



**CHEATHAM COUNTY PLANNING COMMISSION
MINUTES FOR JULY 5, 2012**

Meeting was called to order at 6:00 p.m. by Chairman Mark Jarrell.

Chairman Jarrell called the roll of members.

Members Present: Chester Hannah, John F. Werne III, James Atkins, Roger Hamiter, Mark Jarrell, Tom Cullen, Tonnie Trotter and Perry Keenan.

Members Absent: Bobby Hackett

Chairman Jarrell declared a quorum present.

Others Present: Cheatham County Attorney Alan Johnson, Cheatham County Building Department Director Chris Atkins, June Nicholson, Erma Weakley, Vivian Milom, Carolyn Sue Jones, Kenneth Golden, Houston Barlar, Joseph F. Tedescucci, An Peischel, Sonya Moseley Anderson, G. Howard Anderson, Larry Shearon, Georgia Shearon, Thomas "Ty" Owen III, Valerie Drier, Linda Tilghman, Perry Tilghman, Mildred Rust, Clyde Boggus, Patt Boggus, Edward Wansing, Carly Wansing, Scott Thorpe, Christine Thorpe, Jim Thorpe, Diane Sanders, David Hyde, Marty Stroud, Mattie Stroud and Velma Mosely.

Approval of Minutes and Agenda:

***Motion made by Mr. Cullen to approve the Minutes for the June 7, 2012 meeting as presented and circulated; second by Mr. Keenan. Roll Call vote taken; Voting Yes – Chester Hannah, John F. Werne III, James Atkins, Roger Hamiter, Mark Jarrell, Tom Cullen, Tonnie Trotter and Perry Keenan; Voting No – None; Absent – Bobby Hackett; Motion Passed – Minutes for the June 7, 2012 meeting approved as presented and circulated.**

***Motion made by Mr. Keenan to approve the Agenda for this Meeting as Advertised except to add allowing Ms. June Nicholson to address the Members later in this meeting under Other Business; second by Member Atkins. Roll Call vote taken; Voting Yes – Roger Hamiter, Chester Hannah, Tom Cullen, Mark Jarrell, John F. Werne III, Tonnie Trotter, James Atkins and Perry Keenan; Voting No – None; Absent – Bobby Hackett.**

Agenda Item To Be Heard:

1. Mr. Edward & Mrs. Carly Wansing, requesting a Site Plan Approval to show cause for the Cheatham County Planning Commission to not revoke the Site Plan previously approved. Property is located on Hwy. 12, Ashland City, TN; Map 17, Parcel 41 and consists of 36.52 acres in Agriculture zoning. Property is in the 4th voting district and is not in a flood area.

Note: This will serve as public notice to all adjoining property owners of the above request:

Item (1) – James & Mary Chandler, Miles Jay Lindsey Trustee, Kenneth Golden, Harold & Peggy Justice, Fred & Rosemary Tedescucci, Perry and Linda Tilghman, Diane Langley

