

4-A-17-OB-corr

Dwight Van de Vate  
Senior Director, Office of County Mayor  
Engineering & Public Works Dept.  
205 West Baxter Avenue  
Knoxville, TN 37917

Certified Mail, Return Receipt Requested

August 24, 2017

To Whom It May Concern:

Margaret Moore and I (John Gargis), along with the concerned residents of both WoodLake Acres and Riverlake) would like to officially go on record with you and the other key parties involved with the Cambridge Shore's plan to again express our deepest concerns for the steepness (1 1/2 to 1 slope) and the construction of the berms of Stormwater Outfall 2. (See the attached plan.) **The reason: They are being built on the side of a hill on top of poorly graded and compacted fill material and they are being asked to operate as dams to hold back water yet they are not designed or built accordingly.** Please note on the plan the "Bottom Of Pond" is elevation 882.00 and the top of the concrete Riser Structure is 888.50. Therefore, when the pond is full it will have 6.5 + feet of water in it and the way these ponds were designed and built their walls will not hold back this kind of water pressure! PERIOD!

We also want to ask that you people PLEASE look at this from the prospective that we may be right and not just defend your approval of this plan by quoting the County's rules because, as far as we know, these are the first and only ponds in Knox County that are built up on the side of a constructed bank with major residential below. Most all other ponds have been built in the low lands, not on the side of hills. What we are saying is that the rules may need to be amended to include stricter building codes for ponds that are built on the side of a hill AND ARE BEING ASKED TO HOLD WATER. (Making the berms not as steep and 99% compacting all the fill material would be a good start.) It is our contention that this potential problem needs to be addressed NOW to prevent what gravity and rain WILL SURELY DO THIS WINTER!!

Please come look at it with us and see that "common sense and the simple rules of physics" will soon apply in this situation.

We contend that the pond's berms at too steep, not compacted properly and that leaving the old driveway in place after only breaking it up will simply complicate matters further. Please let us explain: Water seeks it own level. In doing so it will naturally seep downward into the pond basin on the pond side of the berm and it will artesian up on the lower outside of the berm (unless they are designed and compacted properly)! This "artesian effect" will

undermine these berms and, because of their poor construction and design, these ponds will fail. The gravel from the road will allow even more seepage and in turn the "artesian effect" will happen easier and quicker!

We would please like to know who is responsible for the clean up and rebuilding of the ponds should they fail after Ball Homes leaves. Is there a bond required? How much and for how long? Insurance? Will the Cambridge Shores Home Owner's Association be responsible? If and when there is a problem how do we get the Home Owner's Association to move forward with their clean up and repairs? File a lawsuit? Thanks!

Who cleans out the ponds? We do not see a dedicated access road to the ponds to allow the excess debris and dirt to be cleaned out every few months.

We're sorry that all of this has happened because Ball Homes is a great builder/developer and the County and it's employees have done everything we have asked them to do in this regard. However, it is our opinion that the original development plan was flawed in that it made Storm Water Outfall #2 too small and it's berms too steep.

We look forward to working with everyone involved to make Cambridge Shores a safe and workable development that fits in with the adjoining neighborhoods long term.

Respectfully,

John W. Gargis 8/24/2017  
John Gargis Date  
10611 Sandpiper Lane  
jwgargis(at)gmail.com  
(865-548-1300)

