

MONROE COUNTY DRAINAGE BOARD

Wednesday April 5, 2023, at 8:30 AM

Location: Showers Building Room 106D

Hybrid Meeting with Virtual Attendance via Zoom

MINUTES

MEMBERS PRESENT: Bob Autio, James Faber, Trohn Enright-Randolph (*ex officio*), Ginger Davis, Bill Riggert

ABSENT: Lee Jones

Staff: Donna Barbrick (Secretary), Kelsey Thetonia (MS4 Coordinator), Adam Rickert (Stormwater), Erica Penna (Stormwater Inspector), Daniel Brown (Planning), Anne Crecelius (Planning), Jackie Nester Jelen (Planning), TSD

Others: Tamby Wikle-Cassady, Daniel Butler, Terry Gentry (Gentry Services), Bill Williams

1. **Call to Order** at 8:41 by Bob Autio.

2. **Approval of Minutes for: January 4, 2023, and February 1, 2023** +* Autio asked about the acronym CRS and to have it spelled out in the minutes. Bill Riggert asked for a minor correction on page 4A of the packet. **Motion by Riggert to approve the January 4 minutes with corrections; second by Autio. Autio called the roll for a vote. Motion carried unanimously. Motion by Riggert to approve the February 1 meeting, second by Autio. Vote: AYES 3; ABSTAIN 1 (James Faber abstained); motion carried.**

3. **Public Input for Items not on the Agenda.**

Autio asked if there had been a meeting other MS4s. Thetonia said she had a meeting scheduled with them the next day. Trohn noted that MS4s have also been meeting at the Stormwater Environmental Education Team (SWEET) meetings.

4. **Business**

a. **Wiley Farm PUD – Drainage Design** +*

Kelsey Thetonia gave an overview of the site and the project within the Fieldstone area. She said as it stands now, the developers have the ability to develop this property as high density residential. She said drainage would be a big topic for this development. She said they are proposing a few different things. She said the first thing is to reroute the road network; the redesign would avoid sensitive areas, steep slopes and sinkholes on the site. She said the main thing I am bringing today is what is going to the Plan Commission, a proposal to change some of the uses of the site. She said they propose to have a small portion, 3 ½ acres, to go into commercial development for self-storage units and the rest of it would be medium density residential. She said the storage units would be 65% impervious surface and no more than 40% impervious surface for the remainder of the site including the roads. She said that 40% is in line with what the city has for medium density development. She said we have specific concerns about this site because it is in the Cave Creek watershed. She said today I want to talk about what the site is going to look like with the drainage requirements. Trohn commented that this has already gone to a preliminary hearing at the Plan Commission.

Thetonia displayed a map of the site and talked about where the sinkholes are located. She said the drainage goes from south to north on the site. She said she was considering a two-to-one replacement of the trees for this project. Davis said the storage units look like they are not going to impact the karst onsite but, downstream, there still would be significant addition to the subsurface flow rate. She asked if there a good reason to allow for the increase in impervious surface. She asked if we are already having issues with the capacity in this location. Thetonia said in 2017 we contracted out a detailed study with Christopher Burke back in 2017. She said I can refer you to the engineer who worked on that report. She said they came up with release rates for sub-watersheds based on runoff and it is very close to the critical

drainage release rates. She said that was what they calculated that the stream could handle. Davis said so based on that, there is not a lot of room for additional impervious in this watershed. Thetonia said yes, and this PUD was part of the original Fieldstone subdivision approved prior to that study. She said they are now proposing two ponds, each meeting critical drainage release rates. She mentioned studies recommending impervious liners in detention basins to reduce the amount of infiltration. There was a discussion of liners, clay and bedrock in the area. Thetonia said the ponds were intended to be dry detention.

