

**MINUTES OF A REGULAR MEETING OF THE
SCOTTSBORO CITY PLANNING COMMISSION**

April 1, 2014

The Scottsboro City Planning Commission convened a regular meeting Tuesday, April 1, 2014, at 5:30 p.m. at the City Hall in the City of Scottsboro, Alabama.

ROLL CALL

Present: Chairman Mr. Jim Olyniec
Ms. Pam Ayers
Mr. Johnny Blizzard ✕
Mr. Bill Capley
Mr. John Hardman
Mr. Jim Flowers
Mr. Ronnie Dolberry ✕

Absent: Mr. John Parsons
Councilman Mr. Keith Smith ✕

Also present at the meeting were Mr. Josh Little, City Engineer, and approximately nineteen other attendees.

A roll call was taken, and the Chairman noted that a quorum was present.

The Chairman called for a motion regarding the minutes from the February 4th, 2014 meeting. Mr. Blizzard made a motion that the minutes be approved as written. Ms. Ayers seconded the motion. **Upon a vote being taken, all voted aye.**

The Chairman opened the public hearing for:

Case No. 753: Mr. Floyd Barnes was present seeking Preliminary Plat approval for Riverside Subdivision on property located on Snodgrass Road and Driftwood Shores Drive. This property is zoned R-1 (Low Density Residential District). Also present was the engineer Mr. Michael Hodges.

Mr. Barnes said this development was a smaller portion of the Riverside Properties case that was heard in 2006/2007. He also noted this was a re-submission of what was submitted previously for this smaller scale project and there were no changes. Mr. Barnes stated this project consists of 15 to 17 lots that would have utilities already in place with the exception of sewer. He said septic systems were planned for the lots.

Mr. Olyniec commented the project was quite extensive originally. Ms. Ayers stated she remembered concerns about the drainage. Mr. Barnes said those issues have been addressed. Mr. Olyniec commented that a detention pond was originally proposed.

Mr. Olyniec asked if city sewer was available. Mr. Barnes said no and that it was about a mile away. Mr. Olyniec asked if the septic systems had been approved by the Health Department. Mr. Hodges stated they were in the process of submitting the information to the Health Department.

Mr. Capley asked how the drainage would be affected by this project. Mr. Hodges said there would be no improvements in this project.

Mr. Dolberry asked if the septic systems would be engineered systems. Mr. Hodges stated the perc rate was good on some preliminary testing. Mr. Olyniec asked if this has been submitted to the Health Department. Mr. Hodges said they were currently in the process of coordinating site visits with the Health Department.

Mr. Olyniec asked if there would be changes necessary to the culvert that dumps into the lake. Mr. Hodges said no. Mr. Olyniec inquired if runoff calculations had been performed. Mr. Hodges said no. Mr. Olyniec asked if there was an idea of how much runoff there would be as a percent of the total drainage basin. Mr. Hodges said all those calculations were performed way back when but he could not remember off the top of his head. Mr. Olyniec asked if he would guess one percent, fifteen percent or twenty percent. Mr. Hodges said less than one percent. Mr. Flowers commented that a detention pond was shown in the originally approved plan several years ago. Mr. Hodges said the current plan was downstream of the originally proposed detention pond. Mr. Olyniec recalled the pond being immediately being north of lot number 10. Mr. Hodges agreed.

Mr. Olyniec asked Mr. Roy Light of the Scottsboro WSG if sewer was available to the property. Mr. Light said sewer was approximately 7,500 feet away or so, on the opposite side of the ridge. Mr. Light commented it would also take a pretty good size pump. Mr. Light said water and natural gas were already available to the property.

Mr. Olyniec asked Mr. Bradley Potter of the Scottsboro EPB if there were any issues on the electrical side. Mr. Potter responded no.

The Chairman asked for questions from the audience. Mr. Don Glasco said there were two drainage ditches. One of the ditches was going towards Driftwood Shores and was extremely small. The other one was at the corner of Driftwood Shores and Snodgrass Rd. Mr. Glasco stated he had seen water come across the road several times a year. Mr. Glasco stated his concern was with runoff. Mr. Olyniec asked if Lots 14 and 15 was where the culvert was located. Mr. Glasco responded yes. Mr. Hodges stated that would be more of a maintenance issue. Mr. Olyniec asked Mr. Dolberry for his thoughts. Mr. Dolberry asked Mr. Little if he had looked at that particular pipe. Mr. Little said he believed it was a 24" pipe. Mr. Little commented that 3 or 4 homes built on the proposed lots could pose a problem. Mr. Glasco said both culverts are inadequate now. Mr.

