

FILED

2020 FEB 20 PM 1:14



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

February 5, 2020
6:00 p.m.

Benton County Administration Building
215 East Central Avenue
Bentonville, AR 72712

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6:00 p.m. by the Planning Board Chair, Mr. Tucker.

Roll Call: Bob Bracy, Sean Collyge, Ron Homeyer, Terry Maienschein, Stephen Torrez, Ashley Tucker and Rick Williams were present.

Staff present: Taylor Reamer – Director of Planning, Tracy Backs – Senior County Planner and Joshua Bryant – JP Planning Board Liaison

Public Present: 15 people signed the Sign In sheet

Disposition of Minutes: January 15, 2020

Mr. Williams motioned to approve the January 15, 2020, Planning Board Meeting minutes. The motion was seconded by Mr. Maienschein

Motion approved: 7 – 0

General Public Comment: None

Old Business:

- I. **Lucas Site Plan Review - Time Extension, case no. 19-279, 11010 Limestone Lane, Rogers; 18-04167-000**

Representative: Lori Lucas, 9140 Grimes Drive, Rogers

Staff gave presentation on the Lucas Site Plan Review - Time Extension, case no. 19-279, 11010 Limestone Lane, Rogers; 18-04167-000

Mr. Tucker: Could you tell us a little bit more about your extension request?

Ms. Lucas: When we first set this up, we had several businesses distributing with us. The primary one was a winery that is in Texas. The winery owner suffered a severe illness and has since decided to shut down the winery. So, I had to secure some new suppliers to fill that void. It took some time and, in that time, the builders that I had lined up had to take other projects. I could not get on their timeline sufficiently. I haven't

changed anything else about the plan. Due to these changes, I couldn't reconnect with the contractors in a timely manner.

Mr. Tucker: Are you requesting another full two-year sunset?

Ms. Lucas: That would be ideal. If you need it done sooner, I could make it happen in 12 months, I believe.

Mr. Tucker: Basically, our ordinance says that when you start construction, the sunset is voided.

Board comments: None.

Mr. Maienschein: I think a septic system design is good for only six months.

Mr. Tucker: It is. So, you'll have to update that with the Health Department.

Public comment: None.

Mr. Williams motioned to approve this extension. Mr. Homeyer seconded the motion.

Motion approved: 7 - 0

New Business:

I. Calcon Self-Service Storage Site Plan Review, case no. 19-267, 14743 East Highway 62, Garfield; 18-04268-000 + 18-04267-000

Representative: Bill Platz, WR Consulting, P.O. Box 223, Bentonville and Zach Sample, Mr. Platz's grandson.

Staff gave presentation on the Calcon Self-Service Storage Site Plan Review, case no. 19-267, 14743 East Highway 62, Garfield; 18-04268-000 + 18-04267-000

Mr. Platz discussed the outstanding items (service letters, no water service, hazardous waste storage or solid waste container).

Mr. Bracy: Inquiring about the applicant's digital signage. Currently, Benton County has no signage ordinance.

Mr. Tucker: How large is the sign?

Mr. Sample: 50' tall and I believe, 12' x 40'.

Mr. Tucker: Is it a billboard or a small sign?

Mr. Sample: Most similar to the digital billboards you see on the highway where they light up and change every 15 seconds or so.

Mr. Tucker: So, it's a billboard.

Mr. Sample: Correct.

Mr. Tucker: We don't really have a regulation for signage yet.

Discussion of a previous variance case involving billboard signage along a major road in the Springdale planning area.

Mr. Tucker: Based on the number of things we have seen on this site; this seems to be the most compatible of what we have seen just because everything else we have seen could not get their septic permits from the State because it would not perc. Having something without water is probably most appropriate for a commercial use here.

Public comment: None.

Mr. Homeyer motioned to approve this Site Plan Review. Mr. Bracy seconded the motion.

