



TOWN OF ASHLAND CITY
Planning Commission Meeting
November 07, 2022 5:30 PM
Minutes

CALL TO ORDER

Chairwoman Binkley called the meeting to order at 5:30 p.m.

ROLL CALL

PRESENT

Chairwoman Nicole Binkley
Committee Member Gerald Greer
Committee Member Vivian Foston
Committee Member JT Smith
Committee Member Mike Stuart
Committee Member Jerome Terrell

ABSENT

Committee Member Steven Stratton

APPROVAL OF AGENDA

Ms. Martin stated that agenda item #5 has been pulled from the agenda and that if anyone had signed up to speak regarding this item, they could still do so. She stated that it will be back on the agenda in January and if those who signed up wished to speak in January instead, she could hold there form for that meeting. A motion was made by Committee Member Greer, Seconded by Committee Member Stuart, to approve the agenda with changes. All approved by voice vote.

APPROVAL OF MINUTES

1. August 01, 2022 PC Meeting Minutes

A motion was made by Committee Member Foston, Seconded by Committee Member Greer, to approve the August 01, 2022 Planning Commission meeting minutes. All Approved by voice vote.

PUBLIC FORUM

Dr. Yasmine Ali - Dr. Ali stated that she is a resident affected by the quarry. She stated that a buffer zone should be required between industrial and residential zones. Dr. Ali stated that the air quality inside her home contains fine particulate that is the same as mining dust and that from wildfires. She stated that it causes lung damage and heart disease. Dr. Ali stated that as a doctor she is not comfortable with this and as a citizen she wants to believe that the city has her safety in mind and to take this seriously.

David Schlundt - Mr. Schlundt presented a handout stated that he lives on Riverview Lane and that he wanted to reiterate the City's code. He stated that this request does not honor the City's code and the quarry is objectionable. Mr. Schlundt stated that the neighborhood surrounding it has over forty (40) homes that it has significantly impacted. He stated that a rezone was previously denied and since then they have taken out half the hill and sold the rock. Mr. Schlundt stated that there was a discovery on who was buying the rock and the City is benefiting from it, including people on this board. He stated it is sending the wrong message to the people and the City has allowed the natural beauty of AC to be taken to the ground.

Lynn Williams - Ms. Williams stated that she lives in Nashville but graduated from Cheatham County. She stated that she is the oldest daughter of the Stinnett's who live directly next door to this property. Mr. Williams stated that this unlawful quarry has impacted the quality of lives, not only have they lost value as heirs of this home, but they can no longer sit outside and enjoy their home because of the dust. She stated that they can feel the vibration of the explosions, the rock rains on the cars, they have

had gravel graze their head, and it has knocked brick off their house. Ms. Williams asked for the board to deny this.

Don Williams - Mr. Williams stated that he is Ms. Williams husband and lives in Nashville. He stated that he has worked for a civil engineering practice for forty (40) years, and he is very familiar with this. He stated that he has three (3) recommendations. He stated that the first is to deny the rezone because it fails all four tests in our zoning ordinance, second is to instruct the City Attorney and the building inspector to issue an injunction that prevents this as use of a rock quarry and requires them to correct and abate the damage, and third is to instruct the Public Works Director to issue a stop work order for storm water. Mr. Williams stated that he would like to note that two (2) years ago the building inspector did issue a stop work order for this project and it was not enforced. He stated that the staff has done what they are supposed to. Mr. Williams stated that the local planning commissions in Tennessee have the authority to make advisory reports and recommendations to all public officials and agencies regarding development in the area. He stated that this is a call for action. Mr. Williams stated that he wants them to use their powers to enforce the city ordinances and prevent the property from being used as a quarry. He stated that the planning commission should be alarmed if not enraged.

Zada Law - Ms. Law stated that she lives on Riverview Lane and that she has owned her property for 21 years. She stated that the owner is asking for this parcel to be rezoned from residential to light industrial and she wants it denied. Ms. Law asked the board to deny this too and that this property was already denied in 2020. She stated that it is inappropriate and contrary to the zoning plan, and she asked the City to honor it.

