

March 14, 2006 – Tontitown Planning Commission – Minutes

7:00 PM – Called to order by Ralph Pendergraft.

Roll was called. All members were present.

Ralph Pendergraft asked if everyone had a chance to read the minutes.

***Motion to accept minutes as written for meeting of 02/28/06 by David Bolinger.
Seconded by Chuck Savage.***

Motion passed unanimously.

Ralph Pendergraft asked who would speak for Tuscany subdivision.

Philip Taldo – Griffin Company Realtors – stated that this is located down highway 112 behind Mary Maestri's. He continued that to the north of it is the section that is in Springdale, and that this is another phase of the same subdivision. He added that these are larger lots than the average subdivision. He asked if anyone had any questions.

Tommy Granata commented that with the Master Street Plan, with highway 112 being a major arterial, he questions the frontage lots (specifically the first six or eight coming down 112). He asked why they wouldn't be commercial, with 112 being a major road, why not commercial.

Philip Taldo responded that that is a good point. He continued that they wanted to carry the taste of Harbor Meadows throughout the town. He added that Jerome Fantinel set the standard for that area with an upscale home. He addressed the commissioners that they had set it as well with the land use map. He finished that people he had talked to were not in favor of commercial being further down than what already existed.

Chuck Savage asked if Jerome Fantinel's driveway would come off onto a new street.

Philip Taldo confirmed.

Karen Inlow asked if Jefferson would connect to the street north of it.

Philip Taldo replied that it will connect to Harbor.

Ralph Pendergraft asked if they were connecting the subdivision on the east.

Philip Taldo stated that they were not.

David Gilbert – EGIS – commented on his letter dated 3/9/06.

Mick Wagner interjected that item number six had been okayed by Water and Sewer several months back.

David Gilbert continued to comment on his letter dated 3/9/06.

Mick Wagner addressed item number six again, stating that once Tontitown sewer is in place then they will revert from Springdale to Tontitown.

A discussion ensued on how soon to expect sewer.

Rick Williams stated that his recommendation is to approve with contingencies based on construction drawings submitted prior to final plat.

Chuck Savage asked if the easements shown were accurate. He continued that the state is recommending a civil war trail.

David Gilbert stated that the easements accommodate current requirements.

Philip Taldo commented that he would check with the highway department.

***Motion made by Chuck Savage to accept the preliminary plat with contingencies.
Seconded by Norbert Ranalli.***

Philip Taldo commented that regarding Mr. Fantinel hooking up to sewer, he would hate to put him in the position to require him to hook up to sewer.

Mick Wagner clarified that it states that within 350 feet of available sewer, and then they should hook up. He continued that our policy does not require that with newer systems. A discussion of the sewer hook up requirement followed.

Karen Inlow stated that she wants assurance that Mr. Taldo will check with the highway department on the trail.

Philip Taldo replied that if they have an issue, he will bring it back to the commission.

David Bolinger added that it is definitely something to look into.

Norbert Ranalli asked what Springdale had said about the recharge area.

Ralph Pendergraft stated that it wasn't an issue then and that we only found out about it about ten days ago. He continued that as long as detention ponds are in order, it should be okay. He asked if there was any discussion from the commission or the audience. He asked if item seven from the letter from EGIS was to be taken out.

David Gilbert responded that they could take out the part about mandatory connection.

Ralph Pendergraft called for a vote.

Motion passed unanimously with Jerome Fantinel abstaining.

Ralph Pendergraft stated that the variance needed to be presented.

Philip Taldo explained that they will be enhancing highway 112, but that along the north part there is rough terrain. He continued that it would be unusual to have a sidewalk along a state highway. He added that state highway street improvements are usually waived.

Tommy Granata asked if there is a sidewalk along the Fantinel Business Park on the other side.

There was a consensus answer of no.

Ralph Pendergraft questioned why the requirement is usually waived along highways.

Philip Taldo stated that there is not a lot of pedestrian traffic, but that they will put it in if all submittals will be required to put in sidewalks. He added that it wouldn't make sense to have just a section of sidewalk.

Chuck Savage commented that he didn't see a turn lane indicated. He asked if that was not a requirement.

Philip Taldo replied that it is not off a state highway. He continued that Harbor had to fight like crazy to get theirs.

Ralph Pendergraft asked if the highway department wants curb and gutter.

David Gilbert responded that sometimes yes and sometimes no. He added that it's likely that state highway requirements would supersede city requirements.

Ralph Pendergraft inquired what they are going to do with the ditch if curb and gutter are not required.

Philip Taldo replied that they will dress it and have homeowners that will care for it.

Ralph Pendergraft asked where they would put curb and gutter.

David Gilbert commented that if they did curb and gutter then underground drainage off the street would be required.

Karen Inlow stated that it would clean up the looks and that what the commission does has to be consistent, but added that she is more concerned about sidewalks.

David Bolinger asked if there is anything on the ordinances that is specific about state highways.

David Gilbert clarified that the city's requirement can be overturned by the state highway department.

Motion made by David Bolinger to table both variances. Seconded by Karen Inlow.

Philip Taldo stated that they won't start under those circumstances, that it will end up as a hodge-podge. He added that he would offer to withdraw the sidewalk request.

Ralph Pendergraft commented that the state highway is something that the commission needs to look into.

Karen Inlow added that variances should be used as a hardship and financial is not a hardship.

David Bolinger commented that it is in the heart of town so it depends on what the highway says.

Ralph Pendergraft stated that there is a motion and a second; the commission needs to check with the state.

Motion passed unanimously with Jerome Fantinel abstaining.

Jason Appel – ESI – requested that the commission table Legacy subdivision.

Motion made by Tommy Granata to table Legacy subdivision. Seconded by Karen Inlow.

Motion passed unanimously.

Ralph Pendergraft called K&K Veterinary Supply to the podium.

Thomas Johnson – Thomas Johnson Construction – stated that K&K was there for Large Scale Development approval in the Maestri Industrial Park.

Ralph Pendergraft indicated that a variance was given at the last meeting.

David Gilbert commented that the site lighting and mechanical equipment locations are missing and noted the last letter to K&K from EGIS.

Jason Appel asked for confirmation that the state doesn't require notice is under five acres.

David Gilbert replied that he would have to check. He added that construction drawings would be required prior to permits being issued.

Ralph Pendergraft stated that Rick Williams has recommended approval and that they would need to address items one and two before permits.

Rick Williams added that some items have been provided on the current drawings and they will provide 150 feet of fire hose.

Ralph Pendergraft asked is there was any discussion.

Motion made by Karen Inlow to approve the large scale development with contingencies. Seconded by David Bolinger.

Motion passed unanimously.

Ralph Pendergraft called South Point (a.k.a Bausinger) to the podium and asked if they have satisfied all of the EGIS comments.

Geoff Bates – Blew Bates & Associates - stated that there are a few major issues like the extension of Wildcat Creek and transmission lines.

There was a discussion about the power lines.

David Gilbert commented that the letter from EGIS dated 3/9/06 reviews several items some minor, some not. He continued to cover the items in the letter.

Motion made by Tommy Granata to table. Seconded by Norbert Ranalli.

Ralph Pendergraft stated that they need to address the issues before returning.

Motion passed unanimously.

Ralph Pendergraft asked if there was any old business. He then asked if there was any open discussion.

David Gilbert explained the recharge area of the cave crayfish.

Discussion followed.

Motion to adjourn made by Chuck Savage.

Ralph Pendergraft asked those in favor to respond with “aye”.

All responded affirmatively.

Meeting adjourned 8:58 PM.