



The Town of Coopertown  
5153 Burgess Gower Rd.  
Coopertown, TN 37172  
(615) 382-4470

**PLANNING COMMISSION  
REGULAR MEETING  
Monday, April 20, 2026  
6:00 P.M.**

## Meeting Minutes

### **I. Call to Order**

The meeting was called to order at 6:00 p.m. by Chairman Shane Gordon.

### **II. Pledge of Allegiance**

### **III. Roll Call**

Secretary Brian Rettaliata called roll.

Members present:

Justin Bahorik  
Shane Gordon, Chairman  
Tim Mason, Alderman  
Brian Rettaliata, Secretary  
Jeff Smith, Mayor

Members Absent:

Caleb Johnson  
Peggy Ruth

Also present:

Vicky Bumgardner, Building Commissioner  
Brian Halma, GNRC Sr. Planning Consultant  
Noel Amell, Consulting Engineer

### **IV. Public Forum**

### **V. Approve Minutes from meeting on March 16, 2026**

Justin Bahorik motioned to approve the minutes from March 16, 2026  
Tim Mason seconded the motion.

Brian Rettaliata called roll:

Mayor Smith	YES
Shane Gordon	YES
Justin Bahorik	YES
Tim Mason	YES
Brian Rettaliata	YES

The motion passed unanimously.

**VI. Status of Letter(s) of Credit/Surety Instruments**

Derby Meadows Phase 1A maintenance surety & Phase 1B and 2A sureties in place.

**VII. New Business**

**1. Millard & Deborah Tilley of 1344 Old Clarksville Pk – Rezone request for 4421 Washington Rd., Map 121, Parcel 176.00, containing 4.34 acres, from Agricultural (A) to Rural Residential (RA)**

Brian Halma shared staff comments.

The property owner indicated they plan to build a house on this lot. According to the owner, years ago there was a house there so there’s already a septic system. The house on the front lot will remain.

Brian Rettaliata made a motion to recommend the rezone to the Board of Mayor and Aldermen. Shane Gordon seconded the motion.

Brian Rettaliata called roll:

Mayor Smith	YES
Shane Gordon	YES
Justin Bahorik	YES
Tim Mason	YES
Brian Rettaliata	YES

The motion passed unanimously.

**2. Aws Ahmed, SEC Inc. on behalf of RaceTrac - set bond amount for Joe Dowlen Road realignment**

*Applicant deferred until the May meeting.*

**3. William & Lisa Moffitt – Final Plat application for 1755 Errel Dowlen Rd., Colonial Acres Map 128, Parcel 176.00 and Map 136A, Parcel 009.00 & 010.00, Zoned Rural Residential (RA), 5.00 acres**

Brian Halma shared staff comments. There are currently no structures on property. Add owner phone number and email, clarify setbacks, show nearest fire hydrant, culverts and engineer to sign. The owner’s daughter plans to build a house on the property.

Tim Mason motioned to approve with corrections per staff comments. Justin Bahorik seconded the motion.

Brian Rettaliata called roll:

Justin Bahorik	YES
Brian Rettaliata	YES
Shane Gordon	YES
Mayor Smith	YES
Tim Mason	YES

The motion passed unanimously.

**4. MDI Construction Inc. – Final Plat Request to subdivide Lot 9 of The Farms at Barrel Run, Map 121, Parcel 270.09, 5.17 acres zoned Rural Residential (RA), into two buildable lots**

Brain Halma shared staff comments. The lots are sloped more than 25 degrees which means they are deemed critical lots, but MDI’s surveyor shows a 30 ft. buffer which is acceptable, too. The Planning Commission will need to approve the second driveway access off Old Coopertown Road; access off the original lot is permissible but not the second lot.

Brian Rettaliata addressed Mr. Crawley, asking what his intentions are for the lots? He stated he wants to subdivide the lot into two sellable lots for two homes.

Tim Mason made a motion to approve with the condition that all staff comments are addressed. And allow for a driveway on the second lot.

Brian Rettaliata seconded the motion.

Brian Rettaliata called roll:

Brian Rettaliata	YES
Justin Bahorik	YES
Shane Gordon	YES
Tim Mason	YES
Mayor Smith	YES

The motion passed unanimously.

