

SUMNER COUNTY REGIONAL PLANNING COMMISSION
MINUTES
JANUARY 24, 2023
5:00 PM

SUMNER COUNTY ADMINISTRATION BUILDING
BETHEL BROWN COMMISSION CHAMBERS
355 N. BELVEDERE DRIVE GALLATIN, TN 37066

MEMBERS PRESENT:

LUTHER BRATTON, CHAIRMAN
JIM WILLIAMS
JEFF DUNCAN
DAVID KLEIN
CHRISSI SMITH MILLER

STAFF PRESENT:

JOSH SUDDATH, DIRECTOR OF DEVELOPMENT SERVICES
KATHY YOUNG, STAFF PLANNER (Minutes taker)
ERIC SITLER, COUNTY LAW DIRECTOR
MARSHALL BOYD, COUNTY ENGINEER

Mr. Bratton called the meeting to order and stated that all five members are present.

Mr. Suddath introduced the new County Law Director, Eric Sitler.

Mr. Bratton asked for approval of the previous meeting Minutes.

Mr. Williams made a motion to approve the November 2022 Minutes.

Ms. Miller seconded the motion.

The motion was approved unanimously.

Mr. Bratton asked if there were any changes to the January Agenda.

Mr. Suddath explained the following changes to the Agenda: Item #2, Montclair Sketch Plat, and Item #6, Eskola Roofing have requested a one month deferral.

Mr. Suddath added that the Scotty Parker Storage PUD request was removed from the Agenda because the Public Notice contained a fatal flaw due to conflicting request information provided.

Mr. Suddath added that it will be on the February Agenda.

Mr. Klein made a motion to approve the Agenda as presented, with aforementioned changes.

Ms. Miller seconded the motion.

The motion passed unanimously.

PUBLIC COMMENT

At this time, Mr. Bratton opened the floor for Public Comment.

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Mr. Suddath referenced the meeting sign-in sheet and stated that three people had signed up to speak to the Montclair item.

Mr. Bratton stated that the item has been removed from the Agenda, and asked if they still wished to speak.

Tommy Swint, 201 Jones Lane, spoke against the Montclair Development, citing concerns of previous denials by the City of Hendersonville and the County BZA. Mr. Swint stated that the development does not conform to the surrounding area and asked for a denial. Mr. Swint distributed a copy of the proposed development and cited concern of road narrowness.

Ronnie Rogers, 412 Jones Lane, spoke against the Montclair Development, citing concerns of traffic, noise, safety and condition of the road. Mr. Rogers added that this development does not fit in this area.

Pat Meacham, 1612 Stop Thirty Road, spoke against the Montclair Development, stating that this does not conform to the area. Mr. Meacham added that development requests for this property have been voted down by the city of Hendersonville and the County BZA for Cluster Development.

There being no further comments, Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

CONSENT AGENDA

Mr. Suddath explained the Consent Agenda.

- 1. FLEMING ACRES - FINAL PLAT – David and Lesa Fleming - Represented by Richard Graves – 2nd Commission Voting District (Terry Wright) – Applicant is requesting Final Plat approval for a 7-lot residential subdivision located at **Highway 259 and N. Leath Road, Portland, TN, 37148**. Subject property is on Tax Map 014, Parcel 035.02, contains 11.18 acres, and is zoned Rural Residential (RR).**

- 2. LOTS 7-11 OF COUNTY LINE SUBDIVISION - FINAL PLAT – Eric Hester - Represented by GreenLID Design – 3rd Commission Voting District (Mark Harrison) – Applicant is requesting Final Plat approval for a 4-lot residential subdivision located at **318 Woods Road, Portland, TN, 37148**. Subject property is on Tax Map 016, Parcel 047.03, contains 6.16 acres, is zoned Suburban Residential (SR).**

Mr. Duncan made a motion to approve the consent agenda.

