

**Benton County Planning Board  
Technical Advisory Committee Meeting Minutes  
November 7, 2007, 5:30 p.m.**

**Call to Order & Roll Call:** The following Benton County Planning Board members were present: Mark Gray, Caleb Henry, Bill Kneebone, Adele Lucas, Tim Sorey, and Heath Ward. Scott Borman was absent. The following Benton County Planning Office staff members were present: Ashley Pope, Kathleen Davis and Karen Stewart.

**Announcements:**

Staff made no announcements.

**Old Business:**

There was no old business discussed.

**New Business:**

1. Large Scale Development Inquiry - **Our Shop** - 9953 Highway 72 East, Rogers - John Bevill

John William Bevill, owner and operator of Our Shop, represented this inquiry.

Ms. Pope showed photographs of the site and stated that this business was an auto repair shop at the beginning of the year, but has since been added to and now appears to encompass an auto salvage business, as well.

Mr. Sorey asked if the metal building in one of the photographs already existed; Ms. Pope stated that it did.

Mr. Bevill clarified that the metal building already existed when he moved his business into it from another location. He stated that he is currently leasing the building with an option to buy it. Mr. Bevill explained that he had owned Our Shop (in a different location) for the last ten years, but had leased the building on October first. He emphasized that the business is an auto repair business, not auto salvage.

Mr. Sorey asked if the property was formerly residential; Mr. Bevill answered that the property was formerly Smith Automotive. Mr. Sorey stated that there had apparently been a change in the use of the property, since aerial photographs from the beginning of the year did not show any vehicles in the business's yard. Mr. Sorey also remarked that some of Mr. Bevill's neighbors were likely concerned about the change of use, since this project was being brought before the Board as an inquiry.

Mr. Sorey stated that even though Mr. Bevill is not building anything, the business must come through the Benton County Large Scale Development process and comply with the requirements regarding roads, screening and buffering, and public notification. Ms. Pope stated that she was unsure of, "at what point it becomes an auto repair and when it becomes a salvage yard;" she added that Benton County has a salvage ordinance that requires screening and that the applicant meet county planning requirements (large scale development).

Ms. Lucas asked if all of the vehicles on the property were in running condition; Mr. Bevill stated that most of them are, adding that some are antiques, some are being restored, and some are awaiting parts, while others are either being stored there or have been

abandoned. He added that, at some point, he wants to build a house and move to the property, so "I'm not going to want to junk this place up."

Mr. Sorey stated that the Board's dilemma is that apparently some of the neighbors are already concerned about junk on the property, and reiterated that the only way to proceed is for Mr. Bevill to bring a large scale development application before the Board. Ms. Lucas concurred.

Mr. Ward asked of the aerial photograph of the property was from January of 2007, Ms. Pope stated that it was. Mr. Ward stated that there "has obviously been a significant change in the use of the property," and agreed that a public hearing was necessary.

Ms. Pope asked Mr. Bevill if he understood that he would have to bring a large scale development application before the Board; he stated that he understood that he was to do something, but was unsure of what that was. He stated that for the last five years, he had been within five miles of the Planning office & had moved all of those same vehicles to the new location and never heard anything from Planning.

Ms. Lucas stated that that was not relevant - that the business taking place at the new location is what is relevant. Mr. Bevill argued that he was not doing anything differently than what he has done in the past; Ms. Lucas stated that since he had moved locations and the project had "come to light," he now needed to comply.

Mr. Bevill stated that he needed someone to walk him through this process; Ms. Lucas stated that that is what Staff does in the Planning office.

Mr. Sorey asked Mr. Bevill how long he had been at the previous location; Mr. Bevill stated that he had been there 5 years. Mr. Sorey stated that if Mr. Bevill had been running a business at his other location, Benton County had the same requirements, but Mr. Bevill had apparently "slipped through the cracks."

Mr. Bevill reiterated that he needed someone to walk him through the process. Ms. Pope stated that the first thing he would need to do would be to have a surveyor draw up a site plan for the property. Mr. Bevill argued that he did not want to change the use of the property and did not want to have to pave or concrete; Ms. Pope stated that the Board had not asked him to do either of those things and clarified that the site plan would show the building, where vehicles would be stored, where screening would be located, etc. She added that he would need to contact the Department of Emergency Management regarding hazardous chemical compliance. She referred him to the checklist that she has previously reviewed with him.

