



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Proposed Benetley Fields or Bentley Estates

1 message

Martha Jean Bratton <MJBratton@bellsouth.net>

Sun, Aug 7, 2016 at 3:09 PM

Reply-To: mjbratton@bellsouth.net

To: commission@knoxmpc.org

We live about 3/10 of a mile from Broome Road and close to the proposed subdivision, Bentley Fields or Bentley Estates. There are 30 small lots and houses proposed for his property. We are seriously concerned about the proposed development of too many houses on small lots emptying on Broome Road.

Our address is 812 Westborough Road. We frequently use Broome Road when we are heading west. Our major objection to this development is increased traffic on Broome Road. The proposed development empties onto Broome Road with only one entrance. All of Broome Road is too narrow, but the western part is the worse and that is where this traffic will empty on Broome Road. Broome Road has no shoulders and in some places on the western end there are deep ditches. If you fall into a ditch you will not get out without wrecker service.

I have been nearly sideswiped several times. If you add 30 houses, that is at least 60 vehicles which will be entering Broome Road every day, sometimes multiple times a day, including a few 16-year olds sprinkled in. We understand that the city has no plans for improving Broome Road.

We would be less concerned if there were fewer houses proposed in this property. Please do not support the development of this property as proposed.

Sincerely,

Sam and Martha Jean Bratton

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Proposed Bentley Place Subdivision

1 message

'LMD' via Commission <commission@knoxmpc.org>
Reply-To: lmdelozier@yahoo.com
To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Sun, Aug 7, 2016 at 1:18 PM

Greetings Commissioner Bustin,

My name is Linda DeLozier, and I have lived in Cavet Station subdivision for almost twenty-four years. During that time, I have seen numerous accidents on Broome Road. The foliage on the north side of the subdivision entrance blocks a driver's view until they actually pull out in the road. Some of the dangers of the sharp curve coming from Gallaher View Road have been mitigated by a mirror allowing drivers and pedestrians to see what is coming toward them, but I have had some narrow misses from cars coming around the curve over the center line.

When driving on Broome Road toward Middlebrook Pike the hill at the proposed Bentley Place subdivision is another hazard because the road is so narrow with ditches on both sides instead of a shoulder. If a driver is a few inches over the center line, there is no place for an oncoming driver to go to avoid an accident. Nothing has been done to decrease the danger.

Even with the proposed deceleration lane, there is no place for a school bus that is southbound on Broome Road to safely stop and load/unload children. Any child crossing Broome Road will be in grave danger from northbound drivers cresting the blind hill as there will simply not be enough time to stop, given the sight distance from the hill to the entrance to Bentley Place.

My home backs up to Broome Road. During even light snow and icing, I have seen southbound drivers slide off the road because it is so narrow. The ninety degree curve claims one or two cars during light snow and ties up traffic for all residents. Many times these accidents are not reported to any law enforcement because the drivers call a wrecker to pull them out of the ditches since there are accidents caused by the snow and ice all over Knoxville.

The proposed Bentley Place subdivision of thirty plus lots has minimal setbacks. If only one grave is found outside the current boundaries of the cemetery, it will encroach on a lot as currently proposed. Thirty plus houses will add a significant load to the traffic on Broome Road and increase the daily danger of driving there.

I respectfully ask you to not approve the developers' plans for this subdivision for thirty plus lots but to reduce the number of lots allowed to something which will not so drastically increase the hazards on Broome Road, maybe to fifteen to twenty lots. I am asking you to not allow making our neighborhood less safe by significantly increasing traffic on Broome Road which is unable to safely handle the current traffic load. The extension of Gallagher View Road to Middlebrook Pike provided some relief for Broome Road. Please don't return us to the previous heavy traffic we had to deal with.

Thank you for your time in reading this.

Sincerely,

Linda M. DeLozier

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8/8/2016

KnoxMPC Mail - [MPC Comment] Proposed Bentley Place Subdivision

This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Proposed project

1 message

Allen Douglass <panda8005@gmail.com>

Sun, Aug 7, 2016 at 6:53 AM

Reply-To: panda8005@gmail.com

To: commission@knoxmpc.org

The Bentley Estates," 5-SE-16-C, east side of Broome Road, south of Chadwick Drive. Please consider not approving this proposal. As a resident of West Hills, 30 homes on this property is denser than any property in West Hills and not consistent with a residence in our neighborhood.

Allen Douglass
Corteland Dr
Allen Douglass
Sent from my iPhone

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This message was directed to commission@knoxmpc.org



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

[MPC Comment] Bentley Estates; No. 5-SE-16-C; August 11, 2016

1 message

Mark Jendrek <mjendrek@utk.edu>

Mon, Aug 8, 2016 at 12:11 PM

Reply-To: mjendrek@utk.edu

To: commission@knoxmpc.org, tom.brechko@knoxmpc.org

Ladies and Gentlemen:

On Thursday, August 4, 2016, a Ground Penetrating Radar survey was undertaken of a portion of the property north of the "boundary" of the Mars Hill Cemetery. This is within the area covered by the Concept Plan for Bentley Estates, a matter to be heard on August 11, 2016.

The results of that survey establish that there are burial sites in the area outside the line of fence posts that has come to be accepted as the formal cemetery boundary. That means these burial sites are within the proposed subdivision area.

