



**Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting**

August 19th, 2015
6:00 PM

Benton County Administration Building
215 East Central Avenue, Bentonville AR

Planning
Board
Approval:

Approved

9-2-15

OK

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6:00 PM by Planning Board Chair, Mark Curtis.

Roll Call: Ashley Tucker, Starr Leyva, Jim Cole, Rick Williams, Mark Curtis, Sean Collyge and Ron Homeyer were present.

Staff present: Building Official – Glenn Tracy, Planning Director – Kevin Gambrell, Planning Manager – Taylor Reamer, and County Planner—Caitlynn Kimbrough were present.

Public Present: There were 6 members of the public present.

Disposition of Minutes: 08-5-2015.

Mr. Tucker moved to approve the August 5th, 2015 Planning Board Meeting Minutes. The motion was seconded by Mrs. Leyva. The motion carried 7-0.

General Public Comment: None

Old Business: None

New Business: None

Public Hearing adjourned at 6:01pm.

TECHNICAL ADVISORY COMMITTEE

Call to Order: 6:02pm

Old Business: None

New Business:

- A. **War Eagle Custom Lures – Brashers Variance #15-112, 14352 E Hwy 12, Rogers
Represented by Pat Adams, 86 Yocum Rd., Rogers**

Mr. Curtis asked Staff for the report of Brasher Variance #15-112.

Staff gave a presentation on Brasher Variance #15-112, outlining the information in TAC Report.

Applicant Comment:

Mr. Adams gave a brief history of the building, stating that the building was originally supposed to be built on the west side of the property but an issue with a gas line location moved the building to the current location. Mr. Adams stated he did the first addition to the building which then had a smaller setback requirement, 6-7 years ago. The new addition is only for storage of the owner's bass boat. Mr. Adams stated that the septic system is located on the east side of the building. Mr. Adams assured the Board he has measured off to be sure there would not be disturbance to the neighboring restaurant's lateral lines. Mr. Adams stated there will be only 25' of disturbance in regards to a storm water permit, and that there will be a silt waddle along the area of disturbance.

Board Comment:

Mr. Curtis asked Mr. Adams how a septic tank would fit behind the existing building.

Mr. Adams stated that there is an existing tank, not a new tank.

Mr. Curtis asked for the location of the existing tank in reference to the building.

Mr. Adams was not sure of the exact location of the existing tank.

Mrs. Leyva suggested that the tank be pumped out after the location is determined since it has been more than 12 years.

Mr. Adams stated he would pencil in the location of the septic system on the surveys provided.

Mr. Tucker asked if the building had been built with the original addition then they would not need a variance for a setback.

Staff stated that if the addition had been completed prior to the setback regulations then they would not need a variance.

Other Business: None

STAFF UPDATES:

- I. Administrative Approvals
 - a. Mancia Minor Subdivision, #15-125
 - b. Retel Services – Arklahoma Telecom Modification, #15-127

DISCUSSION ITEMS:

- I. Onsite Wastewater Treatment System Inspection Ordinance

James Gately, 9360 E Lakeshore Dr. Rogers

Mr. Gately introduced other people who had worked on the proposal project. Mr. Gately provided a presentation over the ordinance proposal.

Larry Kelly, 12506 E Collier Ln., Bentonville

Mr. Kelly is on the Legislative Committee of the Northwest Arkansas Board of Realtors, as well as the Arkansas Realtors Association Legislative Committee. Mr. Kelly stated that he would like to provide a different perspective other than the environmental impact view. Mr. Kelly stated the importance of home owners knowing the location of their septic system. Mr. Kelly stated the home owners would be required to know information and whereabouts of their septic system prior to selling the home. This disclosure of information would be required for the transfer of the property. The ordinance would also include the home owner fixing any septic issues before selling to the owner.

Board Comment:

Mr. Tucker stated that he would like to have a time to sit and read the full ordinance.

Mr. Tucker questioned how the ordinance would be equally enforceable.

Mr. Kelly stated that every property would be required for inspection by certified inspectors from the health department before it could convey.

Mr. Tucker asked about the properties that would not be conveying.

Mr. Kelly stated that this is the only point in time that could determine inspection.

Mr. Kelly stated that the proposal is simply seeking endorsement from the Planning Board to take to the Quorum Court.

Mr. Tucker stated he would like to see inspections be more thorough and to require the inspection for properties being subdivided and not only conveyed. Therefore, the tank would not be separated from the lateral lines.

Mr. Gately reiterated that they were simply seeking endorsement from the Planning Board to take to the Quorum Court.

Mr. Curtis stated that the ordinance has his full endorsement as a first step in lake protection.

Caroline Eastman, 403 NW 6th St., Bentonville

Ms. Eastman works for the Arkansas Department of Health in the Onsite Wastewater Septic System Program as well as on the committee and helping propose the ordinance. Ms. Eastman stated that Washington County does currently have this ordinance. She also stated that the State of Arkansas currently does not have standardized inspection of septic system as a requirement. This ordinance is improved upon the one in Washington County. Ms. Eastman stated that the reason for bringing the proposal to the Planning Board is for the members input.

II. Local Adoption of State Building Codes

Mr. Sudduth stated that recently the State of Arkansas went to the 2012 codes and that the county needs to match those codes without addendums and to enforce those codes. Mr. Sudduth asked the board to present any concerns with the codes, respectively.

Mr. Sudduth stated that the ordinances would be discussed at the Legislative Committee meeting on Tuesday August 25th, Quorum Court room at 6 pm.

Mr. Curtis asked if anyone could attend the Legislative Committee Meeting from the Planning Board.

Meeting Adjourned at 7:04pm.