

BENTON PARISH METROPOLITAN PLANNING COMMISSION

MINUTES

Monday, May 1, 2023 – 6:00 P.M.

Benton Town Hall

105 Sibley Street

Benton, LA 71006

MEMBERS

PRESENT:

Martha Reyenga

Steve Vercher

Brian Kauffer

Jerry Nuckolls

OTHERS PRESENT:

Jayne Gilmour

Pat Doane

Jeff Raley

William Leighton

Charlie Coyle

Don Tubbs

Kavid Kalnasy

Kayla Kalnasy

Chris Meyers

Joseph Williamson

Jerry Duncan

Secret Duncan

Charles Williamson

Ray Hayes

Steve Stewart

MEMBERS ABSENT:

Michael Jorgenson

(A) Martha Reyenga called the meeting to order at 6:00 p.m.

(B) The invocation was led by Brian Kauffer.

(C) Pledge of Allegiance was led by Steve Vercher.

(D) Jayne Gilmour called roll and stated a quorum was present.

(E) A motion was made by Steve Vercher and seconded by Brian Kauffer to approve the agenda.

The motion carried unanimously.

(F) PUBLIC HEARINGS

1. **BP-10-23** – The application of Jeff Raley, Raley & Associates, requesting Minor Plat approval for 6M Hill Subdivision, being 2.385 acres, more or less, located in Section 15, Township 19 North, Range 13 West, Benton, Louisiana Located on the east side of Linton Road, south of Jessie Jones Drive. (Police Jury District 5)

Jeff Raley was present.

Raley: This is just a one lot plat for Dr. Christy to build a house on.

Askew-Brown: Is he selling it?

Raley: No.

Blunck: I see that they have already applied for the permits.

Raley: He did, yes. They are just waiting for this approval.

Reyenga: Does he have access there off of Linton into that lot?

Raley: Yes. That is where his current driveway is.

William Leighton was present.

Leighton: I live within 300 feet of this tract. I just wanted to clarify that the entrance is going to be from the farm access and not from Jessie Jones.

Raley: That is correct.

Leighton: I am wondering if we could get a turn lane onto Jessie Jones Drive.

Reyenga: We do not handle that. You would need to contact the Police Jury.
Leighton: Is the going to be properly leveled for proper drainage?

Raley: All the water will drain down toward the pond.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve BP-10-23 was made by Vercher and seconded by Kauffer.

A roll call vote was held and the motion carried unanimously.

2. **BP-06-23** – The application of Coyle Engineering requesting Amended Plat approval for Cypress Bay Unit VC, being 1.316 acres, more or less, located in Section 1, Township 19 North, Range 13 West, Bossier Parish, Louisiana. (Property located at 2012 Captains Point, Benton Louisiana) (Police Jury District 3)

Charlie Coyle was present.

Coyle: We are just combining these two residential lots into one to possibly build a shop.

Vercher: The parish engineer comments say add note about Ordinance 4600, Article 5. What does that mean?

Coyle: The parish wants us to have that on all parish plats. I have added it.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve BP-06-23 was made by Vercher and seconded by Nuckolls.

A roll call vote was held and the motion carried unanimously.

3. **BP-11-23** - The application of Don Tubbs, Don Tubbs Enterprises Inc. requesting Minor Plat approval for Tubbs Hardware , 4.784 acres, more or less, located in Section 6, Township 119 North, Range 13 West, Bossier Parish, Louisiana. (Police Jury District 3)

Don Tubbs was present.

Reyenga: Are just going to put more warehouses behind the existing country store?

Tubbs: That is correct. There was dividing line at one point. I purchased that land as well. Both sides of this property line are owned by my company. We just want to remove this line so we can build more buildings.

Reyenga: Did you buy the property behind you or beside you?

Tubbs: Behind me.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve the BP-11-23 was made by Vercher and seconded by Kauffer.

A roll call vote was held and the motion carried unanimously.