The complete number and location of those burial sites should be determined using Ground Penetrating Radar and then incorporated into any Concept Plan before such a plan is approved. It should not be merely a condition of an approved plan, but should be incorporated into the plan prior to submission. Without that information, any proposed plan is incomplete.

Please see my attached letter and the results of a Ground Penetrating Radar survey of a portion of the subject property north of the Mars Hill Cemetery "boundary." Ground Penetrating Radar is the most accurate and reliable technique for locating unmarked burial sites.

Thank you very much.

Mark Jendrek

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Mark Jendrek, PC
800 South Gay Street, Suite 1900
Knoxville, Tennessee 37929
[865-824-1900](tel:865-824-1900)

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8/8/2016

KnoxMPC Mail - [MPC Comment] Bentley Estates; No. 5-SE-16-C; August 11, 2016

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This message was directed to commission@knoxmpc.org



Letter to Commissioners - email version with GPR Report.pdf

1760K

Mark Jendrek, P.C.

ATTORNEY AT LAW
800 SOUTH GAY STREET
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KNOXVILLE, TENNESSEE 37929

865/824-1900
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REPLY TO:
P.O. BOX 549
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E-MAIL TO: mjendrek@gmail.com

ALSO ADMITTED IN MARYLAND

August 8, 2016

Via email and First Class Mail

Commissioners
Knoxville-Knox County Metropolitan Planning Commission
400 Main Street, Suite 403
Knoxville, Tennessee 37902

Re: Bentley Estates; File No. 5-SE-16-C; Agenda Item #8; 08-11-2016

Ladies and Gentlemen:

Having served on the Planning Commission myself more than 10 years ago, I know that some Commission members are busy and do not have time to read long letters. I also know that others have a little more time and might be interested in more detail. This letter hits the highlights. The Addendum enclosed with the snail mail version provides the details.

A significant issue with respect to the Bentley Estates Concept Plan is the proximity of the project to the Mars Hill Cemetery, an area that has been used for burials since the 1700s, and for which there is no historical, definitive boundary. Sure, there is a line of old fence posts, but please remember that back in the 1800s there were lots of folks who were considered second class citizens and were not allowed to be buried "inside the fence" as a result of that status.

We've come a long way since those days and, the findings of an August 4, 2016 survey of an area north of that line of fence posts establish that there are burial sites on the other side of that fence.

Last Thursday, two Ph.D. students, along with a retired University of Tennessee Anthropology professor, surveyed a portion of the area north of the old fenceline using Ground Penetrating Radar, the most accurate and reliable method of locating underground anomalies. Their equipment has located burials more than 20 feet outside the northern boundary of the cemetery. A copy of their data and a discussion of that data are enclosed.

The Bentley Estates Concept Plan should not be approved, either outright or conditionally. A full and complete survey of the area surrounding the cemetery should be performed using Ground Penetrating Radar in the hands of independent investigators, before approving any plan for this tract that does not, on its face, take into consideration the treatment of those who are buried outside the line of fence posts. Without such a survey, there is no accurate way to know the number and location of those burials and any Concept Plan that fails to incorporate that information will be inadequate and fatally flawed.

Planning Commissioners
August 8, 2016
Page 2

I urge you to do the right thing and do not perpetuate the same discriminatory practices from the 1800s that caused people to be interred "outside the fence." The ground beneath which they are buried is every bit as hallowed as the ground inside the fence and deserves the same protection.

As an additional matter, in a meeting of the West Hills Association with Mr. Alley, and in more than one meeting with several of the adjoining property owners, Mr. Alley has promised buffering in the form of a soil berm and vegetative screening on all lots adjoining Cavett Station subdivision and West Hills subdivision. This, along with how the run-off from the berm will be addressed, should appear on the Concept Plan before it is approved. No mention of either is made on the current Concept Plan.


The home in which my family and I have lived for 25 years is adjacent to the southern boundary of the Mars Hill Cemetery. We have taken care of it for quite some time, mowing the grass, string-trimming around the grave markers, etc. More recently, other homeowners in the Cavett Station subdivision have pitched in and helped with this maintenance. In 1994, I had two UT students research the cemetery, and discovered its rich and unique history.

Twenty years ago, I installed a gate in the fence along my property boundary to provide a more convenient access for folks visiting the cemetery. I have met people from Wisconsin, Texas, and many points in between who were searching for their relatives. I have also met a number of home-schooling parents bringing their children to the Mars Hill Cemetery as a part of their Tennessee History curriculum.

It is truly a remarkable place that deserves a further an complete investigation that will provide protection of the entire area of burial sites, and not just those "inside the fence."

Thank you for your consideration.

Very truly yours,



Mark Jendrek

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ABSTRACT OF A GROUND PENETRATING RADAR SURVEY OF A LIMITED AREA NORTH OF THE MARS HILL CEMETERY

Ground Penetrating Radar was used to survey a limited area north of the Mars Hill Cemetery off Broome Road in West Knoxville. Portions of the cemetery were surveyed first to determine the shape and size of known burial shafts. Areas outside the formal cemetery boundary that were accessible to the GPR equipment were then surveyed. Formations or "anomalies" identical in shape and size to the known burial shafts were discovered extending from 10 to 23 feet beyond the northern boundary of the cemetery. The number and extent of these anomalies were unable to be determined because of the brush, felled branches, and debris on the ground preventing the use of the equipment in all areas north of the cemetery.

