

October 5, 2021

TO: Town of Ocean View County Council, Mayor, Town Manager and Planning & Zoning
CC: Susan Canfora

I am writing in response to the "Pending Ordinance to Amend the Ocean View Code, Chapter 169, Property Maintenance, Article 1" that is posted on the Town website.

I have several follow-up questions regarding the proposed change:

Regarding the proposed inclusion of **"... No person... shall permit trees, shrubs, grasses, vegetation to grow upon the Town's easements or right of way that may be dangerous to stormwater management and drainage systems..."**

1. Does this change apply to bioswale channels and concrete drainage swales?
 - o In speaking with Sussex Conservation District (SCD), any revision to easements that serve as a source of water conveyance require approval from the SCD. Revisions include any alteration, including removal of vegetation, grasses, weeds, etc.
 - o Has SCD provided their approval for this change?
 - o How do residents maintain such easements if they do not have the authority to make any changes?
2. Is it not the Town's responsibility to maintain drainage systems that support storm water run-off?
3. In some cases, the Town has already accepted responsibility of streets and easements in less-than-ideal circumstances (e.g., pre-existing conditions with easements and storm water features). If the Town accepted the conditions "As-Is" why is this burden being passed to Homeowners now?
4. What process is to be followed in communities with Homeowner Associations (HOAs)? Is the revision to this ordinance meant to supersede the responsibility of the HOAs?
5. In some cases, drainage easements within the Town flow into easements that are not located within the Town. Clearing vegetation from the Town's easements will not solve drainage issues unless there is cross-jurisdiction cooperation to ensure all sources of water conveyance are following the same set of guidelines. Does the Town have cross-jurisdiction support from the County?
6. A fee schedule is mentioned in "Chapter 3". Please provide a link to the fee schedule. It is not easy to find on the website.

I want to ensure there is full transparency and understanding of the cost impact that this proposed change will have on residents of the Town of Ocean View. It appears there is unfair hardship being imposed on residents based on prior decisions made by Town Officials to accept less than ideal circumstances from Developers.

Please reply prior to the upcoming public meeting on October 12, 2021 so that I can be fully prepared to present my opposition at the meeting.

Thank you.

Sincerely,
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