
MINUTES**PUBLIC HEARING**

The public hearing of the Arnold Planning Commission was called to order by Acting Chairman Frank Kutilek at 7:00 p.m. Mr. Kutilek informed those in attendance as to the procedures by which the public hearing would be conducted.

2015-17: FOXWOOD ESTATES, PRELIMINARY PLAT, TENBROOK ROAD: Dan Govero, Govero Land Services representing Rodney G'Sell, G'Sell Homes, presented the plan for a 39 lot subdivision. Mr. Govero explained that this subdivision was previously approved therefore, the streets are in, sewers are in, storm sewers are in and it is graded so they want to utilize what is there. He addressed the detention basin with regard to past storm water issues.

Bryan Crawford, 1165 Starlight Dr., has no problem with development going in but did report that there is settling of the road on Starlight Drive.

Paul Freese, Ward 3 Councilman, commented that this project has been going on a long time and there are still issues to address on Starlight as well as Six Roads South. He is glad they have addressed the detention and storm water issues. He is concerned about the cliff (slope) and would like to see a geotechnical study done to make sure it is safe.

Rebecca Arnold, 2922 Tenbrook, excited to see something happening on this site. She stated for the record that her driveway was supposed to be repaired by the original developer and it was not. The driveway floods every time it rains no matter how hard and now the back driveway is washing out. She has to shovel mud off her driveway. She wants her driveway repaired or replaced when the issues are resolved.

Karen Purcelli, 1153 Starlight Dr., overlooks the quarry and is very excited that something is going to be built finally. Her concern is if there is going to be any blasting because their house received a lot of damage from the blasting in the past.

There being no further questions or comments, the public hearing adjourned at 7:12 p.m.

REGULAR MEETING

The regular meeting of the Arnold Planning Commission was called to order by Acting Chairman Frank Kutilek at 7:12 p.m. The Pledge of Allegiance was recited by those in attendance.

ROLL CALL OF COMMISSIONERS: Del Williams, John Tucker, Randy Hoselton, Brian McArthur, Ralph Sippel, Ted Brandt (excused), Frank Kutilek, Jeff Campbell, Andrew Sutton (excused), Todd Teuscher, Mary Holden, Christie Hull-Bettale, Derrick Redhead and Bob Sweeney. 8 voting members present.

REVIEW AND APPROVAL OF AGENDA: Motion by Randy Hoselton to approve the agenda as presented. Second by Jeff Campbell. Voice Vote – *Unanimously Approved.*

APPROVAL OF MINUTES: Motion by Jeff Campbell to approve the minutes from the August 25, 2015 meeting as presented. Second by Del Williams. Voice Vote – *Unanimously Approved.*

QUESTIONS FROM THE FLOOR: None

7a. 2015-17: FOXWOOD ESTATES, PRELIMINARY PLAT, TENBROOK ROAD: Frank Kutilek read the request.

Dan Govero, Govero Land Services, showed images of G'Sell Developments and the types of homes that he builds. They will look at the settling issue on Starlight Drive; rock slope was engineered so a geotechnical investigation will not reveal much, it should have been monitored by the city during construction; there should be no blasting, if they hit rock that needs to come out they will do it with a chipper.

Jeff Campbell asked the lot sizes.

Mr. Govero stated they are 65 foot frontages.

Brian McArthur is concerned with the water runoff and asked about the location of the underground detention.

Del Williams asked if this will solve Mrs. Arnold's driveway flooding problem.

Dan Govero stated that it should.

Bob Sweeney cautioned everyone that they cannot promise that all storm water issues will be solved.

Rebecca Arnold, 2922 Tenbrook Rd., stated that her issue is not the water so much as that she was promised a new driveway and it never happened.

Del Williams added condition #9, that the driveway at 2922 Tenbrook Road be replaced.