To approve a Final Plat for Fleming Acres, with the following conditions:

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- a) Applicant shall obtain signed approval from County Engineer for required Construction Plans prior to issuance of a Land Disturbance Permit.
- b) Applicant shall make an equivalent dedication for fire protection since a hydrant cannot be installed, and a receipt shall be provided prior to final plat approval
- c) A Notice of Coverage (NOC) shall be obtained from TDEC for this development prior to the issuance of a Land Disturbance Permit.
- d) All plat signatures shall be obtained
- e) Applicant shall have the option of installing sidewalks or making a payment in Lieu of sidewalks in an amount totaling \$10 per linear foot of road frontage
- f) Applicant shall obtain a new water availability letter from Portland Utilities prior to Plat Signature by the Planning Commission Secretary.

To approve a Final Plat for Lots 7-11 of County Line Subdivision, subject to the following conditions:

- a) Applicant shall obtain signed approval from County Engineer for required Construction Plans prior to issuance of a Land Disturbance Permit.
- b) A Notice of Coverage (NOC) shall be obtained from TDEC for this development prior to the issuance of a Land Disturbance Permit.
- c) All plat signatures shall be obtained
- d) Applicant shall obtain a new water availability letter from Portland Utilities prior to Plat Signature by the Planning Commission Secretary.

Mr. Klein seconded the motion.
The motion passed unanimously.

REGULAR AGENDA

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

1. **HAILE FARMS - SKETCH PLAT** – Ferrell and Frances Haile - Represented by GreenLID Design – 6th Commission Voting District (David Klein) – Applicant is requesting Sketch Plat approval for a 41-lot residential subdivision located on **Albright Lane, Gallatin, TN, 37066**. Subject property is on Tax Map 127, Parcels 039.00, 039.01 and 041.02, contains 225.81 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property, stating that the proposed 41 lots and several open spaces, encompassing 60.29 acres, are a portion of a much larger tract. Mr. Suddath stated that the lot sizes have been reduced to a half-acre, as public sewer is available, which is allowed by the County Zoning Resolution. Mr. Suddath stated that the property is located in the Gallatin Urban Growth Boundary, and explained that this property could be annexed into the city, if requested by the owner.

Mr. Suddath stated that this property is located in the Suburban Placetype of the County Comprehensive Plan. Mr. Suddath displayed an aerial photo of the property, noting that there is

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only one way in and out of the development. Mr. Suddath stated that development would involve construction of a new public road that would derive access along Albright Lane. Mr. Suddath added that the development would derive its sole access via construction of a proposed bridge across an existing creek, designated as 100-year floodplain and regulatory floodway. The bridge appears to also cross an existing pond, designated as a wetland by U.S. Fish and Wildlife Service.

Mr. Suddath displayed the submitted Sketch Plat, and explained that the wetland over which the entrance will cross has a creek that feeds into and out of it. Mr. Suddath noted that the proposed road stubs end in cul-de-sacs that have no indicated lots, which indicates that future phases are anticipated. Mr. Suddath stated that it is understood that a plan for future phases has not yet been created.

Next, Mr. Suddath explained the following, regarding the Sketch Plat:

- Proposed lot sizes appear to meet requirements for lots connecting to public sewer, which may be reduced to ½ acre per the County Zoning Resolution (Chapter 4, Section 404)
 - Letter has been provided from Gallatin Public Utilities confirming availability of Sanitary Sewer, Public Water, and Natural Gas
- Extensive open space depicted upon the plat.
 - An HOA will be required for this development in order to maintain all Stormwater infrastructure
- Drainage: This development will need to submit an Erosion Prevention and Sediment Control Plan along with Drainage Calculations with submittal of a Preliminary Plat.
 - A Notice of Coverage from TDEC will be required
 - Onsite Detention will be required unless demonstrated otherwise by applicant
 - Stream/wetland determination will be required by TDEC
 - ARAP will be required from TDEC
- Open space appears to be depicted upon the plat totaling 20.5 acres of the portion of the property under development.
 - Note: An HOA will be required for this development in order to maintain all Stormwater infrastructure, sidewalks and any private amenities
- Utilities and Fire Protection:
 - Water/Sewer/Natural Gas Utilities to be provided by the City of Gallatin; availability letter provided
 - Multiple fire hydrants will be necessary for this development.
 - Fire Protection would be provided by the relevant volunteer fire department.

At this time, Mr. Suddath stated that per the County Zoning Resolution, “The Sketch Plat shall include all phases of the entire development under consideration”.

