



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

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[MPC Comment] Re: Landfill Brown Mtn

1 message

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Yvonne Dunlap <ywdunlap@gmail.com>

Wed, May 9, 2018 at 9:29 PM

Reply-To: ywdunlap@gmail.com

To: commission@knoxmpc.org

On Wed, May 9, 2018, 6:27 AM Yvonne Dunlap <ywdunlap@gmail.com> wrote:

To whom it may concern,

I am opposed to the plan to build the landfill on Brown Mountain for multiple reasons including but not limited to:

- The visual and auditory disturbance outside my home and the homes of those on Brown Rd, Martin Mill Pike, Berry Road, and Rudder Road as well as other roads.
- The destruction of a naturally beautiful area.
- Dangerous construction traffic on a narrow road with many blind curves, hills, and intersections.
- Dangerous construction traffic in a neighborhood with many children.
- Disruptions of a route frequently used by road cyclists and runners in the community.
- Contamination of Knob creek through surface water run off.
- Damage to caves in the area, resulting in polluted ground water and potential sink holes.
- Destroying one of Knoxville's last wooded ridge lines.
- Potential smells and cancer causing pollution into our neighborhood.
- Attraction of an unwanted population of people looking for metals in order to resell.
- An interruption in the development of south Knoxville's urban wilderness.
- Decrease property value in our homes.

This past week there was a neighborhood meeting and the community is against this decision. Please let me know if there are any steps we can take.

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)



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

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**[MPC Comment] Landfill Location: 4-I-18-UR**

1 message

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C OHern <txgalintn@hotmail.com>

Wed, May 9, 2018 at 8:53 PM

Reply-To: txgalintn@hotmail.com

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Dear Commissioners,

This email concerns 4-I-18-UR with hopes to block the request for a landfill on Martin Mill Pike.

Last year, my husband and I bought a house in South Knoxville off of East Moody Avenue. We feel this neighborhood can be a charming community in the near future and we can't wait to invest in our small property and do what we can to improve the neighborhood.

With the threat of a landfill in such close proximity to our neighborhood, we are questioning the potential of our community becoming something great for Knoxville. A dumping ground so close to downtown, the elementary school and park is unacceptable in my opinion. I want to do what I can to see that this request is denied.

Thank you for your consideration in helping us to make South Knoxville a desirable place to live!

Chris O.

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)



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

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## [MPC Comment] Concerns for Martin Mill/connecting roads construction dump

1 message

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Bonni McDonald <bonni@theplaidaproncafe.com>

Wed, Apr 18, 2018 at 10:04 PM

Reply-To: bonni@theplaidaproncafe.com

To: commission@knoxmpc.org

To whom in may concern,

I am writing to you to express my concern with the plans for the construction dump off Martin Mill pike that will back up to Brown Rd as well as other roads in the area. I currently live two houses down from where a large portion of the dump is to be expanded to. Here are some of the reasons I strongly am against allowing this dump to be permitted:

- Traffic on a small back road that already has more traffic than it should really be used for. It has many blind curves and narrow lanes causing concern for more construction trucks on it. There are many children that live in this neighborhood and we do not need an increase of dangerous construction traffic. This road is also well traveled by cyclist and runners.
- noise. I actually work in Farragut near a very similar dump. It is VERY loud and disruptive. The one I have had experience with is much farther away than this would be to many houses. My family moved to this area to have the experience of being as much in the country as possible while still being in close proximity to town. We have a close community on Brown Rd, and I feel fairly confident saying most people enjoy living out here for many of the same reasons our family does.
- Visual. The dump I work near is a huge eye sore. This proposed site is a beautiful area, it would be a huge shame to ruin it. I often pull into my friends drive way so my son can watch the turkeys or deer in the field. Knob Creek also runs through it that more than likely be ruined.
- There are many caves in the area that could result in polluted groundwater and potential sink holes.
- Smell and pollution. Once again, one of the reasons we bought our house is because we wanted our kids growing up playing outside. I will not feel safe encouraging my children to be spending as much time as possible outside not being confident in what is being dumped less than 200 yards away.
- Decrease property values in surrounding homes. For all the reasons mentioned above!!

