**SALINE COUNTY PLANNING BOARD**

**MINUTES July 8, 2021**

##### **Meeting Called to Order at the SALINE COUNTY COURTHOUSE, COURTROOM #3 AT 5:30 P.M.**

## ROLL CALL:

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| Layne Penfield | Present | Eric Krebs | Not Present |
| Sherry Spann | Not Present | Justin McCauley | Not Present |
| Kevin Barham | Present | Randy Ives | Present |
| Matt Nalley | Present | **Kylie Parker** | Not Present |

**NON-VOTING:**

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| **Cayce Landers** | Not Present | **Will Gruber** | Present |
| **John Wofford** | Present | **Judge Jeff Arey** | Not Present |
| **JR Walters** | Present | **Karla Ramsey** | Present |

**PRESENTATION OF MINUTES: Motion to approve by Kevin, second by Matt and approved by all.**

**OLD BUSINESS: Mr. Styles asked to discuss plots from last month’s discussion regarding development on Styles Road. He stated that after obtaining a plat done by Rasburry, the one from Hope regarding Lydia’s place was incorrect. He asked that the Planning Board take that into consideration. Matt explained that the area he was concerned about, was in the right of way in the county’s point of view would be a dispute between property owners. Mr. Styles said he would hope that if we were given a plat that was incorrect, that we would not accept it or approve it. I am asking that you not approve the Preliminary when it is brought back in next month because there is difference on the plat from Rasburry verses Hope Engineer. Matt asked MR. Styles if he planned to take action against Hope, Mr. Styles advised he would not have to if they would not approve the plat when it is brought back in until they get the property line correct. Aaron spoke up and stated that his survey is his own professional opinion and some times there are differences. This does not fall in the board’s job. Matt explained, that it is not the Board’s job to settle a dispute regarding property lines. Mr. Styles says they can submit incorrect information, at that time Matt asked how do you know which is correct? Mr. Styles stated that the previous plat done should show the same information on the one done by Hope Consulting. Do you take information just because it’s brought in here, it should be correct? Matt tried to explain that a situation like that does not fall under the Board’s Jurisdiction. Mr. Styles just ask that the incorrect plat not be approved.**

**NEW BUSINESS**

* **CELL TOWERS- -CHRIS PERRY/ARISTOTLE**

**Delta Drive**

**W Springlake**

**Fairplay**

These are brought before the full Board for a variance due to fall zone and setbacks. Randy asked if there was a residence in the fall zone Chris replied no. The property line setbacks, was the reason for the variance. John Wofford said he was fine with it and that he and the Judge had met out at the properties with Aristotle and agreed to all ow the variance. Randy made a motion to approve, second by Matt, approved by all.

* **NORTHSHORE- RV STORAGE -DANIEL DEVORE**

Was to have been a discussion, but Mr. Devore was not present.

* **HWY 5 SOUTH -ERIC RICHARDSON**

Eric stated that this is a discussion on behalf of Derek & Leann Crowson. They would like to divided this property up into 5 tracts with each tract being 29 to 30 acres and leaving 60 acres for themselves to build a home on. The Crowson’s are just trying to get an idea as to what they could do with the property. They would only be splitting each parcel once. Randy stated that the rules would pick it up if there was a county road to be maintained. Eric said they only wanted a road that would be a private road. Randy said that there would have to be some mechanism stated that theses lots could never be subdivide. Also, a maintenance type of agreement that everyone would have to sign, his advice was to form a POA it was cheaper. Matt suggest that they have the local fire department inspect the property in regards to the road. They would need to have access to that road and it be a road they could use successfully. In this case if this road meets specs for EMT and Fire Department, they could sale these lots as it being a private road stated in the Bill of Assurance. If they are large tracts that had descriptive ingress and egress, for this old log road somehow get an oversite in regards to the road. Randy said the rules would need to change so that could approve something like this. These are good roads, but we need to put something in our rules that allows people to use these roads. However, this will take a process that will have to go through the Quorum Court. For discussion, Randy said this plat before it could be approved would have to show private roads as well as state in BOLD CAPITAL letters that these would never be maintained by the county. Matt stated that in the legal of the covenants of the property it would state that these were a private road and it would not be, a county-maintained road so the Judge could point to that document and say this is what you bought. Will Gruber stated that if we need to make changes to the Rules & Regulations, then go over them and make all changes then present those to the Quorum all at one time. This was only for discussion and will be addressed later after changes have been gone over and presented to Quorum.