Daniel Brown spoke. He said currently we are looking at several different recommendations. Trohn read the recommendations that had been talked about the Plan Commission meeting. He said we are recommending a positive recommendation for changing the housing density in some of the tracts. He talked about including new road configuration. He talked about changing the density for some of the tracts. He talked about designating common areas for each detention pond and for conservation area around the sinkhole. He said there was a negative recommendation for the added use, based on the incompatibility with Monroe County comprehensive plan. Riggert asked about one of the recommendations regarding the roads. Thetonia said we would ask them to recalculate the impervious surface, subtracting out the roads, for more clarity. Faber asked if the development would be for low-income housing. Thetonia said she was not sure.

Daniel Butler spoke. He spoke this project is proposed in phases. He said we propose 3.38 acres of commercial development for self-storage units. He said the developers would commit to lowering the impervious surface for the entirety of the site. He talked about detention. He said no residential is proposed for the first phase. Autio asked about monitoring of the ponds during construction. Trohn asked if the critical release rates were going to be enough in this area. Thetonia said the rates are already very conservative. There was a discussion of the 4-inch orifice and how to monitor and control the outflow.

Trohn said what they are currently allowed to do with the PUD is significant. He talked about the tradeoff perhaps being reasonable. Butler said the client is going out of their way to reduce the amount of housing on the site and the amount of impervious surface. Thetonia talked about subwatershed release rates and discharge calculations from the CB study. Faber asked what happens if the release rates do not work. Trohn talked about neighbors south of here being flooded and a sinkhole that has been increasing in size. There was a discussion of whether the proposed ponds would slow down the runoff compared to what is there now, with no detention.

Thetonia said Fieldstone is going to overtop at the spillway after about a 4-inch rain. Butler said the two proposed ponds would not be the only ponds. He said these two are only for Phase I. He said we would then come back to DB, if need be, for each future phase. He said we are committing to a lower amount of impervious area throughout the entire development. Trohn said they are wanting to add an allowed use in the one tract of 3.34 acres. Butler said we are proposing 65% maximum impervious for 3.34 acres alone and then the remainder of the site would be no more than 40% impervious. There was a discussion of the Fieldstone dam spillway not functioning as it was designed.

Thetonia gave a rundown of possible conditions. Autio asked for a motion to approve with conditions. There was a discussion of the HOA for the project and of maintenance requirements for the ponds.

Jackie Nester Jelen posted a summary in the meeting chat:

“Conditions of approval:

- Require release rates based on the critical release rates in accordance with Ch 761.
- Required monitoring during construction (water level monitoring to ensure compliance with critical release rates)
- Post construction monitoring by a third party to ensure basins are functioning properly for the first year, especially after heavy rainfall.
- Preliminary and Final drainage plan to be reviewed and approved by the Drainage Board.

Recommendations:

- Spillway issue to be reviewed by the Engineer. Potentially need off-site improvements for downstream improvements. If it is determined that the off-site improvements are inadequate, may be able to require fixes.

In the Stormwater ordinance already:

- Require as-builts of all stormwater facilities.”

Motion by Davis to approve with the conditions and recommendations. Second by Riggert. Vote by roll call: AYE (unanimous). Motion carried.

Autio asked about property buyouts in the Cave Creek watershed area. Davis outlined the steps involved in the process.

Terry Gentry (Gentry LLC) had comments. He said we would not be in favor of an easement. He said there is ample room on Fieldstone property without crossing our property. Davis suggested that Thetonia contact DNR about dam safety. Thetonia said this dam is not regulated by DNR but she is planning to get their opinion about it. Trohn commented that we are not in a position to require anything there, but we can make recommendations. He said I appreciate you coming to the meeting today and speaking.