We have had a neighborhood meeting and the community is against it. We plan to be at the meeting on May 10th as well as taking any other steps to stop this from happening. Please consider our request to deny the permit, it would be a huge shame to ruin such a beautiful, special place. My husband and I own a small business in town and cannot live far away, but desperately wanted to raise our kids in the "country", There is not a day goes by I am not thankful for my home and this community we have moved into.

Thank you for taking the time to read over my concerns.

Bonni McDonald

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)

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## [MPC Comment] Petition 4-I-18-UR sets the scene for a tragedy

1 message

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Carmen Trammell <cjtrammell@comcast.net>  
Reply-To: cjtrammell@comcast.net  
To: commission@knoxmpc.org

Thu, May 24, 2018 at 8:35 AM

Dear MPC members,

I hope the following three pictures will stay with you as you consider petition 4-I-18-UR to allow a construction/demolition dump in a south Knoxville neighborhood:

1. This picture is the entrance to the proposed dump. You'll note the "Use on Review" sign, and the "winding road ahead" sign. The road approaching the proposed dump site in both directions is a series of blind corners and winding roads .



2. There are two elementary schools close to the proposed dump site. Mooreland Heights Elementary is 1 mile away, Bonnie Kate Elementary is 2 miles away. (Charter Doyle Park is 1 mile away as well.) Pictured below is a school bus and a dump truck meeting each other on one of the many blind curves on Martin Mill Pike near the proposed dump site on May 3, 2018.



3. On the same day -- May 3, 2018 -- in Mount Olive, New Jersey, a school bus and a dump truck collided, killing one teacher and one student, and sending 45 injured people to the hospital .



No one expects a tragedy, but we will be setting the scene for a tragedy if a constant stream of dump trucks travels the narrow , winding road to the proposed dump site alongside school buses and neighborhood traffic.

God forbid such a tragedy. MPC can prevent it .

Please decline the petition 4-I-18-UR.

Sincerely,

Carmen Trammell



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

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[MPC Comment] Dump site on Martin Mill Pike reaching down to Brown Road.

1 message

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Todd Shelton <olepopup@icloud.com>

Wed, Jun 13, 2018 at 1:03 PM

Reply-To: olepopup@icloud.com

To: mike.reynolds@knoxmpc.org

Cc: commission@knoxmpc.org

Hello Mike,

I wanted to weigh in on the permits being asked for by Blount County Exc. We live one ridge over from the Brown Road valley and have been there for 43 years. The Brown Road community is a pristine mostly middle class residential area which is spacious with rural property and creeks running through it. We cannot imagine the county allowing this space to become vulnerable to the affects of having a dump site of any sort in the water shed area and certainly not a multi source dump site.

I am amazed that the bikers and auto traffic on Martin mill have been able to tolerate this kind of truck traffic up to now. The idea of more trucks and high likelihood that wells and clean streams will be polluted by this landfill is impossible to imagine. Our community had to fight the Witherspoon land fills that should never have been allowed to exits in our neighborhood and are now Superfund sites. Surely we have learned out lessons.

Blount County Excavation Inc. had already violated several permits and should not be allowed to operate a dump in this area. Nobody should.

Thank you for your oversight in this matter. I understand that the item has been postponed until July 12. If that is incorrect then please let us know.

Sincerely,

Todd Shelton

3111 Foster Lane

Knoxville, Tenn., 37920

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)



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

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**[MPC Comment] 6121 Martin Mill Pike - UOR# 4-I-18-UR - Petition to Deny**

1 message

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**Patrick Mulligan** <patrickmulligan8@gmail.com>

Fri, Jul 6, 2018 at 2:30 PM

Reply-To: patrickmulligan8@gmail.com

To: commission@knoxmpc.org

Commissioners,

On behalf of family and the community, please accept my attached letter for consideration in opposition to the UOR review application for the subject site. We respectfully request the MPC deny the application.

We appreciate your attention.

