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

May 19, 2021
6:00 p.m.

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

BETSY HARRELL
CLERK
BENTON COUNTY, AR

Meeting Minutes

PUBLIC HEARING:

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

Roll Call: Bob Bracy, Sean Collyge, Theresa Neal, Stephen Torrez, Bethany Rosenbaum, and Rick Williams were present.

Staff present: Taylor Reamer – Director of Planning, Madison Kienzle – Senior Planner, Sandra Garza – County Planner

Public Present: See sign in sheet

Disposition of Minutes: May 5, 2021

Mr. Williams motioned to approve the May 5, 2021, Planning Board Meeting minutes. The motion was seconded by Dr. Rosenbaum.

Motion approved: 6 – 0

General Public Comment: None

Old Business: None

New Business:

- I. Callis Major Subdivision and Preliminary Plat Waiver, case no. 21-102, 14615 Fruitwood Rd, Bentonville, 18-12218-000

Representative: Marcie and David Platz, PO Box 223 Bentonville, AR

Staff gave presentation

Public comment: None

Mr. Williams motioned to approve; Dr. Neal seconded the motion

Motion approved: 6-0

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- II. Kniefel Variance, case no. 21-113, 16098 Serenity Pt Ln, Rogers, 18-16120-000

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Representative: Chad White, general contractor for the Kniefel Variance

Staff gave presentation

Dr. Neal asks about the runoff from the road, as water leads to the back side of the house, where is the septic tank located? And, is the field located in the same location as it was proposed.

Mr. White mentions it is and in relation as to where the water will flow, it will continue in the same direction across and onto the driveway and continue to the northeast. The septic field would be more to the southeast end. They will be moving the water about 20 feet more to the east, and it will not be dumping into the neighbor's property.

Dr. Neal mentions she did not see the tank located anywhere on the site plan

Mr. White mentions they do take it into consideration and it will not affect anything at all.

Mr. Torrez asks about the height of the retaining wall, is it 7-9 feet above grade from applicant's parcel or neighbor's parcel.

Mr. White states it is on the applicant's parcel.

Public comments: None

Mr. Collyge motioned to approve; Dr. Rosenbaum seconded the motion

Motion approved: 6-0

- I. BBB Septic, case no. 21-116, 13890 Game Farm Rd, Gravette, 18-16120-001

Representative: Jon Jouvenaux, 800 Elk Rd. Bentonville

Staff gave presentation

Dr. Rosenbaum asks if they will be having a sign out by Game Farm Rd, posted to identify the property is BBB Septic

Mr. Jouvenaux mentions they have no need of advertising their business and there will only be one driver and he knows where to go.

Dr. Rosenbaum mentioned if in the future he has plans to create partnership with other companies to bring in the waste water.

Mr. Jouvenaux mentions that at this time he has no intent of trying to come

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together with any other company, says BBB Septic is the largest septic company in Arkansas. Mr. Jouvenaux states there is a nationwide problem with waste water and not having anywhere to go with it. His partner and him, without grants or tax money, have come up with a solution on how to recycle the waste water. They have gotten great reviews from ADQ and ADH about how they are handling the problem, as well as from the nutri-management plant that they got from the ANRC on how they handle this problem for the community.

Dr. Rosenbaum asks Mr. Reamer, what is the long-term use of this property? What potential does this land have, to do anything with it? Or will it always have to be this way?

Mr. Reamer replies, his understanding that the Arkansas Department of Health has various requirements for either excavation or filling of septic systems and secondary to that for future development, this will be a permit on file with the Arkansas Department of Health, it is like any other permit, showing proof that there is something in the ground that needs to be considered before any development.

Mr. Jouvenaux adds in information on the lateral lines system that is being added in, they take up less than two acres of the eighty-acre farm. The tanks are literally less than 40 ft long and 10 ft wide and tall.

Dr. Rosenbaum asks if the rest of the land will still be sprayed

Mr. Jouvenaux replies, yes, they are permitted to land apply on less eighteen acres out of the eighty-acre farm, and that's due to setbacks. They could have gotten permitted for more with ADQ, but they went with that because they don't have the need to land apply more than that.

