

**Town of Thompson's Station
Municipal Planning Commission
Minutes of the Regular Meeting
Held On June 22, 2010**

Commission Members Present

Sarah Benson
Nina Cooper, Chair
Tom Evans
Millie Halvorson
Roger Nixon
George Ross

Staff Members Present

Greg Langeliers, Town Administrator
Wendy Deats, Town Planner
Doug Goetsch, Town Recorder
Todd Moore, Town Attorney
Richard King, Building Codes Official
Lisa Stewart, Town Clerk

The regular meeting of the Municipal Planning Commission was called to order on June 22nd, 2010, at approximately 7:00 p.m., at the Thompson's Station Community Center, with the required quorum. Commissioner Corey Napier was unable to attend.

Minutes:

The minutes of the May 25, 2010 meeting were previously submitted and were approved unanimously upon a motion by Commissioner Ross, seconded by Commissioner Benson.

Staff Announcements:

Mr. Langeliers noted that the work on Critz Lane is proceeding and moving at a reasonable rate, and could be done in a few days.

The pump station that was flooded out in the May rain event has a semi-permanent by-pass set up and began working today. Claims are being made through the Town's insurance carrier (TML) to determine what will be reimbursed before proceeding with a more permanent solution.

Mr. Langeliers referenced concerns brought up at the Board of Mayor and Aldermen meeting, as well as from this commission, regarding the considerable damage to Thompson's Station Road West by the SR840 construction group. Town counsel has prepared a letter to TDOT to begin negotiations for repairs they will be responsible for, and Staff hopes that by the end of this construction season, they will be done using Thompson's Station Road West for the most part.

Chair Cooper stated that she spoke with our County Commissioner Judy Hayes and she indicated that per Eddie Hood, the Superintendent for the Williamson County Highway Department, they do not have anything in writing from Bell Construction; but do have a verbal agreement that they will fix the roads. It was suggested the Town contact Bell Construction to begin plans for our repairs.

Mr. Langeliers agreed, adding that Staff has met with Bell Construction on several occasions and they have been amicable toward repairs of any damages to the roads; and have a good working relationship with the Town when they've closed the road previously. He stated that Bell Construction can also be copied on the letter from counsel.

Chair Cooper asked about Fry Road and Mr. Langeliers noted that the issue primarily with Fry Road is that they rebuilt the road on each side of the creek, but didn't build a new bridge. The existing bridge is one-lane, no guardrails, and on a ninety degree (90°) turn that would be dangerous to negotiate with a large enough truck. He did note, however, that there are not many houses on Fry Road and historically has always had that bridge; but it seems counter-intuitive to build a brand new road and leave the old bridge. Mr. Langeliers stated that, based on TDOT's evaluation, it is the worst bridge in Williamson County, and the Town has been awarded a grant of approximately \$50,000; however, \$50,000 will not replace that bridge. An estimate of approximately \$120,000 would allow for the bridge to be replaced with a box culvert. He noted that this could be addressed also, as a separate issue, with Bell Construction.

Old Business:

Commissioner Halvorson expressed concern over the grant money received from Middle Tennessee Electric Membership Corporation (MTEMC) and asked why the Town is not moving forward on the playground equipment. She pointed out that Mrs. Deats and Staff have spent a lot of time and effort putting a proposal together, and was wondering why this gift from MTEMC is not being taken advantage of.

Mr. Langeliers stated that the Thompson's Station Community Association (TSCA) met this morning and did not come to any conclusion as to what they would want to do with the \$10,000 grant, along with the \$15,000 they put towards the project. The project seems to be shelved at this time. The TSCA discussed their issues of the overall cost, what would be removed, what was going to be put where in the park, the amount of grading, etc.; and the project has stalled out, pending a consensus of the association on one of the plans. He thinks they are reasonably close to returning the money back to MTEMC.

Commissioner Benson asked if the grant money from MTEMC can only be used for this project, and Mrs. Deats stated that it can only be used for what was requested; and they sent MTEMC drawings of the playground equipment and three (3) different options. They would have to be approached again in order to change the request, giving a reasonable explanation as to why this is being revised.

Mr. Langeliers added that the grant was issued to the TSCA because it was available only to non-profits, and that the Board of Mayor and Aldermen also agreed to contribute \$15,000 to the project.

Chair Cooper asked when the TSCA meets and Mr. Langeliers said that they call meetings as needed. She then wanted to know what could be done to expedite this, and Mr. Langeliers suggested attending the next TSCA meeting, or run for alderman for a voting position on the Board.

Mr. Goetsch, Treasurer for the TSCA, said that anyone can be a member of the Association and that it was the Board members that met this morning. He commented that, to move the project forward, will probably require the Board of Mayor and Aldermen to come up with an alternate plan, since the TSCA presented a plan that was initially accepted, then rejected.

Mrs. Deats explained that a plan and option for placement and installation of the playground equipment was submitted and approved by the Board. When Staff started to implement the plan, there were concerns from the Board and Staff was instructed to address and / or alleviate the concerns before continuing. When Commissioner Halvorson asked what the concerns were, no one replied.

