Stormwater Management Advisory Commission

Meeting Minutes
January 10, 2019
3:15 pm

Conference Room 305
Raleigh Municipal Building

Commission Members Present: Matthew Starr, Ken Carper, Mark Senior, David Markwood, Evan Kane, Francine Durso, and Claudia Graham

Staff Members Present: Wayne Miles, Suzette Mitchell, Kelly Daniel, Scott Smith, Scott Bryant, Justin Harcum, Laura Johnson, Ben Brown, Dale Hyatt, Brad Stuart, Scott Bryant, Craig Deal Veronica High, Kevin Boyer, Heather Dutra, and Amy Farinelli

Commission Members Absent: Jonathan Page and David Webb

Guests: John Merriman, Jay Jayakrishnan, Henry Ward, Chris Stanley, Angel Hood, Sheryl Leander, Beth Gargon, Amy Wazenegger, Ryan Smith, B. Berkley, Tony Poe, Jeremy Arnett, M. Presnell Jeanette, and Graham Smith

Meeting called to order: 3:15 pm by Matthew Starr *(chair)*

1. **Welcome, Introductions, Excused and Unexcused Absences**
   - **Mr. Senior** made a motion to excuse **Jonathan Page** and **David Webb** from today's meeting, and **Mr. Markwood** seconded. The motion was passed unanimously.
   - **Ms. Durso** announced that she will need to leave 15 minutes early.

2. **December 6, 2018 Minutes for Approval**
   - **Mr. Kane** asked that a correction be made to the minutes on the "Adjournment" paragraph. His name is incorrectly listed as Mr. Evans.
   - **Mr. Senior** made a motion to approve the minutes, pending the correction, and **Mr. Kane** seconded. The motion was passed unanimously.

3. **Stormwater Staff Report**
   - **Staffing Updates**
     - *No updates*
   - **Hot Topics**
     - Lake Wheeler Road culvert repair updates – *The original plan was to use a Transportation Field Services crew to do the repair; however, they informed staff they are unable to do the repairs due to capacity related issues. Staff informed the Engineering Services Director (Rich Kelly) and he has given approval to begin emergency procurement procedures. We are in negotiations with an engineer and contractor.*

- Rain Barrel Program update (*Quarterly Report) – Requests are sluggish; however, staff will continue to promote the program and anticipate seeing an increase in the spring.*

- Update on 400 sq. ft. exemption for residential additions – ***Wayne Miles*** *said he sought clarification from Council Member Stef Mendell on what the driving factor was for this request. Council Member staff replied that the intent of the request was, if there is any change, make the exemption more restrictive and have a lower sq. ft. where possible. Stormwater staff has recommended two options: (1) No change and leave as is, or (2) Cap the 400 sq. ft. exemption but keep a sliding scale.*

  Motion:
  Mr. Senior made a motion for no change and leave as it is and **Ms. Durso** seconded. The motion was approved unanimously.

4. Raleigh Rainwater Rewards Projects

Justin Harcum *(Project* Engineer***)*** provided the quarterly review of the program and informed the Commission there's only one project that's up for review. He remarked that it's a large commercial property and within a target watershed.

Project *(2409 Crabtree Boulevard) - Install 3,253 square feet of bioretention and remove 48,300 square feet of impervious parking lot surface at 2409 Crabtree Boulevard and 1920 Capital Boulevard, respectively. This project is in the Pigeon House Branch watershed and is eligible for a 90 percent reimbursement. The total project cost estimate is $138,634, with the petitioner's share being $13,863 and the City Stormwater share up to $124,771.*

Petitioner *(Elixir Retail Partners)* provided a brief background on the project. He commented that it is the Gateway shopping center *(located at the Intersection of Crabtree Blvd. and Capital Blvd.). T*hey purchased the property two years ago. It will be a shopping center renovation with the structures remaining intact, with a good amount of cosmetic improvements. They will mostly house retail tenants. The site was 6.77 acres and they recognized there weren't a lot of stormwater measures that would have been required by code. Through the redevelopment process, there are two items they are excited about, (1) the Stormwater Cost Share Program (now Raleigh Rainwater Rewards) allowing them to do what is right in the context of their proximity to the watershed, and (2) relating to reuse, their parking lot has four acres of concrete *(8 inches thick)* they have milled and will be laid down as a stone base for their new parking lot. Both items are their commitment in the context of redevelopment to oversee as much as they can with respect to the natural environment.

