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**MINUTES OF A MEETING OF
THE PLANNING COMMISSION
THE CITY OF FOREST HILLS**

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April 17, 2014

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The Forest Hills Planning Commission (herein also the “Commission”) held its regular monthly meeting on April 17, 2014 at the office of the City of Forest Hills, Nashville, Tennessee, beginning at 6:00 p.m. Chairman Winston Evans presided. Also present were Mr. James Gardner, Mr. Clay Jackson, Mr. Blair Myers, Mayor Bill Coke, and Commissioner Hyde. Others present are shown on the attached sign-in sheet. A copy of the Agenda is also attached to these minutes

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1. **Approval of the Minutes of the March 25th Meeting.** Mayor Coke made a motion to approve the minutes as submitted, Blair Myers seconded it and the commission voted unanimously to approve the minutes of the March 25, 2014 meeting
 2. **Letters of Credit: Johnston Brothers, Everett Drive, Letter of Credit in safe deposit box at Pinnacle Bank.** No action was required or taken. Mrs. Deaton-Moyer provided an update on the water and sewer line improvements of which the letters of credit were associated. She said that the water lines had been installed and repaving had taken place. The sewer improvements had not progressed as far because the contractors hit rock during installation and have had to drill a substantial amount. She said she expected for the Commission to vote to release the letters in the next couple of months.
 3. **Concept Plan Approval for subdivision of 6123 Hillsboro Pike and “0” Timberwood Drive.** Currently the lot on Hillsboro Pike is 6.13 acres with split zoning of EA in the front and EB in the rear. The second lot “0” Timberwood Drive is zoned EB and contains .4 acres. Dr. McCord proposes the Hillsboro Pike lot contain 3.528 acres and the Timberwood Drive lot contain 3.0 acres. Mrs. McCord described the project, proposing to combine a portion of the lot that faces Hillsboro Pike with the .4 acre lot that faces Timberwood Drive. During the concept plan process, they found that the back lot may have steep slopes and therefore would need three (3) acres. The plan presented to the Commissioners represented three (3) acres on the Timberwood lot. Chairman Evans asked Mr. Bivens, City Engineer for his input. Mr. Bivens said that the applicant had demonstrated storm water management is possible on the concept plan. He also said that originally the plan was to make the back lot into two (2) acres since that was all that was required of the zoning district; however, when the plan came back with shading, steep slopes were present and the lot had to be expanded to three (3) acres to meet critical lot stipulations. Mrs. McCord said she had walked the lot numerous times and did not feel there were steep slopes. Commissioner Hyde said the shaded areas seemed counterintuitive to the topography lines. Mr. Bivens said that the shading could be inaccurate because the information was probably from Metro Nashville data sets. The best way to determine the true topography would be to do a field run topography survey. The topography of the lot was discussed as it pertained to the driveway. Mrs. McCord said she believed the driveway for the new lot should be where it is currently because it is not too steep and already has some drainage systems. Reviewing the topography, Chairman Evans asked if she would be open to restricting the building envelope to preserve the steep slopes. She said they would be open to it, but felt that field topography was necessary.

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52 At this time, Chairman Evans opened the public hearing. Mr. George Marinelli of
53 2152 Timberwood Drive provided written comments to the Commission and read
54 them aloud. He stated that he had moved to the City in 1991. The McCord's had
55 built their current home from 1994 through 2001, during which time there were a
56 multitude of issues. Mr. Marinelli stated that neighbors yards were a mess, the
57 noise was consistently a problem, and there were 18 wheelers that would park on
58 the roads and in yards. He asked for reassurance that this would not happen again.
59 Other neighbors present, Kelly Meyer and Keith Anderson of 2157 Timberwood
60 Drive, Steve Bowman of 2156 Timberwood Drive, and Jeff Hattfield of 2148
61 Timberwood concurred with Mr. Marinelli's statements. Chairman Evans asked
62 Mr. Foster to tell the neighbors what kind of ordinances were in place to prevent
63 this from happening again. Mr. Foster responded that there was a noise ordinance
64 in place. Additionally there was a time limit on building permits. When asked
65 about how this was enforced, Mrs. Deaton-Moyer stated that a stop-work order
66 could be placed if this ordinance was violated. Dr. McCord responded to the
67 neighbors. He apologized for their unpleasant experiences during the home's
68 construction. He, too, hated the building experience and found that he was not a
69 good contractor. He asked the neighbors to call him when there were issues and he
70 would try to resolve them. Mr. Bowman of 216 Timberwood Place spoke. He
71 stated that the current back driveway is used as a service entrance and service
72 providers often park in the street. The street is very narrow making it difficult for
73 cars and buses with children to pass. He wondered if this would be the case during
74 construction. Commissioner Evans asked the Mccord's if they intended to build on
75 the new lot. They stated they were unsure. Mr. Gardner asked if an ingress and
76 egress plan could be required to assist this issue. Mrs. Deaton-Moyer stated that
77 construction entrances were common and it could be reviewed. At this time,
78 Chairman Evans closed the Public Hearing.
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80 Members of the commission discussed the proposal and agreed that a field run
81 topography would be necessary to move forward. Mr. Jackson added that the
82 topography would be important not just for the lot size, but for the location of the
83 building envelope. *Mayor Coke made a motion to approve the concept plan to*
84 *move on to preliminary plat provided that field topography is determined and*
85 *incorporated in the plat. Mr. Jackson seconded the motion and it was approved*
86 *unanimously.*
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88 **4. Other Matters: Construction Noise Regulations.** Mr. Gardner brought the topic
89 of construction noise regulations to the Commission's attention stating that the
90 ordinance currently allows for construction 7 days a week, 7 A.M. to 7 P.M. Given
91 what the neighbors had consistently commented on today and his current
92 experience being near construction sites, he felt that the sounds and consistent
93 large trucks moving on and off site 7 days a week was intrusive. Mr. Myers stated
94 that he understood Mr. Gardner's position, but wondered where the line should be
95 drawn. He questioned whether a homeowner operating a chainsaw would be
96 forbidden. Mr. Myers then asked what the difference between a resident-operated
97 chainsaw and a contractor operated skill saw was in terms of noise. Mr. Gardner
98 said he understood the point, but still felt there should be some limitation on the
99 trucks and other large equipment. After some additional discussion, Chairman
100 Evans asked Mrs. Deaton-Moyer to find the restrictions of Belle Meade,
101 Brentwood, Oak Hill, and Franklin and report back to the Commission. She said
102 she would.

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104 **5. The meeting was adjourned**

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Chairman, Winston Evans

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Recorder, Amanda K. Deaton-Moyer