Sincerely,

Patrick Mulligan  
6425 Owens Rd  
Knoxville, TN 37920

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)

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 **MPC petition to deny letter - UOR 4-I-18-UR - Rfinal.pdf**  
410K



June 28, 2018

Metropolitan Planning Commission  
City County Building  
400 Main Street, Suite 403  
Knoxville, Tennessee 37902

Subject: Use-On-Review Case# 4-I-18-UR  
6121 Martin Mill Pike  
Petition to Deny

Honorable Commissioners,

I write to you on behalf of my family, neighbors, area residents and community associations in proximity to the subject site in South Knoxville to assert that the current landfilling at 6121 Martin Mill Pike is an inappropriate land use for the location that represents an unnecessary environmental and safety risk to the County and local residents. We respectfully request the Commission deny the Use-On-Review (UOR) application submitted by Blount Excavating, LLC for a construction/demolition (C&D) landfill at the site. Reasons for denying the UOR application fall into three categories;

- 1) current and long-term land-use objectives and opportunities for the area,
- 2) environmental and safety considerations, and
- 3) past and current regulatory/compliance history at the site.

The facts overwhelmingly support an MPC decision to deny the UOR application. We urge the MPC to deny the application and recommend the County issue a Stop Work Order to halt all landfilling operations in accordance with Knox County Ordinance. Reasons for denying the UOR application and stopping work are summarized in order of the three above-listed categories.

#### **Land Use Considerations**

- There is currently sufficient permitted C&D landfill air space (volume) to accommodate projected C&D landfilling needs in Knox County for up to, if not over, 100 years. There is no current or foreseeable public need for a County- or State-permitted filling operation of either Tennessee Department of Environment & Conservation (TDEC)-exempt material (soil, rock, etc.) or TDEC-regulated C&D wastes.
- Commercial landfilling within one mile of the Knoxville City limit is inconsistent with current and long-term land-use planning objectives in South Knoxville where existing infrastructure and natural, cultural, and historic resources are being protected and designated for both community use and smart and fitting business development objectives.

Recent successes in land acquisition and natural/cultural resource protection in South Knoxville, combined with municipal investment, has led to a revitalized South Waterfront and South Knoxville in general and the dramatic development of interconnected, business-supporting historical, ecological, educational, and recreational facilities throughout the immediate radius of South Knoxville. These include:

- o An expanded Ijams Nature Center catering to both local and touring visitors



- Opening the Fort Dickerson and Meade quarries (with pristine water quality) to recreational use and economic development
- Suttree Park on the South Waterfront with resulting nearby retail development
- The 1200 acre Urban Wilderness with over 400 miles of walking and biking trails and waterfront access throughout South Knoxville and the resulting adjacent private business development
- Civil War Fort sites preservation on Cherokee Bluff including the development of Overlook Park
- An expanded walking trail system along Knob Creek, which borders the site, including family recreation facilities and connectedness to IC King Park
- Bicycle accessibility and interconnectedness throughout South Knoxville including along the Martin Mill Pike corridor

These developments have resulted in an Urban Ecotourism business surge in the area that has brought an unprecedented opportunity for clean, environmentally-friendly, and sustainable business development for all of Knox County and South Knoxville in particular.

The direct result of this redevelopment planning has been smart investment and entrepreneurial development throughout South Knoxville, an increasing tax base, advancing property values, and overall economic progress for South Knoxville. ***Commercial landfilling of any sort is in direct opposition to this agenda for South Knoxville, the County overall, and the City.***

- Commercial landfilling is also inconsistent with stated objectives of the John Sevier Corridor Planning process that is currently ongoing and seeks to institute land-use planning along the corridor that protects ecological, historical and rural aspects of the area. The site is located within the John Sevier Corridor.
- The property is zoned agricultural and the preponderance of adjacent properties are residential and in close proximity to recreational and education facilities. Although Martin Mill Pike is classified to allow the type of traffic the facility attracts (large dump and container trucks), the steady stream of large truck traffic causes safety concerns, noise, and defiled road conditions inconsistent with the residential, recreational and educational nature of the area. Currently, there are up to 100 trucks per day dumping at a site where bicycle, school bus and residential traffic is common on a narrow winding road servicing schools and parks within a mile of the site.
- The site does not meet MPC sighting distance requirements for ingress/egress at Martin Mill Pike without clear cutting in the 100 foot buffer zones required by Knox County Supplemental Rules.
- Blount Excavating has delayed hearing of the UOR application before MPC while they apply for Board of Zoning Appeals (BZA) variance to avoid the 100 foot buffer requirement in order to achieve sighting distance. Eliminating the buffer zone would aggravate water and air quality impacts, allow filling up to property setbacks, and add to the negative aesthetic of the facility and nearby area.
- The size and final contours of the proposed fill are not consistent with natural topographic expression in the area, which does not align with current land-use planning and smart business development objectives. The applicant intends to apply for buffer zone variance that will allow for filling up to right-of-way setbacks, further exacerbating this concern.

