



### Planning Commission

Rocky Clinton - Chairman  
Kevin Boortz – Vice Chairman  
Michael Lunsford - Secretary  
Josh Craine - Member  
Tom Joseph - Member  
Penny Baskin – Member

### City Staff and Consultants

City Planner – Nathan Crouch  
Public Works Director - James Clark  
Code Enforcement Officer – Phillip Arends  
Building Inspector - Roger Duncan  
City Engineer/Planning Consultant – Garver  
City Attorney - Harrington – Miller

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## ***Planning Commission/ Board of Zoning Adjustments (BOZA) Minutes***

Date: Tuesday, August 31st, 2021

Time: 6:00 p.m. – In Person at **Tontitown City Hall**, 201 E. Henri de Tonti, Tontitown, AR 72770 (**limited seating due to COVID-19**), and **Online Via Zoom and YouTube** (see last page of agenda for information on how to join)

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### **1. Planning Commission Meeting Call to Order**

### **2. Roll Call**

All in attendance

### **3. Approval of Agenda**

### **4. Approval of Minutes**

a. Approval of July 27th, 2021, Board of Zoning Adjustments and Planning Commission Meeting Minutes.

Penny Baskin motioned to approve both the agenda and minutes

Second by Josh Craine

Motion Passes

### **5. Comments from Citizens**

Rocky Clinton went over some rules that were to be followed to this meeting to keep this meeting respectful.

### **6. Old Business**

### **7. New Business**

### **PUBLIC HEARING**

1. **Variance Request:** A Variance request for a decrease in minimum setback requirements for Mathias Warehouses located at 353 Agnes Dr. **Tabled at the request of the applicant.**

2. **Rezoning Request:** A Rezoning request to rezone property located at 664 Kelly Ave. from R-3 to R-4 in order to allow for higher density residential development.

The applicant is requesting to change the zoning from R-3 to R-4 to allow for a higher density of single- family residential lots on this site.

**Adjournment.**

### **BOARD OF ZONING ADJUSTMENTS**

1. **Variance Request:** A Variance request for a decrease in minimum setback requirements for Mathias Warehouses located at 353 Agnes Dr. **Tabled at the request of the applicant.**

**Adjournment**

## PLANNING COMMISSION

1. **Rezoning Request:** A Rezoning request to rezone property located at 664 Kelly Ave. from R-3 to R-4 to allow for higher density residential development.

The applicant is wanting to build 64 residential units instead of 60 that is why their requesting the R-4 zoning.

Tom Joseph motioned to approve with listed conditions and a Bill of Assurance to be submitted with a total of 64 buildable lots

Second by Kevin Boortz

Motion Passes

Michael Lunsford Voted- NO

Penny Baskin Voted- NO

2. **Final Plat- Hickory Meadows Phase II:** Approval of Final Plat for Hickory Meadows Phase II

Kevin Boortz motioned to approve the final plat for Hickory Meadows

Second by Michael Lunsford

Motion Passes

3. **Large Scale Development Expansion Request:** Eco-Vista has submitted a large-scale development request to expand the existing landfill located off Arbor Acres Rd.

Citizens comments-

Dr. Mikaila Calcagni who is a medical physician wanted to voice her concerns and also share some information from a large scale study that was published in 2017 in the International Journal of Environmental Research and Public Health. This research includes the short and long term health implications living within the vicinity of a landfill. Dr. Calcagni opposes the landfill expansion and asked the Planning Commission to vote "NO".

Jamie Morgan and Angie Russel oppose the landfill expansion due to health concerns. Both ladies feel that city codes are in question on what can and cannot be done and say more health studies need to be done and vote "NO".

Debra Newman loves living in Tontitown and was impressed with all the things in the agreement but thinks Waste Management is doing and saying things that we want to hear. She wonders if this long term commitment is worth it. Mrs. Newman has requested that the Planning Commission vote "NO".

Mark Calcagni requested that the petition signatures be recorded and asked the Planning Commission to do the right thing for the citizens and vote "NO".

Dennis Boyer if this is approved this will lock us in for 18 years. How can the city embrace a dump and allow the citizens to have this decade problem. We want our rights protected.

Donna Pianalto was hosting 12 kids from Africa and those kids said that the landfill was the worse smell they have ever smelled. And we can do better than Africa.

Mayor Doug Sprouse of Springdale did not want to interfere with Tontitown business but he is also on the board of the Boston Mountain Water District and explained the roll of the B.M.W D. on this issue. Reference YouTube for detailed comment.

George Wheatly with Waste Management live 4.7 miles from landfill. He commends the citizens and can't say he disagrees with them, but this is also his job. Mr. Wheatley thanked everyone involved and hopes this is approved.

