

8.19.26 meeting minutes PC

This meeting was conducted remotely via Zoom.

Members present: Chelsye Brooks, Virginia Clarke, Mark Fausel

Members absent: Alison Anand, (*one vacancy*)

Others present: Keith Osborne (Director of Planning and Zoning), Tom Astle (MMCTV), Trevor Brooks

1. Welcome

Clarke welcomed members and guests and opened the meeting at 7:00 pm.

2. Review agenda and public comment on non-agenda items

There were no changes to the agenda and no public comments.

3. Review minutes of 8.5.26

As there were no corrections or additions to the minutes, they were accepted into the record as written.

4. Resolve stormwater questions from memo in “meeting materials” and review any additional EPSC/stormwater information

Clarke opened the discussion by reminding the commission that we were continuing the direction of incorporating new EPSC and stormwater requirements into our existing permitting regulations – RZR Section 5 and the RSR -- and adding a new section, 6.17, to fill out the details. These additions will give us the authority to do what P&Z’s internal policies have already been doing, and will have an educational component. The memo sought consensus on some details of the new requirements, which previously have been controversial. The memo issues were as follows:

1) The commission agreed that Richmond’s requirements would also apply to projects large enough to require a state permit, and that the details would need to be shown on the (Richmond) site plan so that there would be something in our records to compare future actions and outcomes with. Obtaining the appropriate state permit would be the responsibility of the applicant, and this would be reviewed prior to the CO approval.

2) The commission agreed that there should be a baseline threshold relating to the size of the project below which no information on EPSC or stormwater would be required on the site plan. New suggestions for this baseline threshold included:

- increasing the disturbed land trigger from 600sf to 2,000sf for EPSC
- having several levels of trigger for new impervious: decreasing from 600sf 300sf if on < 0.5A, but keeping at 600sf if between 0.5A and 1A, and increasing to 1,000sf if > 1.0A
- incorporating the district-specific maximum lot coverage number into the

requirement, such that if some percentage of the maximum lot coverage is reached for the total new and existing) post- construction amount of impervious, this would automatically require an EPSC plan and stormwater features shown on the site plan.

3) The next discussion considered what the threshold should be for a professionally-designed plan versus an applicant- designed plan for **erosion control** during construction. The proposed threshold is that >20,000sf of disturbed land or disturbance on >15% slope requires a professionally-designed plan. A discussion followed about the importance of slope for EPSC runoff control, and whether the threshold should be 15% (commonly used) or 20% (as currently in our regs). Osborne favored changing to 15%. Others favored keeping the slope trigger to 20% to make it easier for development in our hilly countryside.

C. Brooks felt that the number could be higher with special constraints for other issues such as proximity to wetland buffers or streams. No number was finalized. T. Brooks felt it was important for the strategies to be illustrated on the site plan, and he acknowledged that lowering the slope to 15% would be less burdensome for the P&Z staff. Osborne felt that anything over 15% was basically promoting development on steep slopes. Fausel wondered if there was a certain amount of the disturbed land actually on the 15 or 20% slope which would trigger the slope requirement. Brooks was concerned about projects that actually created a 15 or 20% slope – how to regulate those. Clarke suggested that if the construction was actually creating a slope above the trigger, the *Low Risk Handbook* should be followed, as that scenario is not covered in the proposed new section 6.17.

4) The next discussion considered what the threshold should be for a professionally-designed post-construction **stormwater management** plan. Osborne felt that the currently-proposed 10,000sf would be ok. T. Brooks suggested giving the applicants diagrams of best practices (BMPs) and having them, or their contractor, do the work without a professionally-designed plan. Fausel felt that up to 10,000sf of new impervious could be handled by the applicant with BMPs supplied by the P&Z office. Brooks suggested that there be a requirement to treat a certain amount of rainfall, and the applicants would have to review the tables and select a BMP that would fulfill that requirement, and maybe have the town engineer review the plans for adequacy. Clarke suggested that there would have to be a policy about when the town engineer be consulted, and what the fee would be. Fausel thought we could allow the applicants to try their own design, but that if it were too complex, P&Z reserves the right to engage our engineer. T. Brooks suggested that the engineering could be subsidized for a housing project.

5) (also called 6) Next discussed was the “first flush” concept promoted by Osborne as the basic requirement for stormwater management. Brooks, Clarke and others felt that this term would not make it clear to applicants what steps they take to satisfy the requirement unless some amount of rainfall was specified. Osborne felt that having a rainfall number would make it too hard for applicants to figure out what to do, and that the term “first flush”

is self-evident. Brooks felt that the pollutant load of the initial rainfall is not even what the Richmond neighbors are worrying about, but that the total volume of rainfall is the main concern townwide. Fausel advocated for doing the math to figure out exactly how much water we are talking about, using a 1 inch rain as an example, and thus how large a containment system would be needed. He also suggested making the numbers on applicant-designed plan the same as those on the professionally-designed plan, rather than having one plan specify a 1 inch rainfall versus the other plan specifying a 25-year (or 10-year) storm, as these rain amounts might be quite different. T. Brooks suggested that we clarify what “management” means in the stormwater context, as the DRB seems to want to know this. C. Brooks also felt that the 10-year storm might be appropriate only for new subdivisions, with the remaining projects continuing with the current 25-year storm requirement, to even out the burden on the town. Clarke said this discussion, along with the rest of the memo questions, would be continued at the next meeting.

5. and 6. Updates, other business and adjourn

As there was no other business, Fausel motioned to adjourn, with Brooks seconding. All members approved this motion, so Clarke adjourned the meeting at 9:17 PM, with the next meeting scheduled for September 2nd.

Minutes submitted by Virginia Clarke