Commissioner Ross stated that it's become a ludicrous situation that should be easy to resolve between the Board of Mayor and Aldermen and the TSCA. Commissioner Benson said that she has attempted to set up a meeting with the Community Association but hasn't gotten there yet.

It was determined that the Board needs to approve a plan at their next meeting in August, then go back to the Association with the approved plan and (if their offer of \$15,000 [plus \$10,000 from the Board] is still good) move forward at that point.

Chair Cooper referenced Ordinance 08-015 (. . . Regarding the Maintenance of Improved Lots) in relation to the dilapidated trailer on Columbia Pike that is missing the back half, and thinks that, per conversations with counsel, the Town would be covered to require the property owner to address this issue. It is clearly no longer 'livable space' and is a public nuisance. Staff has received complaints and contacted the owner, Paul Fields, several times and been told that it will be taken care of; which has not been done.

Mr. Moore noted that he has not actually been on site, but based on a visual from the road and conversations this afternoon, he thinks that it does appear to be a potential violation of a subsection of the noted ordinance. Certain due process requirements and notice requirements must be given, but the process can be initiated and violation, or not, be decided by a hearing and possibly determination by General Sessions court. It is enough to warrant investigation then consider the issuance of a citation.

Mr. Langeliers talked to Mr. Fields today, reminding him of the many complaints received, and that the Town will likely take some action. This is the third time Staff has talked with Mr. Fields regarding the mobile home.

After further discussion, all were in agreement that action be taken to address this issue.

Chair Cooper pointed out that the Davis property is beginning to fill up again with old junk vehicles and Mr. Langeliers stated that we are in the process of negotiating with Mr. Davis' attorney. They have made a proposal to the Town and the Town has made a counter proposal, obviously with the caveat that any agreed upon proposal go through the bodies required for approval. It will likely be this Planning Commission and / or the Board of Zoning Appeals.

Discussion continued to clarify for the commission what is being negotiated, such as buffering, uses not covered under the business license, and any legal non-conforming rights still operating on the site. Mr. Langeliers said that what they are trying to do is find something that is acceptable across the board.

Commissioner Ross asked if, when the garage was shut down, that did not negate the 'grandfather clause' for him to run a junk yard there.

Mr. Moore stated that the Town's position in the lawsuit is clear that he has lost all non-conforming rights under our ordinance and that he is not in compliance. We are now trying to get to a point and agree on a plan that the Board and the Planning Commission might be receptive to; and hope to know by the submittal date for the August Planning Commission meeting as to whether a settlement can be reached or move forward in court.

Chair Cooper asked about the status of Dean Road and where it stands on the priority list. Mr. Langeliers stated that once the total cost of Critz Lane is evaluated, the intention of the bid documents state that Dean Road could be done at the same unit cost. That decision will be made after the next Board meeting some time in August.

LETTER OF CREDIT:

Item 1 - Blackberry Estates – expiring 7/13/2010:

\$ 120,000 for Roads, Drainage and Erosion Control, and Grading.

Mr. Langeliers reviewed the report, recommending it be extended in the current amount for one (1) year.

Chair Cooper made a motion to accept and approve Staff's recommendation. Commissioner Benson seconded the motion, which passed unanimously.

SINGLE LOT SITE PLAN – NON-RESIDENTIAL:

Item 2 - Hoodoo Spirits located at 4410 Harpeth School Road on approximately 57 acres (map 144, parcel 001.00).

Mrs. Deats reviewed the report, recommending approval based on the following contingencies:

1. Prior to the issuance of any permits, the applicant will demonstrate compliance with applicable utility companies;
2. Prior to the issuance of grading permits, the applicant shall submit a grading plan for review and approval by the Town's Consulting Engineer; and
3. Prior to the issuance of building permits, the applicant shall provide the Town a letter of credit for landscaping (amount to be determined after review and approval of the landscape plan).

She suggested that “. . . and any other information required by the Town's Engineer.” be added to item 2.

Mrs. Deats stated that sketches of the proposed landscaping and elevations have been received and those comments from Staff will be presented to the Design Review Commission.

Chair Cooper asked for further explanation on the traffic study and Mrs. Deats reviewed those findings. A reduction in the speed limit is being considered and awaiting feedback from the Town's Engineer.

Chair Cooper expressed concern over any damage to the roads during the construction phase, noting that we have extension damage already on the Town's major roads; and if there is an agreement that the applicant will repair any damage done to the roads. Mr. Langeliers stated that we do not have a specific one and generally, in conjunction with submittal of a grading plan, a construction traffic plan is given, and based on conversations with the applicant, the plan is to bring in all the construction traffic in on Les Watkins Road, in which case could create an issue with Williamson County Highway Department. The Town will work with Williamson County to do what we can.

Commissioner Benson asked if the covered bridge situation was discussed, along with the flood studies. Mr. Langeliers said that is in the process to be submitted with their grading and drainage plan to make sure they are not impacting up or down stream flooding and demonstrate same in their construction plans.

