



## Eco-Action Committee

November 17, 2020

**Re: 915 Chesapeake Ave. Annapolis (a/k/a Lofts at Eastport Landing LLC)**

Dear Board of Appeals members,

The Eastport Civic Association's Eco-Action Committee commented on this matter in our July 15, 2020 letter to the Board of Appeals. We appreciate the many hours of your lives that you dedicated to reading and listening to the testimony related to the Eastport Lofts and your thoughtful response to all the issues but especially the adequacy of the public facilities related to stormwater. We agree with the board's determination and were happy that the matter went back to the City to flesh out the standards and apply them in a way that would comply with adequacy requirements. We looked forward to meeting with the developer and City planning staff to discuss a potential resolution since what the Director of Planning and Zoning and the Mayor said would be the next steps. We were surprised to learn that the mitigation plan was submitted, never mind approved, by Planning and Zoning without any such meeting and applying out of date stormwater standards that were changed in 2018.

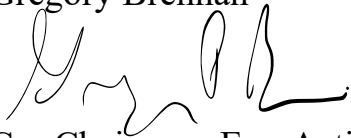
The City adopted the policy standard of 100% stormwater treatment for redevelopment and documented in the policy document drafted by then Director of the Department of Public Works, David Jarrell, in his memorandum regarding Stormwater Management Policy for Development Projects dated January 25, 2019 (see attached). It correctly quotes Annapolis City Code Section 17.10.080.A.3 stating that "The Director of the Department of Public Works may require more than the minimum control requirements specified in this section if hydrologic or

topographic conditions warrant or if flooding, stream channel erosion, or water quality problems exist downstream from the proposed project.’ Severn River, Spa Creek, and all other creeks in Annapolis are considered ‘impaired’ waterways by the EPA because of excessive levels of contaminants.” ... “When higher levels of treatment are practicable on ‘Redevelopment’ applications, increased treatment shall be implemented with a goal of 100%.”

We know that it is practicable to treat 100% of the stormwater since the developer proposed the higher treatment amount by proposing the Step Pool Conveyance System in the original application.

The Step Pool Conveyance System would have corrected the stream erosion and helped improve the water quality of Back Creek. Instead, the mitigation plan proposed by the developer includes a measly \$17,000 contribution to the design phase of the restoration project which will take place years from now, if ever. It is insufficient. Thank you for your consideration of our supplemental testimony on this important matter.

Gregory Brennan

A handwritten signature in black ink, appearing to read 'Gregory Brennan', written in a cursive style.

Co -Chairman, Eco-Action Committee