

MINUTES OF THE
STORM WATER APPEALS BOARD (SWAB)
MEETING OF FEBRUARY 27, 2008

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, February 27, 2008 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. Chairman Dorie Bolze called the meeting to order. A quorum was present. Attendees were:

- 1.1 **Board Members**

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

- 1.2 **Staff**

- Floyd Heflin, County Engineer
 - Regina Wilder, Storm Water Quality Coordinator
 - Debbie Smith, Administrative Assistant
 - Kristi Earwood, Attorney for the SWAB

- 1.3 **Representative for Appeals**

- Dan Strebels, Atwell Hicks
 - Mike Smelek, von Hagge, Smelek and Baril Architects

2. **APPROVAL OF JANUARY MINUTES** – Ms. Bolze opened the floor for comments on the January minutes. Brad asked that the last statement in Item 2 be removed.

Brad Hoot moved for approval of the January Minutes as revised, seconded by John Kinnie. The motion was unanimously approved.

3. **Election of Officers**

Ms. Bolze's opened the floor for a nominee for Chairman. Brad Hoot moved to nominate of Rick Schuff for Chairman, seconded by John Kinnie. The motion was unanimously approved.

Next position is Vice Chairman; Brad Hoot moved to nominate Dorie Bolze for Vice Chairman, seconded by John Kinnie. The motion was unanimously approved.

Cheryl Wilson moved for re-election of Brad Hoot as Secretary, seconded by Dan Crunk. The motion was unanimously approved.

4. 02-27-08-01 - Appeal for Stillwater Subdivision

4.1 Introduction by Staff – Mrs. Wilder read the staff report to record. (See File)

Mrs. Bolze's indicated she would be recusing herself from discussion and all decisions on this item due to a potential for conflict of interest.

4.2 Appellant Case – Dan Strebel, with Atwell Hicks indicated this project has been in the works for approximately two years, trying to find the best layout. The first layout would have required several stream re-locations, and was submitted to TDEC for ARAP permits. However, since that time the project has been revised to try and remove as much of the course from the WNA as possible. Mr. Strebel reviewed each hole (1-8 & 13 & 14) detailing each type of disturbance that would occur at each. (See handout in master file for this details.) Mr. Strebel indicated the maximum encroachment to any WNA would be 15 feet and any clearing within this 15 feet would be done by hand, no machinery would be allowed within this area to reduce any unnecessary disturbance.

Mr. Strebel stated the treated wastewater effluent on site would be used for irrigation on the golf course and would rarely get back into the streams on site.

Mr. Strebel starting discussing hole 6, however, due to the difficult playing conditions as a result of the proposed layout, the applicant would like to defer action on hole 6 and bring back a different design at a later date.

Mr. Strebel proceeded to discuss other matters related to golf cart paths and noted that in his opinion the reforestation along the Harpeth River could be considered as mitigation for some of the encroachment requests.

4.3 Public Hearing –

Mark Stewart, resident of Patton Road, stated he knew development was going to happen, and would like to make sure this project was done correctly, due to the encroachments into the WNA and stream restorations that would be occurring. Mr. Stewart thanked the Board for their help in making sure this occurred.

Jay Crawford, 8151 Horton Hwy. Again thanked the Board for all their efforts to enforce the regulations. Mr. Crawford indicated he and his family intended on living at this address for the remainder of his life and would like to make sure any development did not harm the streams.

Ginger Shirling, 2227 Osburn Rd, asked the Board to enforce the current regulations. She asked that the Board be careful with their recommendation, and asked when the developers would start to develop the land the way its intended, instead of taking out the existing trees and grading the streams and the land to create what they want, and not what the land is designed for.

Mike Cane, Representative the Harpeth River Watershed Association, stated he has been reviewing this project for quite a while and the plans have changed drastically since the beginning. Mr. Cane indicated this project as proposed has approximately 5000 feet of encroachment into the WNA. Mr. Cane indicated that the plan shows the buffers being measured from the centerline of the stream and would like to see this changed to ensure a proper record and ease of enforcement in the future.

Lastly, he added that a re-location of the stream at Hole 6, would likely not be approved by the State in a revised plan, and asked that the applicant be granted approval from the State before this Board made a decision.

4.4. Board Discussion – Dan Crunk asked for clarification on the amount of encroachment to the streams. Mr. Strebel stated the encroachment is within the buffers. Mr. Crunk requested to see construction drawings on each hole to be able to see the actual encroachment in each area. Mr. Kinnie added that after seeing the site and not having the correct locations staked on site, it was difficult to make a decision.

Mr. Hoot indicated he was not comfortable with the findings that the water quality will be enhanced from the proposed development. Mr. Schuff asked the Board to give the applicant direction on what they would like to see on the revised submittal.

Mr. Hoot asked if there was a qualified individual on site the test water quality? Mr. Strebel indicated they do have someone to do this, and asked for a partial approval of holes 13 & 14 in order to proceed with Phase 1. Mr. Heflin indicated that any partial approval could warrant a return to the Planning Commission if the shift of the golf course changes any part of the subdivision.

Mr. Strebel indicated they have left enough room to move the holes without changing the subdivision and could meet the requirements of the buffers, but would require more grading and cutting into the hills.

4.5 Board Action – Dan Crunk moved for deferral of this item until the March 2008 meeting and requested the following information be submitted:

- Provide construction plans with 2ft contours and more detail in the areas of the encroachments;

Brad Hoot moved to amend this motion by adding the following requirements.

1. Provide details on Water Quality and mitigation;
2. Provide plans for the reforestation of the Harpeth River near the drip field areas;
3. Provide a detailed sampling plan;
4. Have the golf course and encroachment areas re-staked in the field in accordance with the plans submitted in order for the Board to view the locations on site; and
5. Provide the construction plans with the detailed erosion control measures that will be utilized in the encroachment areas.

Motion was seconded by Cheryl Wilson. The motion on the amendment was unanimously approved.

Action for the original motion as amended, was seconded by John Kinnie. The motion was unanimously approved.

5. **OTHER BUSINESS** – Mrs. Earwood provided some changes that were made to the final regulations that have not been voted on by the Board. Mrs. Earwood stated they did not need to be approved at this meeting, but asked the Board to review those before the next meeting, so that this may be approved and sent to the County Commission for final approval and adoption.

Mrs. Wilder stated she had started to do the inspections on previous appeals and was still working on completion. She said she would have this report available at the March meeting. Mrs. Wilder did advise that Mr. Cromer had completed all requirements from his previous appeal.

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

Chairman