sincerely,

  
Justin Heim, PE  
Civil Engineer  
[Justin.Heim@ISGInc.com](mailto:Justin.Heim@ISGInc.com)