

**Minutes
of the
Stormwater Management Committee (SWMC)
March 12, 2015

8:00 AM
800 Second Avenue South
Metro Office Building, 1st Floor – Development Services Conference Room**

STORMWATER MANAGEMENT COMMITTEE

(Quorum Required: Four Members)

Committee Members Present:

Ms. Ronette Adams-Taylor
Mr. Roy Dale, P.E. – Chairman
Ms. Anna Maddox, P.E.
Mr. Slade Sevier, P.E.
Mr. Lance Wagner, P.E.

Committee Members Absent:

Mr. Dodd Galbreath
Mr. Monte Turner

I. CALL TO ORDER

The meeting was called to order at 8:12 a.m.

II. APPROVAL OF FEBRUARY 5, 2015 MEETING MINUTES & DECISION LETTERS

Mr. Slade Sevier moved and Mr. Lance Wagner seconded the motion to approve the February 5, 2015 meeting minutes and decision letters. Mr. Roy Dale, Ms. Anna Maddox, Mr. Sevier, and Mr. Wagner voted in favor of the motion. Ms. Ronette Adams-Taylor abstained from the vote.

III. STORMWATER MANAGEMENT COMMITTEE AGENDA

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

1. 201500004
2101 Tinnin Road (Goodlettsville)
(Single Family Residential)
APN: 00700021500
Inspector: Kimberly Hayes CD-10 (Doug Pardue)

APPLICANT'S REQUEST: Request is to allow disturbance and encroachment of a stream and 30' stream buffer of a tributary to Mansker Creek for an existing, unpermitted driveway crossing to remain, and to allow the crossing to remain non-perpendicular and not bottomless as required per Table 6-3 (Section 6.9) of the Stormwater Management Manual (SWMM) for Permissible Buffer Impacts, with Conditions, and the stormwater management system to be designed to the 2-year storm frequency instead of the required 10-year per Section 6.1.1 of the SWMM.

APPELLANT: Ms. Lorri A. Downs

REPRESENTATIVE: Mr. Jeremy Payton

COMMENTS:

SW Staff: Stormwater staff comments are as follows:

1) Stormwater staff requests that the property owner provide either: a) the name and contact information of the contractor/individuals that installed the pipe/crossing, if contracted by the owner, or b) the name and contact information of the contractor(s) that provided the material and equipment, if the work was done by the owner. This will allow Staff the opportunity to discuss and educate these individuals regarding Stormwater requirements and procedures.

2) If the variance is granted, staff requests that a condition be added that the appellant provide bank stabilization using a design/method to be reviewed and approved by Stormwater staff.

3) Rather than allow the existing, open manhole/junction box to remain, if the variance is granted, staff requests that a condition be added that the appellant provide a secure manhole/junction box with review and approval by Stormwater Staff.

CODES: No comment provided.

PLANNING: Defer to Stormwater Staff.

GREENWAYS: Greenways will defer to Stormwater staff comments for this request.

Mr. Jeremy Payton gave an overview of the project and variance request. Mr. Ron Jordan and Mr. Barry Mangrum were also in attendance. Mr. Payton stated that the purchase of materials, rental of equipment, and installation of the pipe were performed by Mr. Mangrum. There was discussion regarding the pipe installation and the proposed mitigation.

After discussion during the Executive Session and review of the information presented, Mr. Slade Sevier made a motion to approve as is with the following Conditions #1-6 and standard Conditions #7-8. Mr. Lance Wagner seconded the motion. Ms. Ronette Adams-Taylor, Mr. Roy Dale, Ms. Anna Maddox, Mr. Sevier, and Mr. Wagner voted in favor of the motion.

1. The Appellant shall provide bank stabilization using a design/method to be reviewed and approved by Stormwater staff.
2. The Appellant shall provide a secure manhole/junction box with review and approval by Stormwater Staff.
3. Referencing the Planting Plan (dated 02/04/15), the Appellant shall move the plantings (from the middle of the two driveways) to the north side of the driveway and add equivalent plantings in the west direction of the ones shown (towards the house), to be reviewed and approved by Stormwater staff.
4. The Appellant shall provide a headwall at the inlet at the crossing. The headwall shall be installed by a licensed contractor in accordance with Metro specifications and inspected by Stormwater staff.
5. The Appellant shall provide a concrete apron 10' off-center (each way) to protect the integrity of the pipe.
6. Continuous mowing and maintenance of the Zone 1 buffer shall not be allowed except for three feet off edge of pavement on either side.
7. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to Ms. Kimberly Hayes, MWS Stormwater – Development Review Section, in writing (referencing Variance #201500004), 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.
8. This variance will expire on March 12, 2016. 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. 201500005
Micro Retail and Hotel Development
901 Gallatin Pike and 114 Emmitt Avenue
APNs: 05104014200 and 05104014300
Inspector: Katherine O'Hara

CD-07 (Anthony Davis)

APPLICANT'S REQUEST: Request is to allow the following:

