

**AGENDA
INFORMATIONAL AND WORKSHOP MEETING
WASHINGTON COUNTY PLANNING BOARD
&
ZONING BOARD OF ADJUSTMENTS**

August 26, 2014

4:00 pm, Mark Rich's Property
15721 Riches Road
Fayetteville, Arkansas 72704

1. Roll Call

Roll call was taken. Members present include Robert Daugherty, Daryl Yerton, Randy Laney, Walter Jennings, and Chuck Browning. Cheryl West and Kenley Haley were not present.

2. Approval of the agenda: *Robert Daugherty made a motion to approve the agenda. Chuck Browning seconded. All board members were in favor of approving. Motion passed.*

3. New Business

- **(Excerpt From Published Agenda) Tour of Rich Red Dirt CUP Site: discussion and question and answer period regarding proposed development.**
 - **From Wedington Drive turn north onto Riches Road. Mr. Rich's property is the last property on the left at the end of Riches Road. There will be signage at the end of Riches Road and on the property directing you toward a parking area. See the attached Map for more details. Please note that the meeting location cannot be accessed via Harmon Road- you must use Riches Road.**
 - **There will be a central meeting location near the parking area under a large tree.**
 - **The applicant or his representative will take any interested individuals on a driving tour of the site.**

As was announced at the August 7, 2014 Planning Board/ Zoning Board of Adjustments meeting, there will be a Planning Board/ Zoning Board of Adjustments meeting at the applicant's (Mark Rich's) property on August 26, 2014. This will be a workshop and informational meeting only. There will be no action taken at this meeting regarding the Rich Red Dirt CUP. However, this is a public meeting, and all press and interested citizens are welcome to attend this meeting.

At this meeting, the applicant will show the Planning Board members the proposed site and answer any questions that the board may have.

Individuals interested in attending this meeting should come to the entrance to the applicant's property at 15721 Riches Road, Fayetteville, AR, 72704. This property is the last property on the left at the end of Riches Road.

This event will take place rain or shine

Owner: Mark Rich, Applicant: Benny Holtzclaw
122.00 acres (approximately 10 acres is planned to be utilized for open cut mining)
Proposed Land Use: Open Pit Red Dirt/Clay/Gravel Extraction
Related to project #: 2014-124 Planner: Juliet Richey, jrichey@co.washington.ar.us

3. Public Comments

- *Randy Laney, Planning Board Chair, discussed the rules for the public meeting. Also he reminded the planning board members if they are in vehicles by themselves they cannot discuss anything pertaining to the project. It would be a violation of the open meeting. "Our primary purpose of the meeting today is to gather facts. It is an open meeting and the public is invited to participate. We are not going to vote today.*

There won't be any action taken today. There will be a chance for public comments at the September 4, 2014 Planning Board meeting".

- *Juliet Richey, Planning Board Director stated that there is water and bug spray available for the public. There are also copies of the agenda and map. She stated that we're going to take a tour of the mining site. "I know that the point of contention is the entrance at Harmon Road. We're going to look at that as well. The applicant has already marked stakes by the side of the driveway to show approximately where they want to put the haul road. The board members and public can drive by and see where it's located. Mr. Rich, Mr. Kelly, and myself have a 4-wheel drive vehicles. If any member of the public is interested in going we'll break down into groups and organized rides."*
- *A neighbor stated that there are a lot of people down at the entrance of Harmon Road.*
- *Juliet Richey replied, "We've sent out notifications stating that the meeting location is here. I've put an additional sign down there."*

At the top of the knoll site.

- *Juliet Richey asked Mr. Kelly if he can provide a brief explanation.*
- *A neighbor stated that the planning office told him that the meeting was going to be at Harmon Road. "That's a fact. I called and the gentlemen told me."*
- *Juliet Richey replied, "I don't know exactly what you said. We're having the meeting on site."*
- *Neighbor stated that, "I said the entrance point. I asked if they are going to bring the committee down here. He said wait. I waited. He came back and said, 'yes, we definitely are'."*
- *Juliet Richey, replied, "We're doing the best we can to coordinate everything. We brought it here. We talked about how we're going to get people back and forth. It would be too hard to get everybody down there because the roads are much steeper."*
- *Neighbor asked, "if there is a record?"*
- *Juliet Richey, replied, "Yes, there is record."*
- *Neighbor asked, "The Quorum Court members and planning board members if they would, outside the meeting, please look at the point of contention on behalf of all the people here before you leave today."*
- *Juliet Richey replied, "That's what we talked about the beginning that the Planning Board members are going to go look at it after the meeting."*
- *Neighbor stated, "I just want that to be part of the record."*
- *Juliet Richey briefed the public where they are on the map.*
- *Michael Kelly, Engineer for the project, explained the digging and mining process of the knoll. "We have a 50ft buffer from where this grass line is where the toe of the slope will start. It'll go down a 3 to 1 slope for 15 ft. That's how we're going to shave off the top of this knoll."*
- *Several neighbors asked questions regarding the mining and digging the knoll.*
- *Another neighbor, asked, "I know you're not changing the slope of the run off but the run off changes dramatically when it's raw dirt vs. when it's knoll. How do you address that red dirt run off running into Hamstring creek?"*
- *Michael Kelly, answered, "They'll be protected with silt fences all around the perimeter. That red dirt will not reach the stream. Some of them I can't say absolutely. There will be silt fences that you've seen during constructions at construction sites. Silt dikes and catch basins that will catch the additional run off in case some of it gets by the fences."*
- *A neighbor asked about the vehicles, traffic, and number of hauls a day.*
- *Benny Holtzclaw, the applicant, answered, "We usually do 10-12 hauls a day. Some days people don't need that much dirt. It just depends."*
- *A neighbor asked about the 500 ft sight visibility distance requirement.*
- *Another neighbor commented it will take longer to go up the hill with dump trucks hauling and trying to get up the hill as well.*
- *Several neighbors discussed the dump trucks, traffic, and safety issues on Harmon Road.*
- *Neighbor, asked "If I understand this correctly, this project will be completed in 3 years? My second question is what are the possibilities of that happening and what will happen after the project is complete."*
- *Mark Rich stated, "Benny said it's going to be 3-5 years. It depends on how much dirt we sell. We're going reserve the top soil. When this knoll comes down flat, we're going put top soil back up and reclaim it."*
- *Kenley Haley asked "Does this large tract of land joins this property? What's the acreage on it?"*
- *Juliet Richey responded, "Yes, it does. I think it's about 40 acres. That's Mr. Casey's property. And that's where Mr. Elkin's land starts. The two pieces that are adjacent are joined by Mr. Casey and Mr. Elkins."*
- *A neighbor asked about the digging slope and the buffer for the fences lines.*

