

MINUTES OF THE
STORM WATER APPEALS BOARD (SWAB)
MEETING OF JUNE 25, 2008

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, June 25, 2008 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
 - Dorie Bolze, Environmental Representative, Vice Chairman
 - John Kinnie, Agricultural Representative
 - Rick Schuff, Engineering Representative, Chairman
 - Dan Crunk, Development Representative

- 1.2 **Staff**

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

- 1.3 **Representative for Appeals**

- Jean Matthews, Representative for Clay Staley
 - Bill Charles, Representative for Sedona Woods Item
 - Ron Merville, Merville & Associates, Representative for Sedona Woods Item

2. **APPROVAL OF FEBRUARY MINUTES** – Mr. Schuff opened the floor for comments on the March minutes.

Dorie Bolze requested it be noted that she recused herself from the Stillwater Item.

John Kinnie moved for approval of the March Minutes as amended, seconded by Dorie Bolze. The motion was unanimously approved.

3. **06-25-08-01 - Appeal for Clay Staley**

- 3.1 **Introduction by Staff** – Mrs. Wilder read the staff report for the record. (See File)

- 3.2 **Appellant Case** – Ms. Jean Matthews represented this item for Mr. Staley. Ms. Matthews indicated Mr. Staley has done all the work himself, and followed the current logging road to put in a driveway for his personal use. Mr. Staley did

not realize that Williamson County had regulations about Waterway Natural Areas. Ms. Matthews stated there is approximately 1000' feet of WNA that has been disturbed.

Dorie Bolze asked Mr. Staley if there was any activity between the two (2) notices or if there was a way to avoid the 2nd violation with the fine. Mr. Staley indicated that between the notices he was sick and unable to do any work on the property. Then in February he went back to do additional work, and his vehicle was stuck in the process. At that time he received the 2nd notice and ceased all work.

John Kinnie asked if an ARAP permit has been obtained. Ms. Matthews stated TDEC has been contacted; however, it is not clear if permits would be issued on existing work. Mr. Staley indicated the crossing will be accomplished with a ford crossing.

Brad Hoot asked if a professional Engineer has been involved in this project. Ms. Matthews indicated Kevin Estes has been contacted, but no plans have been completed. Mr. Staley added that he is requesting to leave the drive in the current location, because financially he cannot move forward with this project at this time.

3.3 Public Hearing – There were no comments.

3.4 Board Discussion – Rick Schuff asked what the approximate distance was between the top of bank and the edge of driveway. Ms. Matthews indicated it was at the least 20' to the edge of bank.

John Kinnie stated that between crossings 2 and 3, there is water coming out of the hillside and he would like to see that crossing eliminated. Then above the 3rd crossing there are brush and stumps pushed into the creek and he would like to see those cleaned out and this area restored.

Dorie Bolze asked that if the waiver was granted would this roadway be allowed to be improved in the future without further approval. Mr. Heflin indicated that future improvements would be allowed unless there were future violations of the Storm Water Regulations.

Ms. Bolze asked if there were any plans needed for Staff to enforce the stabilization of the disturbed area. Mr. Heflin indicated that if Mr. Staley leaves the site as it currently is, there is no need for plans to be submitted.

3.5 Board Action – Dan Crunk moved to deny the waiver for the encroachment of the existing driveway, seconded by Dorie Bolze. The motion was unanimously approved.

Dan Crunk moved to wave the \$1,000 fine, seconded by Dorie Bolze. The motion was unanimously approved.

4. 06-25-08-02 – Appeal by Sedona Woods.

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

4.2 Appellant Case – Bill Charles introduced the site noting that the applicant purchased this property after all approvals had been obtained. The applicant has now hired Regan Smith as the new consultant and also Ron Merville for the bridge designs.

Ron Merville indicated that the applicant is asking for the following two variances: one regarding the water quality and another for the buffer disturbance area. Mr. Merville stated the original design of the roadway placed it at almost 20% slope; and the new location would place it within an existing farm road that encroaches into the buffer area. In addition to the roadway, MTEMC is requiring an additional easement back to the sewer plant for the electric line. This will be done with topping of trees only, which will leave the root system in place.

Mr. Schuff asked for clarification on the utility crossing. Mr. Merville indicated that the utility crossing has been permitted, and only the roadway will be an amendment to that permit.

Mr. Schuff asked about the water quality situation for the development of this property. Mr. Merville indicated the housing portion of the development would be constructed with detention areas.

Mr. Heflin questioned whether the board could grant approval for a waiver of the water quality requirements contained within Williamson County's regulations since it would affect the County's permit which contains the state requirements.

4.3 Public Hearing – No comments were made.

4.4 Board Discussion – John Kinnie asked if this road would ever be paved. Mr. Merville indicated there was no need for a paved road to the sewer plant, since it would only cause more pollution to get into the stream.

Dorie Bolze ask for clarification on the mitigation plan, specifically addressing whether it would be attached to the water quality issue or the buffer encroachment. Mr. Merville indicated that it would address both.

4.5 Board Action – Dan Crunk moved to approve the appeal of the WNA disturbance in accordance with plans submitted, seconded by John Minton. The motion was unanimously approved.

Dan Crunk moved to grant the water quality appeal of the waiver per Section 4.2.F. with the condition that applicant works with staff to mitigate the site as needed, seconded by John Kinnie. By voice vote, motion failed.

Brad Hoot moved to deny the water quality appeal, seconded by Dorie Bolze. The motion was unanimously approved.

5. **OTHER BUSINESS** – Mrs. Wilder distributed information for the 2007 appeals as requested by the Board, and indicated that if there were any questions, please contact her.

5.1 – Dorie Bolze requested an item be added to the agenda for the July meeting, regarding discussion of the “Conflict of Interest” policy.

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

Chairman