

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
May 23, 2016, 7:00 PM**

MINUTES

The Planning Board of the Village of Wesley Chapel, North Carolina, met at Town Hall, 6490 Weddington Road, Wesley Chapel, NC 28104.

Present: Vice Chair John Souza, Deb Bledsoe and Amanda Fuller (alternates sitting as regular members)

Absent: Members Sandra Ells, David Boyce, Michael Kenary and Chuck Adams; and Alternate Vincent Gahren

Village Staff present: Cheryl Bennett, Village Clerk; Bill Duston, Planning/Zoning Administrator

Council Members present: Mike Como, Bill Rodriguez, Jeannine Kenary (for part of meeting), and Mayor Kapfhammer for first couple of minutes

1. Pledge and Invocation

The pledge of allegiance and invocation were said.

2. Public Comments - none

3. Additions, Deletions and Approval of Agenda

Deb Bledsoe motioned to approve the agenda; Amanda Fuller seconded the motion.

The motion passed unanimously.

4. Approval of Minutes

Deb Bledsoe motioned to approve the minutes of the April 19, 2016 and April 25, 2016 meetings. Amanda Fuller seconded the motion.

The motion passed unanimously.

5. Review of Storm water Concerns with Bonnie Fisher, PE

Bill Duston noted questions submitted by Planning Board members had been forwarded to our engineer. Bonnie Fisher was introduced, her employer USI has been the Village's contract engineer since 2005. She provided a summary of detention requirements by jurisdiction in Union County and Mecklenburg County. Marvin, Mineral Springs and Weddington control up to the 100 year storm while we control up to the 25 year storm. The treatment threshold has exemptions for certain administrative subdivisions, and we might want a threshold for things like the review done for a small outdoor area at an elementary school.

Detention controls the volume of storm water, and the State handles Phase 2 Post Construction requirements for Wesley Chapel which deal with pollutants for impervious surfaces. Our post construction volume of storm water may be more than the pre-

development volume for the 50 or 100 year storm; Marvin and Weddington may have bigger ponds due to this, which take up more space. The LDS Church on Hemby Road is building a pond to handle the 100 year storm. The entire volume is controlled by most Mecklenburg towns, but not by us and some of our neighbors. Any changes to our ordinance would apply to new development only. The State has design criteria for slopes and height of the ponds, they can be any shape. They usually release water through a concrete structure with little holes.

Ms Fisher presented information on the Rule of Reasonable Use; it resulted from the 1998 Pendergrast versus Aiken case. It is not a good idea for staff to weigh in on any dispute because we are not the arbiters of defining “reasonable use”.

Ms. Fisher reviewed the items included in conceptual storm water plan reviews. Any development with more than 24% impervious surface, such as the senior housing, is considered by the State to be high density and include things like sand filters. You eventually have to change the sand or rake it. New developments have to sign a maintenance and operations agreement, and set up a budget which gets passed on to their HOA. The Village requires an annual inspection report, sealed by a professional engineer. Bill Duston explained with a CUP the developer has to submit full blown drawings, with conditional zoning they get zoning approval with just conceptual drawings. The Village Commons shopping center, although having more than 24% impervious surface, is vested and they do not have to do quality control, just quantity control. For final storm water review, there is another list of items checked.

Ms. Fisher presented a chart from NOAA of rainfall, you can double click where you are on a map and it generates a chart of current rainfall data so you have the volume of water you want to accommodate. Using a routing program, you input data for your area. Our storm water ordinance is a duplicate of the City of Charlotte’s, and is old. There is a weather station in Monroe, and in Indian Trail, but none in Wesley Chapel. Council sets the standard for which the engineers checks the data. Some developers upsize the pond because they have the space, others do not because space is confined. The rates of runoff are controlled by the concrete structure. Near the coast they can contain the water and it permeates the sand, but that doesn’t work here.

Ms. Fisher felt our ordinance is a good one, problems occur because of the nature of development. You start with a grassy area, and the water has to go somewhere. The water is collected in the lowest spot, piped at the rate from before, but it is more concentrated. The engineer can’t put the water anywhere, but it has to be put in the lowest spot. You can re-grade, but then must over compensate.

Ms. Fisher was asked for any recommendations. Prior to 2009 we only required to detain to the 10 year storm for commercial, and not at all for residential. She looks at downstream conditions, checks Google Earth, and asks the submitting engineer to provide the info in the narrative. Indian Trail has a downstream impact analysis when the area of the portion of the site draining into the system is 10% of the total drainage area above that point. Volume control has more to do with controlling the discharge to be less erosive. Level spreaders are where pipe discharges into a shallow ledge and the water falls over it, but will recollect at the lowest point. Underground detention can be done,

but is very expensive. It will be done in the last phase of Village Commons. Wesley Manor ties in to a pipe in Quintessa and is piped downstream.

A question was asked on how Wesley Oaks has no ponds, but has pipes that go to streams. Ms. Fisher said pipes don't hold off additional runoff, there are underground detention structures, and they discharge to the nearest stream. An outlet pipe will still point at a neighbor. She was asked if you could discharge from one structure in two directions, but Ms. Fisher had not seen that, it would still end up in the same place downstream.

Bill Duston asked if a greater perimeter of a development would help, it might help with dispersion. The pre-development rate looks at rainfall, soil characteristics, a runoff curve number chart for urban areas was shared. Most of our area is B or C soils. You assign the existing rate a curve number, and also look at the time. An old farm with row crops would have a high curve number, maybe 74. A one acre lot has a curve number of 68, and improves the rate. Ms. Fisher said with conservation subdivisions if you can leave a grassy area at the top of the hill it would help the hydrology part, but doesn't change the volume of water or discharge.

Bonnie Fisher noted Huntersville has some suggestions that are helpful, and noted DENR likes you to dispense water at a couple of points – not for detaining. A downstream analysis like in Indian Trail might be helpful. We don't own the roads and cannot change culverts like they can in Indian Trail. Our ordinance does limit development in a FEMA mapped floodplain.

Recourse to a person impacted by floodwater was discussed. The HOAs take ownership of the wet or dry ponds; the town just reviews the plans and gets "as built" surveys, where the engineer recalculates and certifies the plan was built as approved. The town releases it to approved operations plans. Weddington has an escrow account for a certain number of years, we might want to get a surety bond. We only have a performance bond for building it, not for the on-going operations.

Ms. Fisher reviewed the answers to the questions she was given in writing. Curve numbers go into a program from the soil conservation service and gives you the volume of water flowing over the site. Design requires consideration of full build-out upstream, but it assumes R40 means one house per acre, and the County rarely does one acre developments. Sewer lines are buried and storm water doesn't typically come in contact with the sewage. The standards of storm water detention are by local ordinance, erosion/sedimentation or post construction water quality are done by DENR rules and State permits.

Karen Izzo commented that all the water that used to sheet flow across five properties now all comes to her property, and there are even gullies formed. There is also water from washing firetrucks.

Bonnie Fisher noted you could encourage developers to tie into the nearest catch basin, but if they can't get an easement from a neighbor, you can't require it. Bill Duston added with a by-right subdivision, if they meet the letter of the law, you have to approve it. It

was suggested that Karen Izzo contact the fire department. Amanda Fuller noted there is a concern with the Ridge, and the outflow is pointing at an already troublesome area and may cause more problems; a civil engineer made suggestions but they were not included in the approval.

Bonnie Fisher was asked to produce a one page summary of suggestions. She was thanked for attending the meeting.

6. Senior Housing Subcommittee

Open meetings requirements were reviewed if we create a subcommittee; meetings would have to be advertised, minutes kept, and they would be open to the public. An alternate was to appoint a Planning Board member to do research with the planner. Questions to research could be developed, and then they could give monthly updates. Bill Duston will send out a request for questions to Planning Board. John Souza appointed Amanda Fuller to work with Bill Duston.

7. Other Business

None.

12. Adjourn

Deb Bledsoe motioned to adjourn, Amanda Fuller seconded the motion.

The motion passed unanimously.

The meeting adjourned at 10:27 pm.

Respectfully submitted,

Cheryl Bennett, Village Clerk

Acting Chairman John Souza