None of the area east of the Mars Hill Cemetery was surveyed as the overgrowth of brush, along with other debris, completely prevented the use of the GPR equipment in that area.

It is recommended that the area north and east of the cemetery be sufficiently cleared to allow the GPR equipment access to that area such that a comprehensive GPR survey of the entire area around the north and east sides of the cemetery can be performed. This is the only reliable way to determine the location and number of burial sites outside the formal boundaries of the cemetery.

A more detailed report follows.

GROUND PENETRATING RADAR SURVEY LIMITED AREA NORTH OF MARS HILL CEMETERY

This survey of a small area north of the line of fence posts on the north side of Mars Hill Cemetery was undertaken on Thursday, August 4, 2016. The goal was to determine whether there may be burial shafts outside that line of fence posts. Ground-Penetrating Radar (“GPR”) was used to determine soil disturbances and the length, width, and depth of any disturbances discovered. GPR is the best form of remote sensing, the only exception being if the clay content of the soil is too high. The soil in the area surveyed was not an impediment to the proper functioning of the equipment.

The report is discussed in terms of “anomalies” because without excavation, there is no certainty that the anomalies detected are actually burial shafts. Prior to surveying the grid area, however, several known burial sites inside the cemetery boundary¹ along with a portion of the cemetery where no markers are present were reviewed. The size and shape of those anomalies were noted in order to search for any anomalies consistent with that size and shape outside the cemetery boundary. The size and shape of any anomaly outside the boundary of the cemetery matching the size and shape of known burial sites within the cemetery should also be a burial site.

The primary grid surveyed was 10 x 20 meters, and was north of the cemetery boundary, basing that boundary on the line of old fence posts on the north side. The southern edge of the grid was located approximately 5 meters north of, and parallel to, that boundary.

The survey of the grid area indicated significant anomalies in the southwestern portion of the grid. At one location, the grid was extended approximately 3 meters into an accessible area as a result of anomalies detected that were consistent in size and shape with those of known burial sites within the cemetery.

Figures 2 and 3, which are oriented with north to the bottom, show those anomalies extending almost 23 feet beyond the northern boundary of the cemetery. The top of the gridlines on Figures 2 and 3 is approximately 2 meters north of the northern line of fence posts. The anomaly most distant from the northern cemetery boundary in the limited area surveyed is approximately 7 meters from that boundary—essentially more

¹When the term “boundary” is used in this report, it refers to the line of old wooden fence posts along the north side of the cemetery. No formal survey work was performed to establish a boundary line by measurement. A true boundary of a burial ground would be beyond wherever there are burials.

than 20 feet beyond the northern boundary of the cemetery, and out into the field. Others may exist a greater distance beyond the northern boundary in locations not surveyed. Based on a review of the proposed subdivision plan, this could be in the area of the access road or within the area of one or more lots.

The radar equipment was also run in the few other accessible areas north of the northern line of fence posts. Anomalies extend in these locations at least 10 feet beyond the line formed by those posts. In some places those anomalies extend as much as 20 feet beyond the fence posts out into the field.

Other areas along the northern boundary could not be surveyed as a result of the trash, brush, branches, and other debris on the ground, prevented proper use of the GPR equipment.

The area outside the eastern boundary of the cemetery was not surveyed at all. Again the trash, brush, and other debris preventing the proper use of the GPR equipment in that area. Any anomalies existing outside the east cemetery boundary will be within one or more of the designated subdivision lots.

In short, the Ground Penetrating Radar survey of a limited area outside the cemetery boundary indicated anomalies more than 20 feet outside the northern boundary of the cemetery that are consistent with the shape and size of known burial sites within the cemetery, and most likely represent additional, unmarked burial sites outside the cemetery boundary.

Given the presence of the anomalies discovered in the small area surveyed, and the size and shape of those anomalies being identical to those known burial sites within the formal boundary of the Mars Hill Cemetery, a proper survey of the entire area outside the northern and eastern boundaries of the cemetery should be undertaken using GPR. Completing such a survey will necessitate clearing the trash, brush, and other debris from those areas in order to allow the proper functioning of the GPR equipment. This is the only reliable way to determine the extent of unmarked burials outside the formal cemetery boundaries.

There are clearly burial sites outside the fenced area of the cemetery. Further GPR survey work should be done to determine the extent and location of those burial sites.

Figures follow.

Mars Hill Cemetery
GPR Survey
8-4-2016
Daniel Brock



Figure 1. General location of survey area (10 x 20 m grid ~5m north of cemetery fenceline.)