Motion approved: 7 - 0

II. Greenview Lawns Site Plan Review, case no. 19-278, 3901 South First Street, Rogers; 15-01351-000 +15-01353-000

Representative: Caroline Gardner, Crafton-Tull, 300 North College, Fayetteville and Cory Green, President of Greenview Lawns

Staff gave presentation on the Greenview Lawns Site Plan Review, case no. 19-278, 3901 South First Street, Rogers; 15-01351-000 +15-01353-000

Ms. Gardner: Regarding the utilities through the Health Department, I have been in conversation with Taylor Brown there. We cannot submit plans to the Health Department until we have approved plans.

Mr. Tucker: It has to be issued before you can get a building permit.

Ms. Gardner: Same with ARDOT. They don't want us to submit plans to them until we have approved plans. Then, they will issue a permit.

Mr. Tucker: Same thing. I don't think we issue a building permit until they get ARDOT approval.

Mr. Reamer: Correct.

Mr. Tucker: You could get a Decision Letter from us, but not a building permit.

Ms. Gardner: At the last meeting, we talked about the property being a 'transition piece.' We have the industrial down below. We are planning all the buffer and the landscaping to block out the adjacent owners. Greenview Lawns will fix it up, make it look nice, and fix any drainage issues.

Mr. Tucker: Full disclosure. I did have a meeting with John McCurdy and Ethan Hunter on another project and they did bring this up. The comments they made to me were almost identical to what is in the record. They did state that they opposed this going in a subdivision that is slated to be residential and is almost completely surrounded by the city of Rogers.

Ms. Gardner: That is why we are here. I know that there are no covenants within the subdivision.

Mr. Tucker: Were you able to locate any of the other wells in the area?

Ms. Gardner: They just have the two wells there. We pointed them out on the Utility Plan. We could put bollards around them.

Mr. Tucker: I am talking about the adjacent property. I believe you have to be 300' from an adjacent property well for an above-ground fuel storage.

Ms. Gardner: Are you talking about the property to the south?

Mr. Tucker: Yes, you will have to identify the location of those wells before you begin your work.

Ms. Gardner: Okay.

Mr. Tucker: Do you have any idea where the well is on the property to the south?

Ms. Gardner: I do not. Our surveys would not have gone on someone else's property but we can locate them.

Mr. Tucker: You'll be required to locate the wells for the state Fire Marshal.

Ms. Gardner: We will talk to the neighbors and identify the well.

Mr. Homeyer: The two greenhouses are encroaching on the 25' setback buffer; so, you'll need to move them out of that.

Ms. Gardner: Yes.

Mr. Bracy: Will this property be fenced off the highway?

Ms. Gardner: It will not be fenced directly off the highway. There will be fencing. *Refer to the site plan.*

Mr. Bracy: Will there be a gate?

Ms. Gardner: Yes, there will be a gate where the asphalt...

Mr. Bracy: But there will be no gate coming into that hard surface?

Ms. Gardner: No.

Mr. Bracy: So, a vehicle would not have to stop on the highway in order to get in?

Ms. Gardner: No, sir.

Mr. Bracy: *Discussed the fact that the applicant is within a subdivision.*

Mr. Tucker: If the applicant were going to remove this property from the subdivision, then it would require notice and agreement of all of the members of the subdivision. Has anyone reached out to them to see if that would be possible?

Ms. Gardner: Mr. Green has been talking to them but we have not yet just because this could all be taken care of now. It would just be a longer process to get a replat.

Mr. Green: We reached out to all the adjoining land owners to hear their concerns. Some of them were just concerned with lighting. But, all the adjoining land owners had no problems with us going in there.

Mr. Tucker: Your landscape plan is a dramatic improvement.

Mr. Green: I really just want to blend into the community. We feel this business will provide good service to the community and the surrounding area.

Mr. Torrez: Is the landscaping on the outside of the chain-link fence? Normally, it's on the inside of the chain-link. It kind of looks better on the outside.

Ms. Gardner: Yes, sir.