- 1) Disturbance and encroachment of the floodway and 75' (50' Zone 1 & 25' Zone 2) floodway buffer of Gibson Creek for:
 - a) Construction of portions of two new buildings (Micro Retail 6 and Micro Hotel) in the Zone 1 & Zone 2 buffers.
 - b) Construction of a retaining wall in the Zone 1 buffer.
 - c) Removal of existing pavement and plant with grass in the floodway.
- 2) Placement of Stormwater BMP with associated grading within the Zone 1 buffer.
- 3) Placement of 616 cubic yards of uncompensated fill in the 100-year floodplain (BFE = 445.2').
- 4) 50% Total Suspended Solids (TSS) removal as water quality treatment rather than the required 80%.
- 5) Continuous mowing and maintenance of the floodway and buffer.

APPELLANT: Mr. Salah Girgis

REPRESENTATIVE: Mr. Chet Rhodes

COMMENTS:

SW Staff: Stormwater Staff comments are as follows:

- 1) The topographic survey and the 100-year base flood elevation delineated on the Plan of Record appear to be incorrect.
- 2) Placement of 616 cubic yards of uncompensated fill in the floodway and floodplain of Gibson Creek will require a flood study to be conducted. The flood study should be done to verify no-rise in flood elevations/no adverse impact prior to approval of any variance. Severe flooding occurred along Gibson Creek on August 8, 2013 and impacted multiple homes and businesses in this area. Staff recommends that any fill be compensated along Gibson Creek.
- 3) If the variance is denied, the applicant will be required to remove the existing, unpermitted fill and stabilize all disturbed areas.
- 4) The Plan of Record states that there is no point discharge; however, a point discharge is still shown.
- 5) The proposed 50% water quality unit (to be oversized) cannot count as mitigation. The applicant's request is to provide treatment below the requirement and count additional treatment as mitigation. There does not appear to be a justifiable hardship for not meeting 80% full treatment. If the variance is granted, Staff requests that mitigation be provided above and beyond the required minimum and be reviewed and approved by Stormwater staff.
- 6) On the Mitigation Plan, no species can be more than 20% of the buffer composition. The plan shows 10 cypress trees proposed.

CODES: No comment provided.

PLANNING: Defer to Stormwater Staff.

GREENWAYS: Greenways will defer to Stormwater staff comments for this request.

Mr. Chet Rhodes gave an overview of the proposed project and variance request. Mr. J.D. Jackson was also in attendance.

There was discussion regarding the locations of the proposed buildings, zoning, parking, and fire department access. There was also discussion regarding the plan of record and the need for additional details (using one-foot contours) to be shown for clarification of the topography. The applicant will need to submit to Stormwater for a grading permit prior to returning to the Committee. The Committee discussed the uncompensated fill request and the need to lessen the impacts. Either a reduction or mitigation needs to be provided. The unpermitted fill would have to be addressed regardless of whether or not variance approval is granted. The Committee also discussed the proposed water quality treatment (50% vs. full treatment) and the lack of a justifiable hardship for not meeting the required 80%.

After discussion during the Executive Session and review of the information presented, Mr. Lance Wagner made a motion to defer until the May meeting to allow the applicant time to address the issues below prior to returning to the Committee. If the applicant cannot make that meeting, he can schedule to return the next meeting afterwards. Mr. Roy Dale seconded the motion. Ms. Ronette Adams-Taylor, Mr. Dale, Ms. Anna Maddox, Mr. Slade Sevier, and Mr. Wagner voted in favor of the motion.

1. Submit to Stormwater for a grading permit prior to returning to the Committee.
2. 1' contours shall be provided, and any discrepancies in the topographic survey, the 100-year base flood elevation, etc. shall be addressed when plans are submitted to Stormwater.
3. Provide detail on how the uncompensated fill will be mitigated whether going up the creek or down the creek and pulling some material out. The uncompensated fill should be lessened or addressed.
4. The uncompensated fill may temporarily remain in place until the variance request is decided but must be stabilized until the decision. If the whole variance is denied, the fill will need to be removed.
5. Immediately install erosion prevention and sediment control (EPSC) measures and seed and straw.
6. There does appear to be a point discharge on the plans – additional detail on the grading plan should more clearly explain this issue.
7. 80% TSS removal is expected to be shown on the plan. Methods other than just a water quality unit may be considered to achieve 80%.
8. Vary the species on the mitigation plan to ensure no species is >20% of the buffer composition.
9. Reach out to the councilpersons and talk with them to see what kind of support they might offer.

IV. ITEMS OF BUSINESS

Mr. Roger Lindsey, Stormwater – Development Review Section Chief, gave the Committee a brief update on Metro Nashville's proposed \$100 million downtown flood protection system. He also stated that the presentation given by Mr. Scott Potter (Director – Metro Water Services) is available online for viewing on the www.nashville.gov website.

V. ADJOURNMENT

The meeting was adjourned at 10:30 a.m.

Metropolitan Stormwater Management Committee

Approved:

By: _____
Secretary

Date: _____