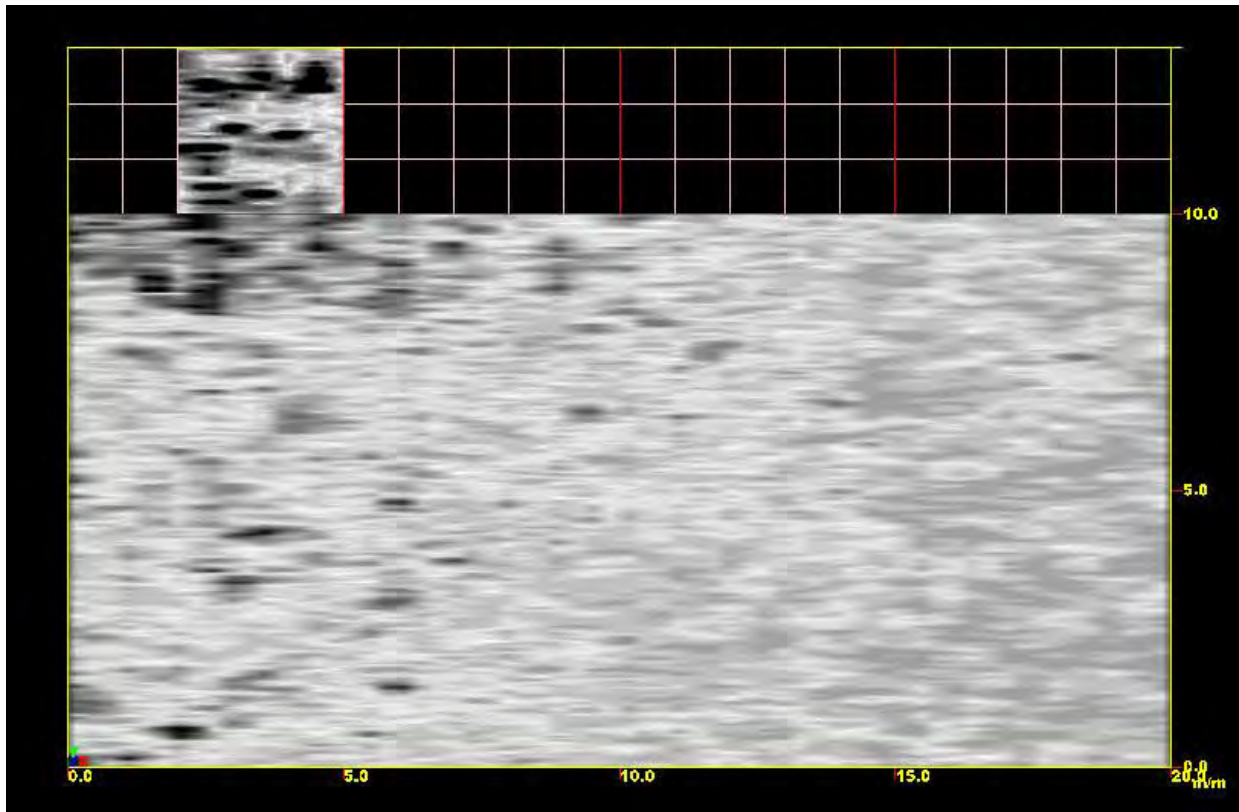


Figure 2. GPR planview at ~20cm below surface. Note: cemetery fence is ~2m south of 3 x 3 m grid extension.