- *Michael Kelly responded, "In essence we're really shaving the top of this hill off. From that grass line to down the 3:1 slope at 15 ft depth which takes 45 ft horizontally to get there and then we will just flatten it out."*
- *A different neighbor asked a question regarding the variances for the project.*
- *Juliet Richey answered that the Planning Board are not obligated to approve variances. They're not requesting a variance they don't agree with the buffer. They want to keep it at 50 ft. It's the buffer disagreement with staff recommendation.*
- *Several neighbors asked about the dust and debris issue.*
- *Walter Jennings, asked if any of the neighbors have a view of the knoll from their house.*
- *Mark Roberson replied, "Yes, in the winter time."*
- *Several neighbors talked about the sound issues coming from the dirt pit.*
- *A different neighbor asked about the safety study.*
- *Juliet Richey replied, "We were looking at sight distance visibility."*
- *Neighbor asked, "And they failed the initial sight distance requirement. Are they asking for a variance for this?"*
- *Juliet Richey responded, "No, they are not asking for a variance. They are trying to increase their sight distance visibility through an easement to clear and maintain clearance on someone else's property. The easement has not yet been obtained."*
- *Neighbor asked, "If they don't get that tree clearance then they won't meet the visibility requirements.*
- *Juliet Richey replied, "The Planning Board is in charge of granting the variances but it seems unlikely that they'll grant it due to health safety reasons."*
- *The board members wanted to examine Harmon Road. They regrouped at Mark Rich's house and then headed out to Harmon Road.*

At the Harmon site.

- *Benny Holtzclaw measured out the sight distance for the board members.*
- *Walter Jennings asked, "What is this line?"*
- *Benny Holtzclaw responded, "It's for the 25 ft turning radius."*
- *Juliet Richey showed the board members the sight distance visibility. "Looking towards Harmon Road, you can see the vegetation that is blocking the view. That's the issue with line of sight. Mr. Rich does not own the property that the vegetation is on. We're asking for an easement drawn up for the initial clearing and maintenance for the vegetation. For the CUP we're not asking for the easement to be signed but the documents submitted. Also we'll need a letter from Mr. Elkin's saying he would be willing to sign the easement. We don't have any indication that he would sign. We just got a draft copy of the easement."*
- *The Planning Board members, Kenley Haley, Chuck Browning, and Randy Laney asked several questions pertaining to the easement, sight distance visibility, and the traffic.*
- *Benny Holtzclaw marked the sight distance for the Planning Board members.*
- *A few of the neighbors asked about sight distance visibility and easement questions.*
- *Juliet Richey briefed the board members on who the surrounding property owners are. She also answered questions about the buffers and property lines.*
- *Randy Laney asked if the Justice of the Peace or Planning Board members had any other questions. He also if there were any comments from the public. He reminded the public that they are not going to vote on anything tonight and that the next planning board meeting will be on Sept 4, 2014.*
- *A neighbor asked the board members to take note how long it would take them to accelerate up the hill.*
- *A different neighbor asked the board to consider the traffic, safety, and devaluation of property on Harmon Road.*
- *Another neighbor wanted to thank the Planning Board Members and Justice of the Peaces for coming out and visiting the sites.*
- *A neighbor asked if there have been any traffic studies on the other dirt pits.*
- *Juliet Richey responded that most of the dirt pits were in place before zoning and the set of rules we have now. We've only dealt with expansion of areas in existing pits, not necessarily changing traffic.*
- *The neighbors were just wondering if there was any data on the traffic and traffic accidents for the other dirt pits.*
- *Juliet Richey replied no.*

4. Old Business or Other Business

- none

5. Adjourn (no later than 6:00 p.m.)

*Chuck Browning moved to adjourn. Robert Daugherty seconded. Motion passed.
All Board members were in favor of approving.*

Planning Board adjourned.

Minutes submitted by: Phuong Pham

Approved by the Planning Board on:

_____ Date: _____
Randy Laney, Planning Board Chairman