

STORMWATER REGULATORY COMMITTEE
January 20, 2021 Minutes

1. CALL TO ORDER

Members of the Stormwater Regulatory Committee met on the above date at 9:00 am via Microsoft Teams. Daryl Norris, Facilitator, called the meeting to order and welcomed all those present. The following attended the meeting:

MEMBERS:

Landon Weaver
Rocky Russell
Jill Howell
Michael Odriscoll
Ken Malpass
Michelle Clements

Bryan Fagundus
Richie Brown
Steve Janowski
Matt Prokop
Igor Palyvoda

OTHERS PRESENT:

Lisa Kirby
Daryl Norris
Hayleigh Wade
Travis Welborn

2. APPROVAL OF MINUTES

A motion was made by Ms. Clements to approve the agenda as presented. The motion was seconded by Mr. Weaver and passed unanimously.

3. APPROVAL OF AGENDA

Mr. Weaver made a motion to approve the January 6, 2021 minutes. The motion was seconded by Ms. Clements and passed unanimously.

4. RULE ADOPTION TIMELINE UPDATE

Mr. Norris updated the committee that the State has been communicating with different programs across the state and are now in the process of designing the model program based on the feedback they have received. The NCDEQ will present the model program to the EMC in March of 2021. The State is expecting the EMC will approve by May of 2021. The City of Greenville is both a new and existing program. Since the City is considered both, the State is allowing the City to follow the new local program development timeline and offering 12 months to develop the model. The EMC should approve the City of Greenville draft program in March of 2022, the ordinance would be adopted six months later in September of 2022 and go into effect in March of 2023.

With this updated timeline Mr. Norris proposed the SRC meet every 3 weeks rather than every 2 weeks. The SRC committee agreed meeting every 3 weeks will allow more time for proper research before meetings. Mr. Fagundus asked for clarity on how the timeline of information will be handled if we switch the meeting schedule. Mr. Norris informed the week after the meeting staff will provide the minutes and agenda from the previous meeting, and the week before, the documentation for the upcoming meeting will be provided. Mr. Weaver made a motion to change the meetings from every 2 weeks to every 3 weeks. The motion was seconded by Mr. Fagundus and passed unanimously.

5. COMPARE AND CONTRAST EXISTING vs NEW RULES

Mr. Norris went over the current City of Greenville Stormwater regulations for the MS4 Phase II and the Tar-Pam NSW. Mr. Norris then identified the new Tar-Pam and the specific changes. After going over the new Tar-Pam rules, Mr. Norris went over the new Neuse rules.

6. IDENTIFY ISSUES AND DISCUSSION TOPICS

Mr. Norris presented the list of issues and discussion topics that was sent out to the committee and explained how the list was designed. Mrs. Kirby asked Mr. Norris to explain how new discussion topics will be handled as they are presented to the committee. Mr. Norris explained that each topic has a color that groups it into the appropriate category. As new topics are presented the committee can add it to the list for future discussion or revisit the subject if it was discussed in a previous meeting.

7. DEVELOP COMMITTEE WORK PLAN

Mr. Norris presented the draft work plan for the committee to consider. The draft work plan outlines the date and corresponding meeting topics. Ms. Clements stated that she thought the work plan was very comprehensive and expressed her appreciation for some of the changes coming in the future. Mr. Weaver stated the committee should also consider the affordability to build when making recommendations to change the regulations.

8. NEXT SRC MEETING AGENDA

Mr. Norris presented the next meeting agenda for the committee's consideration. The committee agreed to start discussion on the definitions within this current meeting rather than waiting until the February 10th meeting.

9. DEFINITIONS

The committee agreed to not end the meeting early and proceed with discussion of the definitions. Mr. Norris explained the 15A NCAC 02H .1003 density definitions and opened discussion up to the committee.

Mr. Weaver asked for clarification on the swales and gutter curb outlet system. Mrs. Kirby stated the City does not encourage ribbon pavement but stated she was not sure that the City prohibits it. Mr. Weaver stated he would like a discussion on this topic because it can be beneficial for cost when building in certain residential areas. Mr. Norris stated he would look into the ordinance and present that information in the February 10th meeting.

Mr. Fagundus asked if the definitions would account for developments that move from low density to high density over the course of the project. Mr. Norris stated that within the definitions commercial development would have multiple options to avoid any issues across a long term development project. Mr. Fagundus asked to clarify that this would not prevent master plans being created for a multiply phase plan with low density on the beginning when you are converting to high density in the end of the development. Mr. Norris confirmed that Mr. Fagundus was correct in his understanding of the definition and would be able to create the master plans and switch from low density to high density over the course of the project. Mr. Fagundus and Mr. Norris agreed that this subject would need to be reevaluated in the later work plan topics.

Mr. Welborn provided an example of a residential neighborhood that followed the low density design that presented issues with the residents within the neighborhood such as erosion issues, flooding issues due to build up in the curb outlets. Mr. Welborn stated they required an operation and maintenance agreement due to the swales being considered part of the SCM. Mr. Welborn stated future maintenance and increased public concern did occur due to the low density design being chosen for the subdivision. Mr. Weaver stated that expectations is a huge part of ensuring the subdivision is prepared for the maintenance that comes from the combination of low density and high density design. Mr. Norris discussed the pros and cons for the City and subdivisions when

considering this type of design.

Mr. Janowski stated he thinks the committee should recommend changing the definition to reflect removing the swales, piping the project and maintaining the 24% requirement. Mr. Janowski stated he thinks this would create a cleaner look for the project and the projects surrounding the area and reduces the amount of maintenance over the years. Mr. Norris stated his idea was to utilize the citation in the Tar-Pam definition for development project requirements that states if the City has more stringent standards under the local ordinance then you would not have to follow the 15A NCAC 02H .1003 requirement. Mr. Janowski suggested changing the language of the definition to break out the different phases of development to ensure projects are building for the current phase they are in and not mess up future phase development. Mr. Norris recommended the use of level spreaders as a way to avoid vegetated conveyances and still meet the requirements stated in the definitions. Mr. Fagundus stated the main goal should be to add some verbiage to the definition to ensure the phases are not hindered due to low/high density regulations. Mr. Norris stated he would take these scenarios to the State and get feedback on how to best solve these issues. Ms. Clements stated this should all be reasonable and trackable to ensure staff can maintain the projects.

10. QUESTIONS AND COMMENTS

Minutes will be provided Wednesday, January 27th and additional information will be provided for the upcoming agenda on Wednesday, February 3rd. The next meeting will be Wednesday, February 10th.

11. CLOSING REMARKS

Mr. Weaver made a motion to adjourn the meeting. The motion was seconded by Mr. Fagundus and approved unanimously.