

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
OCTOBER 27, 2009
5:00 P.M.**

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

MEMBERS PRESENT:

SHAWN FENNEL, VICE-CHAIRMAN
CORDELL BORDERS
CYNTHIA HALL TEMPLETON
JIM WILLIAMS
BOB HENDRICKS
NORMAN TRIPP
MIKE HONEYCUTT
PAUL GOODE
CLIF HUTSON

MEMBERS ABSENT:

LUTHER BRATTON, VICE-CHAIRMAN
CHARLES HAYNES
CECIL RAY
SAUNDRA BOYD

OTHERS PRESENT:

GARY HAMMOCK, C&D DIRECTOR
MICHAEL BRIGGS, AICP, PLANNER
LISA DIORIO, ADMINISTRATIVE ASSISTANT
RACHAEL IVEY, STATE PLANNER
TODD BAKER, STATE PLANNER

VICE-CHAIRMAN FENNEL CALLED THE MEETING TO ORDER DUE TO THE ABSENCE OF CHAIRMAN BRATTON.

A) **MOTION FOR APPROVAL OF THE SEPTEMBER MINUTES BY MR. WILLIAMS, SECONDED BY MR. GOODE. MOTION PASSED UNANIMOUSLY.**

B) **DISCUSS PLANNING COMMISSION RESTRUCTURE**

County Executive Holt thanked the members for their input and stated hopefully the County Commission will take notice and incorporate this into their plan.

There was extensive discussion regarding the Planning Commission restructure.

Motion by Mr. Tripp to recommend to the County Commission that the Planning Commission would consist of 6 citizens (which would include 1 member at large), 3 County Commissioners and as the members come off that each zone has representation, seconded by Mr. Hendricks. Motion passed unanimously.

1. AT&T Cell Tower site plan-Represented by Michelle Pound or Kathy Kelly-Jacobs with AT&T (1st County Commission District) Ronald W. Huntsman, etux, owners and AT&T lessee, were requesting site plan approval for a 195' cell tower to be placed at 150 Pea Ridge Road. Westmoreland, Tn. Subject property is on tax map 10, parcel 27, and is zoned agricultural. (SCHOOL DISTRICT- Westmoreland E.S., M.S. and H.S.)

Kathy Kelly-Jacobs came forward to explain and to answer any questions about this request.

Mr. Briggs presented an overview of the subject property. Mr. Briggs explained that they will be able to take this request to the Zoning Board of Appeals in December 2009 for the public hearing and a conditional use permit. Mr. Briggs stated that they have met all of the staff comments by showing the water bodies as requested in a follow-up.

Mr. Fennell asked if this tower has a generator.

Ms. Jacobs stated that that AT&T typically uses batteries, unless they are in area where there are storms such as hurricanes.

Ms. Templeton asked how much coverage would this tower provide.

Ms. Jacobs stated the towers are now lower to the ground to offer 3G service and would typically cover up to five (5) miles, because there is not a lot of traffic in this area hitting on the tower.

Mr. Hutson asked about landscaping around the tower. He has seen in White House where the landscaping isn't maintained and could be better utilized for hay. Mr. Briggs addressed the issue of landscaping particular to residential verses agricultural zones. The resolution refers to towers in residential zones need to be screened. Looking back at the other towers that were approved, they all provided landscaping even in agricultural zones.

Ms. Jacobs stated the property owner wants to be able to grow hay around the compound as much as possible.

Ms. Jacobs stated that since the tower is under 200 feet they will not be required to provide any lighting per FAA.

There was discussion.

Motion to approve by Mr. Goode, seconded by Ms. Templeton. Motion passed unanimously.

2. Morris L. Tillman and Lynette S. Tillman-Preliminary & Final Plat-Represented by Carroll Carman-(4th County Commission District) They are requesting preliminary & final plat approval 5 lots on Highway 25W and Collier Lane. Subject property is on tax map 103, parcel 41, contains 5.299 acres and is zoned R1A. (SCHOOL DISTRICT-Howard E.S., Rucker Stewart M.S., and Station Camp H.S.)