Commission Comments:
Mr. Kane asked is the cost of de-paving for the entire lot or just the improvements. **Petitioner** *(Elixir)* said, the improvements, and it will be a percentage based on the square footage.

Mr. Starr stated, with all the de-paving and construction going on, was any consideration given to shift the entrance along Pigeon House Branch, which would give an opportunity later to do some stream restoration. **Justin Harcum** said he agrees with **Mr. Starr**, but the project was already in

Development Plan Review when staff was approached about the project. **Mr. Starr** added that these are the type of opportunities we need to take advantage of. When things are going on like this, there should be some consideration given to the future needs of the stream. **Justin Harcum** said that is a valid point and in some cases the opportunities are missed. He sees this project as an exciting opportunity that will literally affect two acres on the bank.

Ms. Graham ask if there is a cap on a project costs. **Justin Harcum** said there is not a cap and its 75 percent to 90 percent of approved cost. **Wayne Miles** added that the project is located in a priority area and that is why this is 90 percent funding versus most projects that are 75 percent.

Ms. Durso, following up on **Mr. Starr's** comment, asked if the Commission considers asking staff to work with the applicant to see if any of these things can be resolved a little better, and then it can come back for review again.
Mr. Kane commented that he agreed with **Mr. Starr** on the missed opportunity, but he is reluctant to hold an applicant that is trying to do the right thing to a different standard than the City holds itself too.

Motion:
Mr. Kane made a motion to approve the project and **Mr. Carper** seconded.

Mr. Starr said before taking the vote, he wanted it noted that a big opportunity was missed to help Pigeon House Branch. He went on to say it's an area that has received a lot of attention, but needs a lot more, and when opportunities come up like this, the City needs to take advantage of it.

Mr. Starr said the motion before the Commission was to approve the project. The motion was approved 6 to 0, with **Ms. Graham** abstaining from voting.

Wayne Miles asked Mr. Starr for clarification. The opportunity he was suggesting, was to pull the project construction limits back from the banks. **Mr. Starr** said, correct, when re-doing the entire area there was an opportunity to restore some vegetation and later do stream restoration in an a badly needed area. Also, although it's unrelated, since there's heavy equipment out there it would be a great opportunity to remove the bridge in the creek.

5. **Drainage Assistance Projects Reviews**
Dale Hyatt stated there are two Drainage Assistance projects up for review. During the presentation he went over the pending projects portfolio, project location map, the projects for review and the funding source.

Project Costs	
1007 & 1009 Canterbury Road Drainage	$215,000
4856 & 4860 Little Falls Drive Drainage	$53,000
Total Estimated Project Costs This Period	***$268,000***
FY19 Project Funds Approved to Date	$1,089,000
FY19 Budget	$1,500,000
FY19 Remaining DA Funds	**$143,000**

Project 1 *(1007 & 1009 Canterbury Road Drainage Improvements) – The existing structures at 1009 Canterbury Road experience finished floor flooding during heavy rainfall events. A stormwater outfall exists from Brooks Avenue that conveys stormwater flow through a channel and into an 18-inch pipe in the backyard of 1009 Canterbury Road. This channel and pipe are not adequately sized, and crawl space and finish floor flooding occur. This project will analyze the existing drainage system and provide upgrades to this system located on private property and within the right-of-way of Canterbury Road.*

Petitioner *(1009 Canterbury Rd.)* spoke about the erosion around his house. He stated he had someone put in rocks to try and hold the water, so it could go slowly into the pipe; however, with the 15-inch pipe it just fills up quickly. When it rains it affects each property and comes over the pipe at his house and then it rolls over in their yard. It happens at least six times a year, and it is at least three to four inches that is coming over.

Petitioner *(1007 Canterbury Rd.)* stated she is been at that house since 2013. She built an extension on the patio and now it is sinking. She had a structural engineer do an inspection and the footings, which were built in 2013, have all eroded, the irrigation is exposed, and everything that was done has been washed away. She said this will continue until it's been corrected.