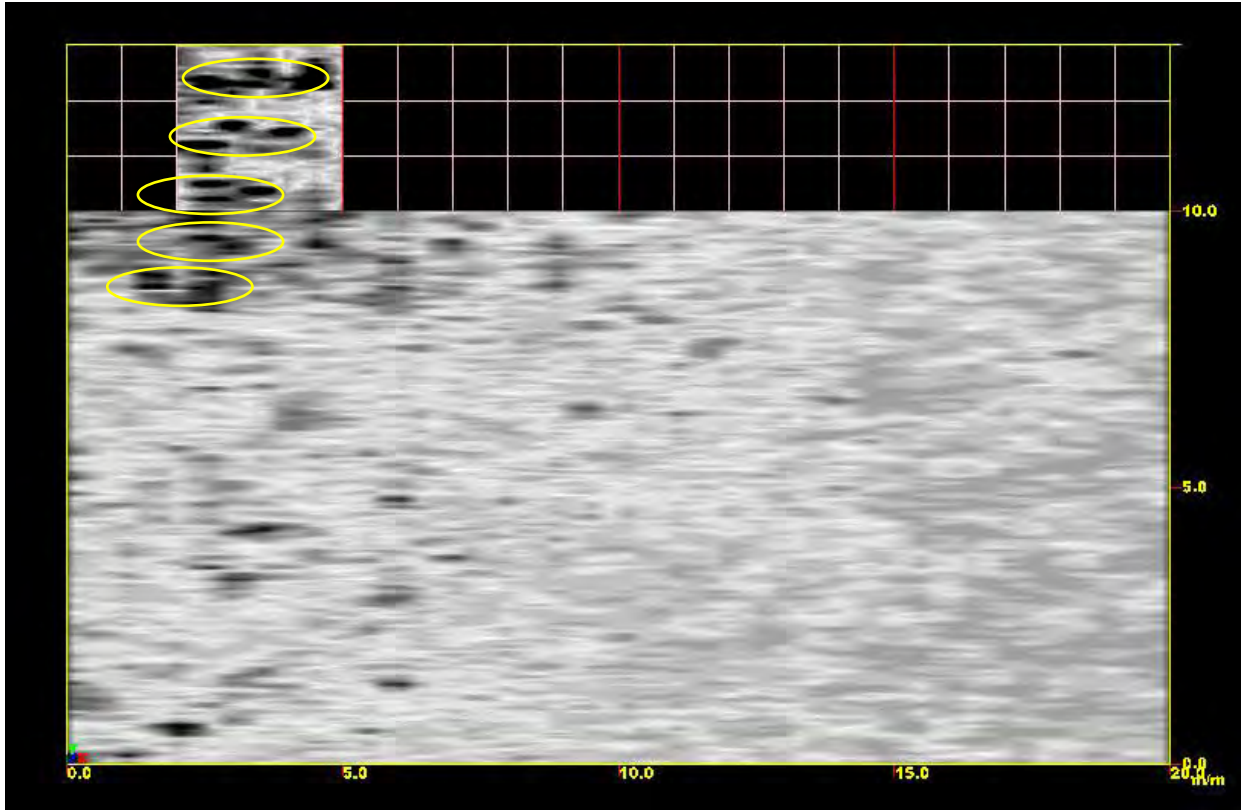


Figure 3. GPR planview at ~20cm below surface showing highlighted anomalies.

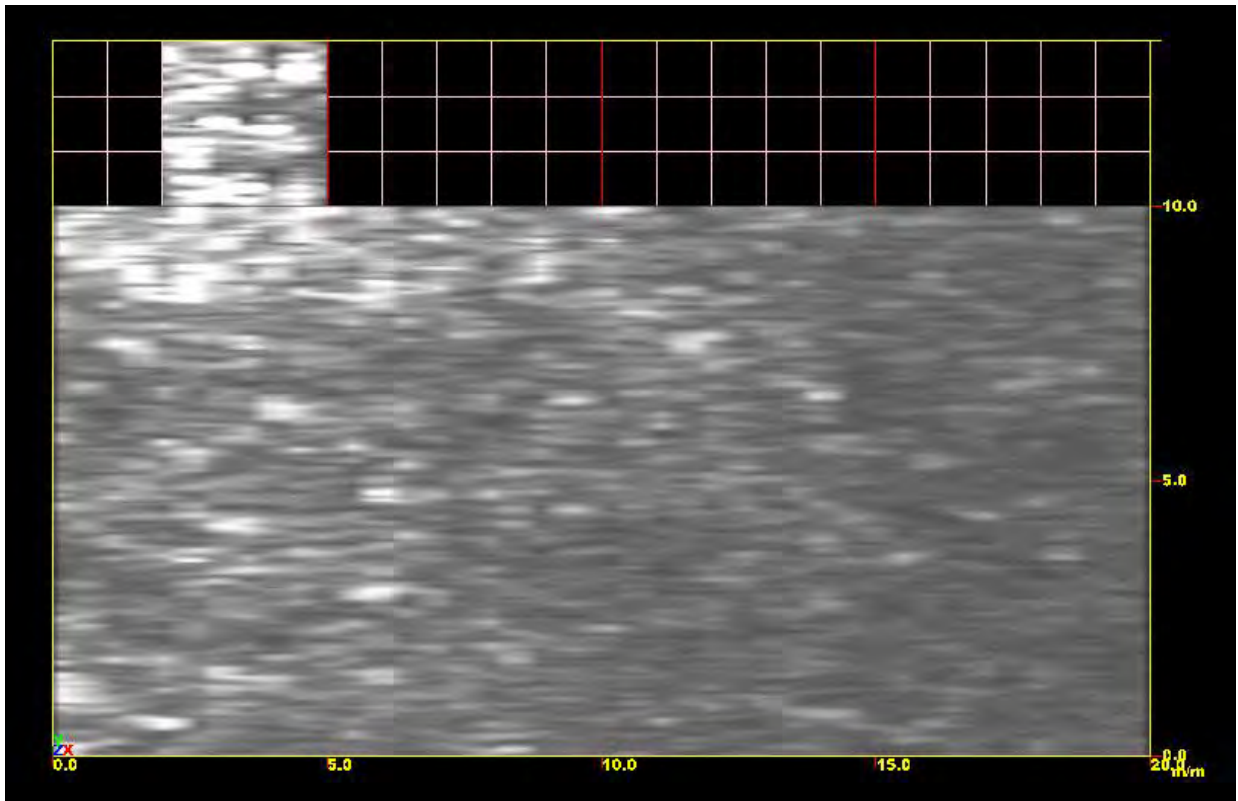


Figure 4. GPR planview at ~20cm below surface.