Mr. Suddath further explained that a more complete submittal of the entire property would help the Planning Commission understand the future plans for the property, and would resolve issues related to the proposed bridge access to Albright Lane by showing where additional accesses would be located in the future.

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At this time, Mr. Suddath explained the next steps, including the requirement of a Traffic Study which would need to be submitted with the Preliminary Plat. Mr. Suddath concluded his presentation with example motions and turned the meeting over to Mr. Bratton.

Mr. Bratton requested the representative to come forward.

Andy Leath, GreenLID Design, stated that if this were to be annexed into the city of Gallatin, it would be a non-contiguous annexation.

Mr. Leath confirmed that the property is located in the regulatory floodway, which would require a No-rise Certificate and an ARAP, and added that they are fully prepared to supply those.

Mr. Leath then stated that future phases were not included in the Sketch Plat, as this is the only section of the farm being considered for development at this time. Mr. Leath stated that there was no intent to be untruthful. Mr. Leath explained that the landowner does not wish to upset the neighbors with a larger development. Mr. Leath added that Mr. Haile plans to continue to live on and to farm the property. Mr. Leath stated that this land will probably be developed in the future.

Mr. Klein asked if there have been any soil borings of the wetland to determine the depth of the organic material.

Mr. Leath stated that this has not been done yet, adding that those borings will be part of the required Hydrologic and Wetland determination process.

Mr. Bratton stated that the question of the development of the entire tract is to be considered. Mr. Bratton asked for a motion to get the item on the floor for discussion and to allow Mr. Suddath to explain his rationale.

Mr. Klein made a motion to put this item on the floor.
Mr. Duncan seconded the motion.

Mr. Bratton asked Mr. Suddath for insight regarding the requirement that all phases of the entire tract be depicted on the Sketch Plat.

Mr. Suddath stated that years ago, the Planning Commission requested that Sketch Plats include the entire tract. Mr. Suddath stated an understanding that if the landowner does not have plans to develop the entire property, it may not be possible to show additional phases.

Mr. Suddath then noted safety concerns that there is only one way in/one way out proposed over a flood plain, noting that other options and additional road frontage access points are available.

Mr. Bratton restated the most pressing concern as the lack of a second ingress/egress for the development. Mr. Bratton asked for comments.

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Ms. Miller expressed concerns of the location within the floodplain, the safety issues presented with only one ingress/egress to the development and the lack of plans presented for the entire tract. Ms. Miller stated that she would vote no on this item.

Mr. Klein asked if this development is allowed by-right.

Mr. Suddath stated that it is, however, he added that per Appendix C of the County Subdivision Regulations Roadway and Drainage Technical Standards, "*Developments shall achieve internal road connectivity by providing multiple connections to the existing County road network.*"

Mr. Klein added that he has a problem with the lot sizes, as the proposed half-acre lots are inconsistent with the surrounding area.

Mr. Suddath stated that half-acre lot compatibility could definitely be something taken into account if this were a rezoning request, however, half-acre lots that are served by public water and sewer are allowed by-right in this area.

Mr Bratton asked if there are a number of lots that trigger a requirement for a second entrance.

Mr. Suddath answered no, adding that if a Fire Code were to be adopted by the County, there would be a requirement that a development of over 30 lots may not have only one ingress/egress without a requirement that all houses be sprinkled.

Mr. Bratton asked Mr. Leath if he would like to address the aforementioned concerns.

Mr. Leath stated that he has attempted to be forthcoming and compliant with the County rules, again stating that at this time, there are no plans to develop the entire tract. Mr. Leath stated that they will comply with all local, state and federal regulations.

Mr. Leath stated that while the floodplain is wide, the creek is not. Mr. Leath stated that this development will not increase flooding. Mr. Leath added that there is a large road frontage on Cairo Road with the potential for future road connectivity.

Mr. Suddath displayed the portion of the Subdivision Regulations, Appendix C, 3.1.2, addressing the location and layout of new roads. Mr. Suddath explained that if the Planning Commission wished to, they could require connectivity to Cairo Road.

Mr. Klein asked if there has been any discussion about improvements to Albright Lane.

Mr. Suddath stated that a Traffic Study would be required at the Preliminary Plat phase.

