DAVID BRILEY
MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF WATER AND SEWERAGE SERVICES
Development Services
800 Second Avenue South
P.O. Box 196300
Nashville, Tennessee 37219-6300

Minutes
of the
Stormwater Management Committee (SWMC)
May 2, 2019
* * * * * * * * * * *
8:15 AM
700 Second Avenue South
Howard Office Building, Sonny West Conference Center

STORMWATER MANAGEMENT COMMITTEE
(Quorum Required: Four Members)
Committee Members Present:
Ms. Debra Grimes
Mr. Slade Sevier, P.E. – Chairman
Ms. Carrie Stokes, P.E.
Ms. Anna Maddox, P.E.
Ms. Ronette Adams-Taylor
Mr. Dodd Galbreath – Vice Chairman

Committee Members Absent:
Mr. Roy Dale, P.E.

I. CALL TO ORDER

Mr. Slade Sevier, (chairman) called meeting to order at 8:25 a.m.

II. APPROVAL OF APRIL 4, 2019 MEETING MINUTES & DECISION LETTERS

A motion was made by Ms. Debra Grimes and seconded by Ms. Carrie Stokes for approval of the minutes and decision letters. Ms. Grimes. Mr. Slade Sevier, Ms. Stokes and Ms. Anna Maddox voted in favor of the motion. The motion carried.

Mr. Dodd Galbreath and Ms. Ronette Adams-Taylor abstain from the voting of the minutes and decision letter.

III. STORMWATER MANAGEMENT COMMITTEE AGENDA

Comments were solicited from the Planning and Codes Departments for the following Agenda items.

1. **201900004**
   2501 Lakeland Dr.
   2501 Lakeland Dr.
   Inspector: (Donald Erves)

   APN 09512008800
   CD-15 (Jeff Syracuse)

APPLICANT'S REQUEST: Is to allow the following:
1. To allow the installed 48" concrete pipe to remain in place.
2. Continuous mowing and maintenance.

APPELLANT: Ching F. Wong
REPRESENTATIVE: Ching F. Wong (Owner)
COMMENTS:
SW STAFF: No comment provided.
CODES: No comment provided.
PLANNING: Site is zoned RS10, defer to Stormwater for Review.
GREENWAYS: Defers to decision of the Stormwater Management Committee.

Mr. Ching F. Wong (owner) spoke on behalf of request at the location of 2501 Lakeland Drive. Mr. Wong stated to the committee that the location contained an existing driveway with a 36-inch corrugated metal pipe. Said pipe and driveway collapsed under the load of a fire truck. The entrance of this location is to a daycare and this was the only means to enter and exit the location.

When the entrance collapsed (per Metro Fire Department) a new pipe had to be installed immediately. The existing 36-inch pipe was replaced with a significantly larger/higher capacity 48-inch reinforced concrete pipe. Developing an alternative plan that would not require a variance would constitute removing the newly installed reinforced concrete pipe and replacing it with a 3-sided bottomless crossing. However, the time needed to install a 3-sided crossing would most likely cause the daycare to temporarily close which would result in an exceptional hardship.

After discussion during the Executive Session of the Committee on May 2, 2019 and review of the information presented, Mr. Dodd Galbreath made a motion to approve with the following standard Conditions # 1-2. Ms. Ronette Adams-Taylor seconded the motion. Ms. Adams-Taylor, Mr. Galbreath, Ms. Debra Grimes, Ms. Anna Maddox, Mr. Slade Sevier, and Ms. Carrie Stokes voted in favor of the motion. The motion carried.

1. The Appellant shall have the landscaper who installs the required mitigation plantings to certify MWS Stormwater – NPDES Office, in writing (referencing Variance #201900004), once plantings are installed per approved variance plans and again once plantings have been found to meet a two full growing season requirement. The owner shall maintain a minimum of 75 percent survivability of plantings through two full growing seasons.
2. This variance will expire on May 2, 2020. However, if a Grading Permit, Stormwater Single Family Permit, or Building Permit is issued within that period, the variance expiration date will run concurrent with that permit expiration date. The variance is valid only so long as the plan presented to the Stormwater Management Committee does not change.

