

JOHN COOPER
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)
March 5, 2020**

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. Dodd Galbreath – Vice Chairman
- Ms. Anna Maddox, P. E.
- Ms. Carrie Stokes, P. E.
- Mr. Jesus Gomez-Velez, P. E.

Committee Members Absent:

- Mr. Roy Dale, P. E.
- Ms. Ronette Adams-Taylor

I. CALL TO ORDER

Mr. Dodd Galbreath, (vice-chair) called meeting to order at 8:20 a.m.

Meeting opened with a moment of silence for the storm and tornado victims in Davidson and surrounding counties.

II. APPROVAL OF DECEMBER 5, 2019 MEETING MINUTES & DECISION LETTERS

A motion was made by Ms. Anna Maddox and seconded by Mr. Jesus Gomez-Velez for approval of the December 5, 2019 minutes and decision letters. Mr. Dodd Galbreath, Ms. Anna Maddox, and Mr. Gomez-Velez voted in favor of the motion. The motion carried.

Ms. Carrie Stokes abstained from the vote on the minutes and decision letters.



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

Josh Hayes – Metro Water Services, presented a presentation of Metro Nashville FY19 Annual Report – MP3 Section under the direction of Michael Hunt was the opening for 2020. Mr. Hayes stated that the NPDES stormwater program regulates stormwater discharges from three potential sources: municipal separate storm sewer systems (MS4s), construction activities, and industrial activities. Operators of these sources are required to obtain coverage under an NPDES permit before they can discharge stormwater. This permitting mechanism is designed to prevent stormwater runoff from washing harmful pollutants into local surface waters.

Mr. Hayes discussed examples of stormwater pollution eliminated during FY19 and ways in which the department handled these issue and many others. He also stated that many violations are discovered during routine inspections. However, when these violations are discovered immediate action is taken.

At the end of the presentation, there was an opened-floor where committee members or individuals present at the meeting could ask questions.

To view presentations in its entirety go to:

<http://www.nashville.gov/Water-Services/Community/Education/Reports/NPDES.aspx>

III. STORMWATER MANAGEMENT COMMITTEE AGENDA

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

1. 202000001

River North – Phase 1

520 Cowan Street

Inspector: (Denice Johns)

APN 082060A00200CO & 08210000500

CD-05 (Sean Parker)

Case was previously deferred on February 6, 2020

APPLICANT’S REQUEST: Is to allow the following:

1. Uncompensated fill in the floodplain. (Postpone the compensating cut that is required to offset the fill).

APPELLANT: Monroe Infrastructure, LLC

REPRESENTATIVE: Civil Site Design Group, PLLC (Kevin Gangaware.)

COMMENTS:

SW STAFF: Stormwater staff requests that the applicant provide floodplain storage compensation in accordance with Stormwater Management Manual Volume 1 Chapter 5.5.6 paragraph 1 that states, “All dredged or cut materials shall be removed from the site before fill materials can be delivered, unless all fill material is generated onsite.”

CODES: No comment provided.

PLANNING: Approved

GREENWAYS: Parks defers to the decision of the Stormwater Management Committee.

Mr. Kevin Gangaware (Civil Site Design Group) spoke on behalf of the request at the location of 520 Cowan Street. Mr. Gangaware stated that the variance request was to allow work to take place in the buffer of the Cumberland River. The variance was a request to temporarily delay compensating cut required because of constructing new roads, which would be built above the 100-year flood plain elevation.

Mr. Gangaware went further to state that there was a plan in place if the development activity stalled. After seven years, if the remaining compensatory floodplain storage had not been provided, the client would take any necessary actions to remove the remaining quantity of materials to bring the site into compliance.

A request was made by the Appellant for a 30-day deferral on case #202000001. After discussion during the Executive Session of the Committee on March 5, 2020 and review of the information presented, Ms. Carrie Stokes made a motion to defer and Mr. Jesus Gomez-Velez seconded the motion. Mr. Dodd Galbreath, Ms. Anna Maddox, Ms. Stokes, and Mr. Gomez-Velez voted in favor of the motion. The motion carried.