**5. Amend Subdivision Regulations Sections 3-103.1 General, 3-103.2 Amount of Surety, and 3-104.5 Maintenance of Improvements to clarify requirements of the warranty period**

Noel Amell presented the proposed amendments. The 30-day public comment period begins.

**6. Amend PC Fee Schedule based on Tennessee Chapter No. 140, justification of development fees**

Vicky Bumgardner stated the State passed Tennessee Chapter no. 140 which requires all municipalities justify those development fees that exceed \$250; the deadline is July 1. Engineer’s fees are excluded.

Justin Bahorik made a motion to recommend to the Board of Mayor and Aldermen.

Tim Mason seconded the motion.

Brian Rettaliata called roll:

Mayor Smith	YES
Tim Mason	YES
Justin Bahorik	YES
Shane Gordon	YES
Brian Rettaliata	YES

The motion passed unanimously.

**7. Discuss amendments to Zoning Ordinance, Section 4.080, Standards for Signs, Billboards, and Other Advertising Structures**

Members discussed some of the current language. The goal will be to clarify, simplify and consider allowing for home occupation signage. Members will review examples shared by Brian Halma and email their top three picks to Vicky. A draft will be prepared for the May meeting.

**VIII. Old Business**

**1. Discuss future residential development vs. commercial/industrial development; require HOA to cover new streets, stormwater, etc.**

Discussion occurred regarding the pros and cons. Mayor Smith said to table further discussion for now.

**2. EMERGENCY ITEM ADDED TO AGENDA - Waive the requirement in Subdivision Regulations Section 3-104.3 which states 75% of the homes shall be constructed before the final topcoat is placed.**

Noel Amell stated that on April 14<sup>th</sup>, a Delve Underground inspector was on site in Phase 2A Derby Meadows. The inspector witnessed the subcontractor, Scotty's Paving, placing the asphalt binder course directly on the aggregate base without the application of the prime coat. The affected area is a cul-de-sac street, Wild Fern Court, measuring approximately 200 feet in length and having 18 lots. Due to the omitted prime coat, deferring placement of the surface course in this instance would increase—not reduce—the Town's long-term pavement risk. Prompt placement of the surface course provides engineering benefits:

- Sealing the pavement structure - The surface course will seal the binder course and reduce direct exposure to moisture and precipitation.
- Improved drainage control - A completed surface course will allow runoff to be directed into the curb and gutter system, minimizing infiltration at the roadway surface.
- Mitigation of moisture-related pavement risk - While the surface course does not replace the function of a prime coat, it materially reduces the likelihood of water migrating into the aggregate base, which is the primary long-term performance concern associated with the omission.
- Extended Roadway Maintenance Warranty – Scotty's Paving has agreed to provide an extended maintenance warranty for the Phase 2A roadway. The extended warranty provides additional protection to the Town and allows time for any pavement distress related to the omitted prime coat to manifest and be addressed. The duration of warranty is currently being negotiated between the Town and Scotty's Paving.

Strict adherence to Section 3-104.3 in this case would delay surface course placement, leaving the binder course exposed during continued development activities and increasing the potential for moisture intrusion and premature deterioration of the aggregate base. These measures, combined with early placement of the surface course, provide a reasonable and defensible approach to mitigating the long-term risks associated with the construction deviation.

Noel wrapped up by saying that this waiver is limited in scope, justified by documented construction conditions, and is no way intended to establish precedent for future developments.

Mayor Smith suggested there be a 6-year warranty period put in place for this street.

Tim Mason motioned to approve the contractor getting a 6-year warranty with Scotty's. Justin Bahorik seconded the motion.

Members approved unanimously by acclamation.

**IX. Comments from Members**

**X. Adjournment**

Shane Gordon made a motion to adjourn.  
Tim Mason seconded the motion.

All in favor signified by saying, "Aye".

The meeting adjourned at 7:25 p.m.

**Original notes generated by Kelly Bohn, City Clerk**

These minutes are respectfully submitted by:

  
Chairman

5-18-2026  
Date