

**MINUTES OF THE
WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION
MEETING OF FEBRUARY 13, 2020**

MEMBERS PRESENT

John Lackey, Chairman
Don Crohan
Robin Baldree
Holli Givens
Beth Lothers
Keith McCord
Sammie McCoy
Bryan Richter
Rhonda Rose
Eddie Sanders

STAFF PRESENT

Joe Horne, Community Development Director
Michael Matteson, Planning Director
Floyd Heflin, County Engineer
William Andrews, County Engineer Assistant
Kristi Ransom, Attorney
Aaron Holmes, Planning Coordinator
Lincoln Sweet, Planner
Lania Escobar, Planning Assistant
Christina Collins, Planning Assistant

The Williamson County Regional Planning Commission met in regular session Thursday, February 13, 2020 at 5:30 p.m. in the Auditorium of the Williamson County Administrative Complex.

Chairman Lackey called the meeting to order.

Mr. Horne announced the following:

1. Welcome our new Commissioners, Keith McCord and Rhonda Rose;
2. Revised Staff Reports for Items 13 and 14 have been provided; and
3. ITEM 16 has been withdrawn.

Mr. Matteson announced that each of the Commissioners has a public review draft copy of the updated Comprehensive Land Use Plan to be considered for adoption at the March 2020 meeting.

CONSIDERATION OF JANUARY 2020 MINUTES:

Chairman Lackey asked for a motion to consider the minutes of the January 9, 2020 Planning Commission meeting.

A motion to approve the January 9, 2020 Minutes was made by Commissioner Crohan. The motion was seconded by Commissioner Richter, and passed by unanimous vote.

CONSENT AGENDA:

Chairman Lackey asked if any of the Commissioners would like to consider an item for separate discussion from the Consent Agenda. Hearing no request for separate discussion, Mr. Horne read the following into the record:

3. **Hart's Landmark** – Maintenance Bond for Water (City of Franklin) - \$20,600.
Recommendation: Extend in the current amount for a period of one (1) year.
4. **Lookaway Farms, Section 1** – Performance Bond for Wastewater Collection System - \$282,000.
Recommendation: Convert to a maintenance bond in the amount of \$84,600 for two (2) years.
5. **Lookaway Farms, Section 1** – Performance Bond for Roads, Drainage and Erosion Control - \$493,000.
Recommendation: Extend in the current amount for a period of one (1) year.

6. **Silver Stream Farm, Section 4F** – Maintenance Bond for Roads, Drainage and Erosion Control - \$50,000.
Recommendation: Release the bond.
7. **Silver Stream Farm, Section 4G** – Maintenance Bond for Roads, Drainage and Erosion Control - \$50,000.
Recommendation: Release the bond.
8. **Stephens Valley, Section 3** – Performance Bond for Water and Sewer (Harpeth Valley) - \$24,333.67.
Recommendation: Deferred until the March 2020 meeting.
9. **Stephens Valley, Section 3** – Performance Bond for Roads, Drainage and Erosion Control - \$305,000.
Recommendation: Extend in the current amount for a period of one (1) year.
10. **Troubadour, Section 3** – Performance Bond for Wastewater Collection System - \$87,750.
Recommendation: Extend in the current amount for a period of six (6) months.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation on the Consent Agenda. Commissioner Givens seconded the motion, which passed by unanimous vote.

OLD BUSINESS:

ITEM 11

FINAL PLAT REVIEW FOR STEPHENS VALLEY, SECTION 6, CONTAINING 77 LOTS ON 23.76 ACRES IN THE 9TH VOTING DISTRICT (1-2019-420)

Mr. Holmes reviewed the background (see Staff Report), recommending approval of the Final Plat with the following conditions:

1. Establishment of a performance bond for roads, drainage and erosion control in the amount of \$948,000. This is a reduced amount based on work completed;
2. Establishment of a performance bond for water improvements in favor of Harpeth Valley Utilities District in the amount of \$100,205.40;
3. Establishment of a performance bond for sewer improvements in favor of Harpeth Valley Utilities District in the amount of \$91,803.52;
4. The HOA documents must be submitted with the Final Plat, and the approved HOA documents must be recorded concurrently with the recording of the Final Plat;
5. Execution of performance agreements for the above referenced sureties;
6. Execution of a Stormwater Maintenance Agreement, submission of an Operation and Maintenance Plan for stormwater improvements, and associated notes affixed to the plat; and
7. Submission of the approved Final Plat in .dwg format on recordable media based on the Tennessee State Plane Coordinate System prior to signature and recording of the plat.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Richter seconded the motion, which passed by unanimous vote.

