

**MINUTES OF THE STORMWATER WORKSHOP
OF THE EMERALD ISLE BOARD OF COMMISSIONERS
JULY 11, 2001 – 7:00 PM - TOWN HALL**

Mayor Pro-Tem Emily Farmer called the meeting to order at 7:00 PM. Mayor Harris was unable to attend. Present were Mayor Pro-Tem Farmer, Commissioners McElraft, Murphy, Trainham, and Wootten. Also present were Town Manager Frank Rush; Town Clerk Carolyn Custy; Jimmy Taylor, Inspections Department; and members of the Planning Board.

Mayor Pro-Tem Farmer asked how they should begin the meeting. **Commissioner Wootten** said he had spent almost two hours going over the document, and he came to the conclusion that the document had become such a hodgepodge over the years that they cannot make sense out of it. He gave a couple of examples: the definitions were fine, as they just laid the groundwork; but in 16-4 Applicability, he questioned what was applicable; and the next thing they talked about was a stormwater management plan with exemptions and waivers. He thought they went through all the exemptions and variances for a stormwater management plan, but they lost track whether they were talking about stormwater management in total or about the plan. They started talking about a stormwater management plan before they started laying out what the design objectives, what the objectives of the town were that they wanted to do. It finally dawned on him that they went through 10 to 12 pages before they said they wanted to keep 2 inches of water on the property. That is the main objective of it. His suggestion was to form a one- or two-person committee. The document is a word processing document, so it could be moved. He thought the whole chapter needed to be reorganized so it follows in a logical way without making any changes as they have looked at it to date. Just reorganize it so they understand what it is they are talking about, and then come back and pick up the pieces.

Commissioner Wootten said he was very concerned that they would never get to a level of understanding between themselves and the public about what this document says the way that it is structured right now.

Commissioner Murphy clarified that what Commissioner Wootten was saying was that the way the document is at the present time, the way it has been, is too confusing for ourselves. He agreed.

Commissioner Wootten said the problem was compounded with the latest changes. He did not think it was ever a great document because of the way it was put together. And now the changes are just being inserted as best the Planning Board thought they could be inserted. He was not picking on Carol Angus at all because he understood what she was trying to do. But starting at about page 11, she must have a dozen times put in there “including single family and duplex residential property.” She was trying to make the point that paragraph applied to residential property as well as commercial property. They should go through it and say here are the design standards. These are the standards in general, these are the ones for commercial property, these are the ones for residential property. And then move on to the management plan. A management plan is required for all commercial development. A management plan is required

for residential with these possible exceptions, and define what they are.

Commissioner Murphy asked if they would put together a group of people who would go through the document and not make any changes, just rearrange. He was for that.

Commissioner Wootten said he would go a step further and give it to a technical editor, of which there are a couple in the town, to edit it, not change anything, just make sure it makes sense.

Commissioner Murphy said he was in complete agreement with Commissioner Wootten. He thought it was way too important to not have every i dotted and t crossed before they even got started implementing changes.

Commissioner Trainham added that he had the opportunity to see some of the properties that have been in question, and he thought it would do well for the Board of Commissioners to have a little more time to see some of the things that are being done now by some of the contractors, see some of the things that have been done right by some of the contractors, and those that have been done wrong. This might give them also a better feel for any changes they might want to make to this.

Mayor Pro-Tem Farmer asked Commissioner Wootten if he was suggesting that whoever is doing this not incorporate what the Planning Board turned over to them. **Commissioner Wootten** replied that he would take the document that said "Revised 5/18/01" and that becomes the baseline document, and all it does is get itself organized so that it makes some sense.

Commissioner McElraft said at that point they would go through it and decide if they want to keep it in there at all. **Commissioner Murphy** said basically they would be starting over. **Commissioner Wootten** said he would not say they would be starting over, just step aside and get it organized. **Commissioner Murphy** said they would be starting back at the beginning of this meeting. They had accomplished some so far.

