

**Minutes of Special Call Meeting of  
Oyster Harbor Citizens Association  
December 1, 2007**

President Brooke Doswell called the meeting to order at 9:15 a.m. at Zü Coffee. There were seventeen members present.

President Doswell handed out the agenda (see attached) and drawings of the community showing the streets. She also introduced Mike Kretsch, a professional engineer from McCrone, which is a company that has worked with OHCA for many years.

President Doswell briefly reviewed the history of the Master Plan, and explained that the intent when it was developed 10 years ago was to get storm water out into the bay as fast as possible. The question that arises now is whether that is still advisable given the current state of the bay and changes in Federal, State and County intent since the Master Plan was developed.

OHCA got permits for the Master Plan in 2004 but the work was not done then. We renewed the permits last year and the Maryland Department of the Environment (MDE) made some changes in the permits, none of which were contrary to the Master Plan. There are two permits, one for each side of Arundel on the Bay, and we now have one approved permit in hand.

In addition to the environmental issue that it would cause water to rush into the bay, another issue with the Master Plan is that it would shift Fishing Creek Road and Cross Roads from their current locations, which would require the removal of trees, relocation of telephone poles, etc. That is because the community's forty-foot right of way does not align with where the road is currently located (i.e., those roads are not centered on the community's right of way), and the Master Plan calls for eight-foot swales on both side of those roads. On Cross Road, the current curve in the road would be replaced by a ninety-degree angle under the Master Plan. To shift Fishing Creek and Cross Roads per the Master Plan would require that a large number of trees be cut down. Removing those trees would work against the environmental objective of having more surface water absorbed and would be aesthetically unpleasing.

Another issue is that the roads in Oyster Harbor were originally built on oyster shells, which were not a solid base and the asphalt is sinking into the oyster shells. The Master Plan does not address that problem. Many of the roads in the community need to be resurfaced and the proper base put underneath.

President Doswell also explained that the Master Plan calls for regular maintenance (per County Code) to be done on the roads and swales, but that maintenance was put off for some time. About a year ago, a decision was made

to start the needed repair and maintenance work. The swales were dug out and many culverts were replaced. Repair and maintenance work has also been recently done on 14 of the worst problem areas in accordance with the Master Plan and with the concurrence of MDE (those 14 areas will be posted on the OHCA website). Much work remains to be done on the Master Plan.

In the process of maintaining and cleaning out the swales, they were dug to the depth specified in the Master Plan, which caused them to be dangerous (a couple of people have driven into one of the swales). Last year the OHCA President at that time, Norm MacLeod, put rocks into some of the swales to make them safer and help with water absorption. That work was halted last year since no decision was made by the Board concerning the cost of the rocks.

The County is fine with the rocks in the swales and no permit is required for the rocks. Brooke has asked Walt Kinder from the County about the rocks in the swales, and he said the only problem would be if people parked on them regularly and compacted the rocks so that they became impermeable. The Master Plan also calls for rocks (called check dams) on the hilly roads in order to slow down water and prevent erosion.

Mike Kretsch from McCrone discussed the pros and cons of rocks in the swales. He said they were workable for our swales and, in fact for our current swales that have been cleaned out, they are needed for structural support. Mike also said that the swales with rocks would cost less to maintain over time than the swales designed in the Master Plan. That is because the swales with rocks have a material on their sides which is water-permeable but does not allow silt to pass through. The swales without rocks have no such fabric (since grass grows on the sides of those swales), and the silt will build up more quickly in those swales and they will require more maintenance.

An advantage of open swales is that you can see when they need maintenance. A disadvantage is that they collect leaves, grass and silt/sediment. To remove silt and maintain a rock-filled swale, the swale needs to be filled with water and the water and silt vacuumed out. Vegetation growing on a rock-filled swale indicates that it is filling with silt and needs to be cleaned out.

A downside of rocks in swales is that they cost more initially, but the cost of maintaining rock-filled swales is less than for open swales. A key advantage of rock-filled swales is that they act as a water quality device slowing the flow of water and allowing more seepage into the ground. Another advantage is that leaves don't matt up when wet but can dry out on the rocks and blow away. The cost of maintenance for rock-filled swales is less because a blower can get rid of the leaves.

