

# The Capital

## Top Stories

### Lee Airport development to monitor stormwater

By E.B. FURGURSON III, Staff Writer

The community conservancy overseeing development next to Lee Airport has ironed out a first-of-its-kind plan where the developer will monitor stormwater quality leaving its planned shopping center along Route 2.

The deal resolves the primary issue that held up county legislation required for the project to move forward. But until County Councilman Ed Reilly, R-Crofton, is satisfied with the details of the deal, as well as the resolution of other issues, he won't resubmit the bill.

The Lee Farms Conservancy reached an agreement with developer Regency Centers last week, which will create what is believed to be the first privately funded and monitored stormwater treatment system in the county, and perhaps the state.

The two sides had been negotiating this issue for six months. They have been working together for more than two years since Regency signed on as the project developer.

"While not perfect, this plan is unique, breaks new ground, and is more stringent than any monitoring system in the county," said Joan Scott, president of the conservancy, a group of representatives from 1,000 households in five nearby Edgewater neighborhoods, the developer and the Lee family.

"We made a long-term commitment going into this thing," said Don Stedham, Regency's vice-president of investments. "We are excited about this accord. But while it's important to note this milestone, which is terrific, this really marks the beginning of the journey."

The county encourages this kind of relationship between residents and developers, but this agreement is the first of its type and the most extensive, officials said. Typically, developers are often responsible for monitoring stormwater ponds and other structures to make sure they function properly, but they do not test for what pollutants move downstream.

"This agreement is certainly a very progressive arrangement that the Office of Planning and Zoning encourages," said county spokesman Pam Jordan, adding that she's not aware of any other similar private agreement.

She said the county will require the project to meet state and county stormwater-management regulations. "Anything the developer does to exceed the requirements and remain sensitive to the environmental concerns of the community will only enhance the protection of our natural resources," she said.

County Councilman Ed Reilly last fall pulled enabling legislation to move a state road

from the middle of the planned shopping center because the stormwater and other issues had not been resolved.

The shopping center plan requires that a service road along Route 2 and a pond built by the State Highway Administration be moved. They're in the middle of the site proposed for the shopping center.

Mr. Reilly's bill, submitted Aug. 7, would allow the county to accept land from the state where the road and stormwater pond sit and then give it to the Lees. The Lees, in turn, would give land to the county for a new service road and storm pond.

A minority on the conservancy had pushed for some means of checking both sediments and pollutants coming off the proposed shopping center along Route 2 and into Warehouse Creek, which has been choked with sediments and pollution from area construction and runoff over the years.

"They have not met the burden yet, " Mr. Reilly said. He is awaiting more details of the agreement.

The agreement, due to be signed early this week, requires the developer to monitor for nitrogen, phosphorous, copper and total hydrocarbons. The first two are the major target pollutants harming the Chesapeake Bay, while the others are designed to detect chemicals from cars, such as brake linings, engine oil and gasoline.

Regency Centers would also test for suspended solids, which will measure how much runoff is coming from the project.

"This is probably going to be the cleanest project in the county," said David Simison, the attorney for the Lees, who have owned the property for more than 100 years.

Mr. Reilly said there also are two other major issues that need addressed before he will resubmit the bill to move the road, including whether the development exceeds the 54 percent impervious surface limit set out in the covenants. Mr. Reilly also wants assurances from the county that the new service road will not be extended down to Southdown Road.

The Village at Lee Airport is slated to include nine buildings and 775 parking places in a shopping center anchored by a 70,000-square-foot grocery store. There also will be shops, restaurants, a bank and a 50-unit, age-restricted housing facility. Two office buildings that appeared in early versions of the plan have been eliminated.

Once the County Council passes a bill for the property swap for the service road, Regency is set to submit its plans for approval, something they had hoped to do over a year ago.

*Published January 08, 2007, The Capital, Annapolis, Md.  
Copyright © 2007 The Capital, Annapolis, Md.*