ITEM #1: Chairman Jarrell explained to the audience the rules for the Public Forum section of the meeting. He stated that each person could speak only once, be limited to 2 minutes each and address this board and not cross-examine others who have spoken or are speaking. Chairman Jarrell opened Public Forum at 6:05 p.m.. Mr. Scott Thorpe, partner with the applicant spoke. He summarized the timeline of their approval of the site plan originally and receiving their approval from TDEC to operate the compost business. He stated that they had been operating for about three months when the smell got admittedly bad and some neighbors started complaining to the local officials and TDEC. He stated that since that time they had implemented measures that significantly decreased the smell and that there has been little smell over the past few weeks since then. He stated that they had recently started using Quiksoil, a compost additive, to trap the odor causing microbes and which allows the composting process to be productive while only turning the windrows every few weeks instead of once or twice a week. He also said that they have been placing processed compost on top of newer windrows to filter the smell as well. He also said they plan to construct a concrete pit to more organize the material and further control any smells. He summarized by saying that these events have helped them develop and understand better the causes of smells and to better control them going forward. Ms. Shelly Gupton, 4063 Hwy. 12 North, spoke. She said she lives 3 miles from the compost site. She said she has called the building office to complain several times. She said there's a couple of days it can be smelled and a couple of days it can't. She was against it. Vivian Milom, 2091 Mosely Ferry Road, spoke. She said she lives about 1 mile from the compost site. She said she drives back and forth past the compost site all the time and has never smelled it. She said that the smell of the mulch around the Bethel Baptist Church smelled far worse. She said it is an agricultural area and you expect smells like manure and such. She was for it. Marty Stroud, 2505 Hwy. 12 North, spoke. He said he lives about a quarter mile from it and stated it was a stench. He said they couldn't stay outside in the mornings from the smell. Diane Sanders, 2870 Mosely Ferry Road, spoke. She said she has a parcel next to the compost facility. She said she is upset that the putrid odor is there. She said she is concerned about salmonella and sulfur hydroxide from the compost site. She said the only thing green about this business is the greenbacks that they are making. She is against it. Sonya Mosley Anderson, 3518 Hwy. 12 North, spoke. She lives almost right across the road from the compost site. She said she has her property for sale, but that has nothing to do with the compost business. She said she is not concerned about her property values being decreased, believes Mr. Wansing is going over and beyond what he has to do and she only smelled it the once 2-3 months back. She is for it. Ted Tedescucci, 1073 Bethel Road, spoke. He said he is very concerned about the harm that this business can do to the community. He is against it. Clyde Boggus, 3516 Hwy. 12 North, spoke. He said he lives about a quarter mile south of the site. He said that he has not smelled it since it was really bad several weeks ago. He said that he has

been by several times since then and it is significantly better. He said our society throws too much away and needs to compost more. He is for it. Dana Mosley, 3520 Hwy. 12 North, spoke. She said she lives a quarter mile away. She said she has two kids and can still smell it. She said she has never been contacted by anyone about this business. Pam Dabbs, 125 Bethel Road, spoke. She said she works at a convenience store. She said she works early in the morning or late at night. She said she smells it between 12 midnight and 3 a.m.. She said it takes your breath away. She says something needs to be done about it. James Jenkins, 1140 Herb Harris Road, spoke. He said he doesn't live in the Bethel community, but in the Sweethome Road community. He said he can smell it coming back and forth through the area. He said we all need to worry about each other's areas and we don't need a dump. He is against it. Ms. Evelyn Mosely, 1015 Ranch Road, spoke. She said it does not smell now, but believes that it is not being actively operated now and is afraid that when the smoke blows over so to speak it will start up again and smell again. She is against it. David Hyde, 2330 Mosely Ferry Road, spoke. He said it does not smell like mulch, it smells like a landfill. He said he lives a few doors down from Bethel Baptist Church. He is against it. Ann Peishel, 299 Jones Lane, spoke. She said she lives 1.3 miles away from the compost site. She said she is an organic farmer. She says she gets up early and has never smelled the compost business. She is in favor of the business. Mattie Stroud, 3505 Hwy. 12 North, spoke. She said she lives a quarter mile away from the site. She said that when she first smelled it, she thought a horse or animal had died. She said she wonders if her water smelling has anything to do with the compost site. She is against it. Mrs. Wansing, applicant, spoke about all they have done and gone through with the business and how they plan to work with the community. She said she washes Mr. Wansing's clothes every day and she doesn't smell the compost on them. She is for it. Houston Barlar, 100 Eisenhower Drive, spoke. He said he lives next door to Mr. and Mrs. Wansing. He said he has visited the site five times and did not find anything offensive about the odor at all. He said it smelled of tobacco if anything. He said he knows Mr. Wansing and believes him to do the right thing. He is for it. Mr. and Mrs. Tilghman, 3702 Hwy. 12 North, spoke against it. They handed out information to the members and a copy is in the meeting file. Ty Owen, 825 Crockett Road, spoke neither for or against the business. He said his kids have helped Mr. Wansing with his business and he has loaned equipment to Mr. Wansing. He said he hasn't smelled anything, but is neither for or against it. He did say that if this county wants to be open for business, it needs to be open for business and we should give him a chance. Donnie Jordan, 4th district Cheatham County Commissioner, spoke informationally. He said the compost business received site plan approval and began operation. He continued by saying about 3 months into its operation, the smell got severely bad. He said he and the other county commissioner, Walter Weakley, started getting calls every day against the compost business. He said he and Walter would refer the calls to Building Director Atkins' office and he followed up on them. He said they had a meeting with Mr. Wansing and Building Director Atkins determined that he would come back before this body to see if he needed to be shut down. At that point, he said he and Walter started getting calls from people in favor of the business; in fact, some calls were by those against it at first who were now for it and vice versa. He said that it being back before this body