Mayor Pro-Tem Farmer said not very much. If they had seen her e-mail; she had questions even on some of the stuff they had accomplished.

Commissioner Wootten said he would recommend that they take some time to talk about the basic concepts that they are trying to achieve and just exchange among the five of them what they are. That could still be moving forward.

Commissioner McElraft asked if this would be the appropriate time for her to talk about the idea of hiring a stormwater engineer for the town as a consultant. She talked to some stormwater engineers and got their input as to how much this would cost. She suggested that they have someone on a contingency basis or a per-lot basis per hour who does not have an engineering firm that is active, so it would not be a conflict of interest that he is requiring

stormwater plans in order to get business. She checked with one, and he said that it would be about \$125, would take him about an hour to evaluate a property to see if it would need a stormwater plan. She suggested that they charge a stormwater permit fee that would accommodate that \$125, maybe even up to \$200. If a stormwater management plan was required at his request, they could reimburse the \$200 to the applicant to put towards the stormwater plan. She did some cost comparisons, and it can run from \$700 up to \$1,200 for the engineered part of the plan alone, and then reimburse that \$200 towards that. This way, it would take Jimmy Taylor off the spot of having to make decisions, and the engineer could go out and look at a lot within an hour at \$125 and see if a swale could be put in there or if natural vegetation would do it or if a stormwater plan was going to be required. They could actually say that a stormwater plan may be required. Every lot will be reviewed by a stormwater engineer at the town's request, and a stormwater permit with a certain amount of money will help offset those costs, to be reimbursed if a stormwater plan is required.

Commissioner Trainham said he agreed heartily with what Commissioner Wootten was saying. He thought the layout of the whole thing was very confusing. At the same time, he didn't think they needed to throw the baby out with the bath water. One of the things he had noted in particular was that they have a tendency of making mountains out of molehills, and that they needed to take a good hard look at some of the difficulties that some of the contractors have. For example, they have some properties that are not big enough to really build on, or that are located in places where they cannot even put in a septic system. They have properties that are so vegetated that they cannot do anything with any kind of a rehash of the topo, and they would have to use the topo that is already on record, and whether it is a good topo or not is a real question to the developer, with added costs involved in it. He agreed that if this was laid out a little differently, they might be able to grapple better with some of the problems than they are now.

Commissioner McElraft said from that basis, they could be thinking about this. They would not be re-wording it as they were working through this, with the thought that the benefit of the doubt is no stormwater system unless a stormwater engineer says it is required. Dr. Almeida said there are other alternatives, things that a stormwater engineer could determine. Then the requirement for the \$700 to \$1,200 plan would not be necessary.

Commissioner Trainham said this could still be done by Mr. Taylor. Do they have to pay for somebody to come in and suggest that there be swales put in and that there be places to catch water? He saw some places that day that he cannot see why it isn't a good arrangement for establishing a stormwater management process.

Commissioner McElraft said her concern was what was brought up last time they had the meeting. It puts Mr. Taylor on the spot for making the decision and playing favorites, not that she would think he would ever do that. She has full trust in him, but other people say that would really put him on the spot. If they had an engineer who has liability insurance who is willing to go out in one hour's time and tell someone if they need a stormwater plan, that takes Mr. Taylor off the hook. And it would take the people who do not need a stormwater

management plan off the hook of having to spend \$1,200. They would spend \$200 instead.

Commissioner Wootten said he would see the product of the engineer being a memo or a letter to the Inspections Department saying that the residential property will not sustain 2 inches of rain without consideration of fields or whatever, and therefore a management plan is required or, if it is graded in such a way, it can be handled that way. Then it would be enough for Mr. Taylor to follow.

Mayor Pro-Tem Farmer said this would be something that would be done before the Dunes and Vegetation permit was issued. **Mr. Taylor** said it would have to be a site visit prior to that to see if the plan or the engineer's requirement is topographically favorable for retention areas or swales.