Ms. Miller made a motion to deny the Sketch Plat for Haile Farms, citing reasons including noncompliance with road design requirements found in the county's subdivision regulations at appendix c, part 3.1, specifically regarding the provision of secondary points for emergency access. Additionally, safety concerns were noted upon the record regarding

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the one way in/out configuration, as it will require a bridge crossing 100-year floodplain/regulatory floodway.

Mr. Bratton asked Mr. Suddath what the next steps are for the petitioner, if this request is denied.

Mr. Suddath stated that the petitioner could choose to drop the request or amend the Sketch Plat addressing concerns and resubmit. Mr. Suddath stated that there is no time limit for resubmittal.

Mr. Klein seconded the motion.

The motion to deny was passed by a vote of 3 to 2, with the vote recorded as follows:

Ms. Miller – aye

Mr. Bratton – aye

Mr. Klein – aye

Mr. Williams – no

Mr. Duncan – no.

- 2. MONTCLAIRE - SKETCH PLAT – Thomas Stratton Estate and Jodi Wright - Represented by Cal Gentry, Civil Land Co – 24th Commission Voting District (Chrissi S. Miller) – Applicant is requesting Sketch Plat approval for an 83-lot residential subdivision located at **417 Jones Lane, Hendersonville, TN 37075**. Subject property is on Tax Map 145, Parcels 036.00 and 042.00, contains 83.9 acres, and is zoned Rural Residential (RR).**

Deferred for one month in order to allow the applicant to provide additional information.

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

- 3. W & R ACRES – PRELIMINARY PLAT – James Howell - Represented by Richard Graves – 1st Commission Voting District (Terry Moss) – Applicant is requesting Preliminary Plat approval for a 5-lot residential subdivision located on **Clyde Wix Road, Westmoreland, TN, 37186**. Subject property is on Tax Map 045, Parcel 080.00, contains 6 acres, and is zoned Rural Residential (RR).**

Mr. Suddath provided an overview of the property and displayed an aerial photo of the property and the Preliminary Plat. Mr. Suddath explained that all five lots have been designated as “critical” because the topography exceeds 15% slope and the driveways will be located in the floodplain.

Mr. Suddath then explained the following regarding the plat:

- Utilities and Fire Protection:
 - 8 inch water line located along Clyde Wix Road.
 - Water letter does not address fire protection
 - One fire hydrant will be necessary for this development per County Regs
- Roads: Adequate ROW will need to be dedicated along all roadways

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- Proposed lot widths appear to meet requirements.
- Drainage: This property has significant slopes in excess of 15% across all lots. Property is fronted by 100-year floodplain. County will require Critical Lot plans with EPSC measures indicated for each individual building lot prior to issuing Zoning/Building/Land Disturbance Permits
 - A Notice of Coverage from TDEC will be required.

Mr. Suddath explained the next steps and concluded his presentation with example motions before turning the meeting over to Mr. Bratton.

Mr. Duncan expressed concern of all lots being designated as “critical” and stated that Lot #5 appears to pose concerns of buildability.

Mr. Suddath stated that the southeast corner of the lot appears to be the best location for a build site, adding however, that it will be up to the applicant and builder to prove that what they wish to build will work on the lot.

Mr. Bratton stated that the Planning Commission does not approve buildability.

Mr. Suddath concurred and stated that the Planning Commission approves plats, and added that further approvals from the BZA may be required to obtain a building permit if a variance is required.

Mr. Williams made a motion to approve a Preliminary Plat for W&R Acres, with the following conditions:

- a) Applicant shall pay applicable Construction Inspection fees in the amount of \$100 per lot to the County upon submittal of a Final Plat.**
- b) A Notice of Coverage (NOC) shall be obtained from TDEC for this development prior to the issuance of a Land Disturbance Permit.**
- c) Hydrants shall be installed to serve the lots; if one cannot be installed a dedication can be made as allowed by the County Subdivision Regulations**
- d) All lots shall be designated as “Critical Lots” as per the County Subdivision Regulations, and a Critical Lot and EPSC plan must be approved by the County Engineer prior to issuance of permits. It shall be the developer’s responsibility to inform any lot purchaser of this requirement.**

Mr. Duncan seconded the motion.

