

SUMNER COUNTY PLANNING COMMISSION

MINUTES

MAY 26, 2009

5:00 P.M.

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

MEMBERS PRESENT:

LUTHER BRATTON, CHAIRMAN
BILL THOMPSON, VICE-CHAIRMAN
CHARLES HAYNES
SAUNDRA BOYD
CORDELL BORDERS
CECIL RAY
JIM WILLIAMS
BOB HENDRICKS
NORMAN TRIPP
MIKE HONEYCUTT
PAUL GOODE

MINUTES ABSENT:

CYNTHIA HALL TEMPLETON
DAN DOWNS
CHARLES LEA
SHAWN FENNELL

OTHERS PRESENT:

MIKE MOULTON, PLANNING DIRECTOR
MICHAEL BRIGGS, PLANNER
ROB GARRISON, STATE PLANNER
LISA WILLIAMS, ADMINISTRATIVE ASSISTANT

**MOTION FOR APPROVAL OF THE APRIL MINUTES BY MR. HAYNES, SECONDED BY MR. HENDRICKS.
MOTION PASSED.**

**9 AYES: THOMPSON, HAYNES, BOYD, BORDERS, RAY, WILLIAMS, HENDRICKS, TRIPP, AND
HONEYCUTT**

1 ABSTENTION: GOODE

**1. TRAVIS MURRELL WAS REQUESTING SITE PLAN APPROVAL FOR A 60' X 60' HAND GUN CARRY
QUALIFYING RANGE. SUBJECT PROPERTY IS LOCATED ON BURSBY BRANCH ROAD, CONTAINS 15.61
ACRES, IS ON TAX MAP 80, PARCEL 1.03, AND IS ZONED AGRICULTURAL. (4TH COUNTY COMMISSION
DISTRICT)**

MR. MOULTON REPORTED ON HIS STAFF COMMENTS FOR THIS SITE PLAN. MR. MOULTON
EXPLAINED THAT HE WAS REQUIRED TO RECEIVE SITE PLAN APPROVAL FROM THE PLANNING
COMMISSION PRIOR TO RECEIVING APPROVAL FROM THE ZONING BOARD OF APPEALS. MR.
MOULTON POINTED OUT THAT THIS PROPERTY HAS A 50' RIGHT OF WAY, INGRESS AND EGRESS
EASEMENT. BUT DUE TO THE TOPO OF THE LAND, A 50' TYPE LOGGING ROAD IS THE WAY THIS
PROPERTY IS ACCESSED. MR. MOULTON STATED THAT IF THIS GETS APPROVED, THEY WILL HAVE TO
PROVE THAT THEY WILL IMPROVE THAT EASEMENT, ESPECIALLY FOR EMERGENCY PERSONNEL.

TED MURRELL, TRAVIS' UNCLE, CAME FORWARD TO EXPLAIN THIS REQUEST AND STATED HE OWNED AN EXCAVATION AND UTILITY COMPANY. THE CHALLENGES TO THE SITE MAYBE DAUNTING TO SOMEONE WHO IS NOT USE TO, WE DEAL WITH THESE CHALLENGES EVERYDAY. TED STATED THIS RANGE WOULD NOT BE OPEN TO THE PUBLIC AND WE BOTH ARE CERTIFIED INSTRUCTORS. WE WOULD PROBABLY NOT HAVE CLASSES BUT ONCE A MONTH. WE WILL PROVIDE TRANSPORTATION TO THIS RANGE FROM HENDERSONVILLE, SUCH AS A VAN, FROM THE ACTUAL CLASS.

CHAIRMAN BRATTON HAD TO LEAVE THE MEETING AND TURNED IT OVER TO VICE-CHAIRMAN THOMPSON.

MOTION TO SUSPEND THE RULES AND LET THE ADJOINING PROPERTY OWNERS SPEAK, THEY NEED TO LIMIT THEIR TALK TO THREE MINUTES BY MR. HAYNES, SECONDED BY MR. HONEYCUTT. MOTION PASSED UNANIMOUSLY.

VICE-CHAIRMAN THOMPSON OPENED THE FLOOR FOR THE PUBLIC HEARING.

WINDI SINGLETON CAME FORWARD TO SPEAK AGAINST THIS REQUEST. MS. SINGLETON STATED SHE WAS SPEAKING FOR THE OTHERS IN THE AUDIENCE, APPROXIMATELY 20 TO 30 PEOPLE. SHE STATED THAT WHEN MR. MURRELL APPROACHED HER HE MISREPRESENTED WHAT HIS INTENTIONS WERE. MR. MURRELL SIGNED A CONTRACT WHICH IS A LEGAL AND BINDING DOCUMENT, WHICH HAS RESTRICTIONS SUCH AS NONE OF THESE TRACTS CAN BE USED FOR COMMERCIAL USE OF ANY KIND. MS. SINGLETON STATED CONCERN FOR THE CREEK CONTAINING LEAD, SAFETY ISSUES DEALING WITH CHILDREN WITHIN SHOUTING DISTANCE, HORSEBACK RIDERS, ETC.