Commissioner McElraft said it would have to be done after septic tank permit and the house was arranged on the lot. Any dry well system has to be 50 feet away from the septic system. **Mr. Taylor** said it is different measurements for setbacks. He has a list, and it varies depending on the slopes as far as the setbacks go. **Commissioner McElraft** said she thought it was a standard that it had to be at least 50 feet away. **Mr. Taylor** said that would be for a pond or a large body of water, but for small retention areas that really are not considered ponds, there are setbacks based on the terrain and the slope. It is 5, 10, and 15. They would have to have the house in place, the driveway, where the septic is going, and the suitable areas for collection.

Commissioner Wootten said he assumed that commercial property would still require a stormwater plan. **Mr. Taylor** said they have to provide the full-blown plan right off the bat. **Commissioner McElraft** said they have tons of concrete to deal with. But some of the houses do not. She thought they were setting themselves up legally requiring a ton of money to go out with every house whether there is a need or not.

Mayor Pro-Tem Farmer said it protects them in terms of having some sort of legal justification if they have an engineer who is saying this is what they need.

Commissioner Trainham said he had another problem with that, too. He didn't know where it fit, but they have streets in the east end whose water runs right down the street and into the sound. That could be fixed very reasonably. He wondered if that should not be included somewhere.

Mayor Pro-Tem Farmer said it is included in there to the extent that they are not allowing any new discharges. **Commissioner Trainham** said that is not new. **Mayor Pro-Tem Farmer** said she thought that EPA's phase 2 is going to require them to do that. **Commissioner Trainham** said he did not want to lose sight of that. It is something else that is necessary to be addressed. **Mayor Pro-Tem Farmer** said it would not necessarily fall into here; that is a town function.

Commissioner Wootten said the document talks about exceptions on page 7. (c) is

Exemptions, (d) is Waivers, and (e) is Variances. **Mayor Pro-Tem Farmer** said exemptions and waivers are from the stormwater management plan; variance is from any requirement of this chapter. **Commissioner Wootten** said it should not be there. It should be in another place so they know they have mentally transitioned out of the stormwater management plan section and into the hard plan. It could be a whole standalone section.

Mr. Rush said at the staff level they could make an attempt to organize this a little better. He could put the Town Clerk to work on it with Carol Angus.

Mayor Pro-Tem Farmer said when they get this back in its new and improved form and they start going through and talking about the specifics of it, they should talk again about the town hiring a consulting engineer. If they were as big as they are in the summer all year round, they would probably have an engineer on staff. **Commissioner McElraft** said there really would not be much of a need to talk about waivers in there because if they put the requirement that they do not have to have a stormwater plan unless they are required to by the town through an engineer's assessment, there is no waiver after that. Why are they redoing the waiver section?

Commissioner Wootten said they could have a conversation on the major topics. One idea that popped into his mind was not raise the elevation by more than 2 feet for residential only. That was the intent of the Planning Board, to not have the overall level of a residential property increased by more than 2 feet. **Mayor Pro-Tem Farmer** said she thought the concern was a lot where truckloads of fill were being brought in as opposed to a lot like Commissioner McElraft's, where she pushed a dune. Maybe that is something they need to look at.

Commissioner McElraft gave another scenario. What if they are on the oceanfront behind the dune and all the properties have already filled up, and they are way down. If they are in a V zone, they cannot do any fill anyway. But there are still some X-zoned lots left. Would they not allow those people to fill up to the level where everybody else is filled so they are not getting everybody's stormwater on them? **Mayor Pro-Tem Farmer** asked where the stormwater would go that used to be on the lot. **Commissioner McElraft** said their stormwater would have to go in dry wells, and the people that . . . **Commissioner Wootten** said that is not unique to oceanfront.

Commissioner McElraft said in the oceanfront they probably will not have the problem because of the sand. Four inches of water will seep quickly into the sand there. She did not think that would be a problem on the oceanfront. In a residential area, where a lot has been used to trap everybody else's water, what do they do? They may have to have a retaining pond. An engineer could say if they want to fill, they have to put a retention pond there somewhere on the lot to catch the water that was normally in that low lot. They have to be careful; they already have two lawsuits at a cost of about \$60,000.

