

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)  
August 1, 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:**

Mr. Slade Sevier, P.E. – Chairman  
Mr. Dodd Galbreath – Vice Chairman  
Ms. Anna Maddox, P.E.  
Mr. Roy Dale, P. E.  
Ms. Ronette Adams-Taylor

### **Committee Members Absent:**

Ms. Debra Grimes  
Ms. Carrie Stokes, P. E.

## **I. CALL TO ORDER**

Mr. Slade Sevier, (chair) called meeting to order at 8:35 a.m.

## **II. APPROVAL OF JULY 11, 2019 MEETING MINUTES & DECISION LETTERS**

A motion was made by Mr. Slade Sevier and seconded by Ms. Anna Maddox for approval of the July 11, 2019 minutes and decision letters with the correction to the minutes to strike the statement "After listening to the recording" from the meeting minutes. Mr. Slade, Mr. Roy Dale, Ms. Maddox, and Ms. Ronette Adams-Taylor voted in favor of the motion. The motion carried.



If you need assistance or an accommodation, please contact Metro Water Services,  
at 615-862-4862, 1600 Second Avenue North, Nashville, Tennessee 37208.

Mr. Dodd Galbreath abstained from the voting of the minutes and decision letters.

### **III. STORMWATER MANAGEMENT COMMITTEE AGENDA**

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

- 1. 201800034**  
**2135 Antioch Pike**  
2135 Antioch Pike APN 14800004400  
Inspector: (Logan Bowman) CD-28 (Tanaka Vercher)

Case was previously requested for deferral on January 3, 2019 and February 7, 2019 before being presented to the Stormwater Management Committee to allow the following: 1) Allowance of unpermitted gravel, an unpermitted carport, and unpermitted wood planking to remain in the buffer. 2) Continuous mowing and maintenance of the buffer area. 3) Waiver of buffer signage.

**APPLICANT'S REQUEST:** Is to allow the following:

1. Allowance of unpermitted gravel, an unpermitted carport, and unpermitted wood planking to remain in the buffer.
2. Continuous mowing and maintenance of the buffer area.
3. Waiver of buffer signage.

**APPELLANT:** Hawre Rashed (Music City Auto)

**REPRESENTATIVE:** Chester Rhodes (Rhodes Engineering & Environmental Services)

**COMMENTS:**

**SW STAFF:** No comment provided.

**CODES:** No comment provided.

**PLANNING:** Site is zoned CS, defer to Stormwater for review.

**GREENWAYS:** The 2016 Greenways Master Plan, Play to Play, calls for greenway corridors on both sides of Mill Creek. Metro Greenways requests a Greenway Conservation Easement encompassing the floodway plus an additional 75' width running parallel to the floodway.

Chester Rhodes (Rhodes Engineering & Environmental Services), Jamie Hollins (attorney) and Hawre Rashed (Music City Auto) were all present to speak on behalf of the request at the location of 2135 Antioch Pike. Location is an existing business that has been used for several decades as an auto repair and sales. The current business operator is continuing the existing use and has put in two carports (not buildings).

Concerns of the Stormwater Management Committee were on the flooding in the area that may cause the gravel and pieces of the fence to wash away. It was noted to the committee that the fence is being requested to remain and will be used as a perimeter control to keep individuals from accessing the site from the creek (rear) side.

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

1. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to MWS Stormwater – NPDES Office, in writing (referencing Variance #201800034), 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 August 1, 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.

**2. 201900006**

**Brinkley Property – Phase 1**

9300 A Barco Road

Inspector: (Shawn Herman)

APN 18070A90200CO & 18070A90300CO

CD-31 (Fabian Bedne)

Case previously was requested for deferral on June 6, 2019 before being presented to the Stormwater Management Committee to allow the following: 36” pipe that was installed in-lieu of three-sided box to remain.

**APPLICANT’S REQUEST:** Is to allow the following:

1. 36” pipe that was installed in-lieu of three-sided box to remain.