ITEM 12

FINAL PLAT REVIEW (REVISED) FOR STONE VALLEY, LARGE LOT EASEMENT SUBDIVISION, CONTAINING 4 LOTS ON 36.56 ACRES LOCATED OFF LEWISBURG PIKE IN THE 2ND VOTING DISTRICT (1-2020-401)

Mr. Sweet reviewed the background (see Staff Report), recommending approval of the Revised Final Plat with the following conditions:

1. The posting of a Performance Bond in the amount of \$79,000 for water improvements, as specified by H.B. & T.S. Utility District; and
2. Driveway and drainage infrastructure must be complete prior to issuance of building permits.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Lothers seconded the motion, which passed by unanimous vote.

NON-RESIDENTIAL SITE PLANS:

ITEM 13

NON-RESIDENTIAL SITE PLAN REVIEW FOR TERRAVISTA SUBDIVISION, NONTRADITIONAL WASTEWATER TREATMENT AND DISPOSAL SYSTEM (REVISED IN ACCORDANCE WITH REMAND AND COURT ORDER) ON 130.53 ACRES LOCATED OFF OF LONG LANE IN THE 12TH VOTING DISTRICT (5-2018-007)

Mr. Holmes reviewed the background (see Staff Report), Staff reviewed the Site Plan and found it complied with the Remand and Court Order. Staff recommended approval of the Non-Residential Site Plan with the following conditions:

1. Prior to submittal of a Preliminary Plat for the first Phase of the proposed subdivision, the UV specifications outlined in the DDR shall be revised to include the larger Sanitron S500C system that is capable of providing more than the necessary level of UV disinfection and that the applicant provide evidence that TDEC has approved the revised system;
2. Prior to Final Plat submittal for the first Section of the proposed subdivision, a Zoning Certificate must be obtained for the completed treatment and disposal system. Prior to issuance of the Zoning Certificate, the applicant shall provide the following:
 - a) A monitoring plan, approved by TDEC, showing the location of monitoring wells and surface water sampling locations to assess the impact of the wastewater disposal system on ground and surface water in the area surrounding the disposal fields.
 - b) Proof that any required Class V injection well permits have been issued by TDEC;
 - c) A letter from TDEC indicating that the Nontraditional Wastewater Treatment and Disposal System was installed and is functioning;
 - d) As-built drawings showing the location of all system components, as well as the monitoring wells as shown on the monitoring plan approved by TDEC, and a sealed certification letter from the design engineer indicating that said system and monitoring components were constructed in accordance with the approved construction plans and specifications;
 - e) A letter from the owner/utility provider indicating that it has accepted said system and is currently operating same;

- f) The posting of a Performance Bond in the amount of \$120,000 for said system as specified by the County's wastewater consultant; and
 - g) Execution of a Performance Agreement for the above referenced surety.
3. Data from the monitoring wells and surface water sampling locations must be submitted to TDEC along with monthly operating reports.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Givens seconded the motion, which passed by unanimous vote.

