

**UTILITIES COMMISSION MEETING**  
**AUGUST 15, 2005**

Mayor Margo G. Bailey called the meeting to order at 7:30 p.m. In attendance were Commission members James R. Johnson, W. Whaland Clark, Harrison C. Bristoll, Jr. and Mabel Mumford-Pautz, Robert Sipes, Utilities Manager, Jennifer Stead, Stenographer, and guests.

Mayor Bailey asked for a moment of silence for those who have died, were injured, and are serving on active duty.

Mayor Bailey stated that there have been over 1800 soldiers who have died in Iraq and Afghanistan and asked that everyone support the troops and not forget that they need our help. She said there were groups such as "Semper Fi" and "Operation Gratitude" that were worthy charities to help the troops.

Mayor Bailey asked if there were any additions or corrections to the meeting of July 18, 2005. **Mr. Bristoll moved to approve the minutes as submitted, was seconded by Mrs. Mumford-Pautz and carried unanimously.**

Mayor Bailey stated that cash on hand and in banks was \$371,801.43.

Mr. Sipes stated that a check valve was added to the water plant project because it was not originally included.

Mr. Sipes stated that the first hole for the new deep-water well was dug.

Mr. Sipes stated that more than the usual amounts of dirty water complaints have been received. He said they were weather related and there had been a lot of breaks throughout Town. There were six (6) leaks in the last two weeks, which was double or more than the usual amount. He said that the office should be notified immediately if water was discolored.

Mr. Sipes stated that the new laptop for mapping out the Town was in, along with the software and GPS. He said he tried the GPS, which worked well and ranged within 3' of the actual target.

Mr. Sipes stated that all the indicator lights at the Radcliffe Pump Station were replaced.

Mr. Sipes stated that there were problems with the International truck, which was used to haul dirt from different sites. He said that he wanted the Council to be aware of that and he would try to budget for a used truck over the next couple of years.

Mr. Sipes stated that a reimbursement was issued to a customer. He said the resident called the office and said that his plumber told him that the curb stop was leaking. The

sidewalk was torn up and replaced; however it was not leaking, and the only charges were for the Town's work.

Mayor Bailey read a letter into the record from Chip MacLeod, Esquire requesting a stormwater management drainage easement for Philosopher's Court, LLC. onto the Town water property at Kent Street.

Mr. Kevin Shearon of DMS & Associates was present as was Mr. Greg Smith, builder. He explained that the Planning Commission walked the site and had seen the plans. He said the existing storm drain line that discharged to marsh would be the line that they would tie into. He said the easement would be 20' x 20' and connect to the existing inlet. Mr. Shearon said that his clients would entertain any feasibility studies to ensure that there was no short or long-term damage and/or negative impact to the Town's property.

Mayor Bailey stated that comments were received by the Council from Mr. Ingersoll before he left for vacation. She said that the plan as presented so far was non-specific with only a general area of easement. There were no specifics on the catch basin or flows that would go on the property. She said that it was her understanding that the existing pipes were small and old.

Mr. Sipes stated that there was another manhole that was not shown on the water plant side of Kent Street. He said the culvert pipe started as a 24" concrete pipe but by the time it reached the catch basin it was an 8" terra cotta pot that was not in good shape. He said that the line had trouble handling the existing stormwater flow. Mr. Sipes stated that if the line was going to be replaced they had to take into account that two (2) wells were in close proximity. He said that one well was very old and he was afraid of VOC discharge to either well.

Mr. Sipes stated that any runoff coming from the direction of the houses would do nothing to alleviate problems with contamination of the wells and might only enhance existing problems.

Mayor Bailey stated that this property was in the Critical Areas. The Town required a stormwater management plan that reduced the pollutants by 10% below the level of pollution on the site prior to development or redevelopment. She said this project is going from 4000 square feet of impervious surface to 18000 square feet of impervious surface, which made the above requirement hard to meet. She added that open swales and ditches were part of the solution but, as policy, were not allowed by the Town.

Mayor Bailey stated that the plan called roads made of crusher run and blue stone. She said when such stone was used in parking lots or roads it took little time to become an impervious surface. She said that the Town zoning code required macadam or bituminous concrete and was subject to approval by the Planning Commission.

Mayor Bailey stated that there were also some matters that were zoning issues but could affect stormwater calculations and mentioned there were issues with setback.

Mayor Bailey stated that there were too many unknowns in this project and she said that development should be self-contained with all issues met onsite. Mr. Bristol agreed stating that the Town could not afford to take on the problems that this development could bring with it.

Mr. Shearon stated that he would have liked to have had a chance to review Mr. Ingersoll's letter so he could have prepared responses to it. He said that the property was zoned R5, which was the highest residential use allowed in the Town of Chestertown. He said there were no buffers that were municipal properties and they were trying to comply with the zoning regulations within the Town, while meeting stormwater management and all other requirements. He said that the Critical Areas Commission was contacted and they were able to meet the 10% pollutant removal onsite. He said that some of the swales were for conveyance and they were not taking credit for them.

Mr. Shearon stated that they had not gotten any further than concept approval with the Planning Commission and now the Town wanted them to go to Soil Conservation first. He said he did not want to use the resources of Soil Conservation submitting concept after concept. He said that if the Town wanted to get an independent engineer they could analyze the site to ensure all requirements were being met.

Mr. Sipes stated that the Town could not do without the two existing wells operational. He said that the excavation, installation, and additional runoff made him nervous and would have a direct and immediate impact on the wells.

Mrs. Mumford-Pautz stated that she would like to speak to Mr. Ingersoll for his input before a decision was made. She said she knew that the Planning Commission required approval from Soil Conservation Service before an approval was given. Mr. Johnson agreed, stating that he would like to meet with Mr. Ingersoll and Mr. Sipes together.

Mayor Bailey stated that she did not like the idea of either well possibly being contaminated. She said if an independent engineer was hired the Town would have to pay for it.

**Mr. Bristol moved to deny the request, which failed for lack of a second.**

Mr. Shearon stated that the applicants were sensitive to the wells and requested an independent study to look into the project. Mr. Sipes stated that he did not know if anyone would guarantee the integrity of the wells. He said if the wells were lost, the Town would not be able to handle the water flow.

Mr. Sipes stated that one of the things that would be added to the site was blacktop, which had petroleum products and wondered if it would release VOCs into the stormwater runoff. Mr. Shearon stated that he did not think it would because VOCs would be removed through infiltration in the bio-retention area. Mr. Sipes stated that he was not sure that he agreed with that. Mr. Shearon stated that they were meeting all the

requirements from different agencies and could work through the studies with Mr. Sipes. Mr. Sipes stated that a percentage of the contaminants could leak through the bio-retention area and that the wells were very close to it.

Mr. Sipes stated that if he was looking at the plan correctly, the area that they were requesting for an easement contained a building as one of the existing wells had a building adjacent to it. Mr. Shearon stated that he would like to walk the site and stake out the proposed easement for Mr. Sipes.

**Mr. Bristol moved to table the matter until all questions regarding the application could be answered, was seconded by Mrs. Mumford-Pautz and passed with four in favor, Mayor Bailey opposed.**

**Mr. Clark moved to hire an engineer to review the site and the well issues, was seconded by Mr. Johnson and carried unanimously.**

There being no further business, **Mr. Clark made a motion to pay the bills. The motion was seconded by Mr. Johnson and carried unanimously.**

**Mr. Clark made a motion to adjourn the meeting at 8:15 p.m., was seconded by Mr. Johnson and carried unanimously.**

Submitted by:

  
Jennifer Stead  
Stenographer

Approved by:

Margo G. Bailey  
Mayor