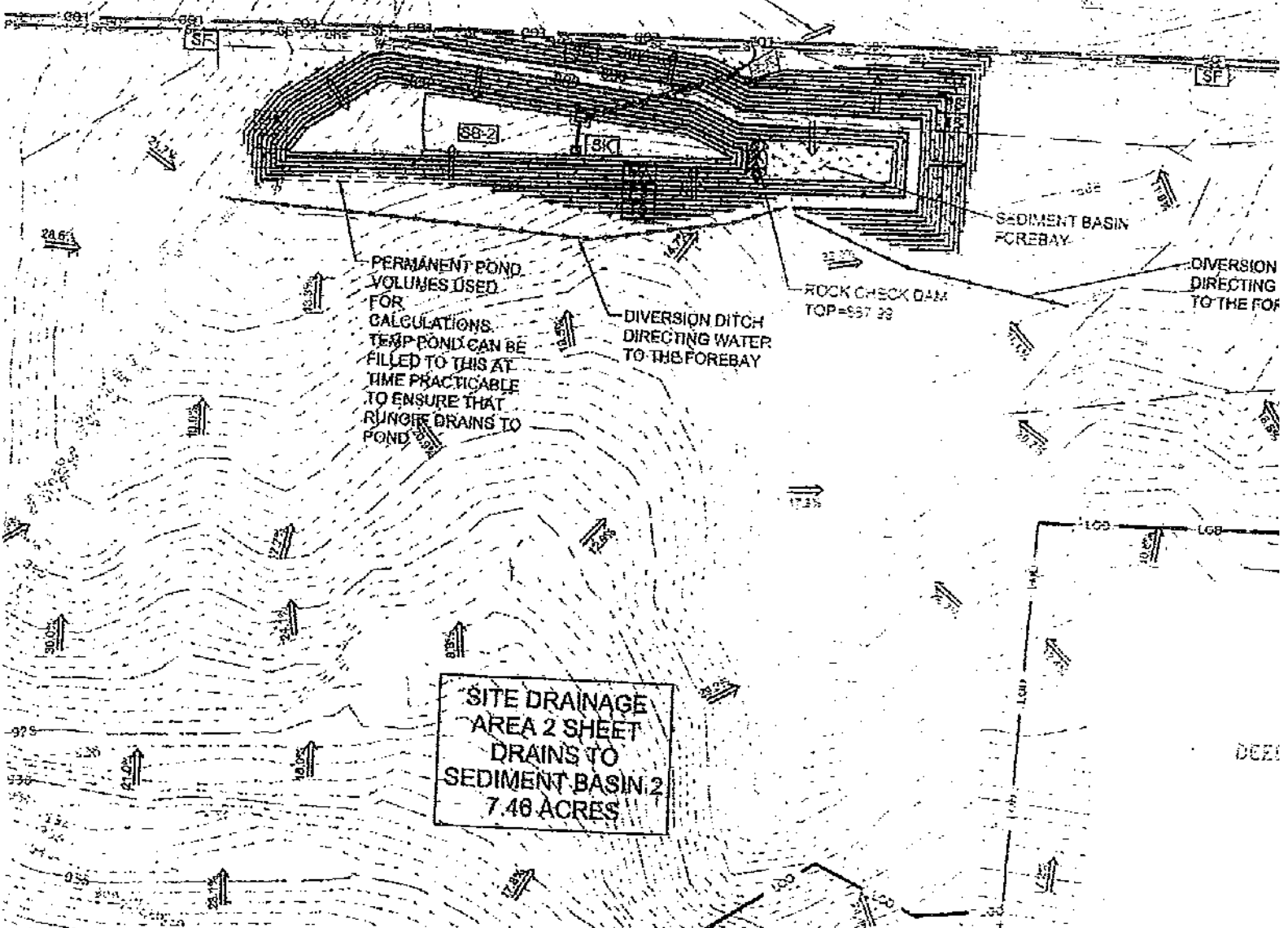
Margaret H. Moore 8/24/2017  
Margaret Moore Date  
10612 Sandpiper Lane  
pawpaw45(at)tds.net  
(865-356-1391)

CC: Mayor Tim Burchette, John Schoonmaker, Ball Homes, Cindy Pionke (County), Whaley Construction, Site Inc., TDEC, TVA and all concerned Woodlake Acres and RiverLake residents.

Sediment Basin #2	
Contributing Area	7.46 acres
Bottom Elevation of Pond	882.00
Basin CleanOut Elevation	884.67
Top of Wet Storage	886.06
Top of Dry Storage	887.99
Top Of Riser Structure	888.50
Top of Embankment	890.00

WOOD LAKE ACRES  
CAB. D. SLIDE 331-A

**STORMWATER OUTFALL 2**  
FLOWS TO THE NORTH VIA A DITCH TO  
TENNESSEE RIVER APPROXIMATELY  
1,700 FEET FROM THE SITE.



**SITE DRAINAGE  
AREA 2 SHEET  
DRAINS TO  
SEDIMENT BASIN 2  
7.46 ACRES**

**GRAPHIC SCALE**



September 14, 2017  
Robert O. & Rexana Johnson  
10642 Sandpiper Lane  
Knoxville, TN 37922

Knox County Metropolitan Planning Commission  
Meeting for September 14, 2017

**Agenda Item # 64 Cambridge Shores - Ball Homes  
9-A-17-OB [previously 10-SD-15-C]**

The Cambridge Shores development is on my BACK DOOR.  
I do not want it to be on Ball Homes' BACK BURNER with a two-year extension.