Mr. Bevill took issue with the cost of the process; Mr. Sorey stated that this process must be followed in order to have a business anywhere in Benton County. Mr. Bevill stated that when he rented this building he was under the impression that all of these things had been taken care of; Mr. Sorey stated that the property owner may have misrepresented what could be done on the property to Mr. Bevill and that Mr. Bevill might have recourse to pursue.

Mr. Bevill stated that if the previous owner had gone through the large scale development process, it should be a matter of record; Ms. Pope stated that Staff would verify whether or not there had been a large scale development on the property, but pointed out that Mr. Bevill had changed the use from what it was.

The Board told Mr. Bevill to contact the Planning Office and that a large scale development would be required.

2. Large Scale Development Inquiry - **Mulch Colored and Plain, LLC** - 15596 Roberts Loop, Garfield - Donna Mack (Donna Martinez)

Donna Mack represented this inquiry.

Ms. Pope stated that Ms. Mack owns 207 acres on Roberts Loop in Garfield on which she is storing items for her pallet company. She stated that Staff had asked Ms. Mack to submit a large scale development application.

Mr. Sorey asked if Ms. Mack had any neighbors abutting this property; Ms. Pope indicated that Ms. Mack owns all but one of the adjoining pieces of property.

Ms. Pope stated that she believed Ms. Mack intended to ask for a waiver of the large scale development requirements.

Ms. Mack began to discuss some of the history of her business, but she was interrupted by Mr. Sorey, who stated that the Board needed to determine whether or not her business needed to come through the large scale development process.

Mr. Sorey asked Staff for a recommendation; Staff recommended that the project be submitted to the Board as a large scale development application.

Mr. Ward stated that if the business was located out in the County and would have employees, it should be submitted as a large scale development application. Ms. Mack interjected that she was uncertain of the location she would choose. Ms. Lucas asked for clarification of whether or not the project would be located somewhere on Ms. Mack's 207 acres; Ms. Mack stated that it might or might not be, depending on whether or not she takes on any partners in the operation.

Mr. Sorey stated that the issue, simply stated, is that if Ms. Mack plans a project to be located within Benton County, she would need to bring it before the Benton County Planning Board. If she chooses to move the location to the City of Rogers, she can then deal with the city's planners.

Ms. Lucas stated that it appears that Ms. Mack is already running her business from property within the unincorporated area of Benton County and if she chooses to move her business, she can then go through the process a second time.

The Board discussed the matter and concluded that Ms. Mack's current business needs to come before the Board as a large scale development application.

Ms. Pope asked Ms. Mack about the possibility of her undertaking a Roll-Off service from her property, as well. Ms. Mack stated that it was a possibility, but it might also be a Waste Management service or TM3 service. Ms. Pope informed her that that would also need to be a part of her large scale development application.

Ms. Mack stated that if she decided to run that kind of business, then it would be large scale, but right now she only has storage. She added that she is currently only running her grinder 8 hours per week. Mr. Sorey stated that she is running a business operation with people coming and going, she is storing materials and equipment, and that business must be brought before the Planning Board for review. Ms. Mack denied that there were "people coming and going" stating that it was just she and her husband and that any mulch is loaded onto her truck. Mr. Sorey stated that she is still running a business in unincorporated Benton County and that the health, safety and welfare of Benton County's citizens must be looked after.

3. Lot Split - **Rohrbough Subdivision, Lot 2-A** - Pleasant Ridge Road, Rogers - Phillips Land Surveying

Don Phillips of Phillips Land Surveying represented the lot split.

Ms. Pope stated that this is a lot split in a subdivision on Pleasant Ridge Road and explained that this was being brought before the Board because it is in a subdivision.

Ms. Pope asked if the property had been split before; Mr. Phillips stated that it had been; he stated that lot 2B had been split off in 1997.

Mr. Sorey asked if the .87 acre lot already exists; Mr. Phillips stated that it does.

Ms. Pope asked if the lot being split off of the property will be sold and built upon; Mr. Phillips stated that it would be.

Ms. Pope asked if Mr. Phillips had researched and found that there were no covenants governing lot splits in this subdivision; Mr. Phillips stated that there are no covenants.