The motion passed unanimously.

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

- 4. CLEARVIEW ESTATES, PHASE 2 - PRELIMINARY PLAT –Ascend Holdings - Represented by GreenLID Design – 4th Commission Voting District (Dillon Lamberth) – Applicant is requesting Sketch Plat approval for a 75-lot residential subdivision located on Weiss Road and Clearview Road, Cottontown, TN, 37048.**

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Subject property is on Tax Map 037, Parcel 030.00, contains 78.19 acres, is zoned Rural Residential (RR).

Mr. Suddath provided an overview of the property. Providing a brief history of the property, Mr. Suddath stated that the property received Sketch Plat approval from the Planning Commission in 2021, a revised development was approved as a “Cluster Residential Development” by the County Board of Zoning Appeals in July 2022, and the Planning Commission approved a Sketch Plat, depicting the current configuration, on 9/27/2023. Mr. Suddath displayed those plats.

Mr. Suddath then displayed the Phase 2 Preliminary Plat and provided the following relevant information regarding the Plat:

- A full set of Construction Plans including Road, Drainage, Utility components and Drainage Calculations have been submitted to the County Engineer for review.
 - Construction Plans are under review at this time.
- Roads: Development will derive access along Weiss Road, and a new connection will be constructed off of Clearview Road
 - Sidewalks, with rollover curb and gutter required (sidewalk maintenance responsibility of HOA)
 - Traffic Impact Study has been previously submitted; BZA required a revised study be submitted with Preliminary Plat and Construction Plans
- Drainage: Erosion Prevention and Sediment Control Plan and Drainage Calculations provided.
 - A Notice of Coverage from TDEC will be required
 - Onsite Detention will be required and is depicted on Construction Plans
 - Stream/wetland determination will be required by TDEC prior to construction. Any alterations to streams wetlands must obtain ARAP.
- Utilities and Fire Protection:
 - 8 inch water line depicted within the property.
 - Multiple fire hydrants will be necessary for this development.
 - Fire Protection to be provided by relevant Volunteer Fire Department
 - A water and fire pressure availability letter has been provided from WHUD
 - Lots to be served by onsite STEP System; TDEC approval of the design has been obtained
 - System must be installed, inspected, approved by TDEC prior to recording of Final Plat.

Mr. Suddath explained the next steps and concluded his presentation with example motions before turning the meeting over to Mr. Bratton.

Mr. Bratton asked if there were any questions.

Mr. Duncan made a motion approve a Preliminary Plat for Clearview Estates, Phase 2, Preliminary Plat, subject to the following conditions:

- a) An HOA shall be required to maintain all open space, sidewalks etc**

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- b) Applicant shall obtain stamped approval from County Engineer for Construction Plans prior to issuance of a Land Disturbance Permit.**
- c) Applicant shall construct all roadway and drainage infrastructure as shown upon approved construction plans to a point of substantial completion as determined by the County prior to submittal of any Final Plat for the development.**
- d) Applicant shall submit “as built” drawings as per the Sumner County Subdivision Regulations and County Stormwater Management Resolution prior to approval of any Final Plat for this Phase of the development.**
- e) Applicant shall submit a signed Stormwater Inspection and Maintenance Agreement and maintenance plan for this development for recording concurrent with the submission of first Final Plat for this development; such agreement shall be amended to include subsequent phases of the Development.**

Mr. Williams seconded the motion.

At this time, Mr. Klein stated concerns with the secondary entrance intersection, explaining that it looks problematic.

Mr. Suddath stated that the Planning Commission required a 3-way stop at the intersection and noted that a Traffic Study was conducted.

Mr. Klein then stated concern of flooding ramifications of this development.

Mr. Suddath stated that it was his understanding that this development predominantly drains to the north into an existing conveyance, and that Stormwater facilities are proposed at that location as per the submitted construction plans.

Mr. Leath confirmed that the property drains to the north and added that a wetlands determination was conducted, resulting in the stream and wetlands being properly buffered.

Mr. Suddath stated that the developers are obligated, with the detention ponds, to ensure that there is not post-development increase in the offsite flow.

Mr. Klein asked if the detention ponds were located in the Greenspace area.

