

**TOWN OF DUCK
PLANNING BOARD
SPECIAL MEETING
May 1, 2013**

The Planning Board for the Town of Duck convened at the Duck Meeting Hall on Wednesday, May 1, 2013.

Present were: Chair Joe Blakaitis, Ron Forlano, and Marc Murray.

Absent: Vice Chair John Fricker and Tim McKeithan.

Also present were: Director of Community Development Andy Garman and Permit Coordinator Sandy Cross.

Others Present: Mayor Don Kingston, Town Manager Christopher Layton, Jackie Orsulak, Lauren Kolodij of the North Carolina Coastal Federation, Todd Miller of the North Carolina Coastal Federation, and Ladd Bayliss of the North Carolina Coastal Federation.

Absent: None.

Chair Blakaitis called to order the Special Meeting of the Planning Board for May 1, 2013 at 1:37 p.m.

**DISCUSSION ON PROCESS OF DEVELOPING A LOW IMPACT DEVELOPMENT
STORMWATER MANAGEMENT ORDINANCE**

Director Garman stated that members of the North Carolina Coastal Federation had forwarded some informational materials to him regarding LID along with a chapter from the Fayetteville City ordinance, who had adopted their own LID ordinance. He added that it was fairly detailed and almost duplicated what the State manual may include. He stated that the Coastal Federation also forwarded a checklist to him that the Board could discuss.

Lauren Kolodij was recognized to speak. Ms. Kolodij gave a short background on LID technologies to the Board and audience.

Chair Blakaitis asked if the Town had any impediments to LID technologies. Director Garman didn't think there were, but added that there were specific things that the Town's ordinances did not address at this time. He stated that there was not a lot of land in Duck left to subdivide and the Health Department requires a minimum 15,000 square foot lot for onsite wastewater. He stated that it was difficult to do a cluster subdivision for these reasons.

Todd Miller was recognized to speak. Mr. Miller stated that they had identified the need for better educational materials to provide to people when they come in to discuss the development process. Director Garman agreed and added that the Town was looking at this as a stormwater ordinance. He noted that the Town's current ordinance did not require stormwater management; however, it was addressed through a Conditional Use Permit process.

Director Garman stated that timing seemed to be a big issue and wondered if the Board should come up with something similar to what the City of Fayetteville came up with or something that would parallel the State stormwater manual. Todd Miller stated that another critical issue was whether the Town wanted to make LID an option. He added that in most places, it's not a mandate but an option. Director Garman stated that staff had not gotten that far yet and thought it would be a Council decision. He thought there would need to be more input if the Town decided to require it with regard to push back. Mr. Miller stated that for most places, it helped to level the playing field and let the market drive what people do. He thought the economics were in favor of LID. Director Garman stated that the Town had the Village Commercial Development Option which lets staff look at site plans on a case by case basis. He thought from that standpoint, the Town could accommodate a LID design without any impediments. He stated that as a group, the Board felt that they were ready to move forward but they weren't ready if they should wait for the State.

Chair Blakaitis asked how close the Town was to receiving something from the State that could be used to guide the Board. Lauren Kolodij stated that LID was allowed right now and there was nothing that prohibited it. She thought the State was trying to take the tools and make it available state-wide. Chair Blakaitis thought the Board had enough information to allow LID on various properties, but thought Director Garman wanted to draft a zoning ordinance that would be more specific in guiding the contractors in Town. Director Garman stated that any time a stormwater plan is done, it was through the State stormwater manual. He added that the State stormwater manual had not incorporated a lot of the LID techniques, so an engineer would probably want complete certainty when working with a client so it would be approved. Lauren Kolodij agreed.

Lauren Kolodij stated that one option was a resolution, which would not be as detailed as an ordinance, adding that the whole thing was that education needed to be part of the process in order to support the resolution. She stated that they could help the Town with that aspect. Director Garman stated that he saw the language being worked into the commercial design guidelines and then coming up with specific stormwater requirements. He noted that for technical guidance, the State BNP manual could be used as a reference.

Member Forlano stated that the Board had been discussing primarily commercial developments. He asked if the studies looked into any problems from residential developments, particularly water runoff from concrete driveways. Lauren Kolodij stated that the connectivity was a problem for stormwater. Todd Miller stated that the goal was to disconnect the surfaces by sloping the driveway away from the street. Director Garman stated that the Board could implement a driveway standard for sloping the driveway away from the street. Member Forlano stated that his main issue was not so much on the commercial side, but with regard to residential situations. Mr. Miller suggested disconnecting the impervious surfaces to the extent practical. He added that it was not necessarily more expensive as much as it being forethought.

Member Murray thought for the commercial side of things, the Town would be better off waiting for the State to finish or produce a draft spreadsheet that could be used as a standard. He asked if the Board should be discussing the residential side and setting up some type of incentive similar

to the permeable pavement ordinance. Chair Blakaitis asked if it should be over and above what the Town has already done. Member Murray pointed out that the Town only did pavement, adding that there were rain gardens. Chair Blakaitis agreed and felt it should be over and above what was already done. Member Murray thought it could be done before the Town received the State requirements. Director Garman thought that Board needed to discuss it.

Member Forlano asked if the presence of a swimming pool had a causal effect on stormwater runoff. He added that he looked at swimming pools as being big cisterns. Todd Miller thought stormwater runoff would not be generated from the pools. Member Murray noted that a pool only acts as a cistern for the first 10 hours of a major rain event and after that the overflow would be chemically treated water.

Director Garman asked if most of the LID manuals were designed to be mostly informational. Lauren Kolodij stated that they were. Director Garman asked if any of them could be used for permitting purposes. Todd Miller stated that some were, but they were mostly defaulting to the State manual and generally that will be the reference document to be used.

Member Forlano asked Director Garman if he would have an ordinance that would be distributed to the Board at their next meeting. Director Garman stated that he would be handing out an ordinance from the City of Fayetteville, Arkansas. Member Forlano asked if there was an ordinance in existence for a coastal town. Lauren Kolodij stated that coastal towns depend on the state for stormwater permitting, but there was a manual and a resolution, which was a formal voicing of support for low impact development. Member Forlano clarified that no coastal towns have come up with an ordinance that Duck could use as a guideline. Ms. Kolodij stated the City of Wilmington had a unified development ordinance. Director Garman stated that Huntersville and Hickory had ordinances in place.

Director Garman thanked the members of the North Carolina Coastal Federation for their time.

ADJOURNMENT

There being no further business to discuss, Chair Blakaitis adjourned the meeting. There was no vote.

The time was 3:11 p.m.

Approved: _____
/s/ Joe Blakaitis, Chairman