* **TIMBERWOOD HWY 298-PRELIM-MINOR -AARON RASBURRY**

Aaron stated this is out on Hwy 298-Gunter Loop, Asking for approval on preliminary. Layne asked John if he had any comments or questions. John asked Aaron where the water lines? Where does the water come from? Aaron stated the water comes from Paron and felt like the water came in from Gunter Loop. Randy stated that they could do an approval on contingent that Aaron find out where the water will be coming from that will go to each lot. He said there were a lot of those lines out there that were 2” that would not service all the lots. John said he was concerned the right away for Gunter loop is it 60’ or 70’? That needed to be checked on the master plan to make sure it was given the correct amount. Layne asked if ARdot had given any feedback regarding driveways backing out onto the highway. Matt said there needed to be enough room for each driveway to have a circle drive or a place to turn around instead of backing out onto the highway. Also John mentioned the setback from Highway 298 be 35’ instead of 25’, Board agreed. John agreed most of them were really nice lots. Randy made a motion that the plat be approved contingent on water line location and make sure it’s adequate to service each lot, Health Department approval letter, ARdot approval, Gunter Loop set back to 35’ and setback to 35’ on Hwy 298, second by Matt, approved by all. **Dr. Matthew Brown came wanting to talk about Timberwood, wanting a buffer be planted between residents. Randy stated that we cannot force someone to leave trees on their property, If they want to cut the trees off the lot they can, we can’t keep them from cutting trees down. Matt advised the ADQ, would be who you would want to contact.**

* **SHADY MEADOWS-REPLAT -JASON WOODALL**

Mr.Doug Woodall, 16984 S. Alexander, said 30 years ago when the subdivision was developed these lots were 3 acres or more, but there are some lots now that are less than 3, Jason & Elizabeth would like the replat to divide their lot into 2 parcels. The Bill of Assurance has expired. Matt asked where Mr. Woodall was referring to in the subdivision that the lots were less than 3 acres? Mr. Woodall said in Phases 3 & 4 there were smaller lots. Randy stated he would like to hear from the people in the audience now. Mr. Boyd came to the podium to speak on the behalf of the neighbors in phase 1 where the lot is located. The property owners of Shady Meadows Subdivision have requested the board to not approve the submitted plans of the owner of lot 23 in Phase 1 which would result in the subdividing of his established three-acre tract into two parts. We are here to request that the Board amend the Fill of Assurance for Shady Meadows Subdivision in Saline County to be extended forever to prevent future deviations of the original intended development of the subdivision. We also have a petition signed by over 57% of the residents in all 4 phases that request the Board to Amend the Bill of Assurance indefinitely. We feel this is a beautiful part of the county and we have already gone through 4 court battles to protect it from other things trying to overrule. WE stand up for what we have and we protect it. Mr. Doug Woodall return to the podium to speak, I was one of the ones that have fought for neighborhood and its integrity. I don’t feel that there will be any differences in the property value with the replat. Randy stated the difference is the people that are going into those phases like phase 4 know that their lots are smaller and they agree to that. The people that purchased their lots in phase 1 purchased a 3- acre lot. Each phase has it’s on Bill of Assurance, and each one can make changes per phase. I don’t see any other president where we have approved any other developments to make the lot change, so I believe we need to stay with the original intent of 3- acre tracts. Matt asked if there was anyone there from Shady Meadows Inc? Is there anyone here that is with the Corporation Shady Meadows Inc.? We can’t approve anything without the allotted owners here and their approval along with the Planning Board’s approval. Will Gruber states the assurance has expired, Matt states that we are reinforcing the intent the original intent for the Bill of Assurance. Will asked could they not create a Bill of Assurance that allows them to make changes. Mr. Boyed said we have hired an attorney in regards to this. Mr. Boyd said we have been through a lot to protect this subdivision, trees and to maintain its beauty. Mr. Boyd explained why the residents were willing to fight so hard to keep things the way they are, we have fought in court several times to protect what we have in our area. Will said I just want to provide guidance to you guys moving forward. Mr. Boyd said we have hired an attorney to help us get the Bill of Assurance back in force. Mr. Doug Woodall ask if there was a legal issue that would allow them to change the Bill of Assurance where a replat would never be able to be done? Will stated that if you extend the Bill of Assurance from going forward it would prevent anyone from being able to replat. Randy made a motion that replat be turned down, and the people get the Bill of Assurance back in force as soon as possible, second by Matt, approved by all. Layne states that is the will of the Board.

**OLD BUSINESS:**

**ADJOURN: Randy made a motion to adjourn, second by Kevin, approved by all.**