Mr. Torrez asks, if the difference between the proposal from what you've been doing since September, is it using more of the land and building this building

Mr. Jouvenaux replies that what they have been doing since September, is land application. They have a process where they run it through a filtering process, then they add lime in a way where it increases the PH and kills all the bacteria and pathogens and odor. Once it's hauled to the farm it goes to another filtering process, and they are currently doing this now, when weather is good, they get the brown water and land apply with it. This property has been land applied by other companies, like for example Denali. That is one of the reasons why they bought the property, so they can keep applying to it, however they were land applying on the whole eighty acres and they are only land applying on one corner of the property. Once the lateral lines have been put in, they will continue to grow hay there and the cows can continue to graze on it. All they are asking for is to be able to build a building for the equipment so it can last them longer, than if it sat outside. They are asking to be able to put in a dewatering system so that when the weather doesn't cooperate, they can dewater and apply to trees, they have contracts with two different entities that are going to be

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growing trees on the property and they are wanting them watered with the same water, what ever water they don't use will go underground and will be used for the hay. The solids from that water will be put into an overhang that is proposed in the building and located into a dumpster where they then will be taken to another facility and be created into biochar, which can be heating fuel or can be used in chicken or turkey houses to extract the pneumonia through a charcoal filtering system. It's a 360-degree beautiful process.

Mr. Bracy asks if he understood correctly, there aren't any lateral lines put in at the moment and you're not going to be putting them in.

Mr. Jouvenaux states he currently has an approved permit to do the installation of three, twenty-thousand-gallon tanks and thirty-six hundred feet of lateral lines. We can put that in the ground, a month or two ago, we are only asking for a permit to build the building to put the equipment inside a structure instead of leaving it outside. If the permit gets approved, they would like to put the lateral lines on a certain area, if not they will find a place to store the equipment close to an electrical supply.

Mr. Bracy asks, when they do install the lateral lines, what capacity the will they be operating at?

Mr. Jouvenaux states they will be operating less than five thousand gallons a day, because that is what the permit calls for, about four thousand some a day.

Mr. Bracy asks, when they start the process what capacity do, they think they will be at when they begin.

Mr. Jouvenaux states they will be no where near the five thousand gallons, says they may be at approximately fifteen thousand gallons a week.

Mr. Bracy asks if they will be at a low capacity at the beginning of the project.

Mr. Jouvenaux replies, yes, compared to what they could do.

Mr. Bracy asks if they can see it, in the future, going up in capacity.

Mr. Jouvenaux states that the unit they have, can handle twenty-two thousand gallons in one cycle, it can run one cycle per day. He says they will not be anywhere near that capacity for a long period of time. If in the future they do want to expand they would just add in lateral lines, and not have to do anything to the building or filtering system.

Mr. Bracy asks if the lateral lines are easy-flow.

Mr. Jouvenaux replies, no, they don't use easy-flow, they are infatuated filtered systems, which hold three times more water than a pipe and gravel system or an easy-flow.

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Public comments:

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Wateena Ahrens, 3 Aberdeen Ln, Bella Vista 72715
Comments the property value of her mother's house at 13939 Game Farm Rd, she see's it as the value of the house going down.

Miranda Ward, 13879 Game Farm Rd, Gravette 72736
Comments she thought the meeting was going to be about trying to oppose to the whole thing, which is the spraying since September of 2020. She is also concerned about her property value, as well as the constant traffic up and down their road, all day long. Do they know what they are doing to the surrounding property values?

Mr. Torrez asks to be more specific about the traffic they are seeing out there.

Miranda states the huge trucks being driven all day long, back and forth, from morning till night. Says, no one ever told them that they were putting in a waste management system. They wanted to oppose the whole thing; they didn't know it was just about the building.

Mr. Torrez informed that there will be no questions answered at the moment

David Ward, 13879 Game Farm Rd, Gravette 72736
Comments if anyone has tasted the spray from theses trucks, says he has because they spray it across the road, when they open the windows and the breeze comes in, you get a mouth full. Says he has been there for four years and is wanting to build a house there. They thought they can go to the meeting to try to oppose this project.