Rocky Clinton spoke about the last work session and responsibilities of the Planning Commission and how to better serve our community.

Reference YouTube for lengthy detailed comment and Commission discussion.

Kevin Boortz motioned to approve the Large Scale Development request with all listed and added conditions  
Second by Michael Lunsford

Motion Passed Unanimously

4. **Large Scale Development for Mathias Warehouses: Tabled at the request of the applicant.**
5. **Planning Commission By-Laws Discussion and Potential Adoption- Tabled at the request of the PC Chair.**

#### **PLANNING COMMISSION ITEMS, IF APPROVED, TO CITY COUNCIL**

1. **Rezoning Request:** A Rezoning request to rezone property located at 664 Kelly Ave. from R-3 to R-4 in order to allow for higher density residential development.
2. **Planning Commission By-Laws Discussion and Potential Adoption Tabled at the request of the PC Chair.**

#### **Comments from Staff**

Reports

#### **Comments from Commission Members**

Tom Joseph said we are trying to accomplish the same quality of life in the city of Tontitown. He thanked everyone for their hard work and believes Waste management will see a whole new layer of qualifications, they have shown a lot of respect as well as the citizens and thanked everyone for coming to tonight's meeting.

Angie Russell thanked everyone for all the hard work that's been done and said A.D.E.Q. has done nothing about the complaints. "It's been very difficult living next to the landfill".

Penny Baskin said my heart was a NO, but I had to follow the law, and promised to work hard to better the city codes.

Josh Craine wanted Waste Management to follow codes and the biggest thing he wanted fixed was the fence and now it's in writing. Josh explained he just wanted to make sure the Commission fully understood before voting, that is why he wanted to table at the last meeting. Also, if Waste Management were to shut down, 71 people would have lost their jobs.

Michael Lunsford said this was a hard decision to make. He hasn't heard anyone say what we are going to do with our trash if the landfill shuts down. Are we to fill hollers or let it accumulate on the streets? Michael feels this is an opportunity for the citizens to get involved and start a plan for the future and thinks it's important to get the process started now and not wait for another expansion in 12 years. Having a NO vote today wouldn't have been a solution.

Kevin Boortz said we have to follow city codes and we will do our best to improve those codes not just for Waste Management but because there are other areas that need improving and will work with the citizens and city council to better our community.

Tom Joseph added that Waste Management has 2 acers that could be used as a transport station. That means all the live trash would be picked up and removed and that would double the truck traffic.

Rocky Clinton thanked Courtney McNair for her years of hard work.

Meeting Adjourned- Meeting Adjourned

Adjournment.



**Public Hearing and Planning Commission  
Meeting August 31, 2021, 6:00 PM  
Virtual Meeting Participation Opportunities**

**Zoom Meeting:**

To participate *interactively* in the meeting, you may participate in the meeting via Zoom:

- **By PC, Mac, iOS (iPhone), or Android:**

Join Zoom Meeting:

**LINK:** [https://us06web.zoom.us/webinar/register/WN\\_2Xxsy8yRRHKxpAXutxZ7Yg](https://us06web.zoom.us/webinar/register/WN_2Xxsy8yRRHKxpAXutxZ7Yg)

**Or go to the zoom website to join:** <https://www.zoom.us/join> and enter the Meeting ID: 839 7049 6992

*The link above requires you to “register” to participate in the meeting. This consists of signing in with your name, address, etc., as you would at a public meeting. Registering to attend the meeting does not require you to create a zoom account to participate.*

*Please register prior to the meeting if possible.*

**Please use your full name (first and last names) as screen name.**

- **Join by phone only:**

+1 (312) 626-6799

When prompted for Meeting ID: 839 7049 6992#

If you do not have a Participant Number: press #

- **To comment:**

Use “Raise hand” function when comment for an item is requested

For phone, raise hand to be recognized with \*9

Phone numbers used to dial in to meeting will be masked for privacy

All participants will be muted automatically when joining the meeting

**YouTube Live:**

If you wish to watch Online without interactively participating, you can stream the meeting online via YouTube, from our YouTube Channel:

- **By PC, Mac, iOS (iPhone), or Android:** Navigate to the “Tontitown City Hall” channel:  
<https://www.youtube.com/channel/UClbUv481CeNFF2JNwoOsrNQ>

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**NEW TO ZOOM?** Watch tutorial videos at: <https://support.zoom.us/hc/en-us>

**For assistance during the meeting, or for assistance logging into the meeting, please contact Courtney McNair, Garver Urban Planner, at (479) 287-4610, or email at [cetmcnair@garverusa.com](mailto:cetmcnair@garverusa.com).**