PUBLIC HEARING:

ITEM 14

CONCEPT PLAN REVIEW FOR TERRAVISTA SUBDIVISION, (REVISED IN ACCORDANCE WITH REMAND AND COURT ORDER) CONTAINING 99 LOTS ON 130.53 ACRES LOCATED OFF OF LONG LANE IN THE 12TH VOTING DISTRICT (1-2017-205)

Mr. Holmes reviewed the background (see staff report), recommending approval of the Concept Plan with the following conditions:

The Preliminary Plat must address the following:

1. Prior to submittal of a Preliminary Plat, the UV specifications outlined in the DDR shall be revised to include the larger Sanitron S500C system that is capable of providing more than the necessary level of UV disinfection and that the applicant provide evidence that TDEC has approved the revised system;
2. Submission of roads, drainage and erosion control plans for review and approval by the County Engineer. Such shall include off-site improvements, which must be approved by the County Highway Department;
3. Submission of water plans for review and approval by Milcrofton Utility District; and
4. Submission of applicable construction plans for required wastewater treatment and disposal facilities to TDEC, the County's consultant, and staff.

The Final Plat must address the following:

1. Prior to Final Plat submittal for the first Section of the development, off-site roadway improvements must be completed to the satisfaction of the County Highway Superintendent;
2. Prior to Final Plat submittal for the first Section of the proposed subdivision, a Zoning Certificate must be obtained for the completed treatment and disposal system. Prior to issuance of the Zoning Certificate, the applicant shall provide the following:
 - a) A monitoring plan, approved by TDEC, showing the location of monitoring wells and surface water sampling locations to assess the impact of the wastewater disposal system on ground and surface water in the area surrounding the disposal fields;

- b) Proof that any required Class V injection well permits have been issued by TDEC;
 - c) A letter from TDEC indicating that said system to serve this development was installed and is functioning;
 - d) As-built drawings showing the location of all system components, as well as the monitoring wells as shown on the monitoring plan approved by TDEC, and a sealed certification letter from the design engineer indicating that said system and monitoring components were constructed in accordance with the approved construction plans and specifications;
 - e) A letter from the owner/utility provider indicating that it has accepted said system to serve this development and is currently operating same;
 - f) The posting of a Performance Bond in the amount of \$120,000 for said system as specified by the County's wastewater consultant; and
 - g) Execution of a Performance Agreement for the above reference surety.
3. Data from the monitoring wells and surface water sampling locations must be submitted to TDEC along with monthly operating reports.
 4. Proof that any required Class V injection well permits have been issued by TDEC;
 5. Prior to submittal of the first Preliminary Plat for this subdivision, the well located on-site shall be abandoned and capped, and evidence from the appropriate state regulatory authority shall be provided;
 6. The HOA documents must be submitted with the Final Plat, and the approved HOA documents must be recorded concurrently with the recording of the Final Plat;
 7. Establishment of a performance bond for roads, drainage and erosion control;
 8. Establishment of a performance bond for water improvements in favor of Milcrofton Utility District;
 9. Establishment of a performance bond for the wastewater collection system;
 10. Execution of Performance Agreements for the above referenced sureties;
 11. Submission of landscaping plans and establishment of a performance bond for landscaping;
 12. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
 13. Submission of the approved Final Plat in .dwg format on recordable media based on the Tennessee State Plane Coordinate System prior to signature and recording of the plat.

Mr. Holmes announced that additional written correspondence received regarding this Public Hearing has been placed in front of each Planning Commissioner.

Commissioner Lackey opened the Public Hearing.

John Murphy, 4492 Long Lane, Franklin TN, indicated the need for road safety in infrastructure. Mr. Murphy stated that the 2017 Traffic Study noted that traffic would increase by two (2) percent, two years later in the 2019 Traffic Study there had been a traffic increase of eighty eight (88) percent, which did account for new businesses, a new school, and new homes along Long Lane. Due to

topography and sharp turns of the road, he urged that a left turn lane be in place for this development.

David Murphy, 4470 Long Lane, Franklin TN, conveyed concerns regarding the porous soils of karst topography in the region and how a hilltop wastewater treatment system may affect the wells, streams and ponds of downhill neighbors.

Donna Murphy, 4470 Long Lane, Franklin TN, advocated for a current traffic impact study and a dye test be conducted for the hilltop wastewater treatment system, given the karst topography and location to neighboring wells, streams, and ponds.

Paul Vaden, Long Lane, Franklin TN, voiced concern for the increase of impervious surfaces that comes with a new development and how the excess water during rains will affect nearby properties.

