

**SUMNER COUNTY PLANNING COMMISSION
MINUTES
JANUARY 25, 2005
5:00 P.M.**

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

MEMBERS PRESENT:

CHARLES HAYNES, CHAIRMAN
ANTHONY HOLT, VICE CHAIRMAN
TOM GROVE
BOBBY LEON THOMPSON
RALPH COLLIER
CORDELL BORDERS
LEON STRONG
CECIL RAY
DAVID SATTERFIELD
ROY HIXSON
CYNTHIA HALL TEMPLETON
LUTHER BRATTON

MEMBERS ABSENT:

NANCY CORLEY
JIM WILLIAMS
RAGAN HALL

OTHERS PRESENT:

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

MR. MOULTON READ A RULING FROM THE COUNTY ATTORNEY REGARDING THE BY LAWS DEALING WITH THE RULING THAT A CHAIRMAN WOULD BE ELECTED FOR ONE (1) YEAR AND COULD BE RE-ELECTED FOR THREE (3) CONSECUTIVE YEARS. IF IT IS THE WILL OF THIS BODY TO RE-ELECT MR. HAYNES, CHAIRMAN & MR. HOLT, VICE-CHAIRMAN WE WOULD HAVE TO MAKE IT AS PART OF THE MOTION THAT WE WERE SETTING ASIDE THE LANGUAGE IN THE BY LAWS REGARDING THE CHAIRMAN SERVING FOR THREE CONSECUTIVE YEARS. (FYI: THE REASON THEY WERE DISCUSSING THIS IS DUE TO THE FACT THAT MR. HAYNES HAS SERVED MORE THAN THREE (3) CONSECUTIVE TERMS.)

➤ **ELECTION OF A CHAIRMAN & VICE-CHAIRMAN FOR THE PLANNING COMMISSION**

MOTION THAT WE SET ASIDE THE RESTRICTION ON THE THREE CONSECUTIVE YEARS FOR THE CHAIRMAN BY MR. SATTERFIELD, SECONDED BY MR. GROVE. MOTION PASSED UNANIMOUSLY.

MOTION TO RE-ELECT MR. HAYNES CHAIRMAN AND MR. HOLT VICE-CHAIRMAN BY MR. SATTERFIELD, SECONDED BY GROVE. MOTION PASSED UNANIMOUSLY.

MOTION TO REAPPOINT LISA WILLIAMS AS SECRETARY BY MR. HOLT, SECONDED BY MR. GROVE. MOTION PASSED UNANIMOUSLY.

MOTION BY MR. COLLIER, FOR MR. MOULTON TO GET WITH THE COUNTY ATTORNEY AND REDRAW THE BY LAWS TO ELIMINATE THE PROVISION REGARDING THE THREE YEARS ALLOTTED TIME FOR THE CHAIRMAN TO SERVE CONSECUTIVELY, SECONDED BY MR. GROVE. MOTION PASSED UNANIMOUSLY.

CHAIRMAN HAYNES THANKED EVERYONE FOR RE-ELECTING HIM AND STATED THAT HE WAS PROUD TO SERVE.

➤ **MOTION FOR APPROVAL OF THE DECEMBER MINUTES BY MR. HIXSON, SECONDED BY MR. GROVE. MOTION PASSED.**

10 AYES: HOLT, GROVE, THOMPSON, BORDERS, STRONG, RAY, SATTERFIELD, HIXSON, TEMPLETON, BRATTON
1 ABSTENTION: COLLIER

1. **SOMERSET DOWNS-PHASE 3-FINAL PLAT-(7TH COUNTY COMMISSION DISTRICT)- REPRESENTED BY BARGE, WAGGONER, SUMNER & CANNON, INC.-OWNER MICHAEL L. SHULER-THEY WERE REQUESTING FINAL PLAT APPROVAL OF 47 LOTS OFF LONG HOLLOW PIKE. SUBJECT PROPERTY CONTAINS 27.05± ACRES, IS ON MAP 123, PARCEL 34, AND IS ZONED LOW DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT.**

MOTION TO DEFER UNTIL NEXT MONTH, SINCE NO ONE WAS PRESENT TO REPRESENT BY MR. HIXSON, SECONDED BY MR. GROVE. MOTION PASSED UNANIMOUSLY.