allows it to be vetted again and makes sure things get cleared up. **Motion was made to close the Public Forum and have a five minute recess by Mr. Keenan; second by Ms. Trotter. Roll Call Vote taken. Voting Yes – Roger Hamiter, Tom Cullen, Mark Jarrell, John F. Werne III, James Atkins, Tonnie Trotter and Perry Keenan; Voting No – Chester Hannah; Absent – Bobby Hackett. Motion Passed – Public Forum closed at 7:18 p.m.**

Meeting called back to order at 7:25 p.m. by Chairman Jarrell. Chairman Jarrell read the item into the record. Mr. Ed Wansing, applicant, presented his map depicting those area property owners who are in favor of his compost business and their signatures. Chairman Jarrell asked Mr. Wansing to speak. He stated how many signs he put up prior to the original hearing for this item. He explained that this property had been for sale for some time before he bought it. He said that the property next door sold about 4 months after he got his original site plan approval. He explained where the different property owners are located on the map who signed his petition. He explained that he tried to talk to the property owners who are most vocally against his business, but for one reason or another he said some wouldn't talk to him. He said that one of Mr. Tilghman's renters told him he couldn't smell anything. He said he believes some are afraid to say anything positive because of what others will think. He stated that he is now using an additive called Quiksoil 2600 to trap the odor-causing microbes. He said putting composting material on the ground is no different than apples falling from apple trees on the ground. He said that he wants to do a good service to the community and the environment. Concerning the accusation of his lack of experience, he said he had no experience running a compost site before this, but many others have started businesses without experience in other fields and they have learned a lot in this process. He said that he has many contacts in the industry, engineering professionals and TDEC who have helped him get the odor under control and will continue to do so and improve his process. Mr. Wansing bantered about accusations about Mr. Tilghman's rental property across the highway from the compost site. Chairman Jarrell instructed Mr. Wansing to stick to the facts of the item. Mr. Wansing said that there has been many false accusations about his business. He said that is has not nor will take waste from 52 Wal-Marts. He said that his business has never stopped operating. He said that there is 5 times more product out there now than when the odor issues started. He said that trucks have still been coming. He stated further that he is glad that his opponents have not smelled anything lately because that means he is getting the odor under control since he has never stopped operation of the business. He explained that by using the Quiksoil 2600, he no longer has to turn the windrows 2-3 times a week, but only once every 8 weeks and add water as needed. Chairman Jarrell asked about further acts in the compost process now. Mr. Wansing responded that they continue to monitor the windrow over the next four weeks for temperature and water content. He said that the longer it sits, the better product it produces. He stated that once a compost windrow reaches ambient air temperature, it is considered processed compost. He said that it isn't raw produce or rotten meat. He stated the process of rotting does not produce compost. He said that this isn't a dump; it is a regulated compost facility. He said that as for the statement by someone that their drinking water stinks, this site cannot have an effect

