



HARPETH RIVER WATERSHED ASSOCIATION

December 5, 2013

City of Franklin
Board of Mayor and Aldermen
Eric Stuckey, city administrator

RE: Item 13: Proposed Annexation of 400 acres of the Rogers Farm Located at 3021 Del Rio Pike by the Del Webb brand of PulteGroup for a 781 detached, single-family age restricted subdivision

Recommendation: Vote against annexation and adoption of resolution for city plan of services

Dear City of Franklin Board of Mayor and Aldermen, Eric Stuckey, and city senior staff:

The Harpeth River Watershed Association would like to submit these comments for your deliberation on the proposed large Del Webb age restricted, single family subdivision out at the Western edge of the city's urban growth boundary along Del Rio Pike. This proposed annexation of 400 acres for this dense subdivision is part of the largest remaining contiguous agricultural area on the northwestern side of the city. This area of fertile floodplain of the Harpeth and West Harpeth rivers along Del Rio Pike and Old Hillsboro Road in Williamson County was declared "A Last Chance Landscape" in 2001 by Scenic America. The designation recognized the value of this rural landscape that under threat "by development and road construction, and is one of the most endangered scenic places in America." There are significant infrastructure issues with this proposed annexation and development proposal. HRWA's comments will focus on sewage treatment capacity.

The city does not have sewage treatment capacity for Del Webb:

The city of Franklin's sewer plant is handling at and above its design capacity of 12 million gallons a day as of 2013 based on the city's monthly operating reports it submits to the state TN Department of Environment and Conservation (TDEC). According to TDEC's Compliance Evaluation Inspection letter of July 9, 2013 to the city, TDEC calculated an average 13.4 million gallons a day of treated raw sewage now handled at the sewer plant from January through May of 2013. In addition, the city has already approved nearly 7000 new homes or residences that are not yet hooked up to the sewer treatment plant. HRWA compiled the number of 6828 in unbuilt residences by reviewing the city's 2012 Development Report¹ and the approvals of new developments in 2013 through the Nov. 12, 2013 Board of Mayor and Aldermen (BOMA)

¹ <http://www.franklin.gov/Modules/ShowDocument.aspx?documentid=14720>.

meeting. A table in the city's report totals 5,454 unbuilt residences in approved subdivisions. In 2013 thus far, about another 1,374 residences were approved based on our review of the BOMA minutes in 2013. These approved, but not yet built, homes approximate another 2 million gallons a day of sewer flow based on the figures used by SSR.² This engineering firm is currently updating capacity and projected sewer needs in each sewer drainage basin for the city.

According to TDEC's July 9, 2013 letter, the city's current sewer plant is not able to operate three "oxidation ditches," which at times "reduces the treatment capacity of this facility to below the average influent flow rates." (para. 8). This limitation on treatment potential refers to the current sewer flows that are now averaging 13.4 million gallons a day when the plant is designed for 12 million gallons a day. The additional 2 million gallons for the 7000 unbuilt by approved residences will mean that the city's plant will be regularly receiving flows above its 12 million gallons a day. In these conditions violations are more likely since the plant is receiving volumes of untreated sewage above the capacity it was designed to treat as noted by TDEC. As you are fully aware, the city has funded the engineering design work by CDMSmith for expanding the sewer plant's capacity to 16 million gallons per day. This work is not yet complete nor has it been presented to BOMA or TDEC for approval. The expanded capacity will require that the city's state sewer permit be modified which will involve a new public hearing and permit approval process. In practicality, the city's current sewer processing capacity will not be increasing in the near future.

The Del Webb proposed development of 718 homes is approximately another 250,000 gallons per day of sewer. With the city's current plant now receiving sewer flows above its design capacity and the city having already approved an addition 2 million gallons a day of future sewer capacity represented by almost 7000 future approved residences, it would be prudent for BOMA not to approve a large increase in more sewer capacity, such as the Del Webb proposal, until the state as approved an expanded sewage treatment capacity for the city.

Update the West Harpeth Character Area of city's Land Use Plan to incorporate land protection priorities identified by a city working group effort in 2007:

As noted above, the area of fertile floodplains around the Harpeth and West Harpeth Rivers along Del Rio Pike and Old Hillsboro Road in Williamson County was declared "A Last Chance Landscape" in 2001 by Scenic America. This area is known as the Harpeth River Valley of which the southern area is part of the city's West Harpeth Character Area, special area 3. The vision for this area is to be "an exemplary model for the way in which new development can be accommodated while preserving open space, sensitive environmental features and historic farmsteads." The Del Webb proposal highlights that the plan is not achieving its vision.

Also, in 2007 Mayor Miller formed a task force to identify priority areas in the city's urban growth boundary to protect for their rural, historic, and scenic values. The large contiguous rural area along Del Rio pike was the top priority area proposed from this working group. It would be a worthwhile effort for the city to launch a revision to the West Harpeth Character Area

² SSR uses 350 gallons per day (gpd) for a single family residence; 250 gpd for multi-family; 0.15 gpd/sft for retail; and 0.10 gpd/sft for office. In 2013 only residential has been newly approved. A proposal to expand the Galleria Mall by 73,7000 sft is under consideration which represents 11,055 gpd of sewer flow.
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to review how the plan can achieve the vision for this significant rural and scenic area of the city's urban growth boundary.

Another important need for the city is to secure land for land application of treated sewer effluent both for current and future needs. The Harpeth is extremely limited in the summer with regard to the small amount of treated sewer effluent the city can discharge into the river. Thus, as the city designs to expand its sewer treatment capacity, a major component will be the design and management of the reuse and land application of treated effluent that can not be discharged into the Harpeth during the summer months.. Clearly there will be customersq a and use for irrigation by golf courses, but the city will need land that it can control for land application of any treated sewer effluent in addition to the reuse of treated effluent by customers.

Nothing under state law compels the city to annex land. There is also significant staff time that has to be devoted to reviewing and negotiating a plan of services for a large subdivision in a rural area of the city that needs significant infrastructure upgrades. Based on sewer capacity issues alone, HRWA recommends that BOMA vote against annexation and save valuable staff time and energy needed by the city's staff to do more research and negotiations on a plan of services for the Del Webb proposal. Please do not hesitate to contact me to discuss anything or for further information.

Sincerely,



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