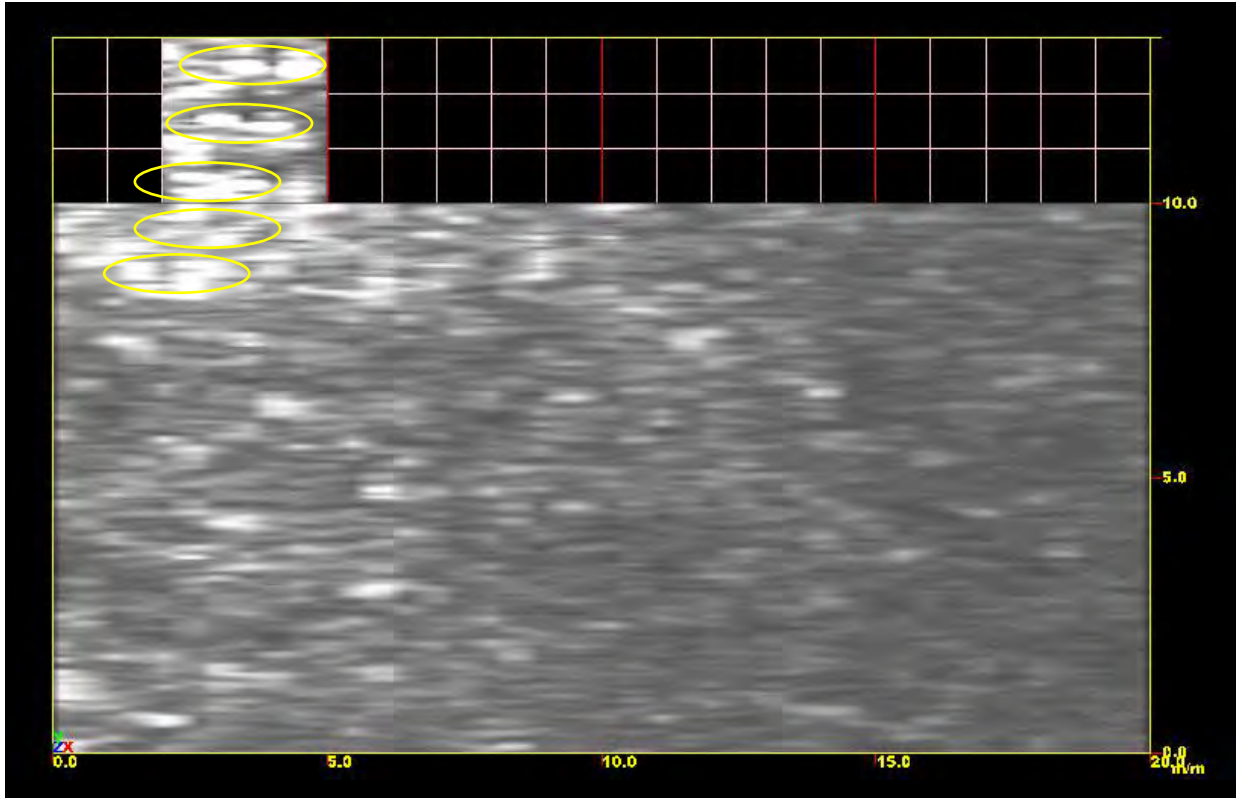


Figure 5. GPR planview at ~20cm below surface with highlighted anomalies.

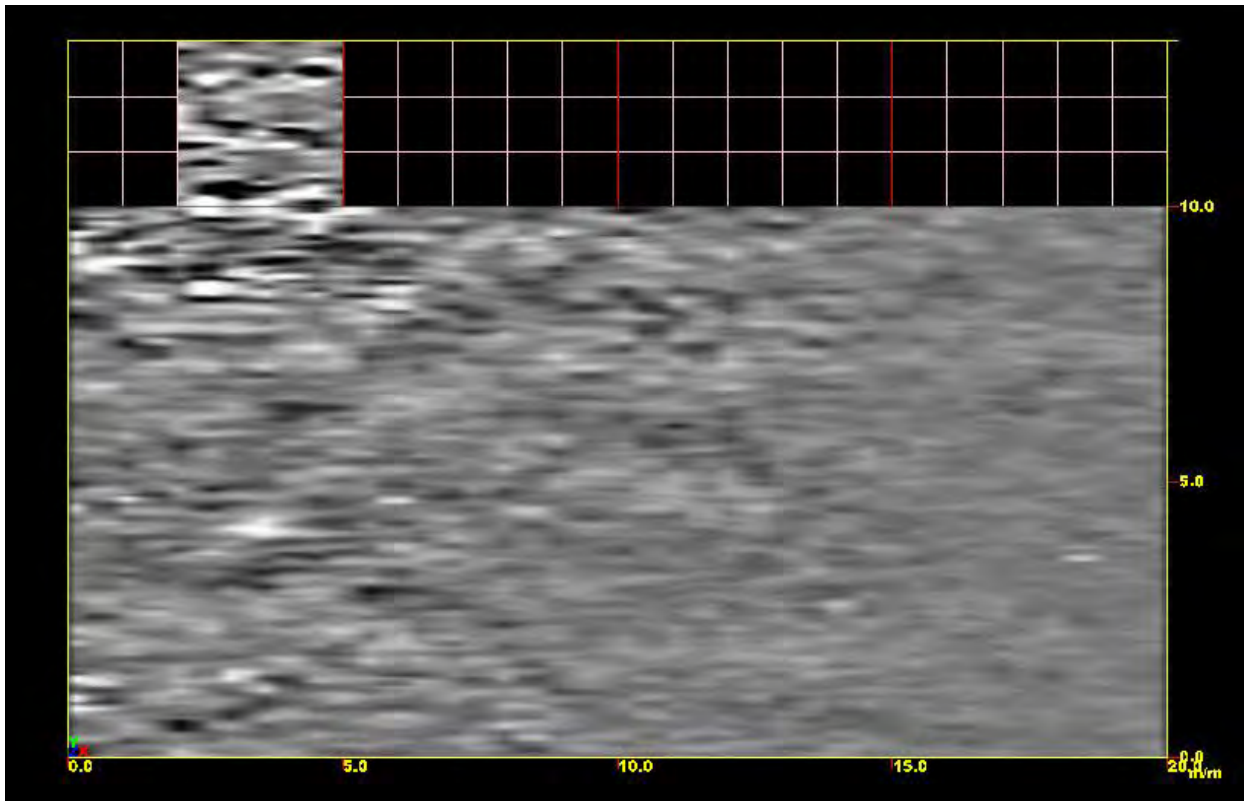


Figure 6. GPR planview at ~20cm below surface.