Commissioner Wootten asked if they wanted to hold on to the idea of not increasing the overall level of the lot. He thought they did. He was trying to reach some kind of consensus. **Mayor Pro-Tem Farmer** said what Commissioner McElraft did was probably decrease the

level, and they do not care about that. The Planning Board's big concern was truckloads of fill being dumped on the lot, and all that does is push stormwater up.

Commissioner Trainham said the five of them needed to take a real good look at the realities of what is happening out there. He had his eyes opened up that afternoon. He did not know how they could do that except for one on one, talk with different people who are trying to deal with this. For example, there is a lot of value in thinking in terms of new construction when you do not put gutters in and you use a spread water situation onto gravel rock and then have places for water to hold on the property; things of this nature that are very cost-effective that Mr. Taylor could actually police and make sure it happens that way. It would reduce a lot of the problems at a lot less expense to the person who is building, as well as the contractor. It is things like that he thought they should look at as a board. Is that asking for too much? He did not know.

Commissioner McElraft asked if right now they were requiring gutters and they should not be. **Commissioner Trainham** said they do not require them. He was saying that it looked like projects that are minus gutters are probably the way to go in the new approach because the water spreads. The water coming off the roof spreads rather than coming out in one place and having to go into a holding pond or into some retention area. **Mr. Taylor** said they would basically get a sheet flow off the roof if they do not have gutters that are going to collect it and send it to a downspout and into a collection area. **Commissioner McElraft** asked if rock beds are preferable to gutters with a dry well. **Commissioner Trainham** said that was what he was looking at that day.

Commissioner Wootten said yes and no. On an individual piece of property, they might be better off taking all the water off the gutters and bringing it off to another corner of the property. **Commissioner McElraft** said that is why a stormwater engineer should be able to . . .

Commissioner Trainham said he was not suggesting that everybody do the same thing. The engineer would have to tell you which would be the best for that particular situation.

Commissioner McElraft said the contractors most of the time have that knowledge. They know a lot of times what would work with what kind of pitch roof, and they can work with the stormwater engineer that they hire. In that hour they could go out with him and say that the roof is a pitch roof, a hip roof, whatever, and ask what kind of stormwater system is needed. This could save the big stormwater plans for the houses that really have a problem and save some taxpayers a lot of money.

Commissioner Wootten asked if they could shift the subject to the survey requirements. It is so confusing about where it applies, but he knows they have survey requirements and topography requirement for commercial property now. He did not know whether it was sufficient, and now there are words about detailed survey and topography requirements. He did not know whether they were trying to raise the bar for surveys and topographical displays, or

whether they were trying to do it for commercial and residential. He asked Dr. Phil Almeida, who represented the Planning Board, about this.

Mayor Pro-Tem Farmer asked him about the thinking of the Planning Board for the quite specific language about surveys. **Dr. Almeida** said if they had spot levels shown on a 25-foot grid, it gives a better idea of the topography of the ground. If there is a ditch coming in, you really don't know. If it's really flat ground, you can go to a 50-foot grid. It all depends on the terrain. They have seen some cases that are very bad; Osprey Ridge is one case. They could hardly read the drawing because it was such a steep slope.

Commissioner Wootten asked what they require of a commercial property now. For the first time the night before he saw, on the Reel Outdoors, a nice topography layout of the property so that he could look at it and get a pretty good feel for how the lot was being leveled out and what would be done in the back of it. Is that sufficient, is that required by the ordinance?

Dr. Almeida said he had not been there the night before. **Mayor Pro-Tem Farmer** said it was what the Planning Board approved for the Reel Outdoors. **Dr. Almeida** said the ground drops off suddenly, or there is a steep drop. The question was did they need a retaining wall, and the answer was that they draw it back as they do it in the field. He was not used to that kind of a thing. If they have a good topo, they should be able to determine where is the retaining wall and how much length you need. **Mayor Pro-Tem Farmer** asked if what they were given for the Reel Outdoors, and she was not picking on them, was not sufficient. **Dr. Almeida** said it was not specific enough to detail where exactly they needed the retaining wall. Where there is a drop in elevation, they obviously need something to protect the ground.