Starr Leyva, 2307 SW Worthington Ave, Bentonville 72712
Comments as a former Health Department Employee and as an Environmental Health Specialist, she is there to speak favor of this project. They have come up with a different way other than just the spraying that the property gets, which has already been approved for, in a way to put the affluent underground and make the waste go off the property. They thought about a process in a 360 holistic approach to eliminate the need for additional land but also to be able to service the community as needed.

Mr. Jouvenaux explains with the graphic that the couple that lives in the fifth wheel is no where near where they land apply, they are only allowed to spray in the area that they are spraying now. As far as the traffic goes, he personally has been driving the truck out there and states it has only been out there three times the past week, twice a day.

Mr. Torrez asks, what is, if any, penalty, that could be applied to a business if you chose to spray the entire property.

Mr. Jouvenaux replies, if he were to go against the guide lines, then he would lose his permit. He also explains where the lateral lines will be, and they will be right by the old bird house and will be sub surfaced. States he

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has a GPS system on all his trucks, that tracks when and where they are at and can pull a report if needed.

Mr. Torrez informs Mr. Jouvenaux, that if in any case something is being done illegally, neighbors know what resources to use.

Mr. Jouvenaux, says he understands, he would also like to comment that he hired Piper into his company, she was with the Arkansas Health Department, he wanted someone that was going to guide them correctly through these processes. His partner and him took it upon themselves to hire the correct people to make sure they stayed within the guidelines to do things properly and correctly, so it would be beneficial for everyone and would not be a problem to decrease anyone's property values.

Mr. Bracy asks about how many trips the trucks will take.

Mr. Jouvenaux explains the trucks will not be out more than four times a week.

Mr. Bracy asks what the hours of operation during daylight hours would be?

Mr. Jouvenaux replies the earliest he has been there has been, 10 a.m. and the latest has been 6 or 7 p.m. When they are at the farm they usually only take about an hour.

Mr. Bracy asks if it will only be during daylight hours

Mr. Jouvenaux says yes.

Mr. Bracy asks Mr. Reamer if they will require buffering for the length of the road

Mr. Reamer replies the proposed location for the building would be north of the existing structure.

Mr. Jouvenaux comments you cannot see the road from where the building is going to be.

Mr. Williams asks if the permit has already been granted from the state for the system.

Mr. Reamer replies, that is correct, that is both the land application and the building.

Mr. Torrez, to clarify, this permit is just for the building of the pole barn?

Mr. Reamer replies, correct, due to the state building requirements, this will receive an occupancy of commercial, therefore the structure will be issued a commercial building permit, thus the permit needs reviewed by the board in able to be issued.

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Mr. Williams asks if the building would follow 2012 commercial building and fire standards.

Mr. Williams motions to approve, Mr. Collyge seconds for approval

Motion approved: 6-0

TECHNICAL ADVISORY COMMITTEE

2. **Call to Order**

3. **Old Business / Ongoing Applications: None**

4. **New Business: None**

5. **Other Business: None**

6. **Staff Updates - Administrative Approvals:**

- I. Click Lot Combination, case no. 21-111, Summit Dr, Garfield, 15-10338-000
- II. Philpot Minor Subdivision, case no. 21-120, 9231 Bredehoeft Rd, Decatur, 18-11486-002
- III. Cannady Lot Combination, case no. 21-122, Violet Ln, Garfield, 15-08753-000
- IV. Lieutard Lot Combination, case no. 21-125, Cow Face Rd, Lowell, 15-06994-000
- V. Galloway Minor Subdivision, case no. 21-127, 22499 Carlton Dr, Decatur, 18-14463-000

7. **Discussion Item: None**

Meeting Adjourned: 7:00 p.m.

Next Meeting: June 2, 2021

APPROVED THIS 2nd DAY OF June, 2021.

ATTEST:


PLANNING DIRECTOR

APPROVED:


PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR