

STORMWATER REGULATORY COMMITTEE
March 3, 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
Rocky Russell
Jill Howell
Michael O'Driscoll

Michelle Clements
Bryan Fagundus
Richie Brown
Steve Janowski

OTHERS PRESENT:

Rick Smiley
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 February 3, 2021 minutes. The motion was seconded by Ms. Clements and passed unanimously.

4. 160D STATUTE DISCUSSION

Mr. Norris presented the summary chart of the 160D statute and provided background information of statute to the committee.

Mr. Norris explained the site-specific vesting plans, multi-phased development, and validity after development discontinuation and development agreement guidelines listed within the 160D statute to the committee.

Mr. Fagundus asked Mr. Norris to clarify the validity after development discontinuation guidelines. Mr. Norris and Mr. Weaver stated the guidelines are vague and any continuation of a project will count towards the statute. Mrs. Kirby and Mr. Welborn asked what type of vesting this statute is referring to. Mr. Norris stated this Statute covers statutory vesting and does not change, effect or preclude common law vesting. Mr. Norris stated within the City of Greenville Ordinance the proposed stormwater permits are perpetual for the life of the development.

5. PLAN REVIEW AND SUBMITTAL PROCESS DISCUSSION

Mr. Norris presented the proposed draft City of Greenville Section 9. 9-6 Administration and Procedures Ordinance to the committee.

Mr. Weaver asked for clarification regarding the permit vesting. Mr. Norris stated an approval of a plan or revision is what can expire but the permit continues with the life of the development. Mr. Norris stated the permit can continue through reviews but is vested for the lifetime of the project. Mrs. Kirby and Mr. Norris agreed to add language clarifying the vesting of a permit.

Mr. Welborn asked Mr. Norris to clarify what approvals are subject to the vesting of 160D and what is valid for the life of the project. Mr. Norris stated the permit is valid for the life of the project once construction is complete. Mr. Welborn suggested adding clarification to the ordinance to reflect the difference between the approvals under 160D and when permits become vested for the life of the project.

Mrs. Kirby asked Mr. Norris to speak about AutoCAD files with as-built submittals. Mr. Norris informed the committee that the as-built submittals need to be submitted as digital CAD files. Ms. Clements suggested adding a clear outline of what is needed on the as-built submittal. Mr. Janowski asked what specific documentation would need to be submitted. Mrs. Kirby stated the signed and sealed as-built will need to be submitted and follow up with a DWG with a release showing the system has been previously surveyed.

Mrs. Kirby asked Mr. Norris to reference the Appeals and Variances statute within the Stormwater Ordinance to clarify civil penalties. Mr. Norris discussed with committee members the 30 day allotment time to file an appeal with the Board of Adjustment. Mrs. Kirby suggested preparing for a worst case scenario and recommend a 60 day allotment time. Mr. Smiley asked if someone could submit an intent to appeal to allow more time to prepare necessary documents. Ms. Clements stated Board of Adjustments allows individuals to select which meeting this information would be presented at that could follow what Mr. Smiley suggested. Mr. Norris stated he would note all these suggestions and review these suggestions with the State.

Mr. Norris reviewed the proposed Stormwater Application Package checklist form with the committee. Mr. Weaver asked for clarification on the new Snap Tool. Mrs. Kirby stated this new tool takes away some of the gray area on the municipal side. Mr. Norris stated the Engineering Department would like to move towards making all plans available for the public to access. Mr. Weaver and Ms. Clements brought up concerns regarding privacy of plans before construction is completed. Mr. Norris and Mrs. Kirby stated they would check with the City PIO office and Attorneys on posting development plans after final approval is given and if a formal request process could be created before plans are released.

6. NEXT SRC MEETING AGENDA

The next meeting will be on March 24rd, 2021. The minutes from this meeting will be emailed out on March 10, 2021.

7. QUESTIONS AND COMMENTS

Mr. Norris will reach out the State about presenting the new nutrient calculation Snap Tool to the committee.

8. CLOSING REMARKS

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