

FEAB October 2018

FEAB MEETING MINUTES
October 12, 2018
3:00 p.m.
Board Room, Public Library, Fairhope, AL

Member Attendees: Gary Gover, Jim Horner, Ben Frater, Jeanine Normand, Nicole Love, and Mike Shelton

City Council: None

City of Fairhope: Kim Burmeister, Planning and Zoning Department; Erik Cortinas, Building Official; Christina LeJeune, Planning and Zoning Department

Honored Guests: Anna Keene, Mike Dudley

Minutes taken by: Kim Burmeister (unless stated otherwise below)

FEAB MINUTES:

September 2018 minutes were approved with minor amendments: Added Ben's phone number to the FEAB contact information.

Discussion of Items:

1. Building Code and Drainage Regulations

Erik highlighted new and current Building Code regulations which relate to drainage.

NEW: Larry Smith, local engineer, has been hired to give details on dry wells and bio swales for s/f residential projects. New International Building Code will be adopted in January. Currently City is using IBC 2012. In January 2019, IBC 2018 will be adopted. In addition, houses must be 15" above grade (site specific).

CURRENT: Parking pads currently require a right of way permit approved by the Building Official and the Public Works Director. Parking pads must be pervious. Drainage studies are required for low or problem area s/f residential projects. The impervious surface reference in the Zoning Ordinance refers to roof lines.

Changes to this reference interpretation would need to be discussed with Wayne Dyess, Planning and Zoning Director. Jim asked about the best way to propose changes to the City of Fairhope regulations (for instance, how can we impose pervious surface requirements on residential projects?) Jim suggested staff research this, comparing City of Fairhope's regulations to other City regulations. Kim said the City Planners are the ones who review projects prior to permitting (for Zoning) and would be the ones most familiar with this language. Mike said comparative research has already been done with the stormwater utility fee proposal a few years ago. He will locate this information. Mike said we may have to look outside of AL if we want to use simpler methods for determining pervious

surface regulations. Mike mentioned that rocked driveways are not usually pervious unless the base material underneath is pervious. Erik gave a pictorial hand out of a Ark Builders subdivision project at Westly and Central Avenue. These drain to Volanta Gully. This subdivision did not trigger a stormwater facility requirement because they front on existing City roads. These homes drain directly to City storm drains. Anna said a bio-detention /swale area has been removed by the contractor. Erik will check to see if we can have contractor reinstall. Kim mentioned that the bio-detention area might have been a part of the Volanta Watershed Study project from 2012. Link:

<https://www.fairhopeal.gov/home/showdocument?id=20991>

Erik said this subdivision would have been a good candidate for individual bio-swales on private property (like Point Place). Jim asked about maintenance requirements on bio-swales on private lots. Erik said these do not have the same 3 year requirements as a stormwater facility but maintenance is still recommended and is the responsibility of the property owner. Anna asked about driveway standards. Erik said there are none. Erik said commercial projects must have at least 30% impervious areas and there is a requirement for a stormwater study on all commercial projects, but not for s/f residential (unless it is in a low or problem area).

Mike mentioned the need for more accountability with builders for erosion and sediment control. He mentioned recent BMP failures at the Westley Avenue subdivision. Kim said that the City hiring of a new Code Enforcement Officer, Christina LeJeune (Planning and Zoning) will help increase enforcement and oversight, including with BMP issues. Nicole said we need better regulations for builders to follow. Erik said our regulations today are much greater than a decade ago and we're continually trying to improve them.

2. Proposed Fly Creek Sedimentation – Water Quality Assessment

Christian showed a Power Points presentation on the upcoming Fly Creek sedimentation and water quality assessment. This will be an Eastern Shore coastline study instead of just Fly Creek. It is called the "Fly Creek" study because USGS refers to this area as Fly Creek. This assessment will be done by Marlon Cook, geologist. Hopefully the accessibility issues experienced last time during the Publix shopping center construction can be avoided. FEAB is encouraged to offer names of key people to be involved in this effort. Also let NEP know about problem spots to be aware of. Erik mentioned the recent Baldwin County Circuit Court-issued Stop Work Order on the Fly Creek project "Retreat at Fairhope Village". The project is on hold until further notice.

3. Coal Ash (these minutes taken by: Mike Shelton)

Mike Dudley (guest) discussed his concerns about coal ash in coastal Alabama. Members in turn commented on the discussion. The question was raised by those in attendance regarding the testing by ADEM of water regarding chemicals associated with coal ash. It was noted by the FEAB that Mobile BayKeepers is active in the issue of coal ash on the coast. FEAB members requested that BayKeepers be invited to a future meeting to inform the group about the current status of coal ash issues and BayKeepers activities addressing it. Mike Shelton was assigned the task of inviting BayKeeper representative to the next meeting and investigating ADEM testing requirements. Meeting adjourned on or about 4:30pm.

Actions:

- 1. Mike will look up lot size/permeability determinations from stormwater utility fee study*
- 2. Mike will invite BayKeepers to the next FEAB meeting*
- 3. Erik will investigate bio-detention removal on Westley and see if it can be re-installed*

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