We would have had no problem with an extension if it had been to delay the start of the development.

However now that one of the last remaining wooded sites in West Knox County has already been reduced to a clear-cut, no remaining vegetation, heavily excavated, steep-sloped dirt pit with a stagnant mosquito-breeding retention pond at the back; we want to see the project reach completion as soon as possible. I feel an extension would drop the focus of finishing this Ball Home endeavor in an expedient manner.

We do not want to prolong the many problematic issues currently being experienced.

- The stench--We customarily have our morning coffee on our screened-in porch to enjoy the fresh clean air of the woods. Now there is smell/stench that maybe be from the three septic tanks and drain fields that have just been plowed into the site. It may be from the 20-foot wall of raw dirt [without a silt fence] piled at our back door that could be harming the remaining trees at the property line. Or it may be from the stagnant mosquito infested water of the retention basin. Two additional years of this odor is not acceptable.

- The noise & vibrations--We wake each morning to the 6:30 am back-up beepers and screeching of the heavy equipment. It often continues until dark and sometimes on Saturday and Sunday afternoons. Frequently at our back door, heavy equipment runs back and forth on the top of the 20-foot tall x 150 foot long wall of dirt packing it down and causing additional harm to the remaining trees. The loud noise of heavy equipment for two additional years is not acceptable.

- The traffic safety--The number of times exiting Sandpiper onto Northshore to the tanglement of traffic due to heavy equipment entering or exiting the Cambridge Shores site has been many. Once we were returning from the grocery, headed west bound, when we encountered what appeared to be a wild, reckless driver in a pick-up truck flailing a flag on a stick out his window. Well it turned out to be the method utilized for signaling an extra-wide load of heavy equipment from Cambridge Shores was headed east bound on the winding, curvy stretch of Northshore. Two additional years of traffic hazards is not acceptable.

- The sediment laden runoff--There has been episodes of debris laden runoff that blocked Sandpiper Lane. There are additional problems of runoff across an adjacent private home's yard at the rear of this site without an authorized drainage easement. The previous wooded site had no runoff. The steep bare slopes & high dirt wall have **no erosion control**. Two additional years of fighting runoff problems is not acceptable.

- Who knows what else will prevail with an extended timeline.  
Two additional years--not acceptable.

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September 14, 2017  
Robert O. & Rexana Johnson  
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9-A-17-OB [previously 10-SD-15-C]**

The financial gain to Ball Homes is at an extreme cost to the adjacent neighbors.

At the onset, I assume a timeline was established in the planning of this development. The various approvals on this project [Concept Plan, Civil Plan, Stormwater Plan, Grading Plan, Road Plan, Utility Plan, Sewer Plan, etc.] appear to have been made on the original timetable. We request that the developer continue with the means necessary to adhere to this timeline. We do not endorse this extension request nor any future request for extensions.

In general, we have been pleased with the conduct of Ball Homes and its subcontractors. The people onsite have been very professional. That has not been a problem.

Yes, as the records clearly show, we strongly objected to the compatibility to our neighborhood of this Cambridge Shores development from the beginning.

We felt KMPC had failed us in the lack of planning the integration of this development into our neighborhood.

However, KMPC has assured us with its October 8, 2015 vote of approval in accordance with their website evaluation criteria that this Cambridge Shores development:

1. Was compatible with the character of our neighborhood
2. Was consistent with County Plans [General, One-Year, Sector, Hillside & Ridgetop Protection]
3. Will not significantly injure the value of our property
4. Will not substantially increase level of traffic.

