

MINUTES OF THE  
STORM WATER APPEALS BOARD (SWAB)  
MEETING OF JUNE 23, 2021

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, June 23, 2021 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. A quorum was present. Attendees were:
  - 1.1 **Board Members**
    - Andy Reese, Engineering Representative, Chairman
    - Brad Hoot, Homeowner Representative, Secretary
    - Betsy Hester, County Commission Representative
    - Liz McLaurin, Environmental Representative
    - John Kinnie, Agricultural Representative, Vice Chairman
    - Davis Lamb, Development Representative
  - 1.2 **Staff**
    - Michael Scott, Storm Water Quality Coordinator
    - Floyd Heflin, County Engineer
    - Kristi Ransom, County Attorney
    - Debbie Smith
2. **APPROVAL OF MINUTES** – Chairman Andy Reese opened the floor for comments on the April 28, 2021 minutes. Brad Hoot made a motion to approve; seconded by Davis Lamb. The motion was unanimously approved.
3. **06-23-21-02 – Waiver request by Brian Hamilton on behalf of Bobby Locke for property located at 4133 Old Hillsboro Rd.**
  - 3.1 **Introduction by Staff** - Mr. Scott reviewed the report for the record, noting this item was deferred from the April 28, 2021 meeting.
  - 3.2 **Applicant** – Brian Hamilton, Nashville Civil LLC stated the site plan had previously been more preliminary, but the new site plan before them would be the actual design.
  - 3.3 **Public Hearing** – No public comments.
  - 3.4 **Board Discussion** – Brad Hoot asked if this would still improve the water quality. Mr. Hamilton stated that currently it is a muddy/grassy parking area and with the improvements it would be a paved surface with landscaping area to filter the runoff. Floyd Heflin indicated that a condition of the site plan approval, the applicant will be signing and recording a Stormwater Operation and Maintenance agreement.

Liz McLaurin asked about the sustainability of a pervious parking area. Mr. Hamilton advised that the parking area would require periodic pressure washing in order to maintain the surface.

Andy Reese stated the water coming off the hillside appears to be routed to the sides of the parking lot and asked if there was any other secondary runoff treatment. Mr. Hamilton stated that is correct, the water will run to the sides and there will be landscaping installed.

**3.5 Board Action** – Brad Hoot made a motion to approve as submitted, seconded by John Kinnie. The motion was unanimously approved.

4. **06-23-21-03 – Waiver Request by Matt Bryant for Arrington Property Holdings, LLC for property located in Troubadour Subdivision.**

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

**4.2 Applicant** – Matt Bryant, M2 Group, stated because of the topography of the site it doesn't allow for standard installation of a stormwater system. Matt Bryant stated that in the future sections, they would like to reduce the footprint of the stormwater areas in order to not impact the natural resources on site. They are asking for a concept approval and will submit a site specific design for each area as they come up for construction. Matt Bryant also noted that with each section, the Operation and Maintenance Agreements will be tailored to each area with revisions to the original HOA documents to include the cost of these facilities.

Floyd Heflin added that if the previous recorded sections were revised, it would require them to come before the Board and ask for a waiver of those areas, reapproval of the final plats and revised Operation and Maintenance agreements for all areas.

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

**4.4 Board Discussion** – Brad Hoot asked if a Bio-retention and a Rain garden are the same and also Section 2.1.E. deals with quality not quantity and asked for clarification. Michael Scott stated that when regulations were drafted back in 2012 that section was more for quality than quantity.

Andy Reese asked if everything going into the focal point goes into the tank. Matt Bryant stated it does. Andy Reese expressed his concern about that much going into a focal point could be a cause for failure.

Matt Bryant stated the system is like a cake, the focal is on the top and the tank is underneath that, so with the focal point addresses the quality and the tank addresses the quantity.

Betsy Hester asked if all the area is residential use, and how many lots will be impacted by this system. Matt Bryant stated that the entire project is residential and approximately 173 lots will be using this new technology.

Andy Reese asked how many sites total would be using this technology. Matt Bryant stated anywhere from 10-20, but wouldn't know exact numbers until they get to each section and design the locations.

Betsy Hester asked about the R-tank under the focal point and how deep the tank would be. Matt Bryant stated it could vary, the area at the focal point it would be between 18" and 36" inches and the R-tank could be 3 to 5 feet deep. Betsy Hester asked who would be maintaining the tank. Matt Bryant stated it would be inspected through a manhole and if needed a vacuum truck would be used to clean out the tanks.

Betsy Hester asked how the maintenance agreement and inspection would occur. Matt Bryant stated someone from Jenhill would cover a checklist at each inspection. Betsy Hester asked who would pay for this. Matt Bryant indicated it would be covered by the Homeowner Association, which would be responsible for any cost associated with maintenance and repair.