4. **BP-05-23** - The application of David Kalnasy requesting Minor Plat Approval, for Cynthia and David Kalnasy, being .78 acres, more or less, located in the southeast quarter of the southeast quarter of Section 23, and the southwest quarter of the

southwest quarter of Section 24, Township 20 North, Range 13 West, municipally known as 264 Ryan Road, Benton Louisiana. (Police Jury District 3)

David Kalnasy was present.

Kalnasy: We are here to get approval to turn these lots into one so we can build a bigger house. We own 264 and 268 Ryan Road. We've had this surveyed and we would like to combine these to build a bigger home.

Askew-Brown: Are you tearing down the existing home?

Kalnasy: Yes.

Reyenga: When you combine all of these pieces does that total equate to .78 acres?

Kalnasy: I think it is just under 5 acres total.

Kayla Kalnasy was present.

Kalnasy: I am David's wife. The .78 acres that is listed on there may just be the size of the land that we are able to build on. Because of the access with Cypress Black Bayou, there are certain parts of our land that have to be so far away from the lake. That may just be the size of the buildable area.

Vercher: Are you referring to the flowage easement?

Kalnasy: The house is not going to go into the flowage easements. It will go into one of the other lots. We are trying to turn all of the lots into one lot.

Vercher: How are you going to have access to your lot?

Kalnasy: I have an existing driveway that goes all the way to Ryan Road.

Vercher: I am trying to figure out the unresolved issues. The parish engineer says there is no legal access from Ryan Road or Fowler Lane.

Kalnasy: That is correct. We have lived there since 1989. The 268 property was purchased from the Jenkins. It crosses their land. It always has. Everybody accessed off of Fowler Lane. Since we acquired 268, our little access road has grown up. We do not use it anymore. Fowler Lane is a private drive but the parish maintains it.

Vercher: How can we approve a plat when there is no legal access?

Askew-Brown: Mr. Hudson was going to get with Mr. Ford because this is decreasing a non-conforming issue. I think he may be ok with it. There will just need to be further discussion with the parish.

Kalnasy: Mr. Hudson wasn't sure what we had out there. He didn't know that we had an existing driveway. My mother and my uncle are getting older. We are just wanting to build a bigger house where we can take care of them.

Nuckolls: Would the Police Jury have to approve this before we approve it?

Askew-Brown: They will hear it at the end of May.

Kalnasy: Mr. Hudson told me that if you approve it and it looks good on his end then we can start demo and dirt work but I can not pour any concrete until we hear back from him.

Kauffer: Should we approve this pending access from the 2 owners he has to cross?

Reyenga: You have to have access from the other two individuals in writing. It is my understanding that the parish will not issue permits for electricity or any other utilities without it.

Vercher: Does one of these roads have utilities going down it?

Kalnasy: My driveway does and so does Fowler Lane. Fowler Lane is paved all the way up.

Vercher: I think what we are missing here is the parish engineer signing off on this.

Askew-Brown: I requested that he be here but he stated that we should move forward with it and he would take care of it. This can be a part of your motion.

Kauffer: Is this .78 acres? That doesn't seem right.

Reyenga: Do we have the legal description? How many acres are there total? Whoever did this surveying was incorrect. The plat will have to be corrected.

Askew-Brown: This is not calculating at 5 acres. These lots all add up to only .78 acres. Based off of the tax access records, I do not have 5 acres here.

Kalnasy: It looks a lot bigger when you are on it.

Reyenga: It is small. Does the 8200 square foot home they plan to build fit on that .78 lot?

Kalnasy: It will. I had a plot plat drawn.

Vercher: You have an existing house that you want to tear down. You want to build a new house. This will button-up the property description so you can build that house. You have talked to the parish engineer and he wants to work through the issue with the access. There is no one here in opposition and this will go before the Police Jury.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to approve the BP-05-23 was made by Vercher with the condition that the access to the property be resolved. Motion was seconded by Kauffer.

A roll call vote was held and the motion carried unanimously.

5. **BP-04-23** - The application of Coyle Engineering, requesting a Zoning Amendment to change the zoning classification of a tract of land being 8.94 acres, more or less, from R-A (Residence Agriculture District) to B-3 (Community and Central Business District) located in the northeast quarter of Section 23, Township 20 North, Range 13 West, Bossier Parish, Louisiana for a proposed storage facility. (Police Jury District 3)

Chris Meyers was present.

