

SOURCE WATER PROTECTION ORDINANCE WORKSHOP
MARCH 10, 2016 – 11:00 A.M.
TOWN HALL

I. CALL TO ORDER

The meeting was called to order by Commission President Pat Correll at 11:00 A.M. Present: Commissioners Lawrence Tassone, newly elected, but not yet sworn-in Commissioner Timothy Banks and Town Manager Jesse Savage. Guests included Ms. Lee Ann Walling from Cedar Creek Planners, Town Engineer Jason Loar and Doug Rambo from the Department of Natural Resources and Environmental Control (DNREC).

II. QUORUM PRESENT

President Correll advised a quorum of the Town Commission was not present at this meeting.

III. REVIEW AND DISCUSSION OF PROPOSED SOURCE WATER PROTECTION ORDINANCE (SWP)

Town Manager Savage advised this is a follow-up workshop for the Source Water Protection Ordinance, first discussed on November 5, 2015. At the close of that meeting it was determined that DNREC would place new data in the model and re-configure maps around the intersection of Rt. 13 and 404, as there is a protection area at that location that is severely detrimental to Bridgeville's economic development. Tidewater offered assistance to examine the area further and re-worked the model. Ms. Walling has prepared new maps and an update with significant differences, which are beneficial to the Town.

Ms. Walling has been a consultant to the Town concerning this issue and has drafted an amended Ordinance for consideration. She reminded the Commissioners that this Ordinance is required for all Delaware Towns when they exceed a population of 2,000. Its purpose, to protect areas around the Town's wellheads and excellent recharge areas. The previous meeting confirmed a very large wellhead protection area in a location with significant promise of commercial development for the Town. Service roads are already in place at this location and it is primed for development.

An initial meeting took place with Tidewater Utilities in November 2015 concerning the Tidewater-owned wells at the Bridgeville Mall property. The Town was going to be required to restrict development in this particular area to protect these wells that didn't belong to them, but belong to Tidewater.

Mr. Doug Rambo advised when the source water assessment for Tidewater's Bridgeville Mall was done approximately four years ago; Tidewater did not have a groundwater allocation for that system and was not required to report water usage annually at that location. Tidewater now has received an allocation and the Town was able to request from Tidewater annual water use for the wells on that system. When the system was assessed previously, DNREC had to go by what their maximum pumping for each well would be. For 2 of the wells it was 750 gal/minute so they could

maintain fire flow in the event of a local fire. Realistically, they are not pumping those wells at that level; however, as a precaution they had to operate based on that pumping rate. This issue created the large protection area, as it exists today.

In November, Tidewater was able to furnish new pumping data for the wells to show that they were under 50,000 gallons per day. Because of that information, they were able to reduce the wellhead protection areas for those wells to a 150' radius and reduce the size of the overall wellhead protection area, keeping the wellhead protection area on the mall property.

Should a fire occur, there will be a period of time that the wellhead protection area will expand, but only for the duration of the fire and a short period thereafter as the wells recover, with no impact on the Town.

President Correll expressed her appreciation to Tidewater for their willingness to help and their efforts to work through the problem for the Town's benefit.

Mr. Banks asked if it lessens Tidewater's restriction. Mr. Rambo advised it does not lessen their restriction. Because the wellhead protection area is now out in the county, they fall under the county's source water protection regulations. The Town is required to have their Ordinance cover the wellhead protection areas that are in the Town limits.

Town Manager Savage advised this Ordinance only affects the highlighted areas on the map. The Ordinance isn't for development Town-wide; it is just for the shaded areas. It will only affect the Town if they want to develop in that area.

Restrictions:

- 20% impervious cover (in wellhead protection area #2 – in excess of 150 ft. from wellhead) can go to 50% impervious cover with an environmental assessment
- Per Commissioner Tassone, this is the area they were planning to build condominiums, which would be a greater density. There is space available to re-locate this part of the development, if necessary. This information should be shared with Ms. Dottie Harper.
- Town Manager Savage asked if the 20% figure is standard and what the highest percentage is that DNREC would accept.
- Mr. Rambo advised 20% is a very common percentage. Over 50% the basins get larger to handle additional stormwater; 25-30% is common.
- Town Manager Savage is aware you can go up to 50% with an environmental impact study.
- Ms. Walling recommended staying at 20% impervious surface, as there is still a great deal of open space available.
- It was qualified that the size is contingent on the whole area, not per parcel.
- It was suggested engineer Bob Rauch be made aware of this discussion and information. He wrote the Master Plan for the Heritage Shores Development..
- Ms. Walling added that this is the public water supply, which must be protected.

Engineer Jason Loar believes this is a good Ordinance that will protect the Town/aquifer and he appreciates Mr. Rambo's assistance with the calculations. The changes are based on state-approved science and are completely legitimate.

President Correll thanked Ms. Walling and Mr. Rambo for working closely with the Town and helping to solve the issues that confronted the Town. She also expressed appreciation to Tidewater for their willingness to assist Bridgeville concerning the wellhead protection area on Tidewater's property.

IV. ADJOURNMENT

Motion to adjourn – Tassone; 2nd – Correll; the meeting was adjourned at 11:25 P.M.

Respectfully Submitted,

Lawrence Tassone, Commission Secretary

Peggy Smith, Transcriptionist

DRAFT