

Butler Farms / Oak Creek Village Stormwater Meeting Minutes 2/10/10

prepared by Tom DiPietro

Presentation by: Tom DiPietro (City of South Burlington), Jack Myers (Stantec), Jake Riley (VHB)

1. Project History and Overview

- a. Vermont ANR issued permits to each neighborhood. Permits were allowed to expire. Can't renew now that watersheds are SW impaired. Clouded title issue for homeowners.
- b. City obtained EPA Demo Grant to complete studies, design work, and construct stormwater BMPs in the neighborhood.
- c. City obtained two additional SAFETEA grants for construction of the Oak Creek Village Micropool and the Butler Farms Pond
- d. Moving towards the construction phase. Different project components on different construction schedules:
 - i. OCV Micropool – Fall 2009, plantings in Spring 2010
 - ii. Golf Course Swale – Summer 2010
 - iii. Curb cut bioretention – Summer 2010
 - iv. Culvert replacement – Summer 2011
 - v. Stream restoration and flood plain restoration – Starting in 2010
 - vi. OCV Pond retrofit – Summer 2011
 - vii. Butler Farms Pond – Summer 2011
- e. ANR issued a new draft of the MS4 permit– Comments due by March 8
- f. Major change – Requires implementation of TMDL.
- g. As of today, MS4 permit does **NOT** provide mechanism for permit renewal.
 - i. City is talking with ANR about this issue.
- h. Plan previously looked at replacing a portion of Butler Drive with porous asphalt. That was removed due to cost and practicality. Now we are only suggesting that a portion of the back corner of Butler Drive have bioretention installed on it.
- i. Permit Reivew
 - i. Brief discussion of RDA permits issued by ANR to property owners who discharge directly to streams. These are Federal permits that are administered by ANR.
 - ii. Stormwater TMDL requirements are written in to the draft MS4 permit, making the implementation the City's responsibility.
 - iii. New permits don't deal with the expired permit issue. The State still needs to come back to tell us how it is going to fix this.
 - iv. All components of the BF/OCV project are being designed to State standards. We are using the State's Engineering Feasibility Analysis (EFA).
 - v. City can't transfer permits right now because there are no legal mechanisms for doing so.
 - vi. Old permits are available for viewing online.
 - vii. Question asked about CLF's role in all of this? We will have to find out. Comments on the draft MS4 permit are due March
 - viii. Why are we doing this? Meets the state permits, have significant state grants that will run out.

- ix. Comment that the existing diversion swale is not effective because people have filled them in to increase their lawns. Need to leave swale's open. City supposed to maintain swale. No easement but there is a deed of 10 feet.
- 2. Jack discussed Oak Creek Village Micropool
 - a. Project is substantially complete.
 - b. Plantings to happen in the spring. This will help screen the large outlet structure.
- 3. Jack discussed Golf Course swale.
 - a. Showed engineering plans for swale.
 - b. Discussed swale location and the location of a proposed area for enhanced infiltration and habitat creation. To be achieved by soil amendment and native species planting.
 - c. Tom discussed status of Golf Course in this work. They have generally agreed that they will let us move forward with this work, even if it is on their land. Details being worked out regarding who will do the work.
- 4. Jack discussed curb cut bio-retention.
 - a. Reviewed the purpose, location, and design of the bio-retention cells.
 - b. Addressed concerns with plantings.
 - c. Talked about road paving.
- 5. Jake reviewed issues with tributary 7.
 - a. He discussed the benefits of a stream buffer.
 - b. Reviewed current conditions.
 - c. Reviewed photos of other local restoration projects.
 - d. Tom discussed the voluntary nature of the restoration effort. If residents don't want us to do plantings, or otherwise be on their property for stream restoration than we will not be there. Interested people should call / email Tom and let him know of their interest.
 - e. Comments about runoff from Marceau Farm and concerns about what is coming in to the neighborhood.
- 6. Jack briefly described the OCV retrofit.
 - a. Planning is underway.
- 7. Jack discussed Butler Farms Pond.
 - a. Reviewed draft engineering plans.
 - b. Water will be removed from the stream and sent to the Pond. It will be discharged across Hinesburg Road. This will restore historic flows that were changed when the neighborhood was developed.
- 8. Tom discussed updated budget.
 - a. Golf course swale and bio-retention curbs come out of grant funding and City (SW Utility) funding.
 - b. Homeowners are being asked to help pay for the Oak Creek Village Pond retrofit and the new Butler Farms pond.
 - c. When the estimated total cost is divided by the 254 homes it is ~\$800/home.
- 9. Tom discussed how this could move forward.
 - a. Everyone in the neighborhood could sign an agreement asking for this to be done. This is unlikely.
 - b. Otherwise it would have to go to a public vote in November. There'd be a ballot item similar to what residents have seen recently for the stormwater ARRA projects.
 - c. Cost would be spread out over 10 years and billed to residents. Exact term and billing is to be determined.
- 10. Questions and discussion:

- a. It cost approximately 140K for Oak Creek Micropool project that was substantially completed this Fall.
 - b. Paving of Butler Drive was deferred until bio-retention could be completed.
 - c. Does budget include maintenance? No, the City will maintain everything using funds from the Stormwater Utility fees. In other locations where curb cut bio-retention has been installed the property owners took over maintenance. The City will work with effected homeowners to determine maintenance for this piece.
 - d. Maintenance for culverts? Concern over plows plugging the culverts with snow. We will see how many of the 4 culverts can be replaced / improved using grant funding. May not be able to do all 4. At a minimum, maintenance of the remaining culverts will be included in the project. Highway staff in charge of plowing was made aware of snow in front of culvert issue. Tom will remind them.
 - e. Concerns over floodplain and wetland scrapes increasing flooding. The point of this work is to provide additional space for water during high flow events. On their own, this project component would likely not prove effective. However, if we can control the stream hydrology by diverting and/or detaining runoff from the neighborhood there will be a visible improvement of conditions in the stream.
 - f. Further discussion of Marceau Farm. Not a lot can be done until the Marceau property comes in for development. At that time, the City can work with the land owner and developer to address concerns related to runoff. Tom stated that it important for everyone to understand that while the farm runoff contributes to problems in the neighborhood, they are not the only issue. There is a lot of unconotrolled stormwater runoff originating from the Butler Farms and Oak Creek Village neighborhood. We have grant funding to deal with that part of the problem
 - g. There will be no additional fees (on top of the normal stormwater utility fee) for maintenance of proposed SW treatment practices.
 - h. When do grants expire? Tom has extended all the grants at least once (some twice). Currently funding for remaining grants will go away in 2012. Very unsure about additional extensions.
 - i. Even though ANR can't currently issue a valid permit, the City is running all project designs past ANR staff.
 - j. Bio retention will only be on non-sidewalk side of the street.
11. Thank you and adjourn.