John Henderson - Mr. Henderson stated that the people speaking tonight have made some good arguments. He stated that they are not emotional, they are rational, and they are factual. Mr. Henderson asked what sort of arrangement allowed this to happen, and once it was denied how did they allow it to continue. He asked who had the last word in this and stated that the elected officials work for the citizens.

Ms. Martin stated for the record that Committee Member Terrell was now present.

Micah Ferebee - Mr. Ferebee stated that he lives on Highway 12S and that they have already fought this before and does not understand how it is even an option again. He asked if there was a policy or any penalties for them continuing to haul rock in and out. Mr. Ferebee stated this is their neighborhood and they came there to live a peaceful life. He stated that they were not given enough notice for this to become a rock quarry to begin with and they are doing illegal stuff. Mr. Ferebee asked how they are allowed to run a commercial business if it is still zoned residential.

Deborah Doyle - Ms. Doyle stated that as commuters, we drive up and down Highway 12 and go through the dirt, dust and rock getting kicked up and dinging people's cars, but the immediate neighbors have been dealing with this quarry for two (2) years. She stated that they have suffered from blasting and hammers pounding all day, rock and dust flying through the air, and dump trucks coming and going. Ms. Doyle stated that she has spoken with several neighbors, and several have cracks in their driveways and cracks in their walls and cracks in their foundations of their homes. She presented an image from google of the surrounding houses and the quarry. Ms. Doyle stated it is eleven (11) acres and its massive. She stated that the Federal Mine Association does inspections every six (6) months and they come up with a list of violations that span from employee health, community danger, water quality, and noise. Ms. Doyle stated that in the last six (6) months, they have had twenty-seven (27) violations which accrue points that turn into citations and those citations carry fees. She stated that the fines range from \$130.00-\$2300.00 and after so many violations you become a significant risk. Ms. Doyle stated that once you become a significant risk, you get placed on the Pattern of Violations Form and the violations are for safety of his employees, community, danger, and noise. She stated that she is glad the State is taking care of us and would like to know what they City is doing.

Jane Crisp - Ms. Crisp stated that she does not live in this neighborhood, but she was there to speak for the people outside of the area that care about their community and neighbors. She stated that this scares them when the City does not protect them and does not care about them. Ms. Crisp stated that she wants the City to start enforcing its own rules and not ignore it because they have influence.

Bonnie Jerdon - Ms. Jerdon stated that she was a resident of Riverview Lane and that she is way too close to disaster. She stated that she only had one question and it is serious and respectful. Ms. Jerdon asked what the purpose of planning, zoning, and ordinances were if they have no bearing.

Gail Watts - Ms. Watts stated that she has been a resident for 43 years and they have been blasting for over two years. She stated that there is constant jack hammering, dust, and particles. Ms. Watts stated that someone had mentioned that they did not know he was selling rock, but she has watched him. She stated that she knows he is not giving it away for and that she recorded him coming off his property with a truck load of rock going down to the bypass and dumping rock at the bypass. Ms. Watts stated that she called the City and to find out if he bid this job and the City told her that it was done through Clarksville. She stated that she finally tracked down this company and when she called him and asked, they stated that Walker Trucking was not on their bid list. Ms. Watts stated that Mr. Walker is illegally dumping rock at jobs. She stated that they are building condos across the street and now considering a quarry. Ms. Watts stated that all these people should put a sign in their yard warning people not to buy these condos. She stated that she was excited about the mission statement on the website and quoted the mission statement.

Valerie VanOstenbridge - Ms. VanOstenbridge stated that her and her husband are relatively new to Ashland City, but she heard about this, and her heart just breaks for these people. She stated that she wanted to respond on two levels, and one is that they are asking the government to enforce their rules and do the right thing. Ms. VanOstenbridge stated that they are scared that there is no one here to help them. She stated that her second concern is the legality of of this. Ms. VanOstenbridge asked how this was allowed to happen in the first place. She stated that she will continue to follow this and get to the bottom of it.

OLD BUSINESS

None.

NEW BUSINESS

2. Highway 12 Trash Discussion

Mr. Nicholson stated that this item was requested by Committee Member Stratton and since he is not here, we can defer it. A motion was made by Committee Member Stuart, Seconded by Committee Member Greer, to defer to the next meeting. All approved by voice vote.

3. Champion Car Wash

Mr. Tim Jones stated that he was the co-owner of Champion Carwash. He stated that it is a family-owned business with his wife, Paula, and his son. Mr. Jones stated that they have five (5) locations total including one in Pleasant View. He stated that the facility would be an express car wash with free vacuums. Committee Member Greer asked how the run-off water from washing would be handled and what safety precautions were in place. Mr. Jones stated that all of their products are biodegradable, and all runoffs would be captured in the tunnel. He stated there would be no chemicals, soaps, or waxes outside. Mr. Jones stated that the proposed site is in between Indigo Tile and Ace Storage. Chairwoman Binkley asked how the water would be contained. Mr. Jones stated that it would be self contained. He stated the building is proposed for 140ft and the last stage is drying. Mr. Jones stated that the vehicles would be 95-99% dry, and what was left would just be water. Committee Member Stuart asked how many cars would fit and if there would be an issue of cars backing down the highway. Mr. Jones stated that they could fit approximately 20 cars and was an average of 120 cars per hour. Committee Member Stuart asked about storm water drainage. Mr. Jones stated that it would go where is goes now. he stated they could speak to Indigo Tile and see what they are doing. Committee Member Greer asked for Mr. Gregory's recommendation. Mr. Gregory stated Staff review identified several minor, technical corrections needed on the site plan to bring the proposal into compliance with zoning ordinance/site plan requirements. He stated Ordinance #527 states "Sidewalks on the State Highway 12 corridor shall be determined by the planning commission on any project that has to be approved and or come before the planning commission." Mr. Gregory stated that Indigo Granite adjoins to the east. Sidewalks were discussed with that site but due to several factors, including an odd right-of-way configuration, were not required. He stated that the final site plan should have all the concerns addressed and does not see a problem recommending it for approval. A motion was made by Committee Member Greer, Seconded by Committee Member Foston, to approve the site plan with those corrections. Voting

Yea: Chairwoman Binkley, Committee Member Greer, Committee Member Foston, Committee Member Smith, Committee Member Stuart, Committee Member Terrell.

4. Janet Knight Oak Street

Ms. Janet Knight stated that she is asking for this lot to be split in three. She stated they are intending to tear one house down and build two in its place. Mr. Gregory asked for lot 29 to be distinguishable on the plat. Chairwoman Binkley asked what type of houses would be built. Ms. Knight stated they would be one level, skinny and long, three-bedroom, two-bathroom homes. Mr. Gregory asked that it be labeled final plat and he did not see an issue recommending this for approval. A motion was made by Committee Member Stuart, Seconded by Committee Member Terrell, to approve with the condition of it being labeled final plat instead of site plan. Voting Yea: Chairwoman Binkley, Committee Member Greer, Committee Member Foston, Committee Member Smith, Committee Member Stuart, Committee Member Terrell.

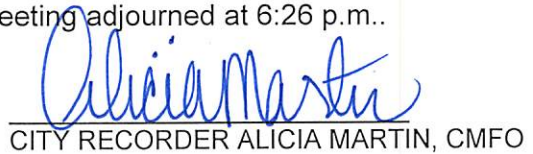
OTHER

None.

ADJOURNMENT

A motion was made by Committee Member Stuart, Seconded by Committee Member Foston, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 6:26 p.m..


CHAIRWOMAN NICOLE BINKLEY


CITY RECORDER ALICIA MARTIN, CMFO