Bob Eyster commented that there are more pros than cons for rocks in swales, but the question is whether we can afford them. Norm noted that as part of our recent maintenance, 75% of the swales and culverts in Oyster Harbor have been

cleaned out and replaced as needed. The total cost of that work to date is \$232,000, of which \$46,000 is for the rocks in the swales (cost of rocks, not including labor).

Ian MacKinnon commented that he is in favor of rocks in the swales, but it is important that the rocks be maintained. Brooke noted that Jose Lemus is now coming out three times each fall to clear out the leaves, and we are discussing with Jose Lemus the possibility of his getting a vacuum truck.

The question was raised as to whether the rocks in the swales on Shore Drive contribute to the flooding on that street after storms. The response was that before the sand/silt fence went up next to the community beach, sand washed across the road into the swale, diminishing its capacity for water flow. The swale across from the sand/silt fence needs to be cleared out and that will be done soon. A key to reducing flooding on Shore Drive is to prevent sand from washing/blowing across the street into the swale.

Pat Cannon asked Mike Kretsch if we should address the flooding problem on Shore Drive by putting in a pump and underground water storage/cleaning device such that clean water would then be pumped into the bay. Mike said that would help the flooding but would be expensive. Brooke said one contractor estimated that would cost about \$200,000 for a pump system. Norm commented that there are two reasons for the flooding on Shore Drive: 1) The swales haven't been cleared out after last year's storms, and 2) three roads (Washington, Howard and Ellis) drain into Shore Drive. He noted that 2) is not addressed in the Master Plan and we have to do something about it.

Kathy Burk commented that Oyster Harbor's storm water infrastructure was built 40 years ago and isn't up to current specifications. Brooke noted that we have a high ground water table and are in a floodplain. Neither the existing swales nor the swales in the Master Plan will handle what is called a "10-year storm event." Ian MacKinnon noted that we don't want to be able to handle a 10-year storm event because if we had that capacity, we'd be rushing polluted water into the bay whenever there's a storm. He also noted that 90% of the community drains fine now but we have spot problems (like Shore Drive) that need to be solved.

Kathy Burk asked if the existing swales meet today's design standards. Mike Kretsch said it is his understanding that the existing rock-filled swales do meet current ratio, grade and other requirements. He noted that if the swales without rocks remain open, they don't have proper support for the sides. Norm commented that we did a great deal of work opening the (now rock-filled) swales and making them the proper grade and size.

Brooke noted that the swales need to be maintained, and we were supposed to spend \$35,000 a year on maintenance but did not do so for 10 years. Mike Kretsch said that the swales as dug will work if they are maintained. He added that the swales on Shore Drive needs maintenance, and if they are maintained,

the water will drain faster. The geotech that was installed (wrapped around the sides) in the rock-filled swales has decreased the sedimentation. How often the silt needs to be cleaned out of a rock-filled swale depends on the site. Mike explained how that is done: A hole is dug into the rocks and a hose put in; water is blown into the hole and when it gushes to the top with the silt, the water and silt are vacuumed off.

Brooke Doswell said that right now Fishing Creek and Cross Roads are a major safety issue because someone could fall into the swales that don't have rocks. Joe Butcher commented that he doesn't have a problem with the rocks per se, but he would like Cross Road to be widened. He asked what the top things are that we need to get done. Norm MacLeod responded that half of Fishing Creek Road still needs rocks in the swales as does all of Cross Road.

It was agreed that the Board at its next meeting (on 12/13/07) will vote on whether to put rocks in the remaining swales on Fishing Creek and Cross Roads. Brook Doswell noted that prior to that meeting, the cost of the additional rocks, and the cost of the rocks installed in the past, will be posted on the OHCA website.

It was noted that the community approved the Master Plan on October 28, 1997. The community has changed significantly since then, and some feel the Master Plan should be revisited. The question was asked if parts but not all of the Master Plan could be implemented. The answer was that it could be, but that would need to be put to a community vote since the Master Plan was originally approved by the community. The following was suggested as what would go before the community for a vote: "The community and the Board are no longer held to implement the Master Plan as approved on October 28, 1997."

The meeting was adjourned at 11:55 a.m.

*Respectfully submitted,  
Nancy Plaxico, OHCA Recording Secretary*