

MINUTES OF THE
STORM WATER APPEALS BOARD (SWAB)
MEETING OF JULY 26, 2017

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, July 26, 2017 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. Vice-Chairman Dorie Bolze called the meeting to order. A quorum was present. Attendees were:

1.1 Board Members

Dorie Bolze, Environmental Representative, Vice-Chairman
Brad Hoot, Community Representative, Secretary
Betsy Hester, Commission Representative
Davis Lamb, Development Representative
Rob Adams, Home Builders Representative
John Kinnie, Agricultural Representative

1.2 Staff

Michael Scott, Storm Water Quality Coordinator
Kristi Ransom, County Attorney
Debbie Smith, Engineering Administrative Assistant

2. **APPROVAL OF MINUTES** – Dorie Bolze opened the floor for comments on the June 28, 2017 minutes. Betsy Hester stated she requested a Glossary of Definitions for the Stephens Valley applicant and wanted that added to the minutes. John Kinnie made a motion to approve as amended; seconded by Rob Adams. The motion was unanimously approved.
3. **Brad Hoot made a motion to consider the request for Jack Lerond before the Stephens Valley matter, seconded by Davis Lamb. Motion was unanimously approved.**
4. **07-28-17-03 – Waiver by Jack Lerond for property located at 7636 Caney Fork Rd.**

4.1 Introduction by Staff - Mr. Scott reviewed the Staff report for the record.

4.2 Appellant Case – Jack Lerond, property owner, indicated that the County Highway Department has approved the location of the driveway entrance and an Engineer has certified that this is the best, and possibly only, location for the driveway to be safely installed.

4.3 Public Hearing – No Comments

4.4 Board Discussion – Michael Scott asked if this driveway would be for a single family residence or if the property is being divided. Mr. Lerond indicated it was a single family residence only.

Dorie Bolze asked what are the minimum setbacks required for the buffer. Mr. Scott indicated it was 60 feet for Caney Fork Creek and 40 feet for the tributary. Dorie asked what is the closest point to the top of the stream bank. Michael Scott indicated it was approximately 20 feet.

John Kinnie stated he'd like to see the driveway marked before he makes a decision on this request.

Brad Hoot asked if there were any available alternatives to this submitted plan. Mr. Lerond indicated the letter from the Engineer states that the proposed location is basically the best, and possibly the only suitable, location for the driveway entrance due to the topography and bedrock.

4.5 Board Action – Brad Hoot moved to grant the waiver based on Stormwater Regulations Section 10.3.D.1 and the Letter of the Engineer which stated this is the best location, will cause the least amount of disturbance and allow the applicant use of the property, seconded by Davis Lamb, the motion was approved with a vote of 5-1, John Kinnie voting no.

5. 07-26-17-02 – Waiver by Rochford Realty for property known as Stephen Valley Subdivision located off Sneed Rd.

5.1 Introduction by Staff - Mr. Scott reviewed the Staff report for the record.

Davis Lamb and Brad Hoot recused themselves from this item to avoid the appearance of a conflict of interest.

5.2 Appellant Case – Allen Thompson with Ragan Smith & Associates represented this item. Mr. Thompson started with showing the Board the pavers that would be used within the alley ways of Stephens Valley and a basic demonstration of how they work.

David Horwath, Land Innovations presented a short PowerPoint video to the Board showing videos of the pavers installed and how much water can be absorbed into the pavers, he also indicated that Andy Reese had asked several questions and they would be addressing his concerns.

5.3 Public Hearing – Held at the June 28, 2017 meeting.

5.4 Board Discussion – Dorie Bolze asked about the design of the installation. David Horwath stated the proposed design is the 7:1 max system run-on which is far lower than what is being done nationally in either private or public systems. There is a 2:1 that goes directly in the subgrade which is the cleanest water and the 5:1 which is the sheet flow.

David Horwath indicated he will be discussing the maintenance complexities of a bio swale system and simplicities of the permeable pavers.

Dorie Bolze asked who would be responsible for maintaining the bio swales and detention under the current rules. Michael Scott indicated it would be the HOA.

Kristi Ransom asked how many Sections of the development are these pavers in. Allen Thompson indicated it will be in Section 1, and he sees it being utilized in future sections as well. There will be a total of 8 Sections located within Williamson County's jurisdiction.

Dorie Bolze asked if this waiver was approved, does it apply to the entire project for just the first section. Michael Scott stated it hasn't been discussed in any detail as to how many sections this waiver is for. Allen Thompson stated his preference for the waiver would be for the entire project. Kristi Ransom noted that the application was only for 50 acres, so that is all the Board is considering.

Dorie Bolze asked for clarification on the maintenance and ownership of the alleys belonging to the HOA. Michael Scott stated the alleys are not in open space, states Article 3.H. specifies that detention or retentions shall only be located on commonly owned parcels and not located on privately owner parcels.

David Harwath indicated there will be an agreement regarding Operation and Maintenance of the alleyways almost like what is required for the detention areas. Therefore, the HOA will be provided all information at the time they acquire it. Also, Betsy Hester noted and Dorie Bolze repeated what would be the practice or ability for the HOA to deal with homeowners who were impeding the BMP maintenance and will it be clear in the agreements that the HOA has the authority to deal with those homeowners.

Kristi Ransom, indicated on O & M Agreement will be completed and recorded for each section of the subdivision and she will require the additional detail of the maintenance of the alley ways or paver system to ensure it has complete and accurate provisions for maintenance and enforcement.

Kristi Ransom stated to the Board that they have the authority to attach additional conditions to this approval, if they so wish.

Dorie Bolze asked if it she was correct, if the 7:1 ratio could be met, then there would be less bio-retention ponds required, and this project was being designed more similar to the urban development plans rather than the suburban plan. Allen Thompson stated that would be correct, it was a high cost to develop, but the environmental impact is far less.

Betsy Hester asked if the homeowner sold their property and there were issues, would those issues be required to be fixed or would they be passed on to the new owner. David Harwath indicated the alleys are not the owners' responsibility, so there should be no passage of issues to new owners. The HOA dues however, would be required to be paid at the time of transfer.

Betsy Hester indicated she still has concerns about how much responsibility this will be for the HOA. Betsy Hester asked if the main road systems would be pervious or impervious asphalt. Allen Thompson indicated those would be County maintained and therefore would be required to be traditional asphalt roadways in order to meet regulation standards.

Rob Adams indicated that this system is coming eventually and this might be an appropriate test area. John Kinnie also stated he thought these pavers will be a good solutions to run-off and the HOA being responsible for them is a good thing when you have an active HOA Board.

5.5 Board Action – Dorie Bolze moved for approval of this waiver for 50 acres and the run-on ratio of 5.1 and maximum of 7.1; also a waiver to Article 3H noting the alley ways are not located in open space; the alley ways are specifically covered by the Operation and Maintenance Agreement, that an escrow account be set up by the Developer/HOA to cover future cost of the alleys and a note be required on the final plat regarding the maintenance of the alley ways, seconded by John Kinnie.

Dorie Bolze amended her motion to add that the plat show all bio swale areas needed based on 2:1 runon ratio, seconded by Rob Adams. The amendment was unanimously approved.

The motion, as amended, was approved 3-1 with Betsy Hester voting no.

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

Chairman

Date