

**AGENDA  
MARCH 20, 2006  
PUBLIC HEARING  
CITY OF SENOIA  
STATE REQUIRED WATER MANAGEMENT  
ORDINANCES  
7:00 PM**

**VISITORS: Mary Provost, Bill Roy, Gary Miller, Sam & Suzanne Helfman, Gail Downs, Paul & Ann Price, Debbie Graham, Joe Brogdon, Claudia Wood, Ollita Bennett, Bruce Pfahl and Randy Padgett**

**FULL COUNCIL PRESENT**

**1. CALL TO ORDER/WELCOME VISITORS**

Mayor Belisle called the Public Hearing to order and welcomed all.

**2. PURPOSE OF PUBLIC HEARING**

To receive comment on the State Required Water Management Ordinances listed:

- Post Development
- Streambank Protection
- Floodplain Management
- Illicit Discharge
- Litter Control

**3. COMMENTS FROM CITY ADMINISTRATOR**

Being governed by a water planning district, Mr. Ferry reviewed for Council the 5 State required ordinances listed above, which are in compliance with recommendations of the MNGWPD. There is a 6<sup>th</sup> that will be acted on in May. Identifying that the *Post Development* will require the City to have a specialist on board in stormwater and Mr. Ferry would like to see the City join with neighboring municipalities for enforcement. The *Streambank Protection* will increase our current buffer from 25 feet to 75 feet on both sides of the stream and should be fairly easy to enforce. Mr. Ferry reminded all that if a stream flows through the middle of the property, 75 feet on either side will take away 150 feet of impervious surface. The *Floodplain Management* is very technical, requiring a P.E.'s review, and is something we will need to be sure our engineer has the ability to review. *Illicit Discharge* deals with illegal pumping or draining into our stormwater systems and finally, *Litter Control* that will be fully enforceable by the City.

**4. COMMENTS FROM CITY ATTORNEY**

City Attorney Andrew Whalen stated that if not adopted the City would not be eligible to receive Federal or State grants or loans or environmental permits. Mr. Whalen then informed Council that revisions have been made to the Floodplain

Management Ordinance making it more complex, requiring separate engineering on each proposed development for potential flooding, increasing costs to the City. Mr. Whalen informed all that the biggest complaint with the ordinances is that they apply to all jurisdictions regardless of size.

**5. COMMENTS FROM PUBLIC-None**

**6. COMMENTS FROM COUNCIL**

C. Owens asked if these are all mandated by the State and was told yes. C. Harrison asked if these new ordinances will apply to the Bob Adams development and was told that he has been pre-approved, that they will not apply retroactively but some stages of post-development may apply depending on stage of development. C. Benson stated that if the ordinances are mandated the City has no choice as to content but worries how the City will pay the un-budgeted expenses. Mr. Whalen suggested passing on to the developers as much cost as the City is able and also looking at our fee schedule for needed increases. C. Owens asks if we can expect modifications to the ordinances in the future & was told by Mr. Whalen that he fully expects modifications. EPD will also modify any existing permits that the City holds Mr. Ferry informed all that minor ordinance changes are already being discussed and we may need to revisit all presented tonight in the future for modifications. C. Benson reminded all that it was suggested leaving the buffer at 25 feet and asks if those are still our intentions? Mr. Whalen stated that to date he knows of no variances that have been granted and only one City who has refused to adopt all. C. Harrison asked if there was a grandfather clause in the Streambank Protection (if on a piece of property a house sits 60 feet from stream with the new 75 foot regulation) & was told only to the extent currently developed. C. Benson asked who would monitor for compliance & was told the EPD.

**7. ADJOURN**

C. Wood made motion to adjourn the March 20, 2006 Public Hearing & was 2<sup>nd</sup> by C. Owens. Motion carried unanimously.