

**PLANNING COMMISSION
MINUTES
MEETING OF NOVEMBER 3, 2022
LINCOLN COUNTY COURTHOUSE – CHANCERY COURTROOM**

Attendees

Paul Braden, Chairman
Roy Butler, Co-Chair
Charles Hunter, Secretary
Mackenzie Carter
Tony Brown
Mike Hyde
David Sanders
Cole Blocker
Benton Barnes
Nancy Harris, P & Z Dir.

Absent

Colin Wakefield
Michele Rutledge

Other Attendees

Christi Long
Donna Willis
Jeannie Roles-Walter
Mary Ann Tackett
Kate Guin
Glen Douglas
Mayor Newman

Chairman Braden called the meeting to order at 6:00 PM.

ROLL CALL

Nancy Harris conducted a roll call; 9 present, 1 absent.

MINUTES OF PREVIOUS MEETING

Roy Butler moved to approve the minutes of October 6, 2022 as submitted. Second offered by Cole Blocker. **Call for vote, unanimously approved.**

OLD BUSINESS

1. SR2022-2 Amend Art. V, Sec. 5-104.2, Subpart 23 & 25 Final Plat Requirements (Septic)- Review by the members is incomplete. Charles Hunter moved to table this item to the December meeting, second offered by Mike Hyde. **Call for vote, unanimously approved.**

NEW BUSINESS

1. 2022-R7 Rezoning Request | Wabash Rd. | Jack Daniels-Brown Forman
For the record and board member's information, Nancy Harris explained this item was returned back to the Planning Commission due to the county attorney and mayor discovering a potential breach of the Sunshine Law outside the Planning Commission. The county attorney made a statement during the October 18, 2022 Public Hearing, as a precaution, this item should be returned to the Planning Commission reprocessed.

Donna Willis, Dir. Engineering-Maintenance-Environmental for Jack Daniels reiterated her presentation of Aug. 4 and Sept. 1 and addressed concerns presented during the Oct. 18 Public Hearing. Based on environmental studies, they are reducing the number of proposed warehouses from 8 to 6.

Nancy Harris read aloud the concerns/comments from area residents during the Oct. 18 Public Hearing; blasting disrupting livestock, expense of cleaning the micro flora from property, damage to vegetation, including large caliper trees and lack of sufficient buffer to protect adjacent properties were the most prominent subjects.

Tony Brown questioned Donna Willis whether a filtration system was considered. Donna responded there hasn't been sufficient data provided the filtration system would work. Donna elaborated other areas in close proximity to their distillery(ies) take it upon themselves to clean surfaces effected by the micro flora. Jack Daniels does not provide for cleaning.

Chairman Braden opened the floor for public discussion.

County Commissioner Roles-Walter passed out questions that she, as a new commissioner, has with regard to procedure, adding regulations, etc. She asked if a resolution could be made to require additional buffers for uses that had a potential of affecting adjacent properties; inquired if the county could request companies that caused adverse effects to clean adjacent properties of the aversion; could the county require companies that omit potential vapors that may cause problems to install a filtration system; and lastly, if permit fees collected for that particular project could be used to clean adjacent properties. Commissioner Roles-Walter spoke of some comments made during the Oct. Public Hearing. A copy of her submission will be maintained with the minutes.

Chairman Braden explained the role of the Planning Commission and its limits of authority. Amendments made to the Zoning Resolution may only be approved by the County Commission.

Donna Willis responded to one of the comments mentioned by Commissioner Roles-Walter regarding the lack of a thriving buffer along the initial warehouse site. She stated the drought killed the vegetative buffer and in lieu of replacing them right away, they are researching other plantings that may be more drought tolerant and have full intentions of replanting.

Christi Long, The Manor at ShaeJo, located at 812 Lynchburg Hwy, an adjoining property of Jack Daniels distributed cuttings of effected vegetation found on her property. She operates a high-end event center that accommodates clients from across the continent. The expense of keeping her property appeasing for clients is escalating as more warehouses are completed and used for storage. She supports the presence of Jack Daniels and is appreciative of their willingness to coordinate their blasting and her scheduled events, however, she pleaded for some sort of action to reduce the spread of micro flora. The increased micro flora requires her to perform additional repairs and maintenance to her property, driving her costs in the thousands.

Mayor Newman briefly spoke of when Jack Daniels was recruited into Lincoln County through a joint effort of the Industrial Development Board. He availed himself for any questions.

Christi Long inquired if the C-1 district permitted storage of hazardous materials. Nancy Harris responded it did not. Christi stated alcohol is considered a hazardous material. Donna Willis added the provision of how a material is stored ranks the hazardous condition. Volume of storage within barrels does not present a hazardous condition. Further, the warehouses are sprinklered and buildings set at a distance apart that reduces potential hazards.

Commissioner Roles-Walter spoke of the how the county could market our community by capitalizing on the history of Jack Daniels originating it's bottling in Lincoln County, but we needed to take care of our community first.

Christi Long inquired if any current restrictions (requirements) would be held to the completed warehouses and those under construction. Chairman Braden responded no.

Footnote: Patrick Long emailed a time-line of events, requesting it be provided to the members and become part of the record. A copy will be maintained with the minutes.

With no further discussion, Charles Hunter moved to send this item to the County Commission, second offered by David Sanders. **Call for vote, unanimously approved.**

2. 2022-R11 Zoning Request | Huntsville Hwy. & Simmons Cir. | Barry Brown
Nancy Harris read aloud the staff report request to zone a 1.80 +/- ac parcel to C-1 for a future Dollar Tree store. Said land is located within the Urban Growth Boundary and is void of a zoning district.

Benton Barnes moved to approve the request, second offered by Tony Brown. **Call for vote, unanimously approved.**

3. Dollar Tree Construction Site Plan – Barry Brown

Chairman Braden provided the construction site plans to the members for review.

Nancy Harris advised the members this project had been reviewed and approved by the Utility Committee on Nov. 2, 2022. Chris Merz, LCBPU approved for field changes to be made since the proffered designs exceeded what he required.

Charles Hunter provided a verbal list of the items; Page C-5, Items 2 and 3, to include the water tap to be made from Huntsville Hwy, via jack & bore; the force main to be reduced to 1 ¼ inch and the sanitation lift tank system to be a 1,500-gallon STEP tank.

Dollar Tree Construction Site Plan – cont.

Benton Barnes moved to approved the Construction Site Plan, contingent on the field changes, second offered by Cole Blocker. **Call for vote, unanimously approved.**

REPORTS OF OFFICERS and COMMITTEE

Home Occupation

Chairman Braden asked Nancy Harris if she received any comments from the members. She had not.

David Sanders requested the members to be mindful of any changes. We are a rural community that has several home occupations. We would not want to introduce language that would affect one’s livelihood.

Chairman Braden spoke of the exemptions to lands within a greenbelt. This item will be continued at later meetings.

PUBLIC BUSINESS

There was none.

ADJOURN

With no further business, Mike Hyde moved to adjourn, second offered by Roy Butler. **Call for vote, unanimously approved.** Meeting adjourned at 6:50 PM.

Paul Braden, Chairman

Date

Charles Hunter, Secretary

Minutes unofficial until voted on and signed