Mr. Sorey asked if there are just two structures on the property; Mr. Phillips stated that there are.

Mr. Sorey asked if the property has a well and septic system; Mr. Phillips stated that the site has a septic system, but no well - there is water to the site. Mr. Sorey asked if Mr. Phillips could get the approximate location of the septic fields; Mr. Phillips stated that by the terrain, he could tell it would be either to the north of the house or to the north side of the house.

Ms. Pope asked if the 1.23 acre lot had had a percolation test; Mr. Phillips stated that the septic system already exists on the site - a mobile home used to exist on the lot.

Mr. Sorey requested that the septic systems be located on the plat.

Staff had no objections.

Mr. Phillips stated that this lot split would need to be seen by the City of Rogers; Ms. Pope noted that this project is right outside of the City of Rogers' city limits, so approval of the lot split by the Benton County Planning Board would be contingent upon receiving approval from the City of Rogers.

4. Variance from Subdivision Regulations - **Irvin Moore** - 20205 North Highway 127, Garfield - Gene Buescher

Gene Buescher represented the variance request.

Ms. Pope stated that there had been more than one tract split on this property; the applicant was requesting a variance from the policy of allowing only one tract split per owner.

Ms. Pope stated that the proposed split of the 1-acre lot did not appear to be an issue; Ms. Lucas stated that the applicant "might want to rethink what he wants to do long-term if you're going to limit him to one... tract split." Mr. Buescher stated that he had asked the applicant about the fact that some land was being landlocked in this process, and the applicant told him that he was unconcerned since eventually his daughter would be sharing the land.

Mr. Sorey asked for the reason that the 3.18 acre had been split from the tract; Mr. Buescher was uncertain, stating that the split had been done over ten years ago.

Ms. Pope stated that this land had been incrementally split off and that the Board could now either require that Mr. Moore submit a subdivision application for Tract A and Tract B or grant the variance.

Mr. Gray noted that there were no access issues with the property.

Mr. Sorey stated that he felt that granting the variance would be the smartest thing to do; Ms. Pope stated that granting this variance would be consistent with what the Board had done in the past.

Mr. Sorey asked that the septic systems be indicated on the plat.

#### 5. Large Scale Development - **BWRPWA Water Storage Tank** - Corner of Noah Road and Kitty Road, Centerton - Crist Engineering

Stewart Noland of Crist Engineering represented the large scale development application.

Ms. Pope stated that this is a 3.5 million gallon tank.

Mr. Ward asked "is there any requirement, due to the height of the structure, as far as the relationship to the road in this case?" Ms. Pope answered, "Not that I am aware of, no."

Ms. Pope asked Mr. Noland if it would be possible to move the proposed water tower to the other side of the easement. Mr. Noland stated that he could ask, but that this site was chosen as the location for this project for many reasons, including its proximity to a large-diameter transmission line that cuts across the property. Other reasons he noted were the elevation of the land, access, and proximity to the demand areas.

Ms. Pope stated that her main concern regarding this project, as a planner rather than one speaking for the Board, is that it is located in a residential area. She stated that the project might work better (from a land use perspective) on the other side of the easement.

Mr. Noland stated that Mr. Neal might be hesitant to sell more land to Benton Washington Regional Public Water Authority; he added that the applicant had tried to minimize the amount of land used for the project.

Ms. Pope asked how far the water tank would be from the edge of the right-of-way on the north and west sides; Mr. Gray interjected that it appeared that it would only be one foot away on the west side. Mr. Noland responded that it would be the bowl, or upper part of the water storage tank, that would be a foot from the right-of-way, not the pedestal. He stated that the bowl will be about 65 feet in the air and the pedestal is about 55 feet tall.

Mr. Gray restated that the west side of the water tank would be about a foot away from the right-of-way and added that the north side appeared to be 25 to 30 feet away. Ms. Pope stated that she would leave it (the matter of set-backs) to the Board.

Mr. Noland stated that the water storage tank will be located to the south side of the property due to geotechnical testing results. He stated that the tank had originally been centered, but due to the enormous foundation loads and the slope of the rock, the tank had to be moved south.

Ms. Pope expressed concern that this is a developing residential area. Mr. Kneebone pointed out that the County does not currently have any zoning; Ms. Pope concurred.