Mr. Tucker: I agree with that. It makes it a better buffer than with a hard edge with plants behind it. It is much more visually appealing.

Mr. Torrez: How is the dumpster screened?

Ms. Gardner: There is a detail in the set of plans. There is a wooden fence and more landscaping around it.

Public comment:

Larry Brantley: 4131 South First Street, Rogers

Focus of concerns: Not consulted by applicant; future development if this light industrial project is approved; incompatible with area; property values

Hector Valez representing his father, Jose Rodriguez, 4001 South First Street, Rogers

Focus of concerns: Father not consulted by applicant; fuel tank near his water well

Public comment closed

Mr. Tucker: Mr. Valez, could you tell us where your father's well is on his property?

Mr. Valez points out location of the well on his father's property.

Mr. Tucker: From a site plan perspective, the fuel tanks can't be that close to a well. The State of Arkansas won't allow it. They can be moved or need to be remedied somehow.

Ms. Gardner: Mr. Green just said that he would just remove them. Mr. Green had them there for convenience to fuel up.

Mr. Tucker: Remove completely?

Ms. Gardner: Yes, sir.

Mr. Green: It was just out of convenience that we were going to have them on site. We can remove them.

Mr. Tucker: From a site plan perspective, we don't have a problem with the tanks. They just can't be within a radius of a well.

Mr. Green: We can move them to the north end of the property or remove them totally. It just eliminates the convenience of not having to stop at gasoline stations.

Mr. Tucker: Personally, I would like to see them removed; but I am not the only one who has a voice in this.

Mr. Homeyer: From my perspective, I have no problem with fuel tanks as long as they are in compliance and sufficiently far enough from the well to meet state regulations.

Mr. Tucker: Just so you and your neighbors know, if you pollute, you clean it up.

Mr. Green: To my knowledge, before they will set or service the fuel tanks, they will have to be set in a pit that can handle the spillage of the whole tank.

Mr. Tucker: Yes, 100 percent overflow.

Mr. Bracy: Is the fuel gasoline or diesel?

Mr. Green: Both.

Mr. Bracy: Mr. Reamer, you classified this as light industrial rather than as commercial?

Mr. Reamer: It is regional commercial / light industrial. They are clumped together. For our regulations it is synonymous.

Mr. Green: A one-ton truck is the biggest truck that we have. There are no dump trucks, semis, etc. We have nothing like that.

Mr. Tucker: Is the maintenance of the equipment done inside the building?

Mr. Green: Yes, lawn mowers and weed eaters, all small engine. No heavy banging, welding, grinding, etc. We are not a service station or service shop.

Mr. Maienschein: I thought you indicated that you visited with your surrounding neighbors?

Mr. Green: Yes, my real estate agent had said that he visited all four. He said that he contacted everyone.

Mr. Maienschein: I got the impression from a couple of them that you hadn't spoken to any of them.

Mr. Green: Yes, I understand that. The Rodriguez's requested installing a new fence from the southwest corner to the southeast corner when we purchased the property. We added that in the plans. Most of the comments were to buffer the property which we will provide.

Mr. Torrez: *Inquired about any noise ordinance in the County and the hours of operation. I am trying to think about how to be a good neighbor.*

Mr. Reamer: The Planning Board's remedy for some of the noise issues that we have had in the past, (i.e. the C & C Machine Shop) was to request additional distance from property line, hardscape or vegetative elements that would buffer. But no, specific hertz or decibel levels.

Mr. Tucker: We don't have a true noise ordinance.

Mr. Green: The office hours would be 8 a.m. – 5 p.m. with landscaping working hours usually 7 a.m. – 4 p.m. From a payroll standpoint, we try to shut things off at 4 p.m.

Mr. Bracy: How do you differentiate you core business from landscapers open to the public to purchase trees, landscaping, etc.? You will have trees, shrubs stored on the site.