- The area along Martin Mill Pike where the site is located is the target of historic and ongoing illegal dumping and littering. The area has recently been the subject of an ongoing criminal dumping investigation, and roadside dumping and littering proliferates. With the increase truck traffic, littering has accelerated during the time of the landfilling at 6121 Martin Mill Pike. Research shows this kind of activity contributes to additional illegal activity, including dumping and littering.

Landfilling of any kind within a mile of the City of Knoxville is socially, economically and environmentally unsound. The site and operations plan do not meet the requirements of Knox County Ordinance Supplemental Rules for C&D landfills. Further, the operator's intent to apply to the BZA for variances of groundwater monitoring and buffer zone requirements only serves to undermine the safety and environmental protections that the Supplemental Rules are meant to institute. Landfilling at the site is especially inconsistent with current land use, development, and economic growth objectives in the area.

### **Environmental and Safety Considerations**

- Construction/demolition landfills are known for their potential risk to contaminate surface water, groundwater and air quality. Approximately 1/3 of all TDEC-permitted construction/demolition landfills have some form of groundwater contamination associated with them. One facility located in Knox County has generated odors detected by residents nearly a mile away.
- Construction/demolition landfills that have been **unregulated by TDEC** (locations where soil, rock and other "exempt" materials are dumped without controls) have historically resulted in **large-scale contaminated waste filling episodes throughout Knox County, and especially in South Knoxville**. This is because there is no qualified, documented monitoring - excavators and haulers are delegated the responsibility of screening materials for contamination, and they are notably unqualified and unmotivated to do so effectively. Three of the most notable and costly episodes include:
  - o the Coster Shop/Burnette Creek dumping event in the early 2000s that resulted in contaminated residential water supplies throughout the Burnett Creek area in South Knoxville and a decade-long legal battle and cleanup
  - o the KUB Kuwahee Wastewater Treatment Plant Upgrade episode in 1998 when excavators and haulers placed petroleum-contaminated soil in a residential neighborhood in South Knoxville, and
  - o perhaps the worst is the radiologically contaminated material placed at the Witherspoon property on Maryville Pike that resulted in a multi-decade Superfund investigation and cleanup.

This is not an exhaustive list – TDEC has responded to these concerns on many occasions. **Uncontrolled construction/demolition waste emanating from multiple remote sites with no oversight is a recipe for environmental disaster**. Episodes in the past have resulted in large-scale and expensive environmental response, lengthy legal battles, and enormous legal expenses for landowners, excavators/haulers, and the City and County.

- At least one residence and water supply well are located a mere 500 feet of the site and numerous other residences and private well supplies are located within 1000 ft of the site.
- Preliminary sampling indicates that Knob Creek, located only 500 feet downgradient of the site, has water quality consistent with TDEC recreation and fish-and-wildlife use classifications and is threatened by operations at the site.