Meyers: In the last meeting we had, we were looking at more of a resort style development and now we are strictly going to do a storage facility. This is just an expansion of what is already there. Since our last meeting, I was able to meet with DOTD and they have approved the location of our driveway that turns into the site.

Vercher: This is a much better fit than what we had before. The only thing we can not approve tonight is this temporary gravel access drive. That would be handled under a planned building group. We are not doing a site plan approval. The required culvert outfall on the very bottom, is there a ditch there that you are pushing water towards? You have the 2 detention ponds and you show a culvert at the top of the hill. Have you worked through all of this?

Meyers: There is a ridge line that goes through there at the 208 or 209 contour. There is a natural ridge at the bottom of the property. As of today, it falls this way.

Vercher: I do not disagree with you. If you put a culvert in, you create a concentrated outfall for someone to deal with. Is there ditch there for that culvert to go to?

Meyers: I do not know.

Vercher: If you are going to take all that water to one point and push it all on someone else's property, it will eat a ditch out. Have you worked with that adjacent property owner?

Meyers: We have not done any TOPO. We do not know if there is a ditch or a creek there.

Vercher: With that said, we are not approving the site plan tonight. These are the things that you will have to work through.

Meyers: We are aware.

Reyenga: That culvert moves water down past those two homes that have an excess of water when the weather is bad. I have been out there. They already have a problem with water.

Joseph Williamson was present.

Williamson: This property joins mine. That water comes in at the top of Butler Hill Road and all the way down through there. I have seen that area flooded up to the Stevens' property.

Reyenga: The water is coming from Butler Hill and going toward Haughton, right? It also goes through the woods back there on the back side. It backs up all of the time when there is any significant rain.

Jerry Duncan was present.

Jerry Duncan: I own the property right behind the storage facility. My address is 2420 Cypress Shores. The water runs straight through the middle of my property. The creek is right next to the tree line.

Secret Duncan was present.

Secret Duncan: This floods our area. We have a barn back there. I haven't seen what they are actually proposing. We moved out there to not be in town or have close neighbors. Our porch faces this. Our view will now be a storage facility. There is a line of trees that blocks the other side.

Vercher: I was very vocal last month. I asked for significant amount of screening. We still have to work through the site plan.

Jerry Duncan: The owner has updated some of the buildings and they have installed new lighting. Now we see the lights right through the trees. The pasture is lit up at night.

Vercher: That concerns me. The biggest thing that I am hearing is that we have a backwater flooding issue that is not going to be addressed. This preliminary drainage map... I do not think this will work.

Meyers: What do you mean by not being addressed? We are putting in detention ponds.

Vercher: Have you looked at all of the water coming to your site?

Meyers: I have looked at. We are at the zoning phase right now. I can not spend our client's money to do a hydraulic study or even a TOPO. We are going to address the detention. We have to do that due to the ordinances.

Vercher: We are not going to support the zoning unless we know that we can build on it.

Meyers: That is why I have detention ponds drawn on the site plan.

Vercher: Correct. The sign plan is not what we are approving tonight. It could be less buildings that he thinks he will have. I think we need to go back and look at this harder because your client thinks he can build this. Last month, your client thought he was going to build an RV park. I do not want to get sideways with him any more than I already have.

Meyers: I guess I do not understand the question.

Vercher: What I am saying is that I will not support this until you figure out what he can build on it.

Meyers: Are you requiring a drainage study?

Vercher: I am going to require it before we can support this because of the opposition we have here tonight.

Meyers: I am dedicating certain use of land for the detention pond areas. In order for me to properly size those, I would have to do a full-blown drainage study. I am spending more time for my client to even get it zoned to get the proper size detention. I do not doubt that there is a drainage problem. I am trying to understand why a creek running through someone's property that is now not be detained is still a problem.

Kauffer: I do not think that concrete is going to help this situation. I am not going to vote to change the use of the property knowing that there is concrete coming without knowing the impact of it after hearing the existing issues.