So, we ask for Knoxville Metropolitan Planning Commission's support in expediting the completion of this Ball Homes-Cambridge Shores development **without a two-year extension** to the current agony.

Please deny the request for the two-year extension.

Thank you,

Robert O. & Rexana Johnson



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

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Fwd: FW: {EXTERNAL} RE: Caimbridge Shores Letter

1 message

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Dan Kelly <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Sep 13, 2017 at 7:11 AM

This goes with item #64, Cambridge Shores concept plan extension.

Dan

----- Forwarded message -----

From: Arthur G. Seymour, Jr. <ajseymour@fmsllp.com>  
Date: Tue, Sep 12, 2017 at 2:40 PM  
Subject: FW: {EXTERNAL} RE: Caimbridge Shores Letter  
To: Dan Kelly <dan.kelly@knoxmpc.org>

See below

Arthur G. Seymour, Jr. Attorney



550 W. Main Street, Suite 500 | P.O. Box 39 | Knoxville, Tennessee 37902  
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From: Dwight Van de Vate [mailto:[Dwight.VandeVate@knoxcounty.org](mailto:Dwight.VandeVate@knoxcounty.org)]  
Sent: Tuesday, September 12, 2017 10:36 AM  
To: Buddy Goodwin <[bgoodwin@ballhomes.com](mailto:bgoodwin@ballhomes.com)>  
Cc: Brad Warren <[Brad.Warren@knoxcounty.org](mailto:Brad.Warren@knoxcounty.org)>; Ryan Hickey <[rhickey@ballhomes.com](mailto:rhickey@ballhomes.com)>; Arthur G. Seymour, Jr. <[ajseymour@fmsllp.com](mailto:ajseymour@fmsllp.com)>  
Subject: {EXTERNAL} RE: Caimbridge Shores Letter

Buddy: Thanks for your follow up.

To the best of my knowledge, we have everything we need from Ball Homes, and they have been cooperative in every respect. Special thanks should certainly go to Ryan Hickey for being very responsive to both our staff and to concerned constituents. He has consistently been great to work with.

We have the geotechnical report in hand for the pond berm and have added it to the development file. It's been an extremely rainy summer, and in light of that, the number of times we have had concerns over site issues has been very limited. We appreciate all the efforts that have been made to keep the site in compliance with both local and state regulations.

To help resolve any remaining constituent concerns associated with Cambridge Shores, and to help with some evaluation and planning on how to deal with some legacy drainage issues unrelated to your development, we have retained Geosyntec to complete an area drainage study. I'm hopeful that the results of that study, along with a select number of small capital projects downstream (again, primarily addressing legacy drainage issues) may resolve the remaining drainage concerns. We may undertake a small project at the property line of Ms. Moore that is directly adjacent to your site, but I am fairly certain Ryan is aware of that and understands what we propose.

Thanks,

Dwight Van de Vate  
Senior Director  
Engineering & Public Works  
[205 West Baxter Avenue](#)  
Knoxville, TN 37917  
[\(865\) 215-5800](#)

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From: [Buddy Goodwin](#)  
Sent: Tuesday, September 12, 2017 9:08 AM  
To: [Dwight Van de Vate](#)  
Cc: [Brad Warren](#); [Ryan Hickey](#); [Arthur G. Seymour Jr. \(ajseymour@fmsllp.com\)](#)  
Subject: Cambridge Shores Letter

Dwight,

I was not copied on it but the attached letter made its way to my desk so I wanted to reach out to you. I don't know if you'll recall me but we talked for a bit after a recent Council meeting regarding this matter, sorry it keeps coming up. I'm no engineer, but I work with several and I've read the letter and discussed with them as well and it seems like the same things I heard then.

I don't know how helpful it is to "get into the weeds" of their letter, but I do want to make sure you and your group have anything from us you need. The plan has been vetted and approved and the work is being directed to be done in accordance with it. We will have someone double check the steepness of the berm and if there is anything that needs to be done there it will be done as soon as possible. They make accusations that it was poorly compacted and graded, but we had a geotech out there monitoring that so that should not be the case at all. We reached out to him and he wrote us a confirmatory letter to that effect (it is attached) if it helps. It seems they don't like how high the basin is, I guess they don't understand that it is in the lowlands of our property and where the engineers say it needs to be.

