

MINUTES OF THE  
STORM WATER APPEALS BOARD (SWAB)  
MEETING OF NOVEMBER 16, 2011

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, November 16, 2011 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. Chairman Rick 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
    - Cheryl Wilson, County Commissioner
    - Richard Schuff, Engineering Representative, Chairman
    - Dorie Bolze, Environmental Representative, Vice-Chairman

- 1.2 **Staff**

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

- 1.3 **Representative for Appeals**

- Kevin Gangaware, PE

2. **APPROVAL OF AUGUST 2011 MINUTES** – Mr. Schuff opened the floor for comments on the August 24, 2011 minutes. Brad Hoot made two spelling corrections on page 3 Section 4-5, and page 5, paragraph 7 it should read “she would”. Dan Crunk then moved for approval of the minutes as corrected, seconded by Dorie Bolze. The motion was unanimously approved.

3. **11-16-11-01 - Appeal for 3377 Bailey Road.**

- 3.1 **Introduction by Staff** – Mr. Scott reviewed the Staff report for the record.

- 3.2 **Appellant Case** – Kevin Gangaware stated this item was returning to the Board because the owner now wished to install an asphalt driveway, with rain gardens and bioretention/enhanced swales and would like to remove the previous requirement for fencing to keep livestock out of the WNA. He stated the owners would no longer be having any livestock on the property and the need for the fencing was no longer an issue. Also the existing and newly installed landscaping has been done, with the minor differences being the amount of trees installed are less than the previously submitted amount, however when the rain

gardens are installed these trees and other materials will be installed in those areas.

Mr. Gangaware stated the proposed improvements would be a substantial improvement to the water quality over the previously approved plan because of the rain gardens and bioretention areas.

**3.3 Public Hearing** – No public comments.

**3.4 Board Discussion** – Mr. Gangaware indicated Bob Hammerlien was the Landscape Architect that designed the plan.

John Minton stated that soils in the County are known for not having the fastest absorption rate, and could cause issues with flooding during a large rain event. Mr. Gangaware stated both the pervious concrete and the rain gardens will not withstand large rain events, these are only designed to filter well in slow rainfall.

Brad Hoot asked what caused the change of pervious concrete to the current rain gardens and bioretention area. Mr. Gangaware stated the owners have purchased the land to the west of the driveway since the previous request and on this property the driveways are asphalt and the owners would like to maintain the same look on both properties. Also due to the topography of the land, it would only allow the rain gardens to be placed in certain areas without having to do large amounts of grading. He stated the gardens are sized for the drainage areas that would be draining to them.

Dorie Bolze asked how much of the driveway would not be treated by the rain gardens. Mr. Gangaware stated he expects only about 15% would not be filtered by a bioretention area.

Mr. Scott asked if the motion would be tied to the completion of the house or the entire project. Mr. Heflin stated the house is complete, but staff is holding the Certificate of Occupancy pending the outcome of this meeting. Mr. Crunk stated he didn't see any problems with issuing the Certificate of Occupancy now. An unknown representative stated they would like to tie the proposed requirements to the completion of the entire project, because they didn't want to have the construction vehicles damage the driveway.

Brad Hoot asked if they should say in the motion condition #4 "require a Professional Engineer to conduct weekly inspections and oversee and supervise during construction." Mr. Schuff indicated it says "development" not construction.

Mr. Minton wanted to know if the inspections were needed weekly. Mr. Heflin stated the general requirements were inspections twice weekly, so this was a

lesser requirement than the SWWP requirements. Mr. Crunk stated he just wanted to make sure the site was monitored.

Mr. Scott stated he felt a Level 1 inspector would not know the requirements for rain gardens in order to inspect them, nor could they certify their compliance with regulations. Mr. Heflin added that the designer of the rain gardens should be the one certifying their construction.

Mr. Gangaware stated they have no problems with the current motion and requirements.

**3.5 Board Action** – Dan Crunk moved to approve this request with the following conditions: 1) Bioretention enhanced swales be built as designed; 2) Landscape Architect review the plantings within the WNA and certify the revised plan; 3) Fencing be installed in the WNA buffer if livestock are to be kept on this property; 4) Retain a Professional Engineer to conduct weekly inspections and oversee and supervise all aspects of the development of the property to ensure compliance with both County and State regulations; and 5) Upon completion of the project, a sealed letter from a Professional Engineer be submitted stating all these conditions have been met, seconded by Dorie Bolze.

John Minton moved to amend the motion to remove the requirement for a Professional Engineer to do inspections weekly and revise to require a certified Level 1 Inspector to certify compliance with the State and County regulations after completion. Motion fails to get a second and Mr. Minton withdraws his motion.

John Minton moved to amend the motion to change Professional Engineer to the Design Engineer, seconded by Cheryl Wilson. The amendment was approved, with Brad Hoot voting No.

The motion as amended was unanimously approved.

#### **4. 11-16-11-02 – MS4 Annual Report.**

**4.1 Introduction by Staff** – Mr. Scott stated the MS4 has been sent to the state and today's review is for an endorsement only from this Board.

**4.2 Public Hearing** – No Comments.

**4.3 Board Discussion** – Brad Hoot asked what would be sampled. Mr. Scott stated the streams on the 303D list would be sampled, but they would not be testing for agricultural pollutants. They would be sending samples to the State Laboratory for the findings. Dorie Bolze ask if the findings would be made public. Mr. Heflin said they would be available in the Engineering office, but not sure whether or not it would be on the State's or County's website.

**4.4 Board Action** – Cheryl Wilson moved to endorse the MS4 Annual Report, seconded by Dorie Bolze. The motion was unanimously approved.

**5. 11-16-11-03 – Revised Storm Water Management Regulations.**

**5.1 Introduction by Staff** – Mr. Heflin reviewed the changes to the document asking for comments or corrections.

**5.2 Board Discussion** – Staff discussed some of the additions that have been put in the regulations because of our new requirements in the MS4 permit. Brad noted he had asked for wordage to be added about the overall water quality being enhanced by the improvements in Section 10. Mr. Heflin stated he would find his previous comments and make the additions requested.

**5.3 Board Action** – No Board Action Required.

**Dan Crunk and Cheryl Wilson left the meeting.**

**6. 11-16-11-04 – 2012 SWAB Meeting Schedule.**

**6.1 Introduction by Staff** – Mr. Scott noted that if the revised regulations were approved the deadline dates for 2012 would be revised, but the meeting dates would not be affected.

**6.2 Board Action** – Dorie Bolze moved to approve, seconded by Brad Hoot. The motion was unanimously approved

**7. Other Business – None**

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

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Chairman

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Date