Mr. Green: Yes, just for storage, not for resale. The business is not an open-to-the-public use like that. In Ft. Smith, we currently have 18 vehicles. Until we get up and going here, we might have 3 or 4 vehicles for the first year. We have tried to beautify the front of the building with rock and landscaping. The fence will be 100' off the highway. We will be securing the yard area, not the building.

Ms. Gardner: We have three-tier landscaping to mitigate the use. Much regrading will need to go on out there for the detention pond.

Mr. Tucker: Yes, some of the work that was done before, actually exacerbated some problems.

Mr. Green: We want to clean it up and make it look nice.

Mr. Torrez: In my opinion, for a light industrial / commercial development, you are being one of the better neighbors than other developments we have seen in the past for nearby home owners.

Mr. Tucker: I agree with that. The effort made on this project is far superior to the effort that has been made on other projects that are not in subdivisions. But that doesn't change the fact that our affirmative defense in defending the previous applications' denial was that we don't approve projects in subdivisions. So, it does require a significant level of discussion.

Joe Fifer, Crafton-Tull, 300 North College, Fayetteville
Requested the clarification of the definition of a subdivision in Benton County

Mr. Tucker: This subdivision actually has a name. What we consider a subdivision is a named group of residential homes.

Mr. Reamer: This subdivision is historically platted as residential lots, granted, many decades ago.

Mr. Maienschein: It was evident that several of the lots had been split.

Mr. Tucker: Not split, but combined differently.

Discussion of the aerial plat map showing lot splits in the subdivision of interest.

Mr. Maienschein: Do we need to have the applicant remove those lots from the subdivision status in order to meet our regulations?

Mr. Tucker: We don't. It could be a condition of approval but it's not needed in order to be in compliance with our bylaws or our ordinances.

Discussion of the possibility of this property being annexed into the City of Rogers

Mr. Torrez: The definition of a subdivision is difficult to uphold in this case after all these years.

Mr. Tucker: The intent is as a subdivision but it no longer operates as a subdivision. The primary character is still residential. We are undoing a decision that was previously made to characterize this as residential. I don't believe anything is being done with the vacant land that is there now. Most of the lots have houses on them except maybe three that don't.

Mr. Reamer: Do we need to amend the current proposal based on our conversation? You can vote on the proposal as presented or you can amend the proposal.

Mr. Tucker: Relocation of the fuel tanks would need to be done to comply with state regulations.

Mr. Torrez motioned to approve this project with stipulations (removal of fuel storage tanks and resolving subdivision issues)

Mr. Tucker: We would ask that some outcome be certain. They could either say that there is no issue or that they have removed it. Either one would be affirmative or only one would be affirmative. I think that at some point, they would have to come back and say that they have met this. It could be either way. We would have to agree that we are okay with it being either way.

Mr. Reamer: I don't know that there is anything in our regulations that requires it to be in or out of a subdivision. There are no restrictive covenants on this subdivision either. To add that particular requirement may be moot.

Mr. Maienschein seconded the motion.

Motion approved: 5 -- 2*

*Mr. College (opposed) forfeiting the subdivision sets a negative precedent

*Mr. Tucker (opposed) due to the fact that the property is in a subdivision

TECHNICAL ADVISORY COMMITTEE

1. Call to Order
2. Old Business / Ongoing Applications: None
3. New Business:

- I. **Crossover Landscaping Site Plan Review, case no. 19-280, 6068 Primrose Road, Lowell; 18-02891-004**

Representative: Christian McGuire, Bates & Associates, 7230 South Pleasant Ridge Drive, Fayetteville and Hugh Sandoval (property owner) 6068 South Primrose Road, Lowell

Staff gave presentation on the Crossover Landscaping Site Plan Review, case no. 19-280, 6068 Primrose Road, Lowell; 18-02891-004

Mr. McGuire: There is a solid waste container designated on the site plan. I will get confirmation from Carroll Electric.

Mr. Tucker: I can't remember. Was this a business before?

Mr. Sandoval: No sir.

Mr. Reamer: This was fairly recently built. There is a commercial operation just to the west of it that does concrete and finished stone.