I'm not exactly sure what we can do that will make them happy, but strive hard to be a good developer and good neighbor. And I hope you all know, we definitely want to make your job and dealings with us easier and never harder. At any rate, thank you for your efforts on this and let us know if there is anything further you need in support from us.

## Buddy Goodwin

General Counsel

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--

Dan Kelly  
MPC, Deputy Director  
[\(865\) 215-3440](tel:865-215-3440) - Direct  
[\(865-215-2500\)](tel:865-215-2500)



Elizabeth Wright  
10652 Sandpiper Lane  
Knoxville, TN 37922  
Sept. 12, 2017

Knox County Metropolitan Planning Commission  
September 14, 2017 Meeting

**Agenda Item # 64 2 Year Extension for Cambridge Shores Concept Plan- Ball Homes  
9-A-17-OB [previously 10-SD-15-C]**

We do not want a 2-year extension to the existing Concept Plan for “Cambridge Shores” Subdivision. Ball Homes is following a plan that three (Rivermist, Lake Ridge and Sandpiper) neighborhoods twice opposed, then appealed (appeal comments Nov 15, 2015). The concept over-builds for the width and topography of the space, and drastically alters already steep slopes and deep, highly permeable carbonate drainage patterns that previously carried zero surface water.

The Texas head of Beaches and Shores last week answered WHY flooding in Houston was so devastating: “We need to look not just at engineering but where we are putting structures.” Knox County MPC politicians are making the same mistake even though they have the Knox County General Plan 2033 containing slope guidance (for > 15% slope). This Cambridge Shores concept plan has modified original up to 40% slopes (4 ft of rise in 10 ft distance) into 100% slopes (1 foot rise in 1 foot distance). It leaves these exposed slopes at the back property lines, Rivermist trees looming 150 feet above the fill where 3 houses are planned for each acre (less road and 2 enormous sedimentation basins).

The concept plan and housing density exposes existing neighbors and future buyers to ongoing hazards, expenses, and property value losses. Those at MPC who voted for and continue to approve this concept plan are responsible and along with Ball Homes are creating the following liabilities:

- 1) Retention Pond #2 has been built a story above and directly behind and the Moore and Emert properties. The drainage comes north through an easement in the Moore property located directly east of and above the septic system. The back of the Moore yard has become constantly wet from:
  - a. direct pipe discharges from retention basin #2,
  - b. runoff from the outside of the steep sloped walls of the retention basin that runs into the yard, and
  - c. seepage downgradient in the very permeable easement zone that Ball Homes is depending upon to move water off the development.

Better control, and reroute of water away from the Moore septic system and structures is needed. **Knox County is providing sanitary sewer to Cambridge Shores development, so why not avoid this liability and provide sanitary sewer to the Moore property, for which they are creating these problems?**

- 2) Currently, fine print reads that Ball Homes will not retain responsibility for sediment pond inspection, maintenance, and safety. **Will home owners who know nothing about this assume total liability for function, design, and potential failure of these structures?**
- 3) There is NO DRAINAGE EASEMENT for drainage from retention basin #1. The Xlques family has had ZERO water for all 10 years they have lived there and wants ZERO water. Already there has been a

huge crack a yard deep and a potential slump began as the clay dried at the surface of the lower dam.

- 4) There is no restriction for entry around retention ponds to reduce risk of children and pet drowning.
- 5) There are noticeably increased numbers of mosquitos and no bats since deforestation took place during the time bats would have been raising their young.
- 6) There are no sound barriers within the concept. Currently the shape of this narrow high walled half pipe magnifies and echos ALL SOUND between Rivermist and Sandpiper.
- 7) **Can these beepers be turned off?** For 5 months, backup beepers meant to protect pedestrians (of which there are none) are almost constant high-pitch insanely irritating invasions into our lives along with the other rumbling and scraping noise and the compaction that shakes our home, rattles our dishes, haunts our sleep and prevents any social gatherings or sometimes even conversations. We moved here for exactly the quiet and privacy that this Concept plan has permanently destroyed.