- Hydrogeologic conditions (karst/limestone bedrock and aquifers) in the area of the site make potential groundwater impacts especially troubling, since impacts in these areas are difficult to predict and assess, and potentially impossible to clean up during current lifetimes.
- Knox County Ordinance Supplement Rule requires “Submission of an environmental assessment which will sample soils and ground water for contaminants and provide baseline information for future assessments by an independent and qualified firm”. No such assessment has been conducted or submitted.
- No groundwater monitoring is planned for the site – the Applicant intends to apply to BZA for variance to avert this requirement. The site operation plan does not meet MPC groundwater monitoring requirements required by Knox County Ordinance.
- Current operations employ no dust control. On some days air quality impacts due to dust approach sight-limiting density at the ingress/egress to the property creating both safety and nuisance issues. Currently, the tree-lined buffer catches some dust from the property, but the intended variance on buffer and tree removal will aggravate the dust migration.
- The site does not meet MPC sighting distance requirements for ingress/egress at Martin Mill Pike without BZA variance relief of the 100 foot buffer zones required by Knox County Ordinance.
- Blount Excavating has delayed hearing of the UOR application before MPC while they apply for BZA variance to avoid both the 100 foot buffer and the groundwater monitoring requirement of the Knox County Ordinance Supplemental Rule. These intentions are directly in opposition to the obvious need for buffers, monitoring and oversight of these kinds of operations.
- While the operator contends that their intent is not to apply for a TDEC Class III facility permit, the UOR approval by MPC for a “construction and demolition landfill”, even with restricting language, opens the door to the possibility of an even more environmentally-egregious Class III operation being permitted in the future, which is grossly inconsistent with environmental, land-use and business development considerations for the area. Even without a TDEC Class III permit, the unmonitored, uncontrolled dumping of exempt material from multiple unknown sites is a significant environmental threat.

Uncontrolled dumping of construction/demolition wastes, including TDEC-exempt materials (soil, rock, etc.), especially on a large scale from multiple unknown sites, is a disaster waiting to happen. Knox County history has demonstrated this fact. The history of blighted properties and municipal expense is documented. The MPC and County should not allow the possibility of this to happen at another site in South Knoxville. **BZA variances should not be granted for the purpose of averting environmental protections.**

#### **Past/Current Regulatory Considerations**

The landfilling operation has been in violation of both State and County Rules and continues to be in violation of County environmental and land use Ordinances.

- The site began operating illegally in 2015 by disturbing greater than one acre without a Construction Stormwater permit violating State and Knox County Stormwater Rules.

- Following Stormwater Rule enforcement and restitution, the site operator obtained a Construction Stormwater Permit from the County, which was insufficient at the time of release because the site was already accepting material from multiple locations across multiple Counties, which should have required a TDEC-issued Industrial Stormwater Permit.
- The County-issued Construction Stormwater Permit allowed filling up to 8 acres in area, but by the time the County requested a Use-on-Review, the site had grown to well over the permitted acreage (currently estimated at approximately 15 acres). At that point, the operation was operating illegally on three accounts: accepting materials from multiple sites, filling greater than the permitted 8 acres, and operating without the appropriate State-issued Industrial Stormwater Permit.
- Following the County's request for a UOR in March 2018, and in reckless neglect of the requirement for a TDEC-issued Industrial Stormwater Permit (because of the size of the site and filling of materials from multiple sites), the site remained in operation essentially in violation of both State and County Rules.
- The operator has received TDEC Industrial Stormwater coverage as of May 25, 2018; however the ongoing landfilling operation, without the MPC UOR approval, is in violation of Knox County Ordinance.
- The ongoing dumping at the site is in violation of County Ordinance for neglecting requirements of the Supplemental Rules including environmental assessment, soil sampling, and groundwater monitoring
- Knox County Supplemental Rule requires all plans for C&D sites to be reviewed by the Knox County Health Department and State Division of Solid Waste Management (DSWM). There is no evidence to indicate that the health department has reviewed any plans. The DSWM has neither received nor reviewed any plans for the site. The ongoing operation is in violations of these Rules.
- Dumping at the site during wet weather results in accumulations of mud and rock along the approach to the site from both directions on Martin Mill Pike in violation of Knox County Ordinance.
- Insufficient sight distance from ingress/egress make the current operation in violation of Knox County Ordinance. The operator's intent to apply for buffer zone relief as a Variance in order to achieve sighting distance is in direct opposition to the intent of the Ordinance requiring buffer.

The facility at 6121 Martin Mill Pike has been in continuous violation of one or both Knox County Ordinance, Supplemental Rules and State water quality Rules since inception. It remains so. The consistent record of non-compliance is indicative of an operator unwilling to "play by the rules". Ongoing and continued operation in violation of Knox County Ordinance constitutes a reckless and arrogant disregard for the rule of law.