2. **CINGULAR WIRELESS-SITE PLAN-(RICHARD REESE JR. PROPERTY OWNER)- (3RD COUNTY COMMISSION DISTRICT-) THEY WERE REQUESTING SITE PLAN APPROVAL TO CONSTRUCT A 280 FOOT TELECOMMUNICATIONS TOWER. SUBJECT PROPERTY IS LOCATED AT 146 SIDEVIEW ROAD, GALLATIN, TN., IS ON TAX MAP 90, PARCEL 43, TOTAL PROPERTY CONTAINS 112 ACRES, AND IS ZONED AGRICULTURAL.**

MARGARET BEHM, ATTORNEY, CAME FORWARD TO REPRESENT THIS REQUEST AND ANSWER ANY QUESTIONS.

MR. MOULTON STATED THAT THEY HAVE MEET ALL OF THE REQUIREMENTS FOR A CELLULAR TOWER, EXCEPT THAT THE FALL RADIUS DOES IMPEDE INTO A TVA RIGHT- OF-WAY EASEMENT. WE HAVE DETERMINED AT THIS POINT THAT THIS TVA EASEMENT WAS FOR THE HARTSVILLE NUCLEAR PLANT AND HAS NEVER BEEN UTILIZED FOR THE LAST THIRTY YEARS, AND THE LIKELIHOOD OF THIS BEING UTILIZED IS SLIM. WE CAN EITHER ACT ON THIS REQUEST SUBJECT TO THEM OBTAINING SOME DOCUMENTATION FROM TVA, MOVE THE ENTIRE SITE NORTH OUTSIDE THE TVA EASEMENT OR DEFER THIS PROJECT.

THERE WAS DISCUSSION.

FYI: MR. HOLT LEFT THE MEETING PRIOR TO VOTING ON ANY OF THE ITEMS HEREAFTER. HE HAD TO ATTEND ANOTHER MEETING.

MS. BEHM STATED THEY WOULD NEED TO MOVE THE TOWER 220 FEET NORTH TO GET THE TOWER OUT OF THE TVA EASEMENT, IF WE CAN NOT OBTAIN PERMISSION FROM TVA.

MOTION FOR APPROVAL, IF THEY MOVE THE TOWER 220 FEET OR WHATEVER IT TAKES TO BE OUT OF THE TVA EASEMENT, BY MR. SATTERFIELD, SECONDED BY MR. COLLIER. MOTION PASSED UNANIMOUSLY.

MS. BEHM CAME BACK IN AT THE CLOSE OF THE MEETING AND STATED THAT THEY HAVE WORKED SO HARD ON THIS AND HAVE TRIED TO GET TVA'S ATTENTION AND IF SOME REASON THEY (TVA) DID RESPOND, COULD WE MOVE FORWARD? I DO NOT THINK THAT THEY WILL OR OTHERWISE I WOULD HAVE NOT ASKED FOR PERMISSION TO MOVE THE TOWER.

THERE WAS DISCUSSION.

MOTION TO AMEND THE PREVIOUS MOTION THAT IF THEY GET A LETTER FROM TVA THEY COULD MOVE ON WITH THE TOWER, BY MR. SATTERFIELD, SECONDED BY MR. HIXSON. MOTION PASSED UNANIMOUSLY.

CHAIRMAN HAYNES STATED HE WANTED TO SEE A COPY OF THE LETTER IF SHE DID IN FACT RECEIVE ONE FROM TVA.

- 3. RUTLEDGE ESTATE – FINAL PLAT-(PORTION OF PHASE TWO (2)- (3RD COUNTY COMMISSION DISTRICT)- REPRESENTED BY CARROLL CARMAN-** THEY WERE REQUESTING FINAL PLAT APPROVAL OF 9 LOTS ON DOBBINS PIKE AND PHOSPHATE LANE. SUBJECT PROPERTY CONTAINS 12.267 ARES, IS ON TAX MAP 91, PARCEL 27, CONTAINS 12.267 ACRES, AND IS ZONED AGRICULTURAL.

MR. CARMAN CAME FORWARD TO REPRESENT THIS REQUEST. MR. CARMAN STATED HE HAD ALL SIGNATURES EXCEPT FOR THE CERTIFICATE OF APPROVAL OF WATER SYSTEMS, DUE TO THE FACT THAT MR. PAT HAROLD WAS NOT IN THE OFFICE THIS WEEK.

MR. MOULTON EXPLAINED THAT ALL OF THE OTHER STAFF COMMENTS HAD BEEN ADDRESSED.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL BY MR. GROVE, CONTINGENT UPON THE CERTIFICATE OF APPROVAL OF WATER BEING SIGNED, SECONDED BY MR. HIXSON. MOTION PASSED UNANIMOUSLY.

- 4. RUTLEDGE ESTATE – PRELIMINARY & FINAL PLAT – (PORTION OF PHASE TWO (2) – (3RD COUNTY COMMISSION DISTRICT) – REPRESENTED BY CARROLL CARMAN-** THEY WERE REQUESTING PRELIMINARY & FINAL PLAT APPROVAL OF 5 LOTS OFF DOBBINS PIKE ON PHOSPHATE LANE. SUBJECT PROPERTY CONTAINS 7.084 ACRES, IS ON TAX MAP 91, PARCEL 27 AND IS ZONED AGRICULTURAL.

MR. CARMAN CAME FORWARD TO REPRESENT THIS REQUEST. MR. CARMAN STATED HE HAD ALL SIGNATURES EXCEPT FOR THE CERTIFICATE OF APPROVAL OF WATER SYSTEMS, DUE TO THE FACT THAT MR. PAT HAROLD WAS NOT IN THE OFFICE THIS WEEK.

MR. MOULTON EXPLAINED THAT ALL OF THE OTHER STAFF COMMENTS HAD BEEN ADDRESSED.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL BY MR. COLLIER, CONTINGENT UPON THE CERTIFICATE OF APPROVAL OF WATER BEING SIGNED, SECONDED BY MR. HIXSON. MOTION PASSED UNANIMOUSLY.

5. **TRIPLET SUBDIVISION-PRELIMINARY & FINAL PLAT –(12TH COUNTY COMMISSION DISTRICT)-REPRESENTED BY BRADSHAW ENGINEERING-** THEY WERE REQUESTING PRELIMINARY & FINAL PLAT APPROVAL OF 5 LOTS ON POND ROAD & HIGHWAY 25. SUBJECT PROPERTY CONTAINS 5.732 ACRES, IS ON TAX MAP 15, PARCEL 21 AND IS ZONED AGRICULTURAL.

SCOTT KELLEY CAME FORWARD TO REPRESENT THIS REQUEST.

MR. MOULTON STATED THAT ALL OF THE COMMENTS HAVE ADDRESSED EXCEPT FOR OBTAINING ALL SIGNATURES.

THERE WAS DISCUSSION.

MOTION FOR APPROVAL UPON OBTAINING ALL OF THE SIGNATURES BY MR. BRATTON, SECONDED BY MR. SATTERFIELD. MOTION PASSED UNANIMOUSLY.

OTHER BUSINESS:

MR. MOULTON STATED THAT LAST NIGHT AT THE COUNTY COMMISSION MEETING THEY VOTED FOR THIS BODY TO TAKE A LOOK AT THE GAS TRANSMISSION LINE TO SEE IF THIS BODY HAD ANY INPUT, AND IF THERE IS ANYTHING IN THE ZONING RESOLUTION THAT APPLIES TO THIS GAS TRANSMISSION LINE.

MR. MOULTON STATED THAT WE MAY WANT TO HAVE A SPECIAL CALLED WORK STUDY.

MEETING ADJOURNED AT 5:40 P.M.