Commissioner Wootten said Dr. Almeida answered the question about that. What Dr. Almeida was saying by that was what the Planning Board has been getting for commercial properties has not satisfied the Planning Board either.

Dr. Almeida said if they were going to rewrite the ordinance, there are some clauses in the ordinance that are really very idealistic; and maybe they should have the town attorney look at it, question it, does this make sense, should they take it out. Mr. Rush would be able to do that with the town attorney and bounce it off and look at the application and ask are they really looking at the ideal situation or are they looking at the realistic situation. **Commissioner McElraft** asked if he meant legally. **Dr. Almeida** replied yes, but not only legally. Mr. Taylor should be able to interpret it without having to go through 100 books or put 10 caps on. **Commissioner McElraft** said she did not think the town attorney would have any more expertise on stormwater; the legalities of it, maybe.

Dr. Almeida said it is the way they word it so that it is clear to the contractors, engineers, and developers what exactly they are requiring. Take out the superfluous language that is there. That is the reason they did not try to change everything; they did not want to change the whole ordinance. They just put in two changes.

Commissioner McElraft said to save taxpayer money, she would rather see Mr. Rush and them do that part of it and then the attorney write the ordinances in legal speak.

Commissioner Wootten suggested they have one of the commissioners and one member of the Planning Board look over their shoulder in the whole process. He was talking about looking at a computer screen as things are moving around. They could even start coloring things when they have questions. Then they could start picking it apart.

Commissioner McElraft asked if they could get back to the topography subject. She asked if they were talking about doing topography on the part that is going to be cleared for the house. Are they talking about if it is a 600-foot lot all the way out to the marsh, going through, cutting vegetation to do topography all the way down to the water and marking all the trees, etc. and costing \$2,500? Is that the kind of topography they are talking about? If it is, she objects to that. If they need it for a retaining wall or whatever, fine. When they start getting that much on a topographic survey, they have so much on there that they cannot interpret . . . **Mr. Taylor** said they discussed that, and based on the 2-foot topo, shooting every tree, any existing features on the lot for the house, the driveway, it will be a pretty cluttered survey for a typical 1 inch by 30 survey scale. It would make it difficult to read.

Commissioner Trainham said when they do go in like that, they are really leveling the lot of all the vegetation that they want to save. **Commissioner Wootten** said when they had the discussion with the Planning Board early on, he remembered that Art Daniels and Dr. Almeida and another member of the Planning Board made a very good case for just the way this was worded. It was a strong case, and he bought it.

Commissioner McElraft asked what would be the point of marking every tree on the entire lot when all they are doing is clearing 100 feet long. **Commissioner Wootten** said the gridlines are 25 by 25, and the 2-foot contours is what they were addressing, and they made a good case for it.

Commissioner McElraft said they had a couple of surveyors in the audience and asked if this was the time to get some input from them. **Commissioner Wootten** said he would not. **Commissioner McElraft** asked if a topographic survey would be required just on stormwater management plans. **Commissioner Wootten** said that was a good question. He assumed that the whole bit about surveys would be put into the stormwater management plan section. **Mayor Pro-Tem Farmer** said that is where it is. **Commissioner McElraft** said she wanted to hear input when they got to that when they reworked it.

Commissioner Wootten asked what is the difference between design standards and performance standards. He had read 16.7 and 16.8 and wondered conceptually about the difference. **Mayor Pro-Tem Farmer** said what was supposed to be, whether that is what it really is or not she did not know, is the performance standard is what you end up with after you

design the system. The performance standard is supposed to be the functioning in the world; the design standard is what criteria you have to meet in actually constructing it.

Dr. Almeida said the performance standards give you the objective, what is the end goal, what you are trying to achieve. The design criteria try to give you a roadmap how to get there.