b. K&S Rolloff Enforcement and Future Development – Drainage Design +*

Thetonia gave an overview of the site. She said this is a combination of a compliance case and a plan amendment. She said previously there were restrictions on where they could place fill material. She said they dumped concrete solids and other materials into a sinkhole. She said they are trying to amend their plan to show that this is now the new limit of dumping. She said they cannot dump in the sinkhole any longer. She said they also proposing some storage unit development. She said there are three sinkholes total on the site. She talked about the runoff from the site. She said previously someone at the county approved their plan to discharge into the sinkhole but it was protected by a line of bin blocks, which was thought to reduce the velocity. She said for the mitigation side of this, we asked for a karst study. She said the sinkholes appear to be stable. She said I prefer to avoid disturbance in the sinkhole. She said I asked Daniel Butler to calculate the high water elevation of the sinkhole to see if it would overtop. She said it stays within the close contours of Sinkhole B; if it were to overtop I would ask them to mitigate offsite impacts. She said I had them calculate that volume based on the new contours, and they got it all to stay within that area. She said I am leaning towards stabilization, not impacting it any further, and allowing the fill to stay. She said for the gravel lot area I am looking at more procedural measures, basically a stormwater pollution prevention plan. She said for the development, this is why I am bringing this to DB. She said it is not in a critical drainage area; I am looking to see if you would set a release rate for this development and if you can discharge it to the sinkhole or provide detention within a sinkhole, which is kind of what they are doing with the row of bin blocks. Davis asked about some sort of vegetative swale and bio retention. Thetonia said that would be the normal requirement from the ordinance. She said they would be adding parking.

Bill Williams said the site is basically used for storage of the dumpsters and they have also been cleaning out dumpsters on the site. Thetonia said they are asking to fill in some more, adding more concrete fill to the site. Trohn asked about Sinkhole B and about gravel going into the sinkhole and washing out.

Thetonia said she has not seen evidence of large gravel migrating. Autio had comments about the close contour area and using the critical release rates in this area.

Daniel Butler said we want to reiterate that the current owner is trying to do the right thing to make this site viable again. He said the wish of the owner is to keep the fill as is; they are working with IDEM currently.

Motion by Riggert to approve with condition to improve the bioretention criteria and soil amendments. VOTE: AYE (unanimous). Motion carried

c. Liberty Dr. Auto Complex – Preliminary Drainage Plan +*

Thetonia gave an overview of the site, including a county owned regional detention basin. She said this project plan has their own ponds on site. Jackie Nester Jelen said the two long buildings would be storage for general contractors and then the remaining site would be storage. She said the site has been graded and it has been sitting pending the approval of the added use. She said there is a storm sewer drainage easement and an access easement for the ponds. She said the developer is working with CBU to move a sewer main. She talked about the county's access to the pond.

Thetonia said they would be meeting critical release rate. She talked about potential BMPs for the site. She said she had a question about who would be responsible for the stormwater infrastructure in the drainage easement. The group agreed that the property owner is responsible for the pipes. **Motion to approve by Davis; seconded by Riggert. VOTE: AYE. Motion carried.**

5. Staff Reports/Discussion

a. Ch. 825 Discussion – Environmental Constraints Overlay Zone +

Thetonia said Planning staff has prepared comments for DB concerning the existing ordinance. She said there are specific provisions concerning soil and geology. Jackie Nester Jelen said one thing we would like to know from a DB perspective is on page 100, concerning the way we measure riparian areas. She said on page 101, we have information about soils, and we are not able to find exact references outside of this to determine what is non-buildable. She had a question about restricting building based on soil types. She said on page 102 there is a map of an area. She said it shows only one non-buildable area based on the soil type. She said on page 104, there is old language about a detention basin waiver; we would propose removing that from the ordinance because we do not want to oversee determining the adequacy of basins.

Thetonia said I think we can dig into soils database and pull out the soil types. She said a homeowner should not have to get an engineer. Nester Jelen said we were hoping to get this overlay soon and then by May or June to solidify this. She said at the end of September she should have a shapefile to share about soils.

**b. N Buskirk Rd. Petition to Drainage Board for Removal of Obstruction of
a Natural Watercourse**

c. Ch. 808 Discussion – Floodplain Management

d. Ch. 829 Discussion – Karst ordinance

6. Adjournment

a. Date of Next Meeting: Wednesday May 3, 2023, at 8:30 AM

Meeting adjourned at 10:44 am.

Minutes approved:_____

President

Secretary