Mr. Tucker: Just to the south there is a house that has an automotive shop in it. Many of the houses around here have a house and a business associated with it. So, this kind of fits in.

Mr. Sandoval: We will be doing more maintenance mowing. I will not have landscaping trees and all that. We just go straight to the job site. No storage of landscaping trees, shrubs, etc. We may have mulch and topsoil; but we are a smaller landscaping facility.

Mr. Torrez: How many vehicles will you have parked on that property outside over night?

Mr. Sandoval: Four or five but I can put them inside the building. Maybe outside, three trucks at the most.

Mr. Torrez: My concern is similar to what we just heard. I don't see any buffering, landscaping or an attempt to beautify the area as you are bringing in a business.

Mr. Sandoval: I am planning to do an 8' privacy fence from the driveway going north to Apple Blossom and then go west to the corner of the property.

Mr. Torrez: Is there any landscape plan as well?

Mr. Sandoval: We do plan to have trees and shrubs in there.

Mr. Homeyer: The fence will create a visibility issue. You will need to pull that back to open up the site triangle there.

Mr. Sandoval: Yes, I am aware of that and plan to change the fence at the corner as needed.

Mr. Bracy: Your employees will park here and then go offsite? What kind of storage, other than vehicles, will you have there?

Mr. Sandoval: We will store mulch.

Mr. Bracy: And there is one drive for the home and the business?

Mr. Sandoval: Yes.

Mr. Bracy: Is that a four-way stop intersection?

Mr. Sandoval: No, it is only a two-way stop on Apple Blossom. There are no trees on the corner at Apple Blossom.

Mr. Williams: Do we still have a Fire Marshal review these?

Mr. Reamer: Yes, I can get some additional input if you like.

Mr. Williams: We just haven't had any comments for the past few meetings.

Mr. Tucker: This one is not in a subdivision, correct?

Mr. Reamer: No.

II. City of Gentry / Simmons Water Tower, case no. 20-013, 18383 Y City Road, Gentry; 18-14563-000

Representative: Matt Dunn, Crist Engineers, Little Rock with Seth Walters and Luke Wright of Simmons Foods, 250 South Main, Decatur, AR

Staff gave presentation on the City of Gentry / Simmons Water Tower, case no. 20-013, 18383 Y City Road, Gentry; 18-14563-000

The applicant had nothing more to add to the presentation but did provide the Planning Board members with site drawings.

Mr. Tucker: This is being proposed by a public utility or is it being proposed by Simmons?

Mr. Dunn: It is being mandated by the Benton Washington County Water Authority if you want to get down to it. It's a trickle-down effect. Benton Washington is the wholesale water provider. They provide water to the city of

Gentry. Gentry provides the water to the Simmons facility. Mr. Wright can speak to the contractual status of that. Essential Benton Washington requires that their wholesale water providers provide general storage; so, this is just a down hill affect. Simmons essentially is building the storage for their facility in cooperation with the city of Gentry.

Mr. Tucker: Is the city of Gentry building it or is Simmons building it?

Mr. Dunn: Simmons is financing the project.

Mr. Tucker: But it will be dedicated to the city of Gentry.

Mr. Dunn: Yes.

Mr. Tucker: I just wanted to make sure I understood how all of that worked. That there wasn't a trickle down to the rural water authority to help subsidize the cost of the tower.

Mr. Dunn: This tank is just like the tank that Centerton is building right now.

Mr. Bracy: Will there be any signage on the tower?

Mr. Dunn: No, sir.

Mr. Williams: Is it dedicated for Simmons?

Mr. Dunn: Yes, sir. The owner-operator will be the city of Gentry.

Mr. Bracy: Will Simmons lease the land to Gentry?

Mr. Wright: Currently, we buy water from Gentry. We would continue to buy it from them. We are basically financing the build of this mandated tower.

Mr. Tucker: We figured that it would have to have its own water as much as it uses. It is on the Simmons parcel.