**APPELLANT:** Green Trails, LLC

**REPRESENTATIVE:** Kevin Estes (Land Solutions)

**COMMENTS:**

**SW STAFF:** If the variance is approved, please switch the white fringe tree on the wetland enhancement plan to another species, as it is susceptible to emerald ash borer infestation.

**CODES:** No comment provided.

**PLANNING:** Approved Final SP site plan is consistent with the requested variance.

**GREENWAYS:** Greenways defers to the decision of Storm Water Management Committee.

Mr. Kevin Estes (Land Solutions) and Mr. Brandon Yates (TDEC), spoke on behalf of the request at the location of 9300 A Barco Road. Mr. Estes is asking that the 36” pipe that was installed at the location instead of the three-sided be allowed to remain. Mr. Estes believes that removing the pipe and replacing it with an open box culvert (per Metro requirements) will severely impact aquatic life downstream of the location.

Stormwater Management Committee

August 1, 2019

Page 4

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

1. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to the MWS Stormwater – NPDES Office, in writing (referencing Variance #201900006), 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 August 1, 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.

**3. 201900008**

**5040 & 5042 Linbar Dr.**

5040 Linbar Drive

Inspector: (Shawn Herman)

APN 14800018300 & 14800028500

CD-30 (Jason Potts)

Case previously was deferred on July 11, 2019 to allow the following 1) disturbance of the 75' Buffer (50' Zone 1 and 25' Zone 2) of Sorghum Branch to renovate two existing buildings and construct new townhome apartments, 2) To allow continuous mowing and maintenance of portions of buffer area, 3) Construction and encroachment of minimally disruptive hardscape to reroute sidewalk to a location further from the floodway, 4) Waiver of buffer signage, and 5) No floodproofing or raising of existing structures to one foot above Base Flood Elevation of 510' NAVD 88 for commercial structures or four feet above BFE for residential structures.

**APPLICANT'S REQUEST:** Is to allow the following:

1. To allow the disturbance of the 75' Buffer (50' Zone 1 and 25' Zone 2) of Sorghum Branch to renovate two existing buildings and construct new townhome apartments.
2. To allow continuous mowing and maintenance of portions of buffer area.
3. Construction and encroachment of minimally disruptive hardscape to reroute sidewalk to a location further from the floodway.
4. Waiver of buffer signage.
5. No floodproofing or raising of existing structures to one foot above Base Flood Elevation of 510' NAVD 88 for commercial structures or four feet above BFE for residential structures.

**APPELLANT:** Robert Mathews (LB Associates, LLC)

**REPRESENTATIVE:** Tripp Smith (S+H Engineering)

**COMMENTS:**

**SW STAFF:** No comment provided.

**CODES:** No comment provided.

**PLANNING:** Defer to Stormwater.

**GREENWAYS:** Greenways defers to the decision of Storm Water Management Committee.

Mr. Tripp Smith and Mr. Chip Howorth (S+H Engineering) spoke on behalf of the request at the location of 5040 & 5042 Linbar Drive. Mr. Howorth gave highlight from the meeting held on July, 11, 2019 and the variance request with focus on request number five which is; no flood proofing or rising of existing buildings to one foot above base flood elevation of 510'NAVD 88 for commercial structures or four feet above BFE for residential structures.

Mr. Howorth noted that the appellant is willing to dry proof the first floor level of the structure that is listed as 5042 Linbar Drive. (This technique when applied helps to keep floodwaters from entering the structure). He also noted from some of the pictures that were provided to the committee for review, that some of the measures of dry floodproofing are already in place.

After discussion during the Executive Session of the Committee on August 1, 2019 and review of the information presented, Mr. Slade Sevier made a motion to approve with the following standard Conditions # 1-2 and Condition #3. Mr. Roy Dale seconded the motion. Ms. Ronette Adams-Taylor, Mr. Dale, Ms. Anna Maddox, and Mr. Sevier voted in favor of the motion. The motion carried.