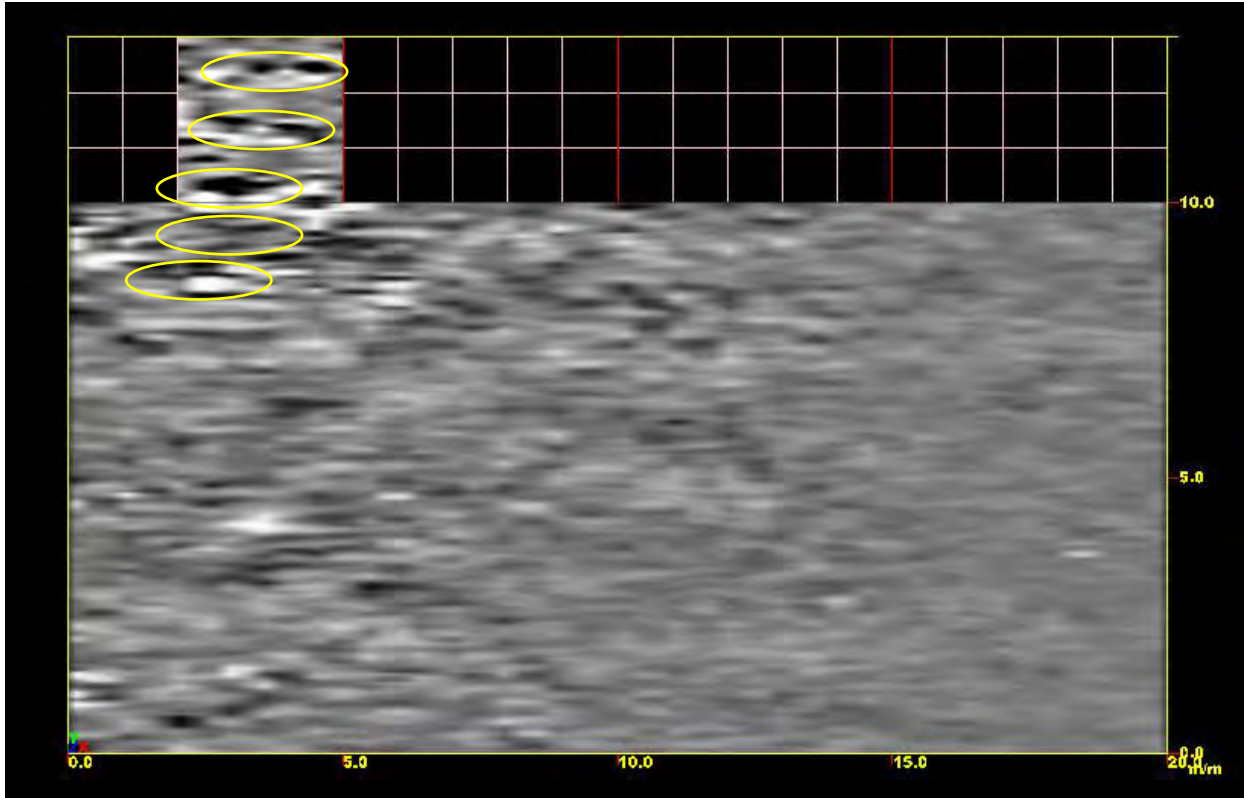


Figure 7. GPR planview at ~20cm below surface with highlighted anomalies.

