



**SALINE COUNTY PLANNING BOARD
MINUTES OCTOBER 11, 2018**

**Meeting Called to Order at the SALINE COUNTY COURTHOUSE, COURTROOM #1
AT 5:30 P.M.**

ROLL CALL:

Layne Penfield

Eric Krebs

Matt Nalley

Kevin Barham

Sherry Spann

Justin McCauley

NON-VOTING:

- Audrey Villegas, Planning Board Correspondent
- JR Walters-Quorum Court
- Renee Richards-Addressing Coordinator
- John Wofford-Engineer
- Clay Ford-County Attorney

PRESENTATION OF MINUTES: September 13, 2018; Motion to approve by Justin, second by Sherry and approved by all

OLD BUSINESS

• **Timber View Estates, Minor Final**

-Jonathan Hope

Jonathan Hope is here to present the plat. This plat was tabled last month due to questions about the lot being in a subdivision. There is no filed plat showing these lots are in a subdivision in the County; these lots were sold as tracts as metes and bounds descriptions. Mr. Green has worked with the surrounding neighbors to ensure their concerns are addressed and have come to a middle ground. Mr. Hope presented revised plats that have a buffer zone of where trees will not be cut on the property on the west, south and north/south property lines. The pipe stem for Tract 3 does not meet the distance of the width ratio that is necessary for tract 3 and Matt could not vote in favor of the development with that. Jonathan felt with the footage that the pipe stem was plenty wide enough for the area to serve as a private driveway. Going by the calculation the most generous formula, the pipe stem would need to be at minimum fifty-one (51) foot wide to pass the formula. Jonathan argued it seemed like a waste for the middle lot to narrow it for the formula and that is why they would like to keep it at thirty (30) foot wide. Matt would not vote for this at the time due to not meeting the formula. Chairman Penfield asked if the owner would be able to grant that additional twenty (20) foot so it would pass the formula, Jonathan stated they could it is just a matter of it isn't doing a lot of benefit other than being on paper. Mr. Weaver was here to state that they are dropping their opposition to the lot split as they were more knowledgeable about what their restrictions say and are capable of upholding and they may come back to the Board with some stronger restrictions for all of the lots at some point. He thanked the Board for their

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knowledge and patience in the matter. Eric was looking to see how much the twenty (20) foot adjustment would take off of Tract 1, Matt asked if there was a particular reason behind the configuration of the lot line between Tract 1 and 2. Mr. Green stated there was no particular reason, Matt asked the owner if he would be open to taking ten and a half (10.5) feet from Tract 1 and Tract 2 so the pipe stem could be in compliance and Mr. Green stated that would be doable. Mr. Childers asked if the deed restrictions that applied to the current lots would apply to the new tracts, Mr. Green stated he would make the deed restrictions they currently have follow with the new tracts. Eric asked Jonathan if they had a Bill of Assurance for this subdivision and Jonathan stated they do not, but they will do one with those deed restrictions; they will need a Bill of Assurance to go with the Final Plat. Matt made a motion to approve contingent upon a midline and north line adjustment on Tract 1 and 2 of ten and a half (10.5) feet to give an additional twenty-one (21) feet to Tract 3 to meet the pipe stem formula requirement and a Bill of Assurance is provided for the plat, second by Eric and approved by all.

NEW BUSINESS

- **Kentucky Hills Ph. 2, Final** **-Aaron Rasburry**
Aaron Rasburry is here to present the plat. John has reviewed and it is a good plat, there is some dress up work to be done around the roads that Aaron is aware of, but no need to hold up approval. Matt asked if the roads were in good shape and John said they were. Eric asked if Tract 15 would be considered a pipe stem and meet our formula, John did not consider it a pipe stem. They are working on final approval from Health Department, with weather delays on the road construction they were not able to present final approval from the Health Department just yet. They are asking for final plat approval with the contingent that Health Department approval is granted. Matt wanted to make note about the turnaround we had addressed in a prior meeting that if the fire department for the district has no objections to the layout then the Board is good with it. Motion to approve by Justin, second by Matt and approved by all.
- **Crystal Lake Lots 19 & 20, Replat** **-Donnie Holland**
No one was present to present the plat. There is a neighbor here that received the certified letter, but did not understand what was being done or why they were there. It was explained that this replat appeared to be moving the lot line between lots 19 and 20 and then also consolidating lots 20 and 21 to be one lot (20R). The reason the notice was sent out is because it is a requirement that all lot owners of the phase be notified on replats. John has sent comments to Donnie to be addressed and Matt wanted Donnie to re-evaluate the thirty (30) foot building setback line on the front of the property since the house encroaches on that line and see if they cannot re-evaluate that to a twenty-five (25) foot setback so it would clear title. Motion to table by Justin, second by Sherry and approved by all.
- **Westcliffe Ph. 1 Lot 27, Replat** **-Donnie Holland**
No one was present to present the plat. Matt's comment was he would like to see Donnie take the north building setback line to a thirty(30) foot setback line so it will

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accommodate the existing residence. Motion to table by Justin, second by Sherry and approved by all.