Mr. Ward asked how the tower would be decorated; Mr. Noland stated that the applicant planned to have decorative "rustication" applied to the tower (the bowl is steel, the

pedestal is concrete) and added that all valves and piping would be concealed inside of the pedestal.

Mr. Gray asked if the tract of land had been purchased; Mr. Noland stated that the applicant is in the process of purchasing it. Mr. Gray stated that the tank overhangs the property line of the proposed tract; Mr. Noland countered that the tank does not overhang the easement. Mr. Gray indicated that even though the easement and property line would serve the same function, it would be better for the applicant to own the property that surrounds the tank.

Mr. Sorey noted that the overhang of a house should not encroach on the set-back line, much less on the property line itself.

Ms. Pope stated that the applicant would need to check to see if there is a fee-simple deed or an easement on this property.

Mr. Sorey stated that since the project does not come close to meeting set-back requirements, the Board needs to be consistent and to do its due diligence by checking on the fall radius of this water storage tank just as it has done with previous projects involving monopoles. Ms. Lucas concurred.

Mr. Noland stated that the tank would be built according to the Southern Building Code standards for wind and seismic conditions. Mr. Sorey stated that he understood that these types of structures are typically over-designed for safety purposes; Mr. Noland agreed.

Ms. Lucas asked if the structure is engineered to fall in on itself, or if it would fall over. Mr. Noland stated that different scenarios would produce different results and attested that there is a greater likelihood of failure of the structure due to terrorism than there is from any other cause, including a natural disaster, such as a tornado. He stated that the structure is very unlikely to fall over.

Mr. Ward asked if the manufacturer would have any records of failure frequency; Mr. Noland stated that the failure frequency is likely to be zero at this time. He added that there are hundreds of these tanks in the country, but that they have only been built in the last 20 to 25 years, so there is not a lot of data concerning failure rates.

Ms. Pope stated that the set-backs must be met unless a variance is requested.

Ms. Lucas stated that the applicant should provide more detail regarding the geotechnical reasons for the location of the tank to support the variance request.

Ms. Pope stated that the property line needed to be extended to the other side of the easement, or at least to enclose the overhang and accommodate the set-backs. Mr. Gray noted that it appears that a subdivision is being created in this process; Ms. Pope stated that it could be handled as a tract split.

Mr. Noland asked what the Board would suggest if the current property owner, Mr. Neal, did not wish to sell the additional land to BWRPWA so that he could continue to use it for his livestock; Ms. Lucas stated that the applicant has the option of buying the additional property needed then granting an easement allowing Mr. Neal to continue to use the land for agricultural purposes.

Mr. Noland stated that if set-back requirements were enforced, then BWRPWA would be unable to use this site. Ms. Pope stated that in this case, the Board would need to entertain granting a waiver or variance.

Mr. Sorey stated that the applicant had the option of making the diameter of the tank smaller, requesting a variance, or acquiring more property.

Ms. Pope stated that the applicant had submitted a letter claiming that there would be no drainage or flooding issues. She stated that typically the Board requires more information on a large project like this one, but conceded that the Board has accepted drainage letters in the past. She then asked the Board if a more detailed study was warranted or if the drainage letter would suffice; Mr. Henry stated that he did not believe that a detailed drainage study would be warranted for this project and agreed that item number two in the applicant's cover letter would suffice. Mr. Sorey stated that the Board would, however, require an engineering stamp.

- The tank and its "overhang" must meet set-back requirements unless a variance is requested.

#### 6. Large Scale Development - **BWRPWA Chlorine Dioxide Feed Facility** - 16675 Kostner Road, Rogers - Crist Engineering

Stewart Noland of Crist Engineering represented the large scale development application.

Ms. Pope stated that this project is located on the lake near an intake and next to a utility substation.

Mr. Noland stated that this facility will be housed inside of a 27' by 15' block building with a metal roof, no outside windows and only two doors. He explained that chlorine gas would be kept in one end of the building and sodium chloride at the other end; these two chemicals will be brought together to form chlorine dioxide, which is used as a pre-oxidant during the water treatment process.

Ms. Pope pointed out that the building is surrounded by Benton County Water land.