Commissioner Wootten said he was reaching that conclusion, and he decided that objective and performance standard were the same thing. They ought to put those two together. Nowhere in there does it say 2 inches of water on the property. If that is what this is all about, it ought to be right up front.

Mr. Ricky Farrington said if they did not want the topography to change more than 2 feet, why do they have that under variances. **Commissioner Wootten** said he did not know. **Mr. Farrington** asked why they would go to variances when they go to grade a lot. **Mayor Pro-Tem Farmer** said it does not just appear there; it is saying that you may be eligible for a variance if it does not change the topography more than 2 feet.

Dr. Almeida directed them to look at the top of page 16. What is said there is that unless there are compelling reasons, someone in the town can waive that. They can change the angles. That is the advice that came to them from the Planning Board, and it can be changed or modified. **Commissioner McElraft** asked who would decide. If they do not let the variance committee decide that there is a compelling reason, they have rejected it if it has gone over 2 feet, who would make the decision that it is a compelling reason. **Mr. Taylor** said it would come from the Inspection Department.

Mayor Pro-Tem Farmer said that might be a situation where they would be asking the question of the consulting engineer.

Dr. Almeida said he favored giving a set of guidelines to the Inspection Department.

Commissioner McElraft suggested that the requirement could be that if you fill over 2 feet If you have two lots that are high, they are both filled, they are maintaining their 2 inches on their property, then you are way down, the dune is way up, and you would like to get up there with the neighbors, as long as you can prove that you can maintain your stormwater on your property, why can't they say that increasing the topography over 2 feet will require a stormwater plan. **Mayor Pro-Tem Farmer** said her concern was that they all know they get a lot more than 2 inches, and she did not think the 2-inch requirement was ever going to be enough to stop flooding. It would make it better.

Commissioner Murphy said they could not fix it; they could only make it better. **Mayor Pro-Tem Farmer** added, or stop it from getting worse. She remembered the poor lady who was sitting in the audience a year ago who had been flooded out for months, and somebody on the board asked what they could do for her. She said don't let it get worse. Mayor Pro-Tem Farmer said they have an obligation. She disagreed with Moffat and Nichols, as have a number

of engineers who have looked at that. **Commissioner McElraft** said it was somebody they commissioned to do a stormwater study, and they are looking at their plan. **Mayor Pro-Tem Farmer** said that does not mean they are always right.

Commissioner McElraft said they said at 85% build-out when they wrote this, that no matter what happened, they are not going to contribute significantly to the stormwater problem. Now they are probably 90% built out, and she cannot see that filling a lot and maintaining 2 inches, even if they have a 4-inch rain, will contribute significantly to the stormwater problem. They should not punish people and take away property rights and have another legal battle at taxpayer expense when they can accommodate fill with a stormwater plan that an engineer would say can maintain 2 inches on their property.

Mayor Pro-Tem Farmer said the reason for trying to keep down the amount of fill they are allowing on lots is because even retaining 2 inches of rainfall many times will not do it. It is not enough. On the other hand, they are trying to be reasonable, too, by not saying they have to contain it all. They cannot do that either.

Commissioner McElraft said they are absolutely putting themselves in legal jeopardy again by keeping people from doing something to their own lot as long as they can meet the stormwater guidelines. They are telling them they cannot have the view they want or they cannot be up with their neighbors—they are going to have to sit in the hole even if they do not have a stormwater problem on that block. She thought that was wrong.

Commissioner Wootten said on the other hand, given a certain situation, the town has a responsibility that if somebody is going to go in and build a house in a way that is going to put the water out on the road and screw up the neighborhood and not let people drive through it, that is a problem. **Commissioner McElraft** said that is what a stormwater plan is for.

Commissioner Wootten said the 2 inches of water on the property is the guiding principle of this whole thing. **Mayor Pro-Tem Farmer** said they also have a legal obligation because they are just as likely to be sued by someone who says they did not prevent this from happening when they had an opportunity. That is the joy of being a town—you get sued from all sides.