Blizzard asked Mr. Little what is needed to show that the proposed development would not increase the amount of drainage needed. Mr. Little responded he would need pre-developed and post-developed drainage calculations. Mr. Olyniec asked Mr. Dolberry and Mr. Little if this was an existing drainage problem. Mr. Dolberry said the tiles are intact. There is nothing impeding the flow of water. Mr. Dolberry continued stating the City has not upgraded those tiles.

Mr. Danny Green approached the Commission. Mr. Green stated the drainage would be directionalized with this development. Mr. Green said the water would come over the streets, right down his driveway, across his sidewalks, etc. Mr. Green stated residents are concerned about safety with the width of the existing street and with water issues.

Mr. Olyniec asked Mr. Little if the City is responsible for existing problems. Mr. Little replied he would have to take a look at the tiles in question. Mr. Dolberry commented old galvanized pipes are being replaced right now in town. Mr. Dolberry also stated that the City does not upsize just to upsize. Mr. Olyniec stated that if there is a proven record of the pipe being undersized, the City would then upsize the pipe. Mr. Dolberry agreed yes.

Mr. Tim Batey addressed the Commission. Mr. Batey said he lives at the corner of Snodgrass Road and Driftwood Shores. Mr. Batey stated there is a 14-inch tile under his driveway that is not able to carry additional water.

Mr. Capley asked if the proposed lots would access Driftwood Shores with the existing roads. Mr. Olyniec said yes. Mr. Olyniec commented that two lots would be along Snodgrass Road and the remaining lots along Driftwood Shores.

Mr. Flowers asked how water would be kept from jumping the road across the driveways. Mr. Hodges responded with the crown in the road. Mr. Glasco said there is not much crown currently in the road. Mr. Olyniec commented the impervious areas will run off fastest that are closest to the culverts. Mr. Olyniec stated this water will be gone before the water a half mile away gets to the culvert.

Mr. Glasco asked who will maintain the ditches. Mr. Olyniec stated the City will maintain them within the right-of-way.

Mr. Glasco asked if there would be restrictions on the lots. Mr. Barnes stated there would be no restrictions. Mr. Olyniec said the developer sets the standards. Mr. Barnes commented there would be no restrictions on some such as townhouses, etc. Mr. Barnes stated probably about 1,500 square feet on these lots. Mr. Barnes stated statistics show people are downsizing.

An unknown member of the audience asked how the septic tanks would stay off the property lines. Mr. Olyniec stated these lots are over 200 feet deep and should have

plenty of room for a septic system. Mr. Olyniec also commented the Health Department would have the final say so on the septic systems.

Mr. Glasco said the water will come down the driveways and across the road. Mr. Olyniec commented that driveways should have a cross-slope for that very purpose and that most contractors know to build it that way.

Mr. Larry Stalls addressed the Commission. Mr. Stalls stated he had recently built a home. Mr. Stalls said he was required to put in a new drain pipe that the City Engineer sized at 18 to 20 inches. Mr. Stalls said he initially thought it was overkill until he saw the amount of water during a rain personally. Mr. Stalls asked what would be wrong with roads on top of the hill. Mr. Stalls also stated the concern was traffic flow and drives coming off the hill.

Mr. Olyniec asked about French drains over the driveway culverts. Mr. Dolberry commented the drains would have to fit the ordinance with driveway tiles and could get expensive. Mr. Hodges commented that a good builder will not allow water to drain straight on to the street from the driveway. Mr. Hodges also stated the City has a good inspection department that knows to look out for those things. He said we can put something on the plat not to allow increased runoff. Mr. Dolberry commented that a box drain across the driveway that is sloped toward the ditch could be an option. Mr. Capley stated this would work as long as the grate is kept clean.

Mr. Olyniec asked the Commission if there were thoughts on the existing drainage. Mr. Little commented the City is not responsible for upsizing to accommodate this development. Mr. Little stated we will check and see if it is currently impeding water flow. Mr. Blizzard commented he felt uncomfortable with the information that had been provided. Mr. Blizzard said we do not have the data that tells us exactly what we need to know. He also stated we need pre and post data, etc. on the drainage to be able to make a good decision. Mr. Olyniec stated a drainage plan with calculations and data would be needed. Mr. Olyniec also said this would give Mr. Dolberry and Mr. Little time to evaluate the existing drainage structures.

