

Changes proposed for the Stormwater Management Code (2009, draft)

From: Friends of Harford, Morita Bruce, President (507 Millwood Dr., Fallston)

Specific changes needed are shown in red.

[FOH's added commentaries are in brackets and italics.]

§214-28. Waivers/watershed management plans.

On page 12, delete B(2)(a) and C(1)(a); On page 13, delete C(2)(a);

[Fee sin lieu should never be allowed for new development. There are many viable alternatives, and if none of the alternatives are viable for a specific property then the property itself is unsuitable for development. It is wrong to permit cheap "buyout options" so developers can still build on inappropriate sites, and it is wrong for nearby properties or the environment to be damaged by such development. It is the owner who must accept responsibility for the fact that the property that doesn't meet his needs.

FOH does not object to fees in lieu for redevelopment. We strongly support and encourage redevelopment, and we recognize that significant site constraints often exist on previously-developed properties that do not exist on undeveloped land.]

page 15, top paragraph, add at the end of the last line:

... onto existing roads. However, this shall not be construed to allow or permit any offsite runoff via impervious surfaces such as driveways, or allow any runoff carrying visible sediment.

page 16 B(1)(a)[1] add: Preserving and protecting natural resources, to include the nondisturbance of Natural Resource Districts by either clearing or construction of stormwater management facilities.

[It is the job of manmade SWMFs to protect nature's NRDs, not vice versa. NRDs are valuable ecosystems; they are not cheap land to be destroyed by converting them into manmade "facilities".]

page 16, end of the page after [7], add:

[8] Use of vegetated, pervious surfaces and meandering guide channels to infiltrate water and to convey flowing water to streams

page 26, G(2) change:

...excavated volume will still meet the requirements of the approved plan after the added sediment caused to construction has been factored in.

page 29(8)(b) add: A stop work order shall be issued for the site by the Department if a violation persists or if damage to natural resources or property is likely unless work is stopped until the violation is corrected.

Page 33, add:

... each and every violation with costs imposed at the discretion of the Department and not to exceed \$50,000. There shall be no limit, however, when good faith efforts to prevent violations and to halt continued violations are not evident.