The current and continued operation of the site in violation of Knox County Ordinance is an affront to Knox County government, its citizens, and the community in proximity to the site, especially given the inappropriate land use and sensitive environmental and safety concerns. The fundamental nature of the operation; without controls, oversight, and monitoring, is unsound and threatens to be yet another environmental, public safety, and legal disaster in South Knoxville. This has historically been too common, and it should not be allowed to occur now, especially when clean economic prosperity and smart, sustainable and profitable land-use opportunities are a current reality.

We respectfully request the MPC honor the laws of the County, current land-use considerations, the serious environmental and safety concerns of this facility, and the operator's flagrant deceit of the law, and deny the applicant's UOR request. We further request that the MPC urge Knox County follow its Rules and issue an immediate and permanent Stop Work Order of all landfilling of any kind at the site. We appreciate your thoughtful consideration.

Sincerely and respectfully,

A handwritten signature in blue ink that reads "Patrick Mulligan". The signature is written in a cursive style with a small downward-pointing arrow at the end of the last name.

Patrick Mulligan  
6425 Owens Road  
Knoxville, TN 37920



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

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## [MPC Comment] MMP Dump

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**Amy Brooks** <amy.brooks@knoxmpc.org>

Mon, Jul 9, 2018 at 10:17 AM

Reply-To: amy.brooks@knoxmpc.org

To: Patrick Mulligan <patrickmulligan8@gmail.com>

Cc: Mike Reynolds <mike.reynolds@knoxmpc.org>, Leila Lott <stopthemartinmilldump@gmail.com>, Carson Dailey <carson.dailey@knoxcounty.org>, Connie Mulligan <connie9658@gmail.com>, Commission <commission@knoxmpc.org>

Mr. Mulligan,

As I mentioned to you on Friday, our packets must be assembled and ready for mailing in advance of the meeting week and the revisions to this staff report that I shared with you would not be reflected until the staff planner returns (which is today). Any late submissions or changes in the staff report are prepared in advance of the Tuesday Agenda Review meeting with Commissioners. Your letter submitted to staff on Thursday, July 5th and shared with the Commission via email on July 6th will be added to the packet as well.

During our conversation on Friday I shared that you would not see the changes to the staff recommendation or the letter you submitted reflected on our website until this week.

The staff recommendation will be amended in advance of the meeting to recommend that the case be heard by the Commission on Thursday. Staff's recommendation will be to recommend denial of the use on review request due to the lack in progress in revising the plans to meet the zoning regulations or applying for the necessary variances.

Regards,

Amy

On Mon, Jul 9, 2018 at 9:43 AM, Patrick Mulligan <patrickmulligan8@gmail.com> wrote:

Hi Amy.

I was pretty certain you had told me on Friday that MPC staff was going to recommend that the case be heard on Thursday and that staff was going to recommend the UOR be denied. In fact, I believe I repeated it back to you to be certain I wasn't mistaken.

As I read the Case Summary posted on Friday, it looks like staff is going to allow another postponement. I am confused as to what to expect at this point and how to proceed with interested community. With all due respect, I feel like I have been misled.

Our group feels like we have been put off long enough while these folks continue to operate essentially against County Rules. We have lots of people who have taken time from work now for three consecutive months,. Can we demand this be heard, and is there any value to that?

Also, I submitted my letter on Friday morning to the email address on the website, but I do not see it represented in the Case Summary. Can this please be added.

Thanks,

Patrick Mulligan, 6425 Owens Road, Knoxville 37920, 865.209.8398

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Amy Brooks, AICP  
Planning Services Manager

865-215-4001 office  
865-679-9020 cell

[Quoted text hidden]





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

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## [MPC Comment] UOR-4-I-18-UR BEC Harris property

1 message

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**Carson Dailey** <Carson.Dailey@knoxcounty.org>

Mon, Jul 9, 2018 at 12:11 PM

Reply-To: carson.dailey@knoxcounty.org

To: "commission@knoxmpc.org" <commission@knoxmpc.org>

Cc: Gerald Green <gerald.green@knoxmpc.org>, Amy Brooks <amy.brooks@knoxmpc.org>

Commissioners,

Thursday July 12, Blount Excavang Compan y and James Harris item UOR-4-I-UR.

Please vote hear and deny use on review for this request.