Dr. Almeida said if there is an oceanfront lot where people have built up to a certain level, if they allow the next lot to build up to a certain level, then the lot behind will be much lower. Will they allow them to fill if they have already built and say they are blocking the view by allowing this person to build up? **Commissioner McElraft** said a second row property is not as valuable as an oceanfront because they will not get the view. **Dr. Almeida** said they are still cutting the view of the person who has already built his house on the lot behind. **Commissioner McElraft** said that would never hold up in court. **Mayor Pro-Tem Farmer** said in Connecticut, they legally cannot block views. **Commissioner McElraft** said maybe that is Connecticut law, but she did not think that in North Carolina, you could ever keep someone on the oceanfront

from To block someone's view and to be sued for it, she is sorry

Mr. Billy Farrington said they spent all this money on the traffic studies and suggested getting an engineer in to do a study on this island and tell them where they have stormwater problems. **Commissioner McElraft** said they paid a lot of money for the study. **Mayor Pro-Tem Farmer** said FEMA did. **Mr. Farrington** said there are a lot of areas that do not have problems. **Commissioner McElraft** said they had paid a lot of money for the study, and they are going by their guidelines to do the \$4.8 million plan. It says in there several times that it is not going to impact significantly, and she thought that maintaining 2 inches of stormwater on a property is fine, but they need to be careful that they are not punishing all the new people that are coming in here and will love living in Emerald Isle until they see what they are going to have to spend in order to get a stormwater plan.

Mr. Farrington said in Sea Dunes, he does not know any engineer on earth who could engineer a plan where those people are not going to flood. The water is already up above the ground. They are asking them to get an engineered plan, and how can they get an engineered plan on a place that is flooding? **Mayor Pro-Tem Farmer** said there is no requirement that whatever is put in there will stop flooding. There is no requirement in this ordinance at all. **Mr. Farrington** asked if as long as they have an engineered plan, they could build a house. **Mayor Pro-Tem Farmer** said as long as they can keep 2 inches on their property, and after that, they have to go for a variance and no one will ultimately be stopped from building. **Mr. Farrington** asked what if they cannot keep 2 inches on their property. **Mayor Pro-Tem Farmer** said then the town would have to start talking about buying the property.

Commissioner Wootten asked if somebody should build if they cannot withhold 2 inches of water? He would say no. That is a tough situation, but the bottom line is they should not. **Mr. Farrington** said there are a lot of places in town where they have perfect sandy soil, and these problems could be settled with no problem. And they should not have to spend \$3,000 or \$4,000 of the homebuyer's money to find that out. **Commissioner Wootten** said the numbers are being multiplied. **Commissioner McElraft** said those are real numbers.

Mayor Pro-Tem Farmer turned it back to the board. She thought they needed to go ahead and get the chapter reorganized. Sitting there talking about particular issues in the chapter was really not very helpful until they got it reorganized.

Commissioner Wootten asked if they could get a volunteer from the Planning Board. **Mayor Pro-Tem Farmer** said it should be Dr. Almeida or Art Daniels because they have the experience. She thanked Dr. Almeida for volunteering.

Mayor Pro-Tem Farmer suggested they put Dr. Almeida from the Planning Board and Commissioner Wootten on this group to try to get this reorganized along with the town manager and Carol Angus and/or Jimmy Taylor. It was agreeable to everyone.

Commissioner Wootten moved to recess. Commissioner Trainham seconded the motion. Vote

was unanimous in favor of the motion.

Mayor Pro-Tem Farmer said she was sorry that they really did not understand that this was going to go this way until they There would be another stormwater workshop with this reorganized ordinance. Date for the next workshop was set for Thursday, August 2, 2001, at 7:00 P.M. She asked Mr. Rush if they could get copies of the re-worked ordinance set up in Town Hall so people could come get them.

The meeting was recessed at 7:55 P.M.

Respectfully submitted,

Carolyn K. Custy
Town Clerk