



MIDDLETOWN
Rhode Island

ENGINEERING

TOWN OF MIDDLETOWN

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Date: February 4, 2022
To: Ron Wolanski, Town Planner
From: Warren Hall, PE, PLS, Town Engineer
Steven Cabral, PE, Crossman Engineering

Re: Application of Juan Campos, Waiver from 153.04 and 153.23

In response to the request by Attorney J. Russell Jackson for a waiver to Chapter 153, Stormwater Management Ordinance, we reviewed the Plans and supporting data provided by Northeast Engineers and Consultants, Inc. and the Variance requirements of Section 153.04 and offer the following:

The project represents a new planned development and must meet the stormwater standards, unless there are exceptional circumstances applicable to the site. Section 153.23 clearly states that the design criteria, methodologies and construction specifications shall be that of the Design Manual, which is defined in the Ordinance as The State of RI Stormwater Design and Installations Standards Manual, as amended. The primary issue is that the required "Recharge" volume is proposed by the Applicant to be provided in the proposed detention basin, which is also referred to as an extended detention basin and infiltrating detention basin in various application documents. As a basin that takes credit for infiltration, we conclude that the design must conform to Section 5.3 of the Manual, Stormwater Infiltration Practices, and not standards related to Detention Ponds or Extended Detention Ponds. We find that the current design does not provide the minimum required separation between the pond bottom and the seasonal high groundwater. We also find that the provided mounding analysis indicates that "back-up" into the system will occur due to the minimal clearance to groundwater.

In conclusion, the waiver is denied in accordance with Section 153.04 for the following reasons:

- A) Implementation of the requirements do not create an unnecessary hardship and are feasible.
- B) There is no innovative management practice proposed.

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We recommend that the required minimum 2 ft vertical clearance be provided. If the standards cannot be met due to existing conditions, such as groundwater table elevation, soils type, topography, wetlands, to name a few, then the development should be scaled back to allow for the number of units that the land can support.

We are in a stormwater management crisis, with RIDEM continuing to require more treatment, monitoring, and reporting by communities. Therefore, we must be diligent in our efforts to enforce the current standards. I would like to avoid, within our MS4 report to RIDEM, that we have allowed a variance to the minimum standard requiring less than the prescribed treatment of stormwater.