Mr. Carman came forward to represent and explain this request.

Mr. Briggs presented an overview of this project. This property is within Gallatin's Urban Growth Boundary. Mr. Briggs explained the FEMA flood map locations. Although Zone A is not shown on these properties, staff feels it is appropriate to show the Zone A designation line on the plat noting the limit of study as indicated on the flood map panel. This area is simply not designated as Zone A because the detailed study ended at Highway 25W. Staff recommended that a plat note be added "Flood Hazard Warning"- this property may be subject to flooding. Mr. Carman has provided that.

Mr. Briggs explained that the adopted Sumner County Major Road Plan from 1996 indicates Highway 25W as a Rural Arterial, 4-lane highway with 150 feet of right-of-way. Mr. Briggs stated that the Planning Commission has deviated over time, so this may be something for us to address in the future. This designation is currently not shown on the plat.

Mr. Carman stated that west of this development Brianna Branch, as well as three other developments, which had the 150 foot right-of-way which was discussed and debated, and decided that the 150 foot right-of-way was not real. If all of the other cases we treated Highway 25W as a collector road, therefore this is why we are reflecting on this plat the right-of-way as 30 feet.

There was extensive discussion about the right-of-way.

Mr. Briggs reported that the soils areas need to be shown. Mr. Briggs questioned the gap between lot 2 and lot 4.

Mr. Carman explained to Mr. Briggs that the gap between lot 2 and 4 is just a driveway going back to a home which is 1,500 feet off the road.

Mr. Briggs stated that this is Gallatin's Urban Growth Boundary, and this plat was mailed to the City Of Gallatin, and we did not receive any comments from them.

Mr. Briggs stated that this body needs to decide on the right-of-way for Highway 25W, other than this they have met all of staff's comments,

Motion to defer for thirty days to allow staff to gather more information about the right-of-way for Highway 25W, by Mr. Hendricks, seconded by Mr. Goode for Leah May Dennen, County Attorney, to check on FEMA information. Motion passed unanimously.

OTHER BUSINESS:

A. Stormwater Management Resolution Changes-Mr. Briggs stated that Mr. Gary Hammock and Mr. Jerry Bean are present to explain the Stormwater Management changes.

Mr. Hammock reported the old resolution that some language had to change referring to the engineer, etc. There was some language we added to this resolution such as lot sizes, and what would be the requirements for MS4 being designated whether you need a permit or not. This new resolution will hold people accountable by requiring a permitting bond. The contractor would be responsible would be responsible for obtaining the permitting bond. For instance if the homeowner fills a ditch in, or we will do it and cash a bond. We are under a microscope from TDEC.

Mr. Bean came forward asked if there were any questions.

B. **County Design Review?** Mr. Briggs stated that the state law does not allow counties to perform design review such as dictating building materials or the architectural look of a commercial development. Some members on the Planning Commission have asked about this in the past. State law allows municipalities depending upon its governmental structure to perform design review. Mr. Briggs asked if this is something this body would be interested in pursuing; it would require a change in state law. This has been discussed by this body, and this would be a way we could control some of the commercial buildings. If this is something we want to pursue in another year or two when we complete the comprehensive plan, legislation would need to be in place for this to be an effective tool to Sumner County.

There was no discussion, no one had any comments.

C. **Comprehensive Plan Update**-Mr. Briggs discussed the contact persons for composing the working group for the Sumner County Comprehensive Plan. If you have suggestions for actual individuals for the working group please let me know.

D. **County Planner Report**- Mr. Briggs introduced Todd Baker and Rachel Ivey who are state planners who are present tonight to replace Rob Garrison.

E. Discuss changing Planning Commission meeting date in from **December 28th to December 21, 2010**

There was discussion.

The decision was to have the meeting on December 21, 2010.

MEETING ADJOURNED at 6:00 p.m.