

MINUTES OF THE
STORM WATER APPEALS BOARD (SWAB)
MEETING OF JANUARY 25, 2012

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, January 25, 2012 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
 - John Kinnie, Agricultural Representative
 - Richard Schuff, Engineering Representative, Chairman
 - Dorie Bolze, Environmental Representative, Vice-Chairman
 - Cheryl Wilson, Commission Representative

- 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**

- Ronny Brown, Surveyor
 - Tim Turner, T-Squared Engineering
 - Joe Stanford, Peytonsville Road property owner

2. **APPROVAL OF MINUTES** – Mr. Schuff opened the floor for comments on the November 16, 2011 minutes. Dan Crunk asked that Occupy be changed to occupancy on page 2. Dorie Bolze moved to approve as corrected, seconded by Brad Hoot. The motion was unanimously approved.

Mr. Schuff opened the floor for comments on the December 14, 2011 minutes. Brad Hoot asked that the word responsible be changed to responsibility on page 2. Brad Hoot moved to approve as corrected, seconded by Dorie Bolze. The motion was unanimously approved.

Cheryl Wilson was not present for the minutes.

3. **01-25-12-01 - Appeal for 5457 Waddell Hollow Rd.**

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

3.2 Appellant Case – Mr. Ronny Brown stated the applicant wishes to extend the current driveway across the Waterway Natural Area to serve a 5 acre parcel that the applicant is selling to her sister.

Dan Crunk asked why the extended easement split. Mr. Brown indicated it was to serve the proposed 5 acre parcel and the remaining land which she owns. Dan Crunk also asked if there are any future plans for division of this property. Mr. Brown stated if the owner was to subdivide this parcel any further it would require Planning Commission approval.

3.3 Public Hearing – No public comments.

3.4 Board Discussion – Dorie Bolze asked for clarification on the location of the Waterway Natural Area and who else was served by this easement. Mr. Brown stated that the other sister used the easement also. Dan Crunk asked if the proposed extension could be served by one easement instead of splitting. Mr. Brown said that because of the contour of the property it was impossible to serve both parcels from one easement.

John Kinnie noted that the existing culvert in the drainage ditch is inadequate and should be replaced with a larger culvert.

Mr. Scott stated to the Board that the appeal was only based upon the easement that is located on Lot 1 of the submitted plat.

Dorie Bolze asked about the probability of this easement becoming a public road. Mr. Heflin stated that if the Board wishes to restrict the number of parcels that are served by this easement, it would need to be added to the motion. However, the amount of traffic that could use this easement would be limited to the number of parcels allowed by the Subdivision Regulations.

Dorie Bolze asked how far the driveway is from the top of the bank. Mr. Brown indicated that it is approximately 40 feet at the closest point.

3.5 Board Action – Dan Crunk moved to approve this request with the condition that if any additional division of the property occurred, it must return to the Storm Water Appeals Board, seconded by Cheryl Wilson. The motion was unanimously approved.

4. 01-25-12-02 – Appeal for Peytonsville Road.

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

4.2 Appellant Case – Mr. Tim Turner stated that Mr. Stanford had purchased this property with the intent to subdivide the property for his family to build houses.

He added that the driveway was installed over an existing farm road that is lower than the creek bank and has an additional swale on the other side of the driveway that filters the water before entering the creek. Mr. Turner reviewed some pictures he had taken of the property and the driveway.

Mr. Heflin stated that the reason this driveway is before this Board is because the applicant brought this plat into the office for the subdivision process, and at that time it was noted that there is a Waterway Natural Area on this lot with a 50 foot buffer from the top of bank. Mr. Stanford indicated that they had installed the driveway and creek crossing before learning of the buffer area.

4.3 Public Hearing – No Comments.

4.4 Board Discussion – Dorie Bolze ask how far the driveway is from the top of bank. Mr. Turner indicated it was approximately 20 feet. John Kinnie asked when the bridge was installed. Mr. Stanford stated that it was installed about one year ago.

Dorie Bolze stated that just because the existing farm road was in the WNA, doesn't mean it was the best location for the new driveway. There was plenty of area to relocate the driveway outside the WNA which would have been a better solution.

Brad Hoot asked about the additional plantings that are shown on the plan. Mr. Turner stated the owner was willing to install trees in the WNA to stabilize the area. Dorie Bolze stated that the trees would not offer any filtration benefit and is only a beautification effort.

4.5 Board Action – Brad Hoot moved to approve this request as submitted, seconded by John Kinnie.

John Kinnie amended the motion to add the area on the south side of the creek near the crossing must be stabilized before the issuance of the Certificate of Occupancy for the 1st building permit, seconded by Dan Crunk. The amendment was unanimously approved.

Dan Crunk amended the motion to require the installation of fencing, in the event livestock are brought onto the property, to keep them out of the Waterway Natural area and fencing must be out of the WNA also, seconded by John Kinnie. The amendment was unanimously approved.

The motion, as amended, was approved by a majority vote. Dorie Bolze voted no.

5. Other Business

Michael Scott stated that the proposed Regulations have been slightly modified by removing Appendix A related to a list of past amendments and renaming the original Appendix B to Appendix A. They have been finalized and will be presented for adoption at the February County Commission meeting if Cheryl Wilson is willing to endorse them. Cheryl Wilson said that she would endorse the resolution.

Kristi Ransom stated that a clean copy of the proposed Regulations would be mailed with the County Commission packet and a black lined copy would be mailed separately with a memo stating that if the Commissioners had any questions to please call either she or Mr. Scott.

Kristi Ransom stated that a copy of the revised By-Laws were before them but that it was for review only and would be voted upon at the next meeting. She briefly reviewed the minor changes that were made.

John Kinnie asked about a previous appeal on Old Hillsboro Road. He stated that the location of the driveway was not in the approved location. Floyd Heflin stated that the Lockwood's found that the property line was not where they originally thought and they did not have enough room at the original location to place an entrance off of the Road, so he moved it out of the WNA completely.

Brad Hoot asked for an update on past appeals. Michael Scott stated that he plans on putting together information and presenting it to the Board at some point in the near future.

John Minton asked why it's possible for homeowners to come in and have a subdivision on a gravel drive. Floyd Heflin stated that only lots greater than three on an easement require Planning Commission approval and even then those are still considered a private drive and do not have the same requirements as the larger subdivisions.

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

Chairman

Date