

Summary of the 2012 Remediation and Stabilization of 2122 Schaeffer Road

1. 2006 - 2010. In 2006, a 12 acre parcel north of the subject property (Hardin Valley Road frontage) was sold, along with an option on the subject 31 acre property ("Site"). The Site was disturbed by option holder, in part, to prepare the future Schaeffer Road ROW. About mid-2010, option holder abandoned the Site, leaving the grading work unfinished. The Site was left in an unsightly mess of tree debris, large rocks and unstabilized slopes. Significant erosion of the unstabilized slopes followed. In 2011 owner improved and maintained sediment traps along future Schaeffer Road ROW.
2. February 1, 2012. Owner received notification from Knox County to remediate and temporarily stabilize the site ASAP.
3. March 1, 2012. First phase of initial stabilization completed.
4. April 5, 2012. Received State grading and temporary stabilization permit.
5. April 9, 2012. TTCDA issued Certificate of Appropriateness for a Grading Permit to remediate and temporarily stabilize the Site.
6. May 31, 2012. Received Knox County rough grading and temporary stabilization permit.
7. June 4, 2012. Commenced 2nd phase of work.
8. July 6, 2012. Received notification from Knox County to provide additional detailed engineering drawings. Work was not stopped by county. Requested drawings were approved by county on July 13, 2012.
9. July 25, 2012. Notice of Violation (Inspection #1770) following July 20 rainfall of 2.8 inches. Problems were corrected on July 21. No penalty.
10. August 10, 2012. County Inspection #1944 reported that all erosion controls were functioning properly.
11. September 27, 2012. Completed preparations for winter with placement of straw and seed and maintenance of sediment traps.
12. Present. Site remediation and temporary stabilization is performing as planned, e.g., record January 2013 rain of approximately 14 inches over 3 days resulted in no runoff problems.
13. Pictures of colored stormwater flowing across the Bread Box yard during a heavy storm were shown to you by Mr. McBride. None of that water shown originates from the Site because rain falling on the north slope of the Site flows into 13 sediment traps located along the future Schaeffer Road ROW. Stormwater shown on the photographs comes from the 9 acre ORNL FCU site, which has been recently disturbed for sowing grass seed.

MPC File # 12-D-12-RZ/12-A-12-SP



GRADING PERMIT

(Expires 1 year from date issued)

NON-TRANSFERABLE

Knox County
Department of
Codes/Engineering
Codes: 215-2325
Eng: 215-5825

Grading Permit # 112-013

Date: 5/31/12

Acreage Disturbed: 28 acres

Job Address: 2122 Schaeffer Road

Acreage Total: 28 acres

CLT #: _____ Parcel #: 104 ⁰⁹³ Zone: PC

Issued By: DLK

Name and Address

Phone #

Owner: Philip Garrett 2122 Schaeffer Road (865) 951-9040

Contractor: _____

Architect: _____

Engineer: _____

Flood Plain Development Permit Required? _____ Yes No

Erosion and Drainage Control Plan Approved By The Division of Engineering? Yes _____ No

Bond Required By The Division Of Engineering? _____ Yes No

Entrance To Site Located On State Highway _____ Yes No

(All Construction On A State Highway Other Than A Single Family Residential Will Require a "Right-Of-Way" Permit From State D.O.T.)

TDEC Construction? Yes _____ No If yes, provide a copy to Knox County Engineering.

TVA? _____ Yes No If Yes, provide a copy to Knox County Engineering.

Note: This grading permit issued by Knox County does **NOT** release the applicant from obtaining other required federal, state and local permits (e.g. ARAP, Corps of Engineers, etc.).

Also, **ALL** permits should be posted at job site.

Begin Construction Date: 5/31/12 End Construction Date: 5/31/13

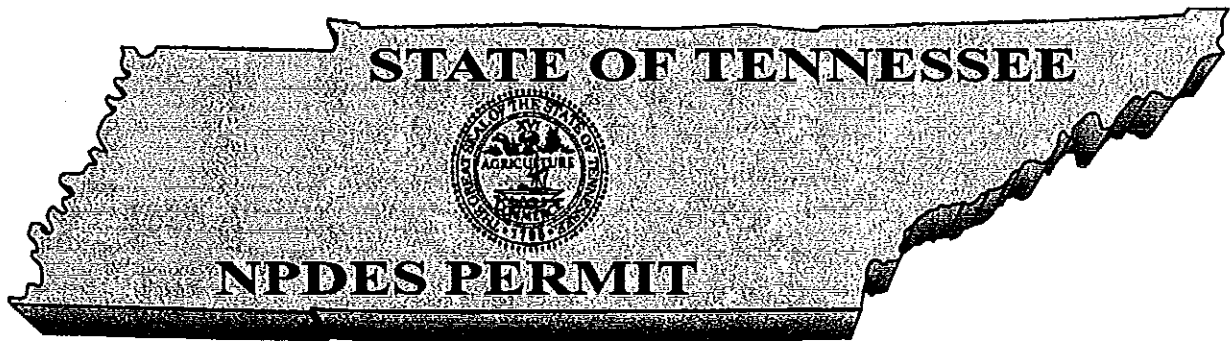
Describe Work: Rough grading & site stabilization

Future Use Of Site: _____

I, THE UNDERSIGNED OWNER OR AGENT, UNDERSTAND ALL THE REQUIREMENTS STATED ON THIS PERMIT AND ANY ATTACHED SITE PLANS AND/OR LETTERS. I ALSO UNDERSTAND THAT FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL CONSTITUTE A VIOLATION OF THE KNOX COUNTY ZONING REGULATIONS AND SUBSEQUENT LEGAL ACTION BY KNOX COUNTY.

