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Storm clouds rising over new drainage regulations

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Proposed subdivision and storm-water regulations will hamper development and cost residents money, according to many of those who took part in a recent public meeting on a proposal to improve the way storm water is handled throughout Bullitt County.

The chairman of the Joint Planning Commission, though, said the regulations will lead to quicker resolution of storm water issues with less hassle for residents.

"We wanted a better plan for Bullitt County," said Chairman Martin Riedling after the Thursday meeting.

The commission has worked for two years to write regulations establishing minimum standards of design and construction for subdivision plats, plans, streets, lot layouts, storm water control and drainage structures, which would bring the county into compliance with the Clean Water Act.

While the commission's regular meetings on the plan have been public, the commission held its first public hearing Thursday.

Most of the participants voiced concerns over a new impact fee. Developers would pay 2.5 cents per each square foot in site plans. The fees would be put into a trust account of the city or county where the land is located and be spent by the municipality to maintain the storm water structure.

To put this into perspective, developing a site the size of shoe distributor Zappos' Shepherdsville facility — which is 832,000 square feet, according to Bob Fouts, Bullitt County economic development director — would cost the developer an additional \$20,800.

"This is the kind of thing that can be used against us" in business deals, said Jesse Flynn of Flynn Brothers Contracting, which developed Cedar Grove Business Park, where Zappos is located. "Sometimes it comes down to a small issue."

Derek Smothers, a Bullitt resident, was concerned that this fee would be passed on to homebuyers.

"I'm going to be paying it. My kids are going to be paying it. My grandkids are going to be paying it," he said. "This is definitely a process that's going to make their houses go up."

Richard Miles, owner of Dogwood Homes, has voiced concerns over the regulations to Bullitt County Fiscal Court.

"If we're doing something this drastic, there needs to be a major problem," he said. "I can't find the first problem."

Miles, along with Chuck Kavanaugh, executive vice president of the Home Builders Association of Louisville, urged the commission to consider making homeowners associations responsible for the upkeep of storm water systems.

"If there is a retail center and this is a storm water facility on site ... the people leasing and owning it would rather maintain it," Kavanaugh said. "They would not like the government to maintain it."

"None of the other counties are proposing this kind of fee up front," he added.

Riedling said after the meeting that it will help property owners to have the government have the money up front, as opposed to going after the money when a problem arises.

"Homeowners associations fall apart," he said, adding that developers regularly go out of business, too.

Glen Roby of Shepherdsville was distrustful of homeowners associations. He told the commission he came to voice concerns for a neighbor living near a non-draining drainage basin.

"If the fee's necessary, so be it," he said.

Shepherdsville and Mount Washington already have storm water plans.

Fiscal Court heard the first reading of its plan July 20. Fiscal Court has an interlocal agreement with the five northern cities of Bullitt that provides for the storm water plan to cover them as well.

The commission's plan, if approved, would go to the cities and Fiscal Court, which can choose to adopt it and overwrite their own policies, or turn it down. Many at the meeting asked the board to delay its vote, now scheduled for Thursday.

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