Mike Vaden, Long Lane, Franklin TN, states that in the four (4) mile stretch of Long Lane there are three (3) ninety (90) degree turns and five (5) hills. With the increase of traffic a new traffic impact study should be conducted. He has concerns regarding storm water run-off once the trees are removed and asphalt is in.

Nelia Vaden, Long Lane, Franklin TN, resides downhill from the location of the wastewater treatment system. She worries about the future impact to streams, ponds, and well water. She urges a dye study be conducted. She has safety concerns regarding the increased traffic on Long Lane.

Joe Davis, 4492 Long Lane, Franklin TN, concerned with wastewater disposal and continued monitoring. Would like to see further studies conducted.

Kathy Webber, spoke on behalf of Harpeth River Conservancy. She stated that the application does not comply with applicable laws and regulations in regards to: 1) increase in sediment and stormwater contamination, 2) streams within one (1) mile of the development are not shown on the application, 3) karst geography can facilitate the movement of pollutants into the river. These misrepresentations are grounds for disapproval of application.

John Michael Corn, President of an environmental consulting firm representing the Vaden family, stated that the wastewater system will contribute more nitrogen, phosphorous, and pharmaceuticals to local areas. Urges a tracer study be conducted to protect neighboring ponds, streams, and wells.

Attorney Alan Fister, representing the Vaden family, objected to being required to adhere to the three minute maximum rule for speaking at a Public Hearing. He objected to Items 13 and 14 being considered as separate Items and believes they should be considered as one. He addressed and encouraged the Planning Commissioners to utilize their independent judgement to make decisions on behalf of the community that they represent. He urged that Commissioners look at requiring a left hand turn lane for traffic safety, a dye test to protect neighboring properties, ponds, streams, and wells, and to require conservation elements to the development of a conservation subdivision.

Betsy Hester, County Commissioner, representing District Two (2), expressed concerns with the ultraviolet portion of the wastewater system and stated that Williamson County is more stringent than Tennessee Department of Environment and Conservation (TDEC) and that this development should abide by the requirements of Williamson County and not that of TDEC. She requested a left hand turn lane on Long Lane be implemented and a current traffic impact study be arranged. She suggested a dye test for the wastewater treatment system be conducted to protect neighboring properties and voiced concerns to future contamination of neighboring properties. She believes an escrow account should be set aside in the case of future wastewater poisoning.

Chairman Lackey closed the Public Hearing and opened the discussion for Commissioner comments and questions.

Commissioner Lothers asked about the dye study.

Mr. Matteson stated that it may be outside the Planning Commission's authority to require a dye test. He reminded the Commission that this is treated wastewater adhering to TDEC standards. Drip fields would be receiving already treated wastewater.

Commissioner Lothers inquired about installation of a left turn lane and an updated traffic study.

Mr. Matteson stated that this revision has reduced the number of buildable lots and decreased the entrances to the development from two to one. The developer was required to conduct a current intersection analysis, using current traffic data, and it was determined that neither a right deceleration lane nor left turn lane was required. This study was sent to the Highway Department for review, and they concurred with the findings of the study. However, the developer was asked to put in a right turn deceleration lane, which they agreed to do, even though it was not required.

Commissioner Lothers asked if the Commission could request a left turn lane.

Mr. Matteson noted that the Commission could request one, however, it would not be based on the findings of the study.

Chairman Lackey requested the applicants come to the podium to speak.

Commissioner Baldree expressed her familiarity with the topography of Long Lane. She said she was surprised there is no left turn lane indicated.

Mr. Matteson stated that the intersection analysis was conducted only a few months ago.

Commissioner McCoy asked the engineers of the developer if they would consider adding a left turn lane, possibly taking away the right deceleration lane.

Tim Turner of T-Square Engineering expressed concerns about whether there is enough room to do this. They have room for one lane accommodation but there may be issues acquiring right-of-way with doing two.

Attorney Bryan Echols, representing the applicant, reminded the Commission that the topic before the Commission is regarding whether the 100-foot open space strip meets the Remand and Court Order. These other concerns were previously before the Commission and approved. The wastewater treatment system has been approved.