Commissioner Benson wanted to confirm that the additional height request is for the cupolas, and Mrs. Deats stated that to be correct. Discussion continued regarding height restrictions. Chair Cooper stated that she thinks the cupolas add a lot of character to the building, and Commissioner Ross agreed that it is very esthetically pleasing.

Chair Cooper noted that she had a call from one of the neighbors with some concerns, and asked the applicant to approach the board to address those.

Adam Seger, with Dale and Associates, was present; along with Heath Clark, Chief Operating Officer of Hoodoo Spirits.

Chair Cooper pointed out that some of the concerns have been addressed previously, but requested it be reviewed again for public record. The concerns presented to her are as follows:

- permeating odors;
- late night or early morning noise; and
- if ever sold, what use may be allowed.

Mrs. Deats stated that any use would be permitted that is allowed under the zoning of Specific Plan, and many uses could be considered; however, it would have to go back through the site plan process.

Mr. Clark noted that there will be an odor inside the stillhouse around the fermentation vats and in that immediate area, and due to the wheat and yeast, will have a smell similar to rising bread; however, they will not be producing the volumes that would create an odor beyond the stillhouse walls.

The loudest piece of equipment, per Mr. Clark, will be their pumps that will probably not be audible over the nearby interstate noise; and all will be contained within the buildings. Mr. Seger agreed that they will be meeting the OSHA standards for noise levels.

Mr. Clark noted that the actual processing will be continuous, but the hours of operation that they plan to be open to the public will be standard business hours.

Commissioner Evans made a motion to accept and approve Staff's recommendation, granting the additional height request, along with the following contingencies:

- 1. Prior to the issuance of any permits, the applicant will demonstrate compliance with applicable utility companies;**
- 2. Prior to the issuance of grading permits, the applicant shall submit a grading plan for review and approval; and any other information required by the Town's Engineer; and**
- 3. Prior to the issuance of building permits, the applicant shall provide the Town a letter of credit for landscaping (amount to be determined after review and approval of the landscape plan).**

Commissioner Benson seconded the motion, which passed unanimously.

New Business:

Non-Agenda Item:

Mr. Langeliers asked that a non-agenda be considered: a \$20,000 landscaping letter of credit for the Tollgate Village Medical Office Plaza. This letter of credit doesn't expire until August 12th, 2010; however, there are no anticipated submittals for the July Planning Commission meeting and this would have been the only item on the agenda for that month.

Mr. Langeliers reviewed the report, recommending this letter of credit be extended in its current amount for another year.

Discussion ensued regarding the credibility of the bank, lack of maintenance of the existing landscaping, and no tenants in the building.

Commissioner Ross made a motion, seconded by Commissioner Benson, to approve Staff's recommendation to extend the letter of credit for one (1) year in its' current amount. The motion passed by unanimous vote.

Commissioner Halvorson asked if the application has been submitted for the Sweet Tea Festival, and Mrs. Deats said that it was received today and she will be scheduling a Board of Zoning Appeals meeting to review the request.

The event is proposed on August 28th, 2010, by the combined efforts of the battleground group and Outdoor Encounters. Family activities are proposed, a petting zoo, arts and craft vendors, food vendors, sweet tea contest, etc., to be held at Homestead Manor.

Commissioner Halvorson noted that they are looking for volunteers and this is for two (2) non-profit organizations with a mission to secure green space for parks and outdoor recreational purposes.

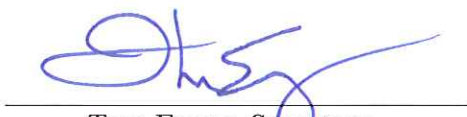
Commissioner Halvorson stated that she is very concerned and disappointed with Mayor Dinwiddie's decision to remove Mrs. Deats from the Spring Hill Planning Commission. She thinks it was ridiculous to remove a professional planner from their commission, but feels, personally, that it was an insult to the Town of Thompson's Station. The Town has worked so hard in the past few years, in a large part due to Mrs. Deats' leadership, to try to improve relationships between the two (2) cities that has not always been good in the past. Since Mrs. Deats has joined us, we have made some very good strides in leadership and relationship building with the City of Spring Hill; and now she feels this is just a slap in the face toward those efforts. The Town has paid to change our traffic signal on Columbia Pike so that the City of Spring Hill can move the traffic out of their city more quickly and efficiently. We have met with the City of Spring Hill to negotiate changing the proposed interchange off I-65 to possibly their benefit and our detriment. We have worked with them on projects to try to get more open space and green space, and referenced the Safe Routes to Schools grant secured by the Town, and the huge amount of time and effort put into it by Town Staff to manage, that will benefit the families of the City of Spring Hill much more than those in the Town of Thompson's Station. Commissioner Halvorson said that she feels like all the efforts we / the Town has put in to relationship building, Mayor Dinwiddie is breaking down by the decision he made and she is very disappointed and devastated.

Chair Cooper agreed with Commissioner Halvorson's sentiments.

It was discussed to consider a resolution from the Board of Mayor and Aldermen, or some type of petition from the citizens of Thompsons's Station.

There being no further business, the meeting was adjourned at approximately 8:23 p.m.

Signed: 
Nina Cooper, Chair

Attest: 
Tom Evans, Secretary

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