Commission Comments:
Ms. Durso questioned if this will take care of the problem if more development continues upstream. **Dale Hyatt** answered yes, when you look at the system from a design level of service for future conditions and what may be re-developed. The TC2 component helped to curb redevelopment that was not there previously. Staff will check to make sure we are fixing the issue and not just completing a project that does not resolve what's going on.

Motion:
Mr. Kane made a motion to approve and **Ms. Graham** seconded. The motion was approved unanimously.

Project 2 *(4856 & 4860 Little Falls Drive Drainage Improvements) – A sinkhole exists in the backyards of 4856 and 4860 Little Falls Drive. This sinkhole appears to be the result of a failed connection between the existing 36-inch pipe and a* manhole. This sinkhole is approximately nine feet from the foundation of 4860 Little Falls Drive. This project will look to shift the alignment of the 36-inch pipe and re-establish a water tight connection to the existing manhole.

Petitioner *(4860 Little Falls Dr.)* said the sinkhole is getting bigger each week. She is afraid there are safety concerns because she has a grandchild and dogs. It has already taken the fence down and it is close to the shed and house.

Commission Comments:
Mr. Kane asked what's the distance between the edge of the sinkhole and the foundation of the house. **Dale Hyatt** informed him when they previously measured it was nine feet, but now it is probably seven to eight feet.

Motion:
Mr. Senior and **Mr. Kane** both made a motion to approve and **Mr. Carper** seconded. The motion was passed unanimously.

6. **Flood Prone Area Regulations and Potential Revisions** *(Continued Discussion)*
Ben Brown indicated today's follow-up is from last month's feedback in which the Commission had requested flood statistics/numbers from staff. Then there will be a discussion on staff recommendations and next steps.

Staff recommendations –
- No new residential lots platted in the floodplain
- No loss of Valley Storage from the floodplain
- Change current 50 percent to 30 percent of the building value over five years
- Use 2-ft. building restriction line for newly platted residential lots
- Maintain dry access to all habitable structures during the 100-year flood event
- Require local flood studies for all unstudied streams draining 25 acres or more

Next steps –
- Commission forms stakeholder group to include: Representatives from 2006 stakeholder group, environmental groups, property owners, state insurance/floodplain department, City staff, private attorneys and engineers.
- Stakeholders would make recommendations to Commission, which would then be sent to Raleigh City Council

Commission Comments:
Mr. Starr stated unless someone has a strong opposition, he has no desire to see a "no loss of valley storage from the floodplain." He believes it may open some bad environmental practices. **Ben Brown** mentioned then there should be something in there about what kind of development could occur within the floodplain. **Mr. Starr** remarked, no development in the floodplain.

Mr. Kane has similar concerns about the loss of valley storage being turned into reshaping the floodplain.

Mr. Senior voiced concerns on the dry access to habitable structures and requiring a flood study for any stream that drains more than 25 acres. He said they typically start at 25 acres so that might be a low threshold.

Ben Brown announced that he will bring back the new recommendations and the recommended stakeholders at the next meeting.

7. **Asset Management Program Update and Plan**
Brad Cole presented the Commission with an update on the Asset Management Program. The presentation consisted of an asset management overview, work with Transportation Field Services, current projects, short-and intermediate-term future of the program.

Mr. Starr remarked that several slides shown in the presentation should be shared with Council Member Nicole Stewart. He noted that she should be aware of the huge stormwater control measures the City has and he just wants to start planting a seed, so it won't be a surprise.

Ms. Graham referenced the automated valve control slide, asking how long the pilot program will run, and if it's favorable, what does he expect from it. **Brad Cole** said he expects it to run about a year and his expectation is to increase safety and to use the gates frequently.

8. <u>Public Comment</u>
No public comment

9. <u>Other Business</u>
No other business discussed

Adjournment:
Mr. Senior and Mr. Kane both made a motion to adjourn and **Mr. Carper** seconded. The motion passed unanimously, and the meeting adjourned at 4:59 pm.

Suzette Mitchell