

MINUTES OF THE  
STORM WATER APPEALS BOARD (SWAB)  
MEETING OF JUNE 26, 2013

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, June 26, 2013 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. Chairman Richard Schuff called the meeting to order. A quorum was present. Attendees were:

**1.1 Board Members**

John Minton, Homebuilders Representative  
Brad Hoot, Community Representative, Secretary  
Dan Crunk, Development Representative  
John Kinnie, Agricultural Representative  
Dorie Bolze, Environmental Representative, Vice-Chairman  
Cheryl Wilson, Commission Representative  
Richard Schuff, Engineering Representative, Chairman

**1.2 Staff**

Michael Scott, Storm Water Quality Coordinator  
Debbie Smith, Administrative Assistant  
Kristi Ransom, County Attorney  
Floyd Heflin, County Engineer

**1.3 Representative for Appeals**

Greg Gamble  
John Goff, PDR Engineering

2. **APPROVAL OF MINUTES** – Mr. Schuff opened the floor for comments on the March 27, 2013 minutes. John Kinnie made one correction on page three, paragraph two and moved for approval as corrected, seconded by Brad Hoot. The motion was unanimously approved. (Cheryl Wilson was not present for this vote.)

3. **06-26-13-02 - Appeal for 104 Kathleen Court, Redwing Farms.**

**3.1 Introduction by Staff** – Mr. Scott reviewed the Staff report for the record. Mr. Scott distributed copies of the Definitions of the Water Quality Buffer and Buffer Zone requirements for discharge into impaired Tennessee water and general construction permits.

**3.2 Appellant Case** – Greg Gamble, Representative for the applicant. Mr. Gamble indicated the construction site as presented would consume approximately 16% of the total lot. Mr. Gamble reviewed the information that was presented for this application to the Board. They are asking for a Top of Bank setback of thirty (30) feet. The closest point of the house will still be 35.5

feet away from the top of bank and only the location of the house and construction area will be disturbed.

Mr. Gamble indicated to the Board there are currently two conveyances on this parcel that directly channel the water to the river. He added that in order to control the stormwater run-off from the cul-de-sac, they will create a channel to catch the run-off from the cul-de-sac and to control the water entering this site. There will be a gabion wall system installed to allow water to pass through this system and slow down the rate of runoff to, or lessen the affect on the Harpeth River.

Mr. Gamble indicated there would be some long term maintenance on this system and those maintenance requirements will be recorded with the deed.

**3.3 Public Hearing** – Mike Haarbouer, Soil Scientist, spoke in regards to the soil areas that were found on the property. He stated that the areas that were marked for septic are the only areas suitable on this site, due to erosion and drainage ditches that cut through the property.

Jerry Minor, 109 Kathleen Court, stated where the vegetation is proposed at the end of the cul-de-sac would not be effective, because the water doesn't run off in that area. Mr. Minor would like to see this request denied, because it does not meet the Regulations as stated on the Williamson County Stormwater Site.

Mrs. Jerry LaClaire, 105 Kathleen Court, spoke in opposition of this request. She stated this lot has been unbuildable for the last 25 years, and asked why is it buildable now, adding that Mr. Franks knew for some time that this lot was unbuildable. Mrs. LaClaire stated she and her husband have tried for many years to put topsoil on their property, but it has never stayed after a heavy rainfall. She urged the Board not to grant this variance and open the door for future waivers of this requirement.

Kathleen McClellan, 204 Kathleen Court S, spoke in favor of the request, stated she would like to see a home built on this lot because it was an eye sore as it is now.

Phyllis Osborne, representative for Mr. Terry Fowler, 108 Kathleen Court, stated that Mr. Fowler's comments were addressed by other neighbors. He is not opposed to someone building a house on this lot, but would like to see all the regulations followed.

**3.4 Board Discussion** – Mrs. Bolze asked why it was withdrawn at the May meeting. Mr. Scott stated the applicant withdrew in order to review the plans. Brad Hoot asked the applicant to summarize why they think this enhances the

water quality. Mr. Gamble indicated from the cul-de-sac to the conveyance, they would be installing several deep rooted plants and other measures.