Motion by Del Williams to approve 2015-17, Foxwood Estates, Preliminary Plat with the findings and nine (9) conditions:

1. Submit storm water quality and detention for review and approval.
2. Receive approval from the Board of Adjustment for the seven foot side yard setback.
3. The trees indicated on the lots be identified if they meet the size requirements and ensure they do not exceed the required amount needed to be saved.
4. \$60,000 is deposited with the City for a sidewalk contribution instead of building a sidewalk along this stretch of Tenbrook Road due to steep grades and the amount of disturbance needed to construct a sidewalk.
5. The 3.79 acres indicated as common ground is placed in a permanent open space easement to preserve the hillside and trees on the hillside while providing for maintenance of the water quality/detention areas.
6. The variance to the lot frontage requirements of lots 2-10, 14-21, 24-30, and 34-37 are approved based on the findings listed above.
7. The developer project engineer provides an evaluation of the storm volume that the Tenbrook Rd roadside ditch could accommodate. This should be based on the current project survey and USGS topo. The roadside ditch along Tenbrook should be improved within the City Right of way along the frontage of the project (from the intersection of the subdivision to the far south corner of the common ground) also the Tenbrook street culvert crossing resized, replaced or improved or as needed. Additionally, the detention

basin discharge between the homes near 2929 Tenbrook should be reviewed for acceptability and improved only if absolutely needed, as required for channel protection.

8. If during the review of the improvement plans or in the field during inspections it becomes obvious repairs, adjustment, modification of existing streets, sight distance, storm water/other infrastructure is identified such deficiencies shall be corrected.
9. The driveway at 2922 Tenbrook must be repaired.

Second by Ralph Sippel. Roll call vote: Del Williams, yes; John Tucker, no; Randy Hoselton, no; Brian McArthur, yes; Ralph Sippel, yes; Frank Kutilek, no; Jeff Campbell, no; Todd Teuscher, yes. 4 yeas, 4 nays – *Tie Vote*.

Randy Hoselton commented that lots 1 thru 12 are underneath the hill and he cannot recommend homes be built under a 30 foot tall cliff.

Mary Holden stated that the wall was done back in 2010 and she can provide him with the engineer's plans.

Frank Kutilek commented that it was done in 2010 and the road is still sinking.

Mary Holden stated that the road was sinking prior to the construction site. The road was not built to city standards.

John Tucker commented that the guardrail sinking is a concern as it happened after construction of the slope.

Jeff Campbell does not want to set precedence of not following the lot sizes specified in our ordinance.

Motion to deny 2015-17, Foxwood Estates, Preliminary Plat with the findings and nine (9) conditions:

1. Submit storm water quality and detention for review and approval.
2. Receive approval from the Board of Adjustment for the seven foot side yard setback.
3. The trees indicated on the lots be identified if they meet the size requirements and ensure they do not exceed the required amount needed to be saved.
4. \$60,000 is deposited with the City for a sidewalk contribution instead of building a sidewalk along this stretch of Tenbrook Road due to steep grades and the amount of disturbance needed to construct a sidewalk.
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basin discharge between the homes near 2929 Tenbrook should be reviewed for acceptability and improved only if absolutely needed, as required for channel protection.

8. If during the review of the improvement plans or in the field during inspections it becomes obvious repairs, adjustment, modification of existing streets, sight distance, storm water/other infrastructure is identified such deficiencies shall be corrected.
9. The driveway at 2922 Tenbrook must be repaired.

Second by Jeff Campbell.

Ralph Sippel asked the distance from the back of the houses to the rock cliff. He commented that over on Kuner Road there is a rock bluff and those houses are very close. They hung a cyclone fence to help take care of the problem.

Rodney G'Sell, G'Sell Homes stated that he developed Kuner Farms. He explained that the slope is an engineered slope and is sound. It is not a cliff. It is his liability as the builder building the homes near the slope, not the city's.

Del Williams stated that it is an engineered rock slope. He does not think the road sinking on Starlight was caused by the slope construction. We need to get this mess cleaned up, all involved are tired of looking at this site.

Roll call vote: Del Williams, no; John Tucker, yes; Randy Hoselton, no; Brian McArthur, no; Ralph Sippel, no; Frank Kutilek, yes; Jeff Campbell, yes; Todd Teuscher, no. 3 yeas, 5 naes – *Motion Denied*.

STAFF REPORT: None

OLD BUSINESS: None

COMMISSIONERS REPORT: None

ADJOURNMENT: Meeting adjourned at 7:44p.m.

Respectfully Submitted,



Todd Teuscher
Planning Commission Secretary