Mr. Suddath stated yes and explained that the Stormwater quality/detention basins work to capture and clean the runoff before it gets to the creek.

Mr. Klein asked if the Cluster Development was utilized to obtain density because of the soil and runoff.

Mr. Leath answered yes, to maximize the property’s potential.

Mr. Leath added that the Cluster approach helped to preserve significant amounts of open space.

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A vote was taken and the motion to approve was passed by a vote of 3 to 2, with the vote recorded below:

Ms. Miller – no
Mr. Bratton – aye
Mr. Klein – no
Mr. Williams – aye
Mr. Duncan – aye.

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

- 5. MASTER BUILDERS, IGLESIA CHURCH – SITE PLAN – Master Builders, Tommy Smith, Represented by GreenLID Design – 4th Commission Voting District (Dillon Lamberth) – Applicant is requesting Site Plan approval related to expansion of an existing religious facility located at **1627 Scotty Parker Road, Gallatin, TN, 37066.** Subject property is Tax Map 104, Parcel 016.00, contains 1.45 acres, and is zoned Commercial Services (CS).**

Mr. Suddath provided an overview of the property, explaining that this is a request to expand the existing church facility and parking area. Mr. Suddath displayed an aerial view of the property and the Plat recorded 8/9/1993.

Mr. Suddath displayed the submitted Site Plan, Grading Plan and Landscape Plan. Mr. Suddath then explained the following information regarding the Site Plan:

- Roads
 - Property fronts along Scotty Parker Road, which is a Major Urban Collector Roadway that can satisfactorily accommodate this use without additional improvements.
 - Use not anticipated to cross thresholds for a traffic study (100 peak hour trips per day). Planning Commission may require one if deemed appropriate.
- Drainage
 - On site water quality/detention area is depicted on the Site Plan
 - Drainage Plans/Calculations etc have been provided to the County Engineer.
 - Plans must be approved by County Engineer prior to any construction
 - Detention/Water Quality pond will mitigate the amount of water leaving the site, and must treat it to remove any pollutants
 - Water quantity/quality basin(s) and other measures must be installed on site
 - Stormwater Maintenance and Inspection Agreement must be entered into with County, and an agreement has been provided for County review
- Utilities
 - Public Water to be provided by White House Utilities; structure to utilize existing septic system.
- Landscaping/Parking/Etc

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- County Zoning resolution contains extensive requirements for landscaping and buffering.
 - As noted previously, a Landscape Buffer containing supplemental plantings around the perimeter of the site has been shown on the plans.
- Parking has been depicted upon the Site Plan and appears to meet requirements
- Signage:
 - One existing sign is currently located along driveway.
 - This signage is legal and has obtained the required sign permit from the County.
 - No additional signage is proposed as part of this project

Mr. Suddath explained the next general steps and provided example motions before turning the meeting over to Mr. Bratton.

Mr. Bratton asked if the representative wished to add anything.

Zach Baker, GreenLID Design, stated that they have worked with TDEC to ensure adequate soils.

Mr. Klein made a motion to approve a Site Plan for Iglesia Church with the following conditions:

- a) All requirements contained in the Sumner County Subdivision Regulations, County Zoning Resolution and County Stormwater Management Resolution shall be met;**
- b) Applicant shall obtain approval of Construction Plans from the County Engineer and a Notice of Coverage from TDEC prior to issuance of a Land Disturbance Permit**
- c) A Stormwater Letter of Credit in an amount to be determined by the County shall be provided by the applicant prior to the issuance of a Land Disturbance Permit;**
- d) A Stormwater Maintenance and Inspection Agreement shall be entered into by the applicant with the County as required by the County Stormwater Management Resolution.**
- e) As-builts shall be required for all Stormwater infrastructure prior to release of surety or issuance of a Zoning Compliance Certificate for this property**
- f) Drive connection permits must be obtained from the Sumner County Highway Department.**

Mr. Duncan seconded the motion.

The motion passed unanimously.

Mr. Bratton turned the meeting over to Mr. Suddath for staff presentation.