Chairman Lackey agreed and reminded the Planning Commission that what is before them is the 100-foot boundary and the revision to the Concept Plan in accordance with the Court Order and Remand.

Commissioner McCoy noted that the previous approved Concept Plan contained two (2) entrances and this Revision contains one (1). The Planning Commission at that time requested a right turn deceleration lane.

Blake Turner, T-Square Engineering, clarified that there does not appear to be enough room to include both the deceleration lane and a left turn lane within the existing Right-of-Way.

Commissioner Lothers expressed her appreciation for the developer implementing a deceleration lane even though not required. She would like to see the County and the Planning Commission be proactive in the need for safety

along Long Lane. She understands there needs to be a legal reason to require additional improvements.

Commissioner Crohan clarified that this Revised Concept Plan meets current conservation regulations and he inquired as to the open space requirement.

Mr. Matteson confirmed that the Revised Concept Plan meets current conservation regulations. The Zoning Ordinance requirement for open space in a Conservation Subdivision is fifty (50) percent, and this Revised Concept Plan exceeds requirements at sixty-five (65) percent open space.

Commissioner Crohan asked if the Commission follows the rules of the state when reviewing proposals pertaining to wastewater treatment.

Mr. Matteson clarified that the Planning Commission is charged with following Williamson County rules. In regards to the wastewater treatment system, the County requested the UV filtration be added, although it is not part of the County's regulatory authority.

Commissioner Sanders inquired about walking trails within the Revised Concept Plan.

Mr. Matteson explained that it is not within Williamson County's purview to require that level of detail for a development's use of open space.

Commissioner McCoy asked who monitors and repairs wells if there are issues.

Attorney Ransom stated that this is the responsibility of TDEC.

Commissioner Rose questioned the outcomes to neighbors if wastewater system is found to be unsafe.

Mr. Matteson explained that TDEC will be monitoring to ensure treatment guidelines are being met.

Attorney Ransom stated that TDEC would handle this matter as it is their purview.

Bryan Echols stated that this Revised Concept Plan complies with all County subdivision rules and regulations.

Chairman Lackey reminded the Commission that they had previously approved this plan and that they are only approving the 100-foot boundary per the Court's order.

There being no further comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Givens seconded the motion, the motion passed by majority vote, with Commissioner Lothers abstaining.

ITEM 15

AMENDMENT TO ARTICLE 3 OF THE WILLIAMSON COUNTY ZONING ORDINANCE REGARDING PUBLIC NOTICE SIGNAGE FOR MAP AMENDMENTS INITIATED BY THE COUNTY PURSUANT TO AN ADOPTED PLAN

Mr. Matteson reviewed the background (see Staff Report), recommending approval of the Text Amendment and that the Resolution be forwarded to the County Commission for adoption.

There being no comments Chairman Lackey closed the Public Hearing.

Commissioner Lothers made a motion to accept Staff's recommendation. Commissioner Crohan seconded the motion, which passed by unanimous vote.

ITEM 16

AMENDMENT TO ARTICLES 11, 16 AND 23 OF THE WILLIAMSON COUNTY ZONING ORDINANCE REGARDING NOISE REGULATIONS

Withdrawn.

PRELIMINARY PLAT:

ITEM 17

PRELIMINARY PLAT REVIEW FOR TROUBADOUR GOLF AND FIELD CLUB, PHASE 2 CONTAINING 39 LOTS ON 28.54 ACRES LOCATED OFF OF CLUB VIEW DRIVE IN THE 5TH VOTING DISTRICT (1-2020-301)

The applicant requested deferral of the Preliminary Plat to the March 2020 Planning Commission meeting.

Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Richter seconded the motion, which passed by unanimous vote.