Philip Garrett
SIGNATURE OF OWNER OR CONTRACTOR

5-31-2012
DATE OF SIGNATURE



Tracking Number TNR134132

NOTICE OF COVERAGE UNDER THE GENERAL NPDES PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (CGP)

Tennessee Department of Environment and Conservation
Division of Water Pollution Control
401 Church Street, 6th Floor, L&C Annex
Nashville, Tennessee 37243-1534

Under authority of the Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.) and the delegation of authority from the United States Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. 1251, et seq.):

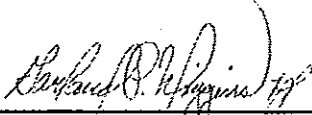
Name of the Construction Project: **Philip Garrett Property (8 acres)**
Master Tracking Number at the Site: **TNR134132**
Permittee Name: **Philip Garrett**
Contractor(s): **no contractor**
is authorized to discharge: **storm water associated with construction activity**
from site located at: **2122 Schaeffer Road, Knox County**
to receiving waters named: **Beaver Creek**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

Likely presence of threatened or endangered species in one mile radius: **NO**
Likely presence of threatened or endangered species downstream: **NO**

Additional pollution prevention requirements apply for discharges into waters which TDEC identifies as:
a) impaired: **YES** b) discharging into high quality waters: **NO**

Your coverage under the CGP shall become effective on **April 5, 2012**, and shall be terminated upon receipt of Notice of Termination.



Garland P. Wiggins, Deputy Director



CERTIFICATE OF APPROPRIATENESS FOR A GRADING PERMIT

TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY

On April 9, 2012, the Tennessee Technology Corridor Development Authority, hereinafter referred to as the Authority, did grant to Phillip M. Garrett, hereinafter referred to as the Applicant, on its application filed on March 19, 2012 with Application No. 4-A-12-TOG, this Certificate of Appropriateness for the following described property, Tax ID 104 093. This Certificate of Appropriateness is granted to the Applicant for the purpose of a Grading Permit. The Applicant agrees that it will comply with all base zoning requirements, all Technology Overlay Zone requirements, the Design Guidelines and the Comprehensive Development Plan in its use of this property, unless specifically varied or altered by the Authority.

This Certificate of Appropriateness will automatically expire two years from the date of the affirmative vote of this Certificate, unless an extension of the Certificate is granted by the Authority upon the request of the Applicant, if construction of the structure or structures on the property has not reached fifty percent (50%) of completion at the end of that two year period.

The Applicant does hereby agree that staff and/or members of the Knox County governmental entities, or the Authority, shall have access to the property at reasonable times to inspect the same for compliance with the requirements of state and local laws and this Certificate of Appropriateness.

The structure or structures to be erected on this property will be erected according to the approved and accepted plans and specifications attached to this Certificate as Attachment No. One, and any changes thereto approved and accepted by the Applicant and the Authority.

- 1) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 2) Meeting all applicable requirements of the Tennessee Department of Environment and Conservation.
- 3) The area proposed to be graded shall be confined to the area as shown in the map marked Exhibit A (Staff Recommendation), with one exception. Below the "No Grading Line", as shown in Exhibit A (Staff Recommendation), grading shall be limited to slopes less than 25%, except where the maintenance of an existing access road to the applicant's house is required and where a new sediment basin is to be installed near an existing basin. In all other respects, the site shall remain undisturbed until such time a new grading plan is required for any proposed new development.
- 4) Related to Condition #3, a more detailed plan that shows the extent of the grading for the road and new sediment basin shall be submitted for staff review and review by Knox County Engineering prior to the issuance of the COA. This will allow the most critical part of the disturbed area (the face of the property toward Hardin Valley Road) to be remediated while minimizing further disturbance to any steep slopes. The staff supports the applicant's objective in concept, but with the limitation that no additional steep slopes be affected except as noted here.
- 5) Any re-grading of the site for remediation should not preclude the future connection between Schaeffer Road and Iron Gate Blvd., as envisioned in previous plans. The development of the property that now includes two banks and a small strip retail center and the platting of remaining vacant property were based on the notion that the Schaeffer Road connection would be made at some point in the future. Knox County envisions this as being an important road improvement for future implementation. The alignment shall be identified on the grading plan prior to the issuance of a grading permit.
- 6) Maintaining other areas of mature vegetation and non-disturbance as shown on the grading plan.
- 7) The area that is to be graded should be planted with a year-round grass seed.

By its signature hereunto, the Applicant binds itself to all terms and conditions hereof, both for itself, its heirs, and its successors in interest.

TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY

BY:

Executive Director