- 6. BROCKWELL PLACE – FINAL PLAT – Pie De La Loma Properties, LLC – Represented by Richard Graves - 1st Commission Voting District (Terry Moss) – Applicant is requesting Final Plat approval for a 2-lot Subdivision that does not have access to Public Water. Property is located at **1155 North Sumner Road, Bethpage, TN****

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37022, is Part of Tax Map 023, Parcel 024.03 contains 5.01 acres, and is zoned Rural Residential (RR).

Mr. Suddath provided a brief overview of the property and explained that this is a 2-lot subdivision request for new lots that are not served by public water. Mr. Suddath stated that County Subdivision Regulations (Article III Section N) indicate that such submittals need to go to the Planning Commission in order for the Planning Commission to decide if a public water connection is feasible, and should be made by the applicant.

Mr. Suddath displayed an aerial view of the property, the Final Plat and the water availability letter from the City of Portland, indicating that water service is not available at this location. Mr. Suddath stated that all other requirements for Minor Subdivision plats have been met.

Mr. Suddath noted that this is currently a buildable 5-acre lot, and the intent of the application is to create two buildable lots.

Mr. Suddath explained the next general steps and provided example motions before turning the meeting over to Mr. Bratton.

Mr. Bratton asked if there is a well currently on the property.

Mr. Suddath stated no, adding that this is a vacant lot.

Richard Graves stated that this is .38 miles from the nearest water line.

Mr. Graves stated that there is currently a moratorium in the Portland area. Mr. Graves stated that he has several more plats like this, without water availability, and asked for guidance from the Planning Commission regarding what would be considered a “reasonable” distance.

Discussion ensued regarding the process for approving wells.

Mr. Bratton stated concern for future landowners who purchase property with no water.

Mr. Suddath stated that a note would be added to the plat stating that the lot shown may not be suitable for water wells.

Ms. Miller asked for clarification that there would be two septic systems and two wells located on this 5 acres.

Mr. Suddath stated yes, per soil map findings.

Mr. Graves stated that it is required that the well be located at least 50’ from the septic soils area.

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Mr. Duncan asked about the moratorium.

Mr. Suddath stated that the moratorium is for new water taps located in the Oak Grove area.

Mr. Graves stated that the tank capacity has been reached in the Oak Grove area.

Mr. Bratton stated that the city of Portland has approved a bond issue to improve the water line, adding that it will take some time. Mr. Bratton stated that the Planning Commission's decision, regarding approval of lots without public water would set a precedent for other developments.

There was discussion regarding guidelines for feasibility determinations for running water to proposed lots without current access to public water.

Mr. Duncan also expressed concerns of problem for future owners.

Mr. Graves asked to defer his request to allow additional time to obtain cost estimates to run public water lines to the property.

Mr. Bratton stated that the existing 5 acre tract is currently buildable.

Mr. Duncan expressed a need to learn more about TDEC wells.

Ms. Miller made a motion to defer this item in order to allow the applicant to provide additional information.

Mr. Duncan seconded the motion.

The motion passed unanimously.

7. SUMMARY OF ADMINISTRATIVE APPROVALS, NOVEMBER 17 - PRESENT:

- A. Walter Property, Minor Plat
- B. H & S Acres, Minor Plat
- C. McWhirter Farm, Lot 1, Plat Amendment
- D. Michael Russell Property, Minor Plat
- E. Resubdivision of Lot 12A of Fort Hill Estates, Minor Plat
- F. Resubdivision of Lot 9 of Hidden Cove Estates, Section 2, Minor Plat
- G. Resubdivision of Lots 6 & 7 of Sunset Acres, Phase 1, Minor Plat
- H. Michael E. Barnes, Minor Plat
- I. Joseph D. Kirkpatrick Property, Minor Plat
- J. Briana's Branch Subdivision, Lot 1, Plat Amendment
- K. Walking Horse, LLC Estates, Minor Plat
- L. Andy Yant Minor Subdivision, Minor Plat
- M. Broadrick Place, Minor Plat

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- N. Charles Staggs Subdivision, Minor Plat
- O. Kenneth Gilliam Property, Minor Plat

8. DIRECTOR'S UPDATE

There being no further business to come before the Planning Commission, Mr. Klein made a motion to adjourn, seconded by Ms. Miller.

The meeting was adjourned unanimously at 6:46 pm.