ITEM 18

PRELIMINARY PLAT REVIEW FOR ARRINGTON RIDGE, PHASE 1 (REVISED) CONTAINING 33 LOTS ON 73.72 ACRES LOCATED OFF OF COX ROAD IN THE 5TH VOTING DISTRICT (1-2020-302)

Mr. Holmes reviewed the background (see Staff Report), recommending approval of the Revised Preliminary Plat with the following conditions:

The Final Plat must address the following:

1. Prior to Final Plat submittal, turn lane improvements on Cox Road must be completed to the satisfaction of the Williamson County Highway Superintendent;
2. Prior to Final Plat submittal, a Zoning Certificate must be obtained for the completed wastewater treatment and disposal system. Prior to issuance of the Zoning Certificate, the applicant shall provide the following:
 - a) A letter from TDEC indicating that said treatment and disposal system was installed and is functioning;
 - b) As-built drawings showing the location of all treatment system components and a sealed certification letter from the design engineer indicating that said treatment system was constructed in accordance with the approved construction plans and specifications;
 - c) A letter from the owner/utility provider indicating that it has accepted said treatment system and is currently operating same;
 - d) The posting of a Performance Bond in the amount of \$120,000 for said treatment and disposal system as specified by the County's wastewater consultant; and
 - e) The posting of a Performance Bond in the amount of \$50,600 for landscaping improvements.
3. Prior to consideration of Final Plat approval, the applicant shall submit HOA documents for review and approval by the County Attorney's office. The HOA documents must be submitted with the Final Plat, and the approved HOA documents must be recorded concurrently with the recording of the Final Plat;

4. Establishment of a performance bond for roads, drainage and erosion control;
5. Establishment of a performance bond for water improvements in favor of Milcrofton Utility District;
6. Establishment of a performance bond for the wastewater collection system;
7. Submission of landscaping plans and establishment of a performance bond for landscaping;
8. Execution of Performance Agreements for the above referenced sureties;
9. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
10. Submission of the approved Final Plat in .dwg format on recordable media based on the Tennessee State Plane Coordinate System prior to signature and recording of the plat.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Richter seconded the motion, which passed by unanimous vote.

FINAL PLAT:

ITEM 19

FINAL PLAT REVIEW FOR THE MILL AT BOND SPRINGS, SECTION 1 CONTAINING 6 LOTS ON 9.035 ACRES LOCATED OFF OF BETHESDA ROAD IN THE 2ND VOTING DISTRICT (1-2020-403)

Mr. Holmes reviewed the background (see Staff Report), recommending approval of the Final Plat with the following conditions:

1. Establishment of a performance bond for roads, drainage and erosion control in the amount of \$300,000;
2. Establishment of a performance bond for water improvements in favor of HB&TS Utility District in the amount of \$59,465;
3. Establishment of a performance bond for landscaping in the amount of \$48,200;
4. Execution of performance agreements for the above referenced sureties;
5. The HOA documents must be submitted with the Final Plat, and the approved HOA documents must be recorded concurrently with the recording of the Final Plat;
6. Execution of a Stormwater Maintenance Agreement and submission of an Operation and Maintenance Plan for stormwater improvements; and
7. Submission of the approved Final Plat in .dwg format on recordable media based on the Tennessee State Plane Coordinate System prior to signature and recording of the plat.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Richter seconded the motion, which passed by unanimous vote.

OTHER BUSINESS:

ITEM 20

ESTABLISHMENT OF A PERFORMANCE BOND FOR LANDSCAPING FOR TWICE DAILY CONVENIENCE STORE, ON 5.00 ACRES LOCATED OFF HORTON HIGHWAY IN THE 5TH VOTING DISTRICT (5-2019-021)

Mr. Holmes reviewed the background (see Staff Report), recommending the establishment of a Performance Bond for Landscaping Improvements in the amount of \$23,485.

There being no comments, Commissioner Crohan made a motion to accept Staff's recommendation. Commissioner Baldree seconded the motion, which passed by unanimous vote.

There being no further business, the meeting was adjourned at approximately 7:04 p.m.

APPROVED BY A MAJORITY VOTE BY THE WILLIAMSON COUNTY REGIONAL PLANNING COMMISSION ON MARCH 12, 2020.

CHAIRMAN JOHN LACKEY