

**STORMWATER REGULATORY COMMITTEE**  
**May 5, 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, the Facilitator, called the meeting to order and welcomed all those present. The following attended the meeting:

**MEMBERS:**

Landon Weaver  
Michael Odriscoll  
Ken Malpass  
Igor Palyvoda  
Michelle Clements

Bryan Fagundus  
Richie Brown  
Steve Janowski  
Matt Prokop

**OTHERS PRESENT:**

Lisa Kirby  
Daryl Norris  
Hayleigh Wade  
Travis Welborn  
Kendal Paramore  
Jonas Hill  
Todd Tripp

**2. APPROVAL OF MINUTES**

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

**3. APPROVAL OF AGENDA**

Mr. Weaver made a motion to approve the April 14, 2021 minutes. The motion was seconded by Ms. Clements and passed unanimously.

**4. SCM DESIGN, CONSTRUCTION, AND APPROVAL**

Mr. Norris presented SCM design, construction, and approval suggested ordinance changes. Mr. Norris revisited the discussion from the last meeting about Disconnected Impervious Surfaces (DIS). It was proposed that DIS would be allowed for developments other than single-family residential due to the complex challenges with SCM locations on single family lots. Mr. Norris detailed conditions for DIS including inspections, easements, and restriction of fences, equipment, and other improvements within the easements.

Mr. Weaver asked how a pipe, electric or gas line under an SCM would that be handled within the ordinance? Mrs. Kirby stated the City would not have any issues due to it not being infiltration based however, the Utility Company may have concerns. Mr. Norris made a note to write the ordinance reflecting this language. Mr. Fagundus provided an example to back Mr. Weaver's statement to ensure the ordinance does create further restrictions.

Mr. Malpass presented concerns regarding ordinance changes in distinguishing floodplain regulations for detention and treatment. Mr. Norris stated the issue is if the pond is inundated

during that water quality event with flood waters is it treating those first flush runoff flood waters as the rules are intended. Mr. Norris stated he had reached out to NCDEQ for clarification on the matter and has not yet received a response.

Mr. Weaver suggested having the 1 year warranty inspection on the permit and not just listed in the ordinance. Mr. Norris agreed and added that suggestion to the list. Mrs. Kirby suggested creating a definition for the term “like-new condition” to outline what the City is looking for within the ordinance.

Committee members discussed the issues of transfer of the O&M agreement to the HOA and what if the HOA refuses. Mr. Norris indicated that was part of the questions for legal assistance and the City is pursuing a contract with an attorney to review these matters.

Committee members discussed regional SCM compliance within the ordinance. Mr. Norris presented that if a regional SCM is “non-compliant” any final plat or site plan submitted that relies upon that SCM for compliance will not be approved until a plan of action to correct the SCM is approved. Certificate of Occupancies will not be issued until the SCM is brought into compliance. Mr. Janowski proposed possible issues with bringing older SCM facilities up to new compliance standards. Mr. Norris and committee members discussed possible solutions to ensure regional SCM facilities are maintained and updated without adding burden to the developer.

The Committee discussed the possibility of mapping and listing out all the regional SCM facilities within the City and ensure it is searchable to the public.

The Committee discussed adding verbiage to require plans including access points to pipes at edge of easements. Mrs. Kirby suggested tabling this topic for the next meeting to ensure the committee could fully discuss.

**5. NEXT SRC MEETING AGENDA**

**6. QUESTIONS AND COMMENTS**

**7. CLOSING REMARKS**

The next meeting will be on June 16, 2021. The minutes from this meeting will be emailed out on May 12, 2021.