Mr. Dodd Galbreath voted against.

1. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to the MWS Stormwater – NPDES Office, in writing (referencing Variance #201900008), 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 August 1, 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.
3. Appellant shall floodproof the location of 5042 Linbar Drive to 511.0' NAVD 88.

**4. 201900009**

**Wash N' Roll**

6804 Nolensville Pike

Inspector: (Shawn Herman)

Preliminary (SW Plan)

APN 18100005100

CD-31 (Fabian Bedne)

**APPLICANT'S REQUEST:** Is to allow the following:

1. 1720 sf of pervious concrete pavers Zone 1 buffer disturbance.
2. 3850 sf of pervious concrete pavers Zone 2 buffer disturbance.
3. Continuous maintenance and mowing of both zones.

**APPELLANT:** H & J Realty

**REPRESENTATIVE:** R. Wayne McCoy (Miller-McCoy, Inc.)

**COMMENTS:**

**SW STAFF:** No comment provided.

**CODES:** No comment provided.

**PLANNING:** Site is zoned CL, defer to Stormwater for review.

**GREENWAYS:** Greenways defers to the decision of Storm Water Management Committee.

It was noted to the Stormwater Management Committee Members that this was a preliminary variance request which is a formal discussion and the plans are for illustration purposes to indicate the basic premise of the development. The appellant is aware that if approved a final variance request is required and they will need to go before the committee on this approval.

Mr. Wayne McCoy (Miller-McCoy, Inc.) spoke on behalf of the location at 6804 Nolensville Pike. Mr. McCoy stated that the required water quality buffer is 50' from top of bank and that the site is currently 1.6 acres, but with required water quality buffer and the TDOT ROW acquisition the site is left with 0.43 buildable acres.

Questions from the Stormwater Committee Members were on the access to the site. Concerns on if it was a common area or going through private property. It was advised by the committee to stay out of the zone 1 buffer and look at redesigning the plans.

A request was made by the Appellant for a 30 day deferral on case #201900009. After discussion during the Executive Session of the Committee on August 1, 2019 and review of the information presented, Mr. Slade Sevier made a motion to defer and Mr. Roy Dale seconded the motion. Mr. Sevier, Ms. Ronette Adams-Taylor, Mr. Dale, Mr. Dodd Galbreath, and Ms. Anna Maddox voted in favor of the motion. The motion carried.

#### **5. Glastonbury**

450 B Glastonbury Rd.

APN 10700006600

Inspector: (Donald Erves)

CD-13 (Holly Huevo)

**APPLICANT'S REQUEST:** Is to allow the following:

1. 340 sf impervious
2. Minor grading in zone 2 buffer.

**APPELLANT:** Craig Porter (C & S Properties TN, LLC)

**REPRESENTATIVE:** Michael Garrigan (Dale & Associates)

**COMMENTS:**

**SW STAFF:** No comments provided.

**CODES:** No comment provided.

**PLANNING:** Site is zoned RM20, defer to Stormwater for review.

**GREENWAYS:** Greenways defers to the decision of Storm Water Management Committee.

Mr. Roy Dale abstained from this case.

Mr. Michael Garrigan (Dale & Associates) spoke on behalf of the location of 450 B Glastonbury Rd. Mr. Garrigan stated that the plan of record showed there were minor earthwork encroachments within the zone 2 buffer that consist of 340 sf impervious and grading and tie slops.

Mr. Garrigan also noted to the committee that the site was encumbered by the stream buffer and that the buffer covered approximately 55.8% of the total site therefore, not leaving a significant building pad nor parking area for the development.

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


1. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to the MWS Stormwater – NPDES Office, in writing (referencing Variance #201900010), 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 August 1, 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.

#### **IV. ITEMS OF BUSINESS**

#### **V. ADJOURNMENT**

Metropolitan Stormwater Management Committee  
Approved:

By:

  
Secretary

Date:

9/5/2019