NOW THEREFORE, it is the decision of the Committee that the request in Variance Request No. 202000001 as set out above and further described in the case record, be and is hereby **DEFERRED.**”

The Appellant is reminded that this decision of the Committee is contingent upon approval of the meeting minutes for the above referenced Executive Session.

The Appellant is reminded that no construction or disturbance shall commence prior to obtaining the required permits from Metro Water Services or Metro Codes (e.g. Grading Permit, Stormwater Single Family Permit, or Building Permit).

2. 202000002

Landings at River North

0 Cowan Street

Inspector: (Denice Johns)

APN 082100A00100CO

CD-05 (Sean Parker)

Case was previously deferred on February 6, 2020

APPLICANT’S REQUEST: Is to allow the following:

1. Disturbance of the Zone 1 floodway buffer to allow for hardscape, stormwater infrastructure, stormwater GIPs, existing buildings to remain, and grading.
2. Disturbance of the Zone 2 floodway buffer to allow for hardscape, stormwater infrastructure, stormwater GIPs, existing building to remain.
3. Continuous mowing and maintenance.
4. Modified buffer signage.

APPELLANT: NRN Parcel A. Owner, LLC

REPRESENTATIVE: Jeremy Westmoreland (Civil Site Design Group, PLLC)

COMMENTS:

SW STAFF: 1). Staff feels mitigation should be provided. 2). Stormwater staff request that a second application (or owner's signature) be required for the grading on parcel 082100A00500CO.

CODES: No comment provided.

PLANNING: Approved

GREENWAYS: Parks defers to the decision of the Stormwater Management Committee.

Mr. Jeremy Westmoreland (Civil Site Design Group, PLLC) spoke on behalf of the request at the location of 0 Cowan Street. Mr. Westmoreland stated that this parcel was one lot of the larger River North development. This lot contains an existing building that will be refurbished for use as commercial retail and office space. However, the building is located along the east bank of the Cumberland River and is currently located within portions of the Zone 1 and Zone 2 buffers. The building is situated at an FFE of approximately 413.8', which is 0.8' below BFE.

Mr. Westmoreland states they are proposing to raise the FFE to 416.0 which will be 1.4' above the BFE, but the location will remain in the buffers for the Cumberland River. It was stated that it is not feasible to relocate the existing structure, nor does Civil Site Design Group believe that allowing the structure to remain will create any hardship or safety threat for Metro or the public.

After discussion during the Executive Session of the Committee on March 5, 2020 and review of the information presented Ms. Carrie Stokes made a motion to approve with the following standard Conditions # 1-2 and Condition # 3. Mr. Jesus Gomez-Velez seconded the motion. Mr. Dodd Galbreath, Ms. Stokes, Ms. Ann Maddox, and Mr. Gomez-Velez 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 #202000002), 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 March 5, 2021. 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. The Appellant shall work with MWS Stormwater staff on the buffer signage/mitigation. NOW THEREFORE, it is the decision of the Committee that the request in Variance Request No. 202000002 as set out above and further described in the case record, be and is hereby GRANTED."

The Appellant is reminded that this decision of the Committee is contingent upon approval of the meeting minutes for the above referenced Executive Session.

The Appellant is reminded that no construction or disturbance shall commence prior to obtaining the required permits from Metro Water Services or Metro Codes (e.g. Grading Permit, Stormwater Single Family Permit, or Building Permit).

IV. ITEMS OF BUSINESS

Floor was opened for the nomination and voting of the new chair and vice chair for the Stormwater Management Committee. A motion was made by Ms. Carrie Stokes nominating Mr. Dodd Galbreath as chair and Ms. Anna Maddox as vice-chair of the Stormwater Management Committee, the motion was seconded by Mr. Jesus Gomez-Velez. Both members agreed to their positions. Mr. Dodd Galbreath, Ms. Carrie Stokes, Ms. Maddox, and Mr. Jesus Gomez-Velez voted in favor of the motion. The motion carried.

VI. ADJOURNMENT

The meeting was adjourned at 10:00 a.m.

Metropolitan Stormwater Management Committee
Approved:

By: Peninsula Gilbert
Secretary

Date: 05/07/2020