Mr. Wright: Originally, Gentry was going to finance and build the tower. But, in order to meet the timeline, they could not get the finances to build the tower. So, Simmons stepped in to try to get this done.

Mr. Tucker: A 21-month bond cycle is fairly long.

Mr. Dunn: If they don't have water, they can't produce chickens.

Mr. Homeyer: This tank is not connected to the rest of the Gentry system?

Mr. Wright: No. It is connected to the main two-ton line that runs around Northwest Arkansas. But it is before the ground storage tank.

Mr. Homeyer: So, it only feeds the plant?

Mr. Wright: Currently, yes.

Mr. Homeyer: Do they have plans to connect it to the rest of their city system at some point?

Mr. Tucker: Hopefully, they would consolidate the towers like Centerton and Highfill and some of the others have done. If they ever needed it, this would be an ideal location to consolidate towers.

Mr. Torrez: Will Simmons eventually dedicate the land that the tower sits on to the city of Gentry?

Mr. Wright: We are currently working with the city of Gentry to iron out all the legalities of this tower.

Mr. Torrez: Will the city of Gentry maintain the tower after it is built?

Mr. Wright: That's what we are working with Gentry on right now.

Mr. Torrez: There seems to be quite a few questions here.

Mr. Tucker: An access easement maybe.

Mr. Bracy: Looking at the way it is tied in, it is not an accumulator. All the water you are going to use will go through the tower because you are going to close the gate between the two 't's.' The water comes from the city, goes up into the tower and then back out to your plant.

Mr. Wright: Correct. We have to have our own buffer.

Mr. Bracy: Somewhere downstream you will need a back-flow preventer but that will be back at your plant.

Mr. Dunn: *Points out a pump station that Simmons has installed on the site plan.* It is now in service today and used to pump water to their plant. It pumps from Benton Washington and currently just pumping on demand to their facility. What we are going to do is build this tank in line to provide a buffer between the pump station and the plant.

Mr. Bracy: But it is only going to serve Simmons?

Mr. Dunn: Yes, it's only going to serve the Simmons plant.

Mr. Tucker: So, basically, the line breaks between the 'in' and the 'out.'

Mr. Dunn: Yes, sir.

Mr. Wight: That line where we are breaking is already a dedicated Simmons line.

Mr. Bracy: I don't know how it benefits the community.

Mr. Dunn: It doesn't benefit the community.

Mr. Tucker: It is a Simmons tower. Simmons is here to make it happen.

Mr. Bracy: They are using water out of the tower and not trying to drive it through 6" pipes somewhere through the city.

Mr. Dunn: It does give a buffer so we do not affect the overall supply to the rest of the community. It would benefit the rest of the people along the two-ton line.

Mr. Torrez: Is there a mandated time line on the construction of this tower?

Mr. Dunn: Benton Washington has given the city of Gentry a mandate of getting their water storage on line by June of 2021.

Mr. Torrez: It would be nice to know all these legality answers and how all this regarding the tower actually works.

Mr. Tucker: Generally, we require all that (i.e. the easements, lease agreements, etc.) for the provenance of your application. Because you are Simmons and making an application for yourselves. Really, we just need the documentation that a future owner-operator will have the right to come on the property to maintain the tower. It just has to be part of the application. I don't think it has to be prior to a Decision Letter but it has to be incorporated into the record.

Mr. Homeyer: The city has to be the owner-operator because Benton Washington Regional Water will not sell to a private entity. Only a municipality can buy from them and sell to Simmons. So, that's the reason it's going to be a Gentry tower with Gentry meters, not a Simmons tower or meter.

Mr. Bracy: Even though it is downstream from their meter?

Mr. Homeyer: Regardless, Benton Washington Regional is selling to the city of Gentry. They cannot legally sell to Simmons. Gentry is the entity that has to be involved to purchase the water and sell it to Simmons.

Mr. Bracy: Simmons is buying Gentry water now.