Mr. Sorey stated that the drive or gravel area appears to be encroaching on the right-of-way and the corner of the building is not set-back far enough from the right-of-way. He added that the 25-foot set-back line needs to be shown on the plat. Mr. Sorey suggested that the building might need to be re-oriented in order to meet set-back requirements and avoid a variance request.

Ms. Pope asked if there were technical reasons for the specific location of the building; Mr. Noland stated that the proximity to the existing water line and the steepness of the property were both taken into consideration.

Ms. Pope asked if there would be any public hazard associated with this type of facility; Mr. Noland conceded that anytime chlorine gas is used, there is a risk, but stated that that is the reason for the building's secure design. He added that the Department of Emergency Management has been notified of the chemicals that will be stored onsite.

Mr. Ward stated that he understood that chlorine dioxide is commonly used in food processing and he assumed that it is used in other areas of the Water District; Mr. Noland agreed that other utilities in the area use it, but that BWRPWA does not use it anywhere else. He added that it will only be used as a pre-oxidant during certain times of the year.

- The building must meet set-back requirements unless a variance is requested.

#### 7. Large Scale Development Expansion - **BWRPWA Water Treatment Plant** - 15531 Woods Lodge Road, Rogers - Crist Engineering

Stewart Noland of Crist Engineering represented the large scale development expansion application.

Ms. Pope stated that this project is an expansion at the BWRPWA Administrative Office just outside of Avoca and would consist of "a new office and some water treatment trains".

Mr. Noland stated that the project is an expansion of the water treatment facility and the addition of an operations building. Ms. Lucas made the observation that BWRPWA has quite a few buildings out in this area already.

Ms. Pope stated that the project is fairly straightforward with no issues.

Mr. Sorey stated that the grading plan and the large scale development checklist are not quite complete. He asserted that this project appears to be a "full-blown office building with parking lot." He noted that there is an existing basin being used for drainage and he said it should be referenced as part of the drainage report.

Mr. Noland stated that any water that "hits on the plant is going to stay there because it's an open-top tank." Mr. Sorey clarified that he was talking about the parking lot, the drive and the building itself and implied that a drainage study would be necessary.

Mr. Sorey asked if there would be bathrooms at the new facility; Mr. Noland replied that the septic permit is attached to the application.

- Submit a complete large scale development site plan.

#### 8. Large Scale Development Expansion - **Grigg's Car Lot** - 15080 Highway 43 South, Siloam Springs - Ramsey Surveying, Inc.

Ms. Pope stated that this business is located north of the Siloam Springs city limits and consists of a small car lot as well as some building space for lease.

Mr. Ward noted that the applicant is requesting a variance; Ms. Pope stated that the applicant requested a waiver of the drainage study and the topographic requirements.

Mr. Sorey stated that a drainage study is necessary and that the applicant would need to meet the large scale checklist requirements.

Ms. Pope stated that the Siloam Springs fire department expressed concern regarding fire flows and sprinkler connections. Mr. Sorey questioned why fire flows would be necessary in that area; Ms. Pope stated that she believed that a commercial lease requires sprinkling. Mr. Sorey asked if the requirement exists only where water systems are available; Ms. Pope read from the letter that was received from the Siloam Springs fire department:

"Until further is provided for review and approval this is deemed to be a Type V-B structure 4,000 sq. ft. proposed which will require a 1,750 gallon per minute needed fire flow according to the AFPC."

Ms. Pope added that Siloam Springs will be the fire department responding to any emergencies at this site.

Mr. Gray noted that the Siloam Springs fire department stated in the letter that the property is beyond their system and that they would have to shuttle water to the site in the event of a fire. Ms. Pope pointed out that that would also be the case for any other existing properties in the area.

- A drainage study is required.
- Topographic detail on the plat is required.
- More detail regarding the parking layout is required.

9. Preliminary Plat Subdivision - **Lost Rock Ranch, LLC** - 7927 Lakeview Bay Road, Rogers - Community by Design

Developer Morgan Hooker and Brian Teague of Community by Design represented the project.

Ms. Pope asked if there has been some pond construction on the site; Mr. Hooker responded that they had done some grading.

Staff commented that the 1977 flood certification would not be sufficient - the most up-to-date flood certification would be required. The road profiles, including slopes, are needed on the plat. The applicant would need to submit the petition to vacate the County road before the final plat would be approved. A statement should be added to the drainage report declaring that there will be no adverse impact to surrounding properties. Staff stated that the applicant should contact Benton County Environmental Services regarding storm water and erosion control at the site.

Ms. Pope pointed out that information was still needed regarding the sanitary waste step system; Mr. Hooker stated that the information should be available in about seven days. Ms. Pope asked if the applicant planned to bond the project; Mr. Hooker stated that they did.

Ms. Pope asked if Lost Rock Ranch would be subject to covenants; Mr. Hooker stated that it would be. Ms. Pope requested that a copy of the covenants be submitted.

Ms. Pope pointed out that "Tract A" appeared several places on the plat; Mr. Hooker stated that he would get that corrected.

Mr. Sorey asked for the Board's thoughts on maintaining a gravel road on a 12.5% grade; he was answered that "it's not going to happen."

Mr. Sorey expressed his concern regarding the roads, especially regarding the slopes and grades involved. He stated that the conditions pertaining to the roads do not seem to have been fully analyzed on the plans.

Mr. Sorey asked the applicants if this set of plans was intended to be the construction plans for the preliminary PUD; Mr. Hooker agreed that it was. Mr. Hooker stated that a landscape architect is working on this project and has preliminary plans for stabilizing and preventing erosion on the roads. He stated that the roads are planned to be nine to sixteen feet wide, per what was approved in September of 2006; the nine-foot wide roads are one-way. Mr. Sorey asked if the one-way roads would be signed; Mr. Teague stated that they could be.

Ms. Pope asked if there would be a maximum of 51 lots; Mr. Hooker answered that it would be a maximum of 56 lots. Mr. Teague concurred and added that there would also be one caretaker unit and two pavilions. Mr. Hooker reiterated that these would be second homes for the occupants and so traffic would be minimal.

Mr. Sorey stated that he likes the concept of the project, but he was unsure of how all of the necessary items would be accomplished.

Mr. Henry stated that the building plans that were submitted to the Board could not be handed to a contractor & be built from; he felt that the plans were too generic, lacking in detail. Mr. Teague stated that the plans were left vague on purpose and would be somewhat "field engineered." He stated that the applicant would be out in the field with the contractors to work out details.

Mr. Henry remained concerned that all of the necessary detail is not reflected on the plans.

Mr. Sorey stated that the Board wanted the applicant to be able to do this project, but that the issues must be resolved in advance. He stated that the Board had tried to get away from "build-design" projects.

Mr. Hooker stated that they could add more detail to the plans.

Mr. Sorey noted that the Board could not allow itself to get into the position of trusting a developer - he stated that they must have notes and specifications. Mr. Henry agreed that more structured plans were necessary.

Mr. Teague asked whether the Board would require more information about the water line being shown on the plan; Mr. Henry stated that he did not think that it needed to be profiled since there are no crossing issues, but felt that it could be handled with notes and specifications.

Mr. Teague stated that they had submitted their basis of design which shows the water system design and the pressure relief valves. Mr. Ward clarified that these are the plans that were submitted to ADEQ; Mr. Teague responded that he believed that they had submitted a copy to the Board, as well. Ms. Pope confirmed that they had submitted the information.

Mr. Sorey stated that the only other concern he had from the last meeting was concerning lots 52 through 56 (relocating a portion of the road and meeting set-back requirements). Mr. Teague stated that they had already met with Staff regarding those concerns.

Mr. Ward asked about the concerns regarding the Corps take line; Ms. Pope answered that the Board had requested some separation between the take line and the property and stated that she believed they agreed on a 10-foot set-back from the edge of the right-of-way or the property line. Mr. Hooker stated that it was hard to tell from the plan, but that the take line is 75 feet or more from the water. Mr. Teague added that the size of the lots had been adjusted and the road had been moved further to the west. Mr. Sorey asked which page detailed these changes; Mr. Teague answered, "Sheet 4."

Mr. Sorey noted that the road width near the five lots needed to be specified on the plan.

Mr. Gray asked that a surveyor's stamp be included on the plans. He also asked if the 30-foot right-of-way (access and utility easement) to be vacated will be dedicated by the Corps of Engineers, since it is on their property. Ms. Pope stated that the Corps might have to be a party to Lost Rock's petition to vacate the road and advised the applicant to consult an attorney who has dealt with vacating roads.

Mr. Gray noted that on one of the sheets that the applicant submitted, it appeared that over half of a pipe from Lost Rock Ranch was on Corps property; he stated that he was not sure that the Corps of Engineers would sign off on this.

There was further discussion regarding the roads and acquiring easements without any definite conclusions. Mr. Hooker stated that the Corps of Engineers is aware of what is happening on-site.

Mr. Teague asked whether or not the Board was satisfied with the road profiles shown on the plans; Mr. Sorey stated that he is "not comfortable with the grades that you're showing and trying to keep the surface gravel." He also expressed concern regarding the width of some of the roads and how emergency services would contend with them. The discussion was concluded with the decision to keep this project on the agenda for the public hearing.

- The most up-to-date flood certification is required.
- The road profiles, including slopes, are needed on the plat.
- The applicant must submit the petition to vacate the County road before the final plat will be approved.
- A statement regarding "no adverse impact" is necessary on the drainage report.
- The applicant should contact Benton County Environmental Services regarding erosion control at the site.
- Submit information on the sanitary waste step system.
- Submit information on the bonding of the sanitary waste system.
- Submit a copy of the Lost Rock Ranch covenants.
- Correct "Tract A" labeling.
- Add detail to plans regarding slopes, grades, and contours (notes and specifications).
- Acquire surveyor's stamp on the plans.

### **Other Business:**

1. Large Scale Development Inquiry by Staff - **OAK Home Builders** - 13960 Hiwasse Road, Hiwasse

Ms. Pope stated that the builder had acquired a building permit for concrete storage bins, not an office, but then Ms. Pope showed photographs of what appeared to be a small office on the project site. Mr. Ward noted that the sign on the front of the building designates it as the office.

Mr. Ward noted that there were things on site that are located where water would flow; Ms. Lucas stated that the Board would require a drainage study.

Mr. Sorey concurred that the builder needs to bring this project through the large scale development process.

2. Large Scale Development Follow-Up - Patti Hyde – **Spanker Creek Craft Fair**

Ms. Pope stated that the applicant had had craft fairs in May and in October.

Ms. Hyde stated that the fairs had gone very well with few complaints. She said that 24-hour security was provided by Deputy Mike Gray; the only incident she mentioned was one nasty email after the May fair.

Ms. Pope asked how many vendors had been at the craft fairs; Ms. Hyde stated that there had been 120 vendors at the May craft fair and 200 at the October fair. It was noted that the maximum number of vendors that was approved was 400.

Mr. Sorey stated that he had driven by the site everyday during the fairs and felt that they had been handled very well; he cautioned Ms. Hyde to keep an eye on the number of vendors and to let the Board know when they were close to the maximum number.

Staff's only concern was in the event of a flash flood during a fair. Ms. Hyde stated that they had had the same concerns during the storm that occurred during the October fair. She stated that they had shut the fair down early and evacuated some of the vendors. She stated that they ensured their visitors' safety through frequent contact with emergency management personnel. Ms. Hyde reiterated that there had been 24-hour security on-site during the fair.

Ms. Pope stated that it would be up to the Board to consider requiring an evacuation plan, but stated that an evacuation plan would not stay current for long.

Ms. Hyde assured the Board that she takes safety very seriously and stated her understanding that each situation would require a different plan.

Ms. Lucas stated that the applicant should have an evacuation plan in place by the time the maximum number of vendors is reached.

Mr. Sorey recommended that Ms. Hyde check in with Staff regarding the number of vendors at the fair. Ms. Hyde asked if the number of vendors was being limited; Mr. Sorey stated that he believed the number has to be limited. Ms. Hyde stated that the Board had previously not seen fit to limit the number of vendors; Mr. Sorey and Ms. Lucas concurred that there has to be a limit on the number of vendors due to parking space, land available for the fair, and safety concerns.

Mr. Sorey stated that Ms. Hyde's fair is approved up to 400 vendors and if she will have more than that, she needs to contact Staff.

- Check-in with Staff via telephone for administrative purposes.

### **Adjournment:**

The meeting was adjourned at 7:45 p.m.