Andy Reese asked how this would be managed. Matt Bryant stated that with each section there is an Operation and Maintenance Agreement recorded and given to the HOA once it was turned over by the development company and the HOA documents would be revised to including funding for the long-term maintenance.

Andy Reese asked if these focal points were being installed after homes were built in order to keep the system from failing due to improper maintenance during construction. And also the maintenance agreement is only 3 years with JenHill, is there a reason it's not in perpetuity. Matt Bryant stated the install would be after the construction and as far as the contract, they're not sure if Troubadour wants to commit to one company for perpetuity.

Jen Hill

Matt Bryant stated they are asking for permission to use this type of retention in future sections.

Andy Reese stated his warning that the use of high speed infiltration systems in residential areas is really difficult to get right.

Davis Lamb stated it is his understanding that in the current regulations there is not a provision for an alternative retention system and that they are deferring to Staff to review and approve the final systems. Also that maybe there should be a third party management company to manage the HOA and not homeowners.

John Kinnie asked if the County has had problems in the past getting the HOA to fulfill the agreement requirements. Floyd Heflin stated there are no known failures to this point, but it's a hit or miss as to which HOA's submit reports. Kristi Ransom noted that

it can be added in the agreement language that there is separate funding for these provisions, but we could not require them to hire a private management company.

Davis Lamb asked if the stormwater improvements are generally bonded. Floyd Heflin stated they are during construction, but once complete and bonds are released there is no surety after that point.

Kristi Ransom asked how many future sections are there that this approval would be tied to. Matt Bryant stated there are approximately 10 sections left but it could be broken up into additional sections. Kristi Ransom stated she is concerned with this being on open ended approval and suggest that the Board, should it approve the request, tie the approval to to a maximum of 200 lots on previously unplatted lots, beyond that they will need to return to the Board for further approval.

**4.5 Board Action** – Davis Lamb made a motion to approve with the following conditions: 1) Staff review and approve all alternative measures proposed; 2) meet all current Storm Water regulation guidelines; 3) approval applies to no more than 200 future lots to be recorded without further approval; 4) this approval is to be added to the HOA and recorded amendments to the CCR requiring regular maintenance by a qualified inspector; and 5) separate funding must be set up for the maintenance of these facilities, seconded by John Kinnie. The motion was unanimously approved.

**5. 06-23-21-04 – Waiver Request by Tim Turner on behalf of Daniel Clawson for property at 2650 Finley Ridge Lane.**

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

**5.2 Applicant** – Tim Turner, TSquare Engineering and Danny Clawson owner. Danny Clawson stated he purchased this property in 2017 and there was an existing farm pond on the property. Until he received the notice of violation, he was unaware of the regulations. He wanted to repair the pond, so he hired a company to clean up the brush and line the pond. They had issues keeping water in the pond and therefore pushed it back into the waterway natural area and breached the dam.

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

**5.4 Board Discussion** – Andy Reese asked if the site had been stabilized. Tim Turner stated it has been and will work with Staff.

John Kinne asked if the reason they were losing water had been figured out. Daniel Clawson stated they had and in order to do so, they haved lined the pond and brought in more clay to reinforce the areas.

Brad Hoot asked what the depth of the pond would be. Daniel Clawson stated it would be around 7-8 feet. Brad Hoot asked if there would be a riser with low level drainage.

Tim Turner stated they plan on having a concrete riser. Andy Reese asked if these would trigger any Safe Dam Acts requirements. Floyd Heflin stated it would not, but they have asked for calculations showing his design doesn't increase post developed runoff.

John Kinnie asked how much drainage area came to this pond. Michael Scott stated it was a small area.

**5.5 Board Action** – Brad Hoot made a motion to approve, seconded by Liz McLaurin. The motion was approved 5-1 with Betsy Hester voting no.

6. **06-23-21-05 – Waiver Request by Tim Stannard for property at 3773 Sycamore Road.**

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

**6.2 Applicant** – Tim Stannard stated he purchased 17 acres and there was an excessive amount of previous dumping on the site. He has put a couple of parcels together to make a small farm and needs a small pond for the animals to drink from and also stock the pond for youth fishing.

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

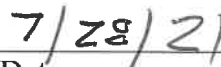
**6.4 Board Discussion** – John Kinnie stated that during his site visit that he may need to line the pond in order for it to hold water. Tim Stannard stated he's hiring Michael Gray to do the work and he is familiar with what needs to be done.

Brad Hoot asked what role Grow Environmental Services played. Tim Stannard stated they did the assessment of the stream and the Engineering will be done by Tare Engineering out of Crossville.

**6.5 Board Action** – Brad Hoot made a motion to approve, seconded by John Kinnie. The motion was unanimously approved.

**ADJOURNMENT** - There being no further business Brad Hoot moved for adjournment. The motion was unanimously approved.

  
Chairman

  
Date