JERRY SHEHANE CAME FORWARD TO SPEAK AGAINST THIS REQUEST. HE STATED HE WOULD BE THE THE MOST AFFECTED. MR. SHEHANE PASSED AROUND A BOOKLET HE PREPARED ON POINTS OF INTEREST. HE TOUCHED ON THE ENVIRONMENTAL IMPACT OF THE LEAD, DEVALUE OF ADJOINING PROPERTY, INCREASE GROUNDWATER CONTAMINATION, CREEKWATER CONTAMINATION, LIVESTOCK CONTAMINATION, ETC..

DENNY MCDONALD CAME FORWARD TO SPEAK AGAINST THIS REQUEST. HE STATED HE DID NOT WANT THE QUALITY OF LIFE OF HIS 80 ACRE FARM DESTROYED. HE DOES NOT WANT BULLETS FLYING OVER HIS HEAD WHILE HE SITS ON HIS PORCH. NONE OF THESE TRACTS CAN BE USED FOR ANY COMMERCIAL USE OF ANY KIND. HE URGED THEM TO VOTE AGAINST THIS REQUEST.

VICE CHAIRMAN THOMPSON CLOSED THE PUBLIC HEARING.

THERE WAS EXTENSIVE DISCUSSION.

VICE-CHAIRMAN THOMPSON ASKED MR. MOULTON TO EXPLAIN THE COUNTY'S ROLE IN PRIVATE RESTRICTIONS.

MR. MOULTON STATED THAT THE COUNTY DOES NOT ENFORCE PRIVATE RESTRICTIONS, THIS WOULD BE A CIVIL MATTER.

THERE WAS EXTENSIVE DISCUSSION.

MR. GOODE STATED THAT HE WAS PRO-GUNS AND A MEMBER OF THE NRA, ETC. MR. GOODE STATED THAT HE HAD QUESTIONS FOR T.D.E.C. ABOUT ANY RAMIFICATIONS, WOULD LIKE TO HEAR FROM OUR LAW DIRECTOR, AND SOME OF OUR KEY MEMBERS ARE NOT PRESENT TONIGHT AND WAS NOT COMFORTABLE TONIGHT TAKING ANY ACTION.

MOTION TO DEFER UNTIL JULY BY MR. GOODE UNTIL THE COUNTY ATTORNEY CAN BE PRESENT, T.D.E.C. ADDRESSES THE ENVIRONMENTAL ISSUES WHICH WERE MENTIONED IN THE PUBLIC HEARING, ETC., AND TO ALLOW T.D.E.C. REPORT TO THE PLANNING DIRECTOR WITH THEIR FINDINGS, SECONDED BY MR. HAYNES. MOTION PASSED

7 AYES: HAYNES, BORDERS, WILLIAMS, HENDRICKS, BOYD, HONEYCUTT, AND GOODE
2 NAYS: RAY AND TRIPP

FYI: MR. MOULTON STATED IF WE RECEIVED THE NECESSARY DOCUMENTATION FROM T.D.E.C. AND ARE ABLE TO PUT THIS ON THE AGENDA IN JUNE WE WILL.

2. TOWER HILL (FORMERLY LONG BEECH HEIGHTS) REPRESENTED BY SOUTHEASTERN BUILDING WAS REQUESTING A NAME CHANGE. SUBJECT PROPERTY IS LOCATED ON/OFF LONG HOLLOW PIKE, 81 LOTS, IS ON TAX MAP 123, PARCEL 46, CONTAINS 40.02 ACRES AND IS ZONED LDR PUD. (4TH COUNTY COMMISSION DISTRICT) (SCHOOL DISTRICT-BEECH ES, HUNTER MS, BEECH HS)

CAL GENTRY, SOUTHEASTERN BUILDING, CAME FORWARD TO REPRESENT THIS REQUEST. MR. GENTRY STATED THAT THEY HAD RECENTLY PURCHASED THE LONG BEECH HEIGHTS IN A FORECLOSURE. MR. GENTRY STATED THAT THEY HAVE MET WITH THE NEIGHBORS REGARDING A NAME CHANGE.

MR. MOULTON STATED THAT THIS IS ALREADY AN APPROVED FINAL MASTER DEVELOPMENT PLAN. IF THIS BODY RULES THAT THIS IS A MINOR CHANGE, IT CAN BE APPROVED AT THE PLANNING COMMISSION. IF THIS IS RULED A MAJOR CHANGE, IT MUST GO TO THE COUNTY COMMISSION FOR APPROVAL.

THERE WAS EXTENSIVE DISCUSSION.

MOTION FOR APPROVAL THAT THIS IS A MINOR BY MR. HAYNES AND CONTINGENT THAT THE APPLICANT OBTAIN SUFFICIENT AMOUNT OF SIGNATURES (i.e. 50% or 2/3 MAJORITY) THAT WOULD BE REQUIRED BY THE HOMEOWNERS ASSOCIATION TO MAKE ANY CHANGES IN THIS DEVELOPMENT, SECONDED BY MR. GOODE. MOTION PASSED UNANIMOUSLY.

3. DISCUSS PURPOSE AND NEED FOR SUMNER COUNTY COMPREHENSIVE PLAN AND NEXT STEPS. MR. MOULTON STATED THAT DUE TO THE LENGTHY MEETING TONIGHT WE WILL SET UP A WORK STUDY DATE IN JUNE TO DISCUSS THE COMPREHENSIVE PLAN. WE NEED TO DISCUSS THE VALUE OF THE COMPREHENSIVE PLAN.

MEETING ADJOURNED AT 6:00 P.M.