on the public water system, but it is caused by low water levels at the water supply due to the current drought. He said that the compost does not get into the ground water due to use of a ground terrace system. He stated that his composting process is now set up to minimize the smells in accordance with the original deliberations at the original site plan approval. Mr. Wansing summarized the population demographics of the area. Mr. Werne stated he went out to the site with some other members about 2 weeks ago and noticed no smells or birds there at that time. He also stated that he went by the site this evening leading up to the meeting and noticed that there appeared to be twice as much material on-site now as there was 2 weeks ago; indicating to him that Mr. Wansing has not ceased operation leading up to this meeting as was asserted by some in the audience. He further stated that the only smell he smelled from the entrance gate earlier this evening was the mint smell from the tobacco waste being used. Mr. Wansing said that the tobacco waste helps control the smell. Mr. Wansing summarized the current composting process with the use of the Quiksoil 2600 again. Mr. Wansing said the Bobby Hackett came out earlier that day and didn't smell anything. Chairman Jarrell asked if it was true that he had a problem with the direction of the windrows catching water. Mr. Wansing responded that he had some windrows turned wrong at first and they were trapping stormwater. He stated that he has since turned all of the windrows parallel to the direction of stormwater flow to no longer trap stormwater and create smells. Mr. Cullen asked about the waste from the chicken festival in Nashville recently; are there any chicken bones in the compost material from that? Mr. Wansing said yes there was and would be, but they maintain a temperature in the windrows of anywhere from 145 to 170 degree that is more than sufficient to kill any pathogens. Ms. Trotter asked how often TDEC inspects the site. Mr. Wansing responded that they inspect quarterly, but also when they receive complaints. He stated that he has not been fined so far, just put on notice to address the problems. Mr. Wansing provided TDEC inspection reports which indicate that the violations that he had have been addressed so far. Mr. Hamiter stated that so we are to assume that you are in compliance with TDEC requirements now. Mr. Cullen asked if there was a reason that the neighbors would smell the compost at night. Mr. Wansing stated that the only reason he can think of would be that when the air cools at night, it might drop a smell to the lowest affected elevation. Mr. Hannah asked Mr. Wansing if he feels he has the smell under control. Mr. Wansing responded that he does and he doesn't want to let it come back because then he will be going through this all over again. He explained that the Quiksoil 2600 maximizes the number of different types of microbes so that all different types of waste are processed at the same time and minimizes the turning of the windrows. Mr. Cullen stated that it appears this has been an educational process for Mr. Wansing and has learned what works. Mr. Wansing stated that TDEC has the regulatory authority to fine him and the new process produces a better product. Mr. Hamiter stated he has talked to Mr. Wansing and visited impromptu during a rainstorm and smelled nothing. Member Atkins stated that he has visited the site several times over the past few months and, although he smelled it when it got out of control several weeks ago, he hasn't smelled it since except for a tobacco smell recently. Mr. Keenan concurred with Member Atkins on the tobacco smell. Mr. Werne asked Building Director Atkins if he had smelled anything lately. Building Director Atkins stated that he had received two calls over the past week; one just said it

smelled and the other asked what he was supposed to be smelling. Mr. Werne asked Building Director Atkins if he had received any complaint calls about the county's solid waste convenience center in the Neptune area. Building Director Atkins said no. Mr. Atkins stated that we don't need to be telling TDEC how to do their job. Mr. Hamiter agreed and wondered if there were any other businesses we were taking such actions against. Building Director Atkins said no. Mr. Wansing stated that TDEC has shut facilities down and would his if he got repeated violations over time. Mr. Keenan asked Mr. Wansing what he thought caused the severe smell in the first place. Mr. Wansing responded that he believed it to be some waste that contained grease from a grease trap he received by accident and some of the waste contained lime in it already that killed some of the productive microbes and left a smell; both problems he stated he has corrected. Mr. Keenan asked County Attorney Alan Johnson if the smell came back, what would happen. Mr. Johnson stated that Building Director Atkins would issue a Cease and Desist Order and Mr. Wansing would be right back here. ****Motion** made by Mr. Werne to allow the site plan approval to remain in effect under the condition that the applicant present all TDEC reports within 10 days of each TDEC inspection having taken place and the Building Director to present to the Planning Commission any violations found by TDEC; second by Ms. Trotter; Roll Call vote called for; Voting Yes – Chester Hannah, John F. Werne III, James Atkins, Roger Hamiter, Mark Jarrell, Tom Cullen, Tonnie Trotter and Perry Keenan; Voting No – None; Absent – Bobby Hackett; Motion Passed – Site Plan approval remains in effect as conditioned.**

Other Business: Ms. June Nicholson spoke about encroachment and nuisance issues she has with the Pleasant View Feed Mill next door to her home within the Town of Pleasant View. It was determined that the Town of Pleasant View has jurisdiction and not this body. She was encouraged to go to them for relief.

Having no further business, ****motion** was made to adjourn this meeting by Mr. Keenan; second by Mr. Hamiter. Voice vote carried unanimously by all present.

**JAMES ATKINS – SECRETARY
CHEATHAM COUNTY PLANNING COMMISSION**