Dan Crunk asked how the home owners would maintain the gabion baskets. Mr. Goff stated they would have to clean the system via pressure washing, however if this method was used, this would catch the debris before it entered the river.

John Kinnie asked if a study had been done to find out the volume of water entering the property. Mr. Goff indicated they have and it was submitted with the previous submittal.

John Kinnie asked if they would be filling the current channel that has been created. Mr. Goff stated they would be filling it in and also planting materials to prevent this from happening in the future.

John Kinnie asked how the drainage from the house would be done. Mr. Goff indicated they plan to route the drainage through a pipe to the Gabion system.

Dorie Bolze asked what the square footage of the planned house is. Mr. Gamble indicated it was approximately 3000 square feet.

Dorie Bolze asked what the distance of the house would be as to the required setback from the WNA. Mr. Gamble stated if this request was approved they would submit an engineered site plan noting the setback from the WNA and any grading. Mr. Gamble stated that they have left a 6 foot wide area around the house for construction equipment.

Dorie Bolze asked if a deck or patio would be approved at a later date. Mr. Heflin stated it would not, because the submittal is supposed to show all proposed structures, including the deck.

Brad Hoot asked Mrs. LaClaire if she thought the water quality of the river would be harmed if this house was built. Mrs. LaClaire stated she didn't know whether it would or not, but did not want a house built on this lot that did not fit the character of the neighborhood.

Brad Hoot asked Mrs. Osborne if her comments had to do with the lot being unbuildable, and if she thought the proposed improvements would not help the water quality. Mrs. Osborne stated she was not qualified to say whether the water quality would be harmed or improved, she only stated that if a house could be built on this property it should have to meet all regulations.

John Kinnie asked if the swales along the cul-de-sac and drive would be higher than the height of the road. Mr. Goff stated they would be higher than the road; however, it was only in order to channel the water where they want it, to allow the

water to be absorbed into the ground. Mr. Kinnie asked if it would create a pooling affect during hard rains. Mr. Goff stated it would not with their current design.

Cheryl Wilson stated the runoff was more of a problem than just this lot, because 25 years ago this lot was considered buildable. She felt that some road work could be done to fix the water from running directly onto this lot.

Brad Hoot stated that one of the neighbors indicated there was no change from the previous submittal. Mr. Gamble stated the mitigation addressing the water quality is new. The water that currently enters the river has no control, with these improvements the flow rate will be slowed down and filtered.

John Kinnie stated that after a site visit, he liked the baskets that are being proposed and even if this lot was not built on, something needed to be done to stabilize this lot or it would all be in the river. Mr. Kinnie stated he felt the 16" culvert may not be large enough to carry the water which could potentially cause backups on the neighboring properties.

Dorie Bolze stated she does not like the fact that the maintenance of the stormwater system will be solely the responsibility of the homeowner and does not like the fact that the entire house is located within the WNA. She does agree that this is a unique situation, however, still feels this is not a good situation to put a homeowner in.

Kristi Ransom stated that the reason this request is before this Board is because of the revised septic areas, and with the revised septic areas then the plat is required to meet the current subdivision regulations and stormwater regulations.

**3.5 Board Action** – John Kinnie moved to approve this waiver, seconded by Dan Crunk.

Dan Crunk amended the motion to add the following requirements: 1) Storm drainage must be designed so there is no ponding on off-site properties or the public right-of-way; 2) that the proposed planting plan be part of the house construction; and 3) deed restrictions be recorded requiring the continuous maintenance to the mitigation area, the gabion wall system and the stormwater swales, seconded by John Kinnie. Motion to amend approved, with Dorie Bolze voting no.

Motion to approve as amended approved, with Dorie Bolze voting no.

4. **Other Business** – Mr. Scott stated the end of the year completion is pending on the current MS4 and he is working on the annual report. It should be completed and ready for review this summer. Once complete he would like to discuss the Agricultural part of next year's MS4 permit.

**ADJOURNMENT** - There being no further business, John Kinnie moved for adjournment, seconded by Dorie Bolze. The motion was unanimously approved.

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Chairman

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Date