Mr. Homeyer: Correct. They are getting off of the Benton Washington Regional Public Water with an on-demand pump which I can see from Benton Washington Regional's perspective is an issue that then could affect supply downstream of that.

Mr. Bracy: I am surprised that years ago, when the plant was proposed, I didn't think we heard the requirement by any water authority to mandate the water issues in order to operate the plant.

Mr. Tucker: They actually said, 'no', this pump is what we need.

Mr. Wright: I can't represent the BWPA here, but I think it was understood that between them and the city, that there would always be a storage need. I don't want to speak for Scott Borman or his group.

Mr. Homeyer: I can tell you that the city of Gentry has purchased a piece of property out in that vicinity for a future tower. The city has had it on their long-range plan for years.

Mr. Reamer: I spoke to the mayor years ago about the need for an additional tank out there. It has been explained that there may have been some financing issues. I think this current location on this property is advantageous due to the elevation.

Mr. Tucker: This is a great application. I don't want to diminish that. It is a little frustrating that, when we asked, it didn't come in front of us at that time.

Mr. Homeyer: I think they just didn't have a concrete plan at that time.

Mr. Wright: I will say for Simmons that it wasn't our tower to build at that time. That's why we had no comment.

Mr. Homeyer: It was really on the city of Gentry at that time.

4. Other Business: None

5. Staff Updates - Administrative Approvals:

- I. Stanfill Lot Combination, case no. 19-222, Honeysuckle Lane, Rogers; 15-08264-000
- II. Newman/Laferney Property Line Adjustment, case no. 19-223, 3214 Hickory Creek Road, Lowell; 18-02731-001
- III. Deaton Minor Subdivision, case no. 19-242, 21476 Kane Road, Gravette; 18-15069-000
- IV. Pickard/Surly Minor Subdivision, case no. 19-247, Coose Hollow Lane, Rogers; 18-04894-001
- V. Kahl Lot Combination, case no. 19-269, Haynes Road, Rogers; 15-17638-000
- VI. Robberson Minor Subdivision, case no. 20-001, 17233 Little John Road, Decatur; 18-11445-001
- VII. Estes Minor Subdivision, case no. 20-007, 18033 River Valley Road, Siloam Springs; 18-12869-000

6. Discussion Item:

I. Towmate proposed agricultural building:

Bryan Anderson with Towmate approached the Community Risk Reduction Department with an agricultural/residential building permit application in order to construct a 5,000 square foot metal building related to personal and

agricultural use. The property is owned by Towmate, LLC. There is some issue with an agricultural building being constructed on a commercially used piece of property. Mr. Anderson claims that the building use will not be related to the Towmate business operations. Mr. Reamer informed Mr. Anderson that he would be discussing this request with the Benton County Planning Board. This project has not been released for actual construction based on the ambiguities.

Mr. Tucker: You only have a limited number of days to act on it before it becomes a valid permit, regardless.

Review definition of an 'agricultural building' in the regulations. Discussion of the current operations of Towmate, LLC. Mr. Reamer will review Mr. Anderson's request with George Spence, the County attorney.

II. Covington Quarry – Circuit Court Appeal filed

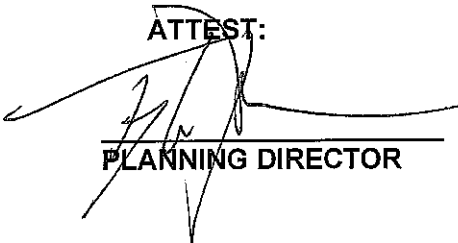
Discussion of Notice of Appeal to the Benton County District Circuit Court addressed to the Benton County Planning Board. Summons received by the Planning Board members by a process server at this meeting Planning Board meeting. Being reviewed by George Spence, the County attorney, as far as Notice for Dismissal.

Meeting Adjourned: 8:12 p.m.

Next Meeting: February 19, 2020

APPROVED THIS 19th DAY OF February, 2020.

ATTEST:



PLANNING DIRECTOR

APPROVED:



PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR