

Minutes: Dec. 15, 2020 meeting, Somerset Stormwater Management Committee

Attending: Ellen Globokar, Dorset Ave. (Chair), Julie Abrams, Trent St., Julie Greenberg, Falstone Ave., Haya Hakim, Greystone St., Jan Kaufman, Trent St., Courtenay Labson, Falstone Ave., Michael Roark, Dorset Ave., Ed Schwartz, Essex Ave., Brian Smith, Uppingham St.

Steve Surko, Somerset Town Council, Robin Barr, Somerset Town Council, Barbara Zeughauser, Somerset Town Council, Matt Trollinger, Somerset Town Manager

Action Steps:

- Each subcommittee should submit a timetable for subcommittee work. Note: material that is intended for publication in the two Town Journal articles that the Committee will submit must be provided to Ellen one month before publication.
- Comments on the survey should be submitted to Ellen, especially by the Impacts of Construction Subcommittee (which indicated that it had some questions it wants considered for inclusion).
- The next meeting is tentatively scheduled for Tuesday, Jan. 12<sup>th</sup> at 7:30 pm.
- Matt has created a Committee webpage we will want to utilize.

**Mark Etheridge Manager, Water Resources Section, Department of Permitting Services, Montgomery County) provided background information on regulation of stormwater runoff:**

The regulation of runoff originates in federal Clean Water Act rules and regs to remove pollutants and prevent downstream erosion. The county regulates with authority delegated from the MD Department of the Environment and can be more strict than the state.

A Sediment Control Permit is required for all development. Standards are published and plans are reviewed for compliance. Drywells are the most commonly used retention strategy in residential development. Before 2007 Environmental Site Design (ESD) were established, ponds were used, but ponds are inappropriate for residential retention of runoff. Sediment is part of the consideration and once it is stabilized, attention is paid to runoff. The MoCo Department of Environmental Protection inspects regularly for maintenance needs. (Editorial note: Not clear if this is inspection of commercial development or residential too.)

Stressed that not addressing runoff directly and not addressing lot-to-lot runoff and resulting property damage. Permit is seen as a means of treating quality of runoff.

Waivers from runoff retention requirements for development have been given even before residential runoff began to be regulated and have continued. They were automatic before and are not provided based on soil testing because gross mapping of soils is insufficiently informative to assess whether drywells are possible. Waivers are not offered upon request. If they were not provided, otherwise buildable lots would not be buildable.

In response to specific questions, Mark indicated the following:

- The analysis of the suitability of soil for drywells is conducted using an augur test, not the perc test used by the DEP to determine permeability thresholds for rain gardens.
- Impervious surface calculations consider all impervious surfaces, not just “lot coverage” as defined by zoning regs.
- A Sediment Control Permit must be obtained for every development involving 5,000 or more sq.ft. of disturbance. On residential lots, if there is 400 sq. ft. change in house, water must be adequately conveyed.
- With big storms, runoff inevitably going from lot to lot; rainfall events are probably getting more intense.

Mark concluded his presentation with the observations that the stormwater challenges of the future involve the increasing size of houses and the need for runoff retention features put in place to be maintained so that they continue to function.

## **Committee and Subcommittee Reports**

### **Survey**

The January article in the Town Journal will focus on the survey and include Courtenay’s letter to residents. The draft survey currently has 15 questions. Brian will handle the technical issues of how the survey is distributed and results tabulated.

There will be one survey per household and a distinction between residents and homeowners. Will require respondents to provide address.

### **Other Impacts on Runoff**

The subcommittee has begun initial collection of information on permits for tree removal and a first draft of information on impacts from climate change, stormwater sewer configuration and topography will be available shortly.

### **Impacts of Construction**

The subcommittee is conducting a literature search on impacts of new construction on runoff and wants to estimate actual before/after runoff figures from a lot. Will review survey and may suggest questions not already included.

### **Rules and Regs**

The subcommittee has found that the rules and regs that affect Somerset focus on pollutants. There is nothing in the town code except adoption of the county code. The subcommittee is collecting regs from the Town of Chevy Chase and checking out regs elsewhere in the country, including at a Stormwater Manager’s resource center. There is a MD model stormwater ordinance.

**Comments by Robin Barr:**

While the focus of regulation is to keep surface waters clean, the best way to achieve that end is to reduce the quantity of stormwater runoff.

Somerset can write its own code.

While soil permeability is important for some runoff retention measures, it is not for others (such as green roofs and rain barrels), yet these never are required for Sediment Control Permits.

None of these systems continue to work as designed without maintenance. It would be productive for the Committee to address the issue of maintenance.