NOW THEREFORE, it is the decision of the Committee that the request in Variance Request No. 201900004 as set out above and further described in the case record, be and is hereby **GRANTED."**

2. **201900005**
   888 Carter Street
   888 Carter Street
   Inspector: (Kimberly Hayes)

   Single Family Residential
   APN 08204024100
   CD-05 (Scott Davis)

APPLICANT'S REQUEST: Is to allow the following:

1. Disturbance of the Zone 2 buffer area.
2. To allow stormwater BMP in the buffer area.

APPELLANT: Robert & Tracy Noerper
REPRESENTATIVE: Preston Ayer (HFR Design)
COMMENTS:
SW STAFF: Request approved as noted with understanding that the applicant extended the landscape mitigation closer to the structures per the request of Development Services in the pre-application meeting. Mowing and maintenance of the buffer and buffer signage needs to be addressed by the applicant based on the proposed mitigation plan.
CODES: No comment provided.
PLANNING: Site is zoned R6, defer to Stormwater for review.
GREENWAYS: Defers to decision of the Stormwater Management Committee.

Mr. Preston Ayer (HFR Design) and Mr. Robert Noerper (Appellant) were present on behalf of the request at the location of 888 Carter Street. Mr. Ayer stated that after the meeting with Metro he had complied with the comments given to remove the previously proposed deck from the Zone 1 area and expanded the landscaping with the "No Mow Zone". Mr. Ayer stated that not being allowed the variance to build within Zone 2 would not leave enough room on the lot to construct a reasonably sized house. He also stated that granting the variance would not affect flood heights or pose a threat to public safety.

A discussion was made from the committee members on changing the design to a single family residence. Mr. Noerper noted to the committee that the change in the structure would not be beneficial to him financially as it was related to what had been put into the project. Mr. Noerper stated the relocation was rezoned for the two residences in which he is trying to build.

Mr. Slade Sevier made a motion to approve and it was seconded by Ms. Carrie Stokes. However, a question was proposed on hardships and the meaning by Mr. Dodd Galbreath. Legal reminded the committee members, finance could not be looked upon as a hardship.

After discussion during the Executive Session of the Committee on May 2, 2019 and review of the information presented, a motion to approve was made by Mr. Slade Sevier and seconded by Ms. Anna Maddox. Ms. Ronette Adams-Taylor, Mr. Dodd Galbreath, Ms. Debra Grimes, and Ms. Carrie Stokes were against. A vote was taken and the motion failed, following discussion as to whether there was a hardship and whether the proposed development was the minimum necessary to achieve a reasonable buildable area. The failure of the motion to approve means the request for a variance was not granted.

NOW THEREFORE, it is the decision of the Committee that the request in Variance Request No. 201900005 as set out above and further described in the case record, be and is hereby **NOT GRANTED.**

Ms. Carol Edwards – Davidson Co. Soil Conservation District was introduced to the committee members to give a summary of her duties and activities. Ms. Edwards gave the mission of the Davidson County Soil Conservation District which is: "to provide conservation planning, education, information and technical assistance to landowners, groups and units of government so they can enhance and benefit from the proper management of our natural resources."

Ms. Edwards also discussed goals which included 1) addressing natural resource issues 2) promoting educational programs 3) implementing conservation practices on the land 4) addressing polices and issues on land and water use 5) secure and coordinate assistance of local, state and federal agencies and utilize partnerships with other organizations.

IV. ITEMS OF BUSINESS

The 2020 schedule of Stormwater Management Committee Meeting dates were presented to the committee. All meeting dates fall on the first Thursday of each month other than January 2020. This meeting will be on the second Thursday of January due to January 2nd falling after New Year's Day and staff and members may still be out of the office and unable to attend.

V. ADJOURNMENT

The meeting adjourned at 9:40 a.m.

Metropolitan Stormwater Management Committee
Approved:

By: _____
Secretary

Date: 6/6/2019