Mr. Flowers asked what about street widths. Mr. Little commented there were no plans to address the street in the near future. Mr. Glasco asked if a school bus has an accident, could the City face federal charges. Mr. Glasco stated the school bus currently turns around in a private drive.

Mr. Blizzard commented that the future road would need a better turning radius. Mr. Hodges stated there was no new construction proposed at this time.

With no further comments, the Chairman asked for a motion on Case No. 753. Mr. Capley made a motion that the Case be tabled to allow for additional data on the pre and post drainage to be submitted and to allow the City Engineer and Street Superintendent to assess the existing drainage structures. Mr. Flowers seconded the motion. **Upon a vote being taken, all voted aye.**

An informal presentation was then made by residents of The Retreat Subdivision located on Watersound Lane. The spokesperson was Mr. Alex Holland.

Mr. Holland stated he was the representative of The Retreat Homeowner's Association. He said the most recent meeting of the homeowner's association was March 13th. Mr. Holland stated that none of the property owners wanted a sidewalk in the subdivision. He also said the subdivision consists of eleven (11) lots. Mr. Holland said three of the eleven owners did not intend to build on their lots. Mr. Holland continued with stating the topography of the land did not allow for homeowners to have a lot of room for a front yard. Mr. Holland stated the sidewalk was originally designed to be 4 feet from the back of curb but was moved to 2 feet from the back of curb due to conflicts with installed electrical boxes. Mr. Holland asked the Commission if it was available to avoid sidewalk construction with a sidewalk not likely in the future in all of Lakeview Shores. Mr. Holland welcomed feedback and thoughts.

Mr. Blizzard asked if the homeowner's association was responsible for enforcing sidewalks. Mr. Holland responded it was in the initial covenants.

Mr. Dolberry asked if anyone planned to build past Dr. Green's house. Dr. Chris Green said there were multiple owners with no plans to build. Dr. Green also stated that Mr. Nevils bought his lot for a buffer to his current home. Dr. Green said the first three lots on the left would never build.

Mr. Olyniec commented he remembered there being something that required homeowner's to build their sidewalks within a certain number of years.

Mr. Holland asked how sidewalks were enforced. Mr. Blizzard commented that was typically handled with a sidewalk bond.

Mr. Dolberry asked if there were any provisions for sidewalks in the common areas of the subdivision. Mr. Holland responded no.

Mr. Blizzard commented we cannot treat the subdivision like an island by itself. Mr. Blizzard also stated we have to treat everyone the same.

Mr. Holland asked what the purpose of requiring sidewalks was. Mr. Blizzard commented for handicap, pedestrians, safety, etc. Mr. Blizzard also stated if we let one, we will have to let everyone. Ms. Ayers commented this was a new regulation the Commission worked on for over a year.

Mr. Olyniec stated this was approved by a prior Planning Commission. Mr. Olyniec said he was in agreement with Mr. Blizzard in that we would have people all over wanting this.

Dr. Green asked can we put sidewalk all the way to the curb. Mr. Olyniec commented then it becomes a safety issue. Mr. Blizzard asked Mr. Little was this a safety issue. Mr. Little replied yes it is a safety issue.


Mr. Dolberry commented the sidewalks were changed due to a hardship on the developer, but now we are making it a hardship on the homeowner. Mr. Blizzard commented if it is closer than 4 feet, it becomes a safety concern. Mr. Little agreed that it could be a safety concern if the conditions of the subdivision (short cul-de-sac street) allowed the speed limit to be much higher. Mr. Dolberry asked do the old regs require a 4-foot setback. Mr. Little said yes. Dr. Green commented there are sidewalks in town right up against the curb. Mr. Holland commented if we are moving towards being unsafe, why don't we just eliminate them. Mr. Dolberry asked did we approve moving them for the electrical boxes. Mr. Little commented I worked with them on it. Mr. Olyniec said it is hard to revise a prior Planning Commission approval.

The Chairman asked for final comments. Mr. Blizzard commented I would ask the City Attorney about the process. Mr. Olyniec commented you have heard the comments from the Commission. Mr. Olyniec stated it is your choice on how to proceed.

The Chairman asked for a motion to adjourn the meeting. Mr. Blizzard made the motion to adjourn the meeting. Mr. Dolberry seconded.

With no additional business to discuss Chairman Olyniec adjourned the meeting at 7:20 p.m.

Minutes Approved:



Mr. Jim Olyniec, Chairman
Scottsboro City Planning Commission

Attest:


Mr. John D. Hardman, Secretary