- **Meadowlarke Estates, Benton ETJ**

-Michael Bolin

Clay announced to the audience that this development is before the County Planning Board, but that the development will ultimately be approved by the City of Benton. He explained that the development is within the City of Benton Extra Territorial Jurisdiction meaning they still have jurisdiction over planning and zoning one mile beyond their city limits and this is within the one mile. The County is interested in the roads and streets and the Board welcomes any comments from the audience to send to the City of Benton, but they will not be approving the development itself. Michael Bolin is here to present the plat. They are proposing eleven (11) lots on fifteen (15) acres. It was presented to the City of Benton originally with a lot more lots with intentions of annexing and it created an uproar in the neighborhood, so they are going with the proposed eleven lots instead. Matt asked Michael on McGee Road it appears the asphalt is really close to the right of way and he asked if he established the right of way for the lots based on the centerline of the pavement or some other method. Mr. Bolin stated the surveyor did that and he believes he did it based on the centerline of the right of way. Matt stated it appears they used the section line as the center line and that section line appears to be off the pavement on the east side, Matt would suggest for a sixty (60) foot corridor from the center line of the pavement for the lots. John stated we need to discuss the half road improvement on McGee Road and the County feels the whole east side of the development will need half road improvements and the owners are agreeable to that. Mr. Bolin asked if the half road improvements would be done by the County road department with the owners contributing to the funds or by the owners contractor? John stated the contractor may do subgrade and ditch type work and the county comes in and they pay for half of the overlay is a possibility. Chairman Penfield asked if any of the audience members wanted to voice any concerns or comments. Mr. Dale Larue stated there is already more traffic due to the Winds of Osage development and that McGee Road could not handle any more traffic. He already has problems getting onto McGee Road from his property and he believes McGee Road needs to be addressed before there is any further developments approved for the road. Mr. Eddie Black, stated the reality is that they are being surrounded by developments and they know development is coming and considering the alternatives they believe this is a better option. McGee Road is an issue and it has the charm of a county road, work does need to be done and he has already spoken with the County Judge and Road Superintendent about the current state of McGee and the shoulders. Believes there are improvements that need to be made, but hopes the charm of the road will stay. He asked about the half road improvements and it was clarified that those improvements will only be made along the proposed development and only on that side of the street. Mr. John Beck has concern about widening the road and taking peoples land or what will happen. John stated that the Road Department has looked at the road, but there are no plans to improve it as of right now knowing that the improvements and right of way would be an issue so they have not tackled that issue as of yet. Josh Robertson, he is a supporter of this but is very concerned about McGee Road and he will have kids driving on that road. He is for the neighborhood but something has

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to be done to McGee Road is not an option it is what is the County going to do. It is a dangerous road as it is and he does not see that getting any better. These comments will be passed along to the City of Benton and no voting will be done on this development. John asked if there should be a bigger setback along lots that front McGee Road, but he stated if the thirty (30) foot right of way off the centerline is given and with the twenty-five (25) foot setback Matt feels that would be sufficient.

OPEN DISCUSSION

- Scott Gosset who lives at 6300 Hussey Lane, a couple has moved in next to him. He has a well and a pond on his property, the couple has put a house trailer ninety-two (92) feet from his well and the couple has lived there twenty-seven (27) days without septic. He has contacted the Health Department, ADEQ, the County and his Justice of the Peace with no recourse of fixing the issue. He cannot get anyone to do any type of enforcement to ensure their waste is being properly disposed of. Matt asked if he smelled odor or anything coming from the property. Matt said it has been his experience with the Health Department that if there has been actual waste on top of the ground or malfunctioning system that you can get photographs of that will get things moving, but other than that it will not be a fast moving process. John asked what ADEQ said and they told him to call the Health Department and if any waste is flowing off of their property in to public waters then that is breaking the law and ADEQ should be taking care of the issue. They do not have water service, they are hauling water in. Clay stated that the County has no regulations to enforce this, but the Health Department should and Clay said he did not mind calling them and trying to help him push this issue forward. Usually this type of issue is caught when getting water service. Clay took down his information to help assist and follow-up with him.

MEETING ADJOURNMENT

- Justin made a motion to adjourn, second by Sherry and approved by all. Adjourn 6:15 pm.