

Sue Burke

From: Town Council <mayorandcouncil@townofchapelhill.org>
Sent: Wednesday, March 27, 2024 2:50 PM
To: Adam Searing; Amy Ryan; Camille Berry; Elizabeth Sharp; Jeanne Brown; Jess Anderson; Karen Stegman; Melissa McCullough; Paris Miller-Foushee; Theodore Nollert; Amy Harvey; Ann Anderson; Carolyn Worsley; CHRIS BLUE; James Baker; Loryn Clark; Mary Jane Nirdlinger; Ross Tompkins; Sabrina Oliver; Susan Brown; Lance Norris; Chris Roberts
Subject: FYI---FW: Proposed exemption from stormwater rules for density increases

From: Joseph Patterson III <joepatterson@me.com>
Sent: Wednesday, March 27, 2024 1:59 PM
To: Amy Ryan <aryan@townofchapelhill.org>
Cc: Town Council <mayorandcouncil@townofchapelhill.org>
Subject: Proposed exemption from stormwater rules for density increases

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Amy,

I saw your comments on the the stormwater mitigation issues related to increased residential density, and your request (as I understood it) for an exemption for increases in impervious surfaces for small projects in existing neighborhoods. Before doing anything along those lines, I hope that you will consider the following.

In most situations around town, the Town stormwater pipe system ("SPS") collects stormwater from all of the of properties in a catchment area. It then pipes that water through impervious pipes under adjacent and down hill properties, thereby giving those properties the benefit of not having to deal the problems of nature (erosion/absorption/flooding/etc) created by its own impervious surfaces or those of properties uphill from it. The SPS then combines, transfers, and concentrates ALL of that water to one SPS outflow pipe at the bottom of the catchment area and dumps ALL of the water (untreated and unfiltered and unrestrained) into a stream bed at a point chosen and controlled by the Town.

In many cases, such as mine, this is onto private property. The Town then requires that those private property owners bear ALL of the expenses and problems associated with problems or damages resulting from that stormwater. Neither the Town nor any of the many property owners upstream who are benefitting from transfer of these stormwater problems bears ANY of the costs of dealing with the destruction and erosion caused by this concentrated outflow.

Note that this combined flow of water from the catchment area has increased by 25% to 30% in the last few years simply as a result of global warming alone, resulting in dramatic erosion on my property. You are now proposing to exacerbate this problem further by permitting some residential property owners to increase stormwater runoff without bearing any cost for mitigating the negative effects of this increase.

If a single property in a catchment area increases the impervious surfaces the additional stormwater runoff does not seem like an unmanageable amount. It will, though, likely represent a substantial increase in stormwater entering the Town's SPS from that property. Let's assume that there are 100 properties in the catchment area and half of them elect to increase impervious surfaces. In this simple theoretical example, if single property's new impervious surfaces area

generates only an additional 100 gallons/hr of stormwater in a storm, the property owner at the end of the outflow pipe will have to deal with an increase of 5,000 gal/hr (50 x 100).

In other words, each upstream property would benefit from this unmitigated increase while the the property owner below the outflow bears the ALL of the cost.

This does not seem equitable to me in any way. If the Town is planning to grant a benefit to small residential property owners which will result in an injury to others, the Town or those property owners should bear the cost of that injury. This is an issue that is totally under your control. The Town has well developed rules designed to protect the rights of property owners downstream and prevent this type of injury. A willful failure on the Town's part to do that would be a dereliction of duty, it seems to me.

Joe Patterson
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Sue Burke

From: Phil Post <philip.n.post@gmail.com>
Sent: Saturday, April 13, 2024 11:02 AM
To: Sue Burke; Chris Roberts
Subject: 100 Year Storage

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Sue,
It was great to meet with you yesterday.

My proposal is for a 1000 sf exemption of added impervious surface for a small , infill , non single/dual family project . Small/infill - Defined as less than 3 acres ,already containing impervious surface (not a "Greenfield" or undeveloped site).

As you know, I would like to have this small exemption tagged along with your current LUMO change. I do NOT want this to have to wait for the LUMO rewrite, because I do not trust that process and I think the relief above needs to be tied to the increase in Storage for small projects that your LUMO change will trigger.

Can your LUMO change be delayed for a month or so to incorporate the relief above? And run it quickly back thru a public hearing process?

Can your LUMO change be delayed over the summer and acted upon in Sept instead of June with the relief above?

Or can Council simply adopt the relief above thru their current public hearing process?

Again, Thanks for your time and attention to this matter.

Very Best,

Phil

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Philip N. Post , PE, PLS
Phone / Text (919) 818-7862