BEC is operating illegally and taking advantage of the process. Part of the request from MPC staff is to have two variances from the BZA. Both have to do with distance from any property line. As a former BZA Commissioner 8 years service The request for any variance can not meets any of the requirements set forth by codes. The relief of 500 feet from a well for a landfill is not a valid reason to grant a variance. Mr. Harris will have use of his property but not as a landfill. BEC is using the postponement process to keep on dumping on the Harris property.

The adjoining property owners and community have been patient for the past three months and deserve the request to heard and then denied.

Thank you.

Commissioner Carson Dailey  
9th District  
[7508 Government Farm Road](#)  
[Knoxville TN 37920](#)

[865-660-0019](tel:865-660-0019)

Rules Committee Chair  
Insolvency Board Vice-Chair  
Development Corporation  
Agricultural Committee  
Finance Committee  
Cable TV Committee  
CTAS Veteran Committee  
CTAS Membership Committee  
CTAS Transportation Committee  
CTAS Government Relations

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)



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

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## [MPC Comment] Landfill on Martin Mill

1 message

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Leila Lott <leila@estatesolutionssoftn.com>

Tue, Jul 10, 2018 at 10:52 AM

Reply-To: leila@estatesolutionsoftn.com

To: commission@knoxmpc.org

Members of MPC-

Regarding: Proposed Landfill [6121 Martin Mill Pike](#) 4-I-18-UR

My name is Leila Lott and our property borders the proposed landfill in South Knoxville.

In 2004 we purchased 67 acres of serene woodland full of wildlife with a creek and multiple springs. Wildflowers, birds, fish, frogs, and other animals use this quiet land with us. This land has provided us and many others with a beautiful refuge to those in need of a calm retreat. We would like to keep our land and the surrounding land in the same healthy condition it currently possesses.

Of course, our major concerns are the contamination of Knob Creek and the many springs that border this landfill site. Two of these springs have been removed from the map that Blount Excavating submitted to MPC. These springs can easily be seen on the KGIS map that was used in their paperwork.

The dump trucks that are using this proposed landfill travel on Martin Mill Pike which is a designated bike trail. There are also two school zones using Martin Mill as well. The narrow curvy roads cannot safely accommodate these dump trucks. The constant dumping and road usage is extremely dangerous. I happened to get behind one of these dump trucks on Martin Mill and twice the truck went over into the oncoming lane.

The noise that these trucks create is disturbing and upsetting to us and our neighbors. When the trucks dump their load they bang the dump bed to remove all remaining items. It sounds like gunfire.

We know that our property values will be negatively impacted should this landfill be allowed. It seems that the reduction in property tax revenue alone would make this a bad choice for our community.

The air pollution and settling dust along Martin Mill is an eyesore and a health hazard.

South Knoxville is quickly becoming a wonderful destination with new growth, trails, parks and many other opportunities for outdoor activities. This landfill is not in harmony with the exciting direction we feel South Knoxville is striving for. There is no need for this particular landfill in South Knoxville when other landfills are available. Sincerely,

Leila Lott



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

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**[MPC Comment] STOP THE MARTIN MILL C&D LANDFILL UOR 4-1-18-UR**

1 message

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**George Lott** <george@perfectideasllc.com>