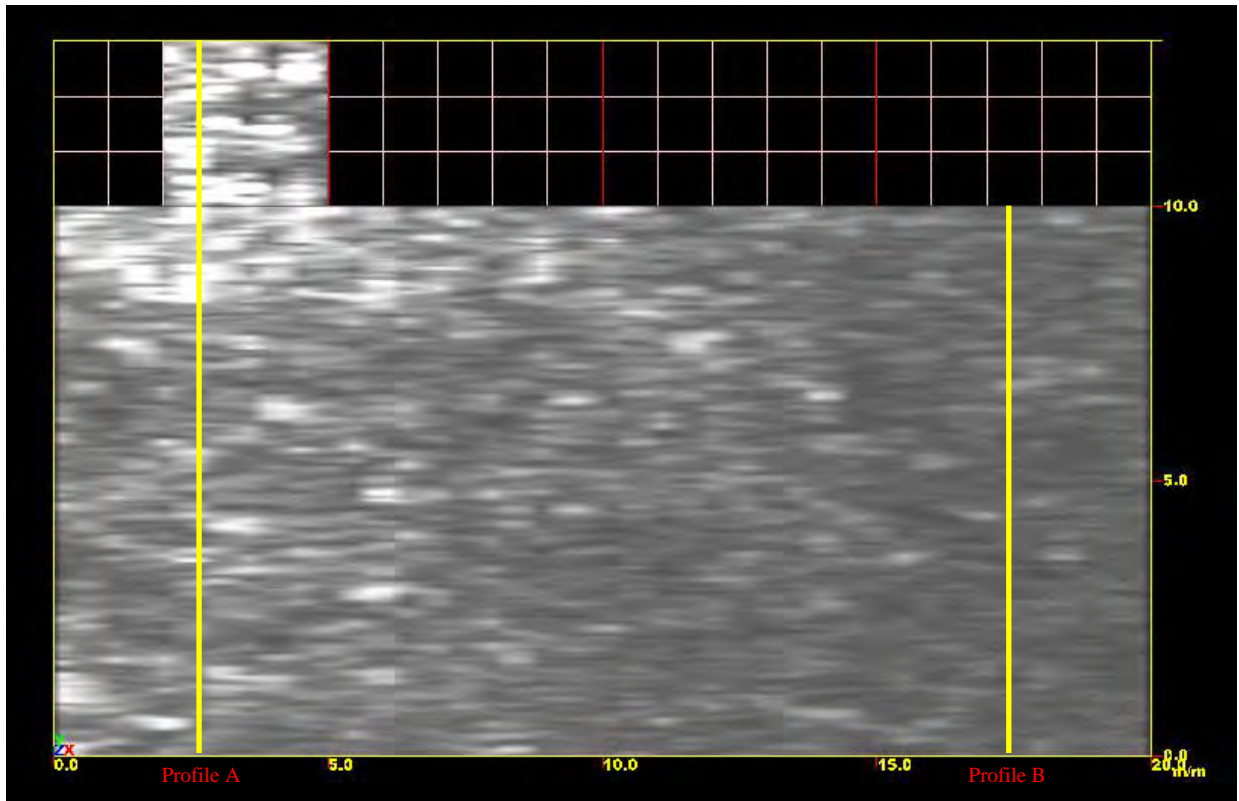


Figure 8. GPR planview with profile locations.

Figure 9. GPR profile highlighting anomalies over known graves within the cemetery.

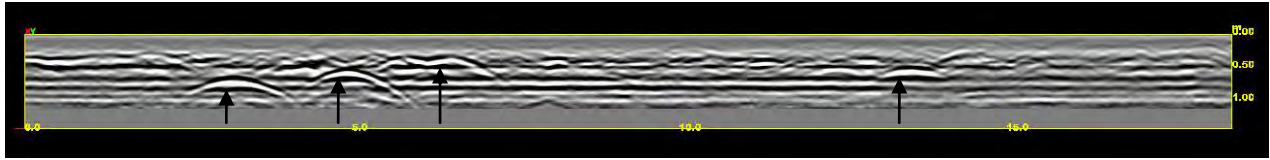


Figure 10. GPR Profile B showing lack of anomalies (facing east).

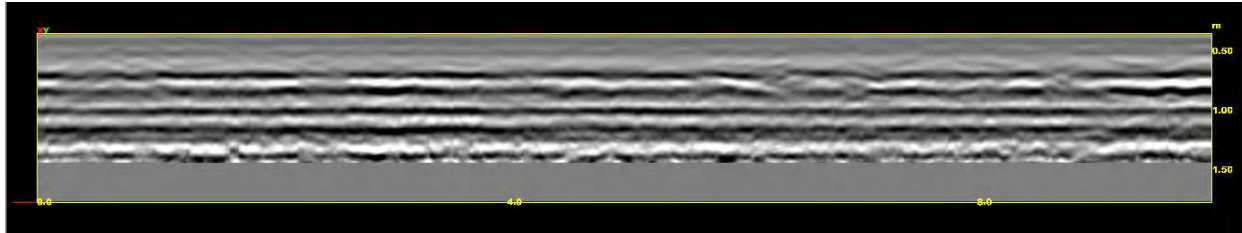


Figure 11. GPR Profile A showing anomalies consistent with signatures seen within the cemetery's boundaries (facing east). Note: cemetery fence ~2m towards right (south) of profile.

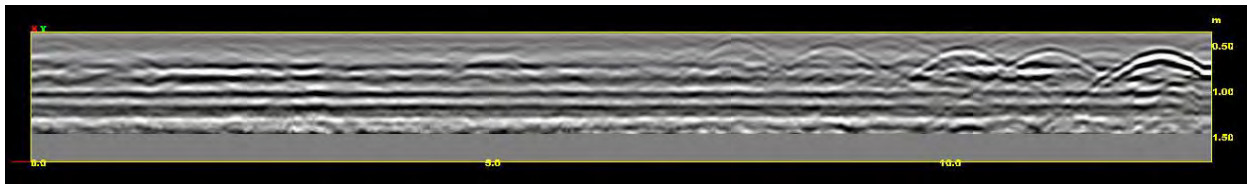


Figure 12. GPR Profile A highlighting anomalies consistent with signatures seen within the cemetery's boundaries (facing east).