Tue, Jul 10, 2018 at 10:59 AM

Reply-To: george@perfectideasllc.com

To: commission@knoxmpc.org

Dear Honorable Commissioners,

My name is George Lott and I live with my wife Leila Lott at 1710 Brown Road and we own a 65 acre registered farm addressed at 1500 Brown Road. Our farm is adjacent to the subject property and situated due west and down hill. Knob Creek runs through the subject property and continues through our property for another 1/2 mile before it continues on through 3 other farms and several smaller residential lots before crossing Maryville Pike and emptying into Ft. Loudon at IC King Park. We purchased our property back in 2004 and have enjoyed the quiet and private use of our property as a horse and small livestock farm. We have taken much pride in maintaining a clean property that is very environmentally friendly. We use no pesticides or herbicides in order to help maintain a clean aquatic environment for the abundant aquatic life, our animals that frequently drink from it and for our children, grandchildren, and neighborhood families to play in and enjoy. It is truly our piece of heaven. When the dumping and grading started around 4 years ago, we asked our neighbor what was going on and he explained that he was filling in a low area of his property to make it more user friendly for raising his cattle. That sounded reasonable to us and we were fine with this until we became aware of their intent to make get a C&D classification and start accepting fill from multiple locations. As a licensed General Contractor I frequently go to and utilize the existing landfills in the metro area, and there is plenty of fill space available for decades to come. Additionally, as a frequent user of the landfills, I also personally witness on a regular basis, other users dumping illegal materials in the landfills with no landfill employee ever stopping them or even aware that this is happening. This type of operation should never be allowed, especially in the middle of a community that is filled with farms, children and their families living in harmony with their land. Please take a moment to put yourselves in our place and imagine having built your home to raise your family and animals and to share it with your neighbors, expecting to pass this along to your children, and then something so against the progress of the community and what it stands for to then be rammed down your throats, for the benefit of one family and a company is based outside of Knox County. Please do what is right for the benefit of the majority, and do NOT allow this illegal dumping to continue and please do NOT allow it to become legal to the degradation of the South Knox community and way of life.

Thanks,

George Lott  
**George Lott, Owner**  
Perfect Ideas, LLC



PO Box 9548  
Knoxville, TN 37940  
[george@perfectideasllc.com](mailto:george@perfectideasllc.com)  
[www.perfectideasllc.com](http://www.perfectideasllc.com)  
Office: 865-249-6321  
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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)

PETITION TO DENY  
UOR 4-I-18-UR  
C&D LANDFILL

6121 MARTIN MILL PIKE

# Petition to Deny UOR 4-I-18-UR – C&D Landfill

## **Reasons to Deny** (Letter: June 28, 2018)

- Land-Use Considerations
- Environmental and Safety Considerations
- Regulatory Compliance History

The facts overwhelmingly support UOR denial.

# Petition to Deny UOR 4-I-18-UR – C&D Landfill

## Land-Use Considerations

NO NEED! - Over 100 years of permitted C&D space

**One** mile from City Limit – inherently inappropriate

Inconsistent with....current development – Urban Redevelopment, Ecotourism – not industrial landfilling

.... current use - residential corridor – over 2 miles

.... current use - parks, schools, libraries – 1 mile

.... current planning - John Sevier Corridor Plan

Inappropriate road conditions and sighting

Proposed variances undermine Rule purpose

Final contours inconsistent with natural topography

Landfilling at this location is inconsistent with **all** current land-use, development, and economic growth objectives in South Knoxville.

# Petition to Deny UOR 4-I-18-UR – C&D Landfill

## Environmental & Safety Concerns

50% of TDEC-permitted C&Ds have GW contamination

History of illegal fills in South Knoxville – \$\$ HAZARD \$\$

Karst terrain and groundwater

Adjacent Private water supplies

Surface water (Knob Creek) condition and location

Environmental Assessment – Knox County Supplemental Rule

Groundwater Monitoring – Knox County Supplemental Rule

Other Supplemental Rules, air quality and dust

Buffers and sighting distance

Uncontrolled, unmonitored landfills are disasters waiting to happen.  
**BZA variances should not be granted for averting environmental protections.**



# Petition to Deny UOR 4-I-18-UR – C&D Landfill

## Past / Current Regulatory Compliance

Began out of compliance with Construction Stormwater Rules

Began out of compliance with Knox County Ordinance

Obtained the wrong Stormwater permit – multiple source sites

Filled beyond the capacity of Construction Stormwater Permit

Continued to fill beyond the capacity and vs Knox Rules

Finally Received Industrial Stormwater Permit May 2018

Remains in operation vs Knox County Ordinance

Continuous history of Non-compliance and illegal operation

Operation constitutes a continuous and ongoing deceit of the Knox County Rules. Operator clearly unwilling to play by the rules.

# Petition to Deny UOR 4-I-18-UR – C&D Landfill

## Deny this Request

- Land-Use Considerations
- Environmental and Safety Considerations
- **Non-Compliant Regulatory History**

Illegal and Unsound on all accounts

An affront to government and community

Stop **ALL** landfilling and stabilize site