Vercher: Let's say he can only build a tenth of what he thinks he is going to build there. He needs to realize this. You are putting water out of the back through a culvert that goes to no ditch. Property owners on all sides say that the whole property floods because water comes from all directions. This is a junction spot where it all comes to. You can not build on it if it floods. I do not care who has to pay for it but we cannot take care of this tonight because these property owners have voiced an opposition for it. That is a problem.

Charlie Coyle was present.

Coyle: We understand what you are saying about the drainage. We could not let more water go off the site post construction than what is going off pre-construction. That is an ordinance. If we need to table this for a month to look closer at this, then that is what we will do.

Vercher: I would like for you to realize that you are going to have to work with these surrounding property owners, you are going to have to find out where this water is coming from and you will have to capture that in your study.

Meyers: We plan on doing that.

Coyle: We will look at this a lot closer.

Kauffer: Have there been conversations with the parish about possible drainage issues?

Vercher: I think that they have done a good job redirecting the property owner from doing what he wanted to do last month. It was an RV Park and it was not going to work. Now we have a concept to expand what he is already doing there. We just want to do it smart and not push a backwater problem on the surrounding property owners. We are trying to keep this from becoming a civil issue. This is a private ditch. It has a lot of water coming off of the hill and I guess it is coming from the other side of the road too. We have to capture that entire drainage area and see how much water... if it floods, it is only going to flood more back upstream.

Jerry Duncan: Where does he plan on running the creek? He has storage buildings over where the creek is going to be.

Meyers: This is a map that shows the contours. We are diverting the creek through a detention pond.

Jerry Duncan: You are going to redirect the creek up along to my house?

Meyers: It will go underground. It will have a small pond to receive it. I haven't sized the pond yet. There is a possibility that we hold water.

Jerry Duncan: This creek, if it starts backing up, it will wash out my fence and come into my property.

Meyers: We cannot back up any water off of our property.

Charles Williamson was present.

Williamson: There are two culverts off of that property. There is one that runs in off of your place that comes through an old pond that the previous owner piled a bunch of junk into. One of these days it is going to come through and take the fence out. There is a small culvert that is behind the house. You cannot get equipment in those ditches by the highway because they are holding so much water. It is coming off of that property. There is probably a four-foot drop from my dad's fence to this property. Water has always come down. With all of the concrete, it is going to push more water down on us. I have had water covering my yard completely. Water does not flow through that creek very well. No one will help move the water flow.

Ray Hayes was present.

Hayes: When we get a good rain, they have to put the signs down there that say high water. Even though it is a highway, you can not see where my driveway is. That is a 36' or 40' pipe going under there. The Stevens', to improve their land, they took out a culvert and put two in. Their water doesn't back up. The water just keeps coming. It all falls down to a spot and then goes under the road and next to his house. My ditch is washed out right now. It is fast moving water. This is going to bad in this area. I haven't seen the plan yet but if anything directs water that comes in to where this is flowing down, someone will get piled up with water. Besides the water, this is a two-lane road out here. The access is very limited. It is pretty common to have to stop while someone is getting access into it. This is a speedway right here. We have already had one wreck in my driveway. If we do not have a better entrance in there, this will be a dangerous situation. The traffic issue is a hazard even when it is not raining.

Meyers: I want to address the entrance issue. This is going to be a huge improvement with the driveway entrance. You will be able to queue at least 3 RV's by moving the gate access 100 feet from the road. DOTD has said that we have to eventually close the other driveway and have the inner connector. So, when we move beyond developing the lot, we have to connect the two properties and get rid of the other driveway.

Steve Stewart was present.

Stewart: I will piggy back off of that. We did realize that the traffic being backed up would be an issue with RV's and campers. One thing we did to alleviate that was to give them gate clickers. As far as the development goes, everything you see on there will not be done at one time.

Vercher: Unfortunately, you are asking for zoning for the entire tract and that is what is going to be the hang up.

Stewart: If we agree to just do a partial....

Vercher: You can not do that tonight. Your engineer has a lot left to do. They need submit a drainage plan and a hydraulic study.

Stewart: Is there nothing the parish can do about diverting that water or putting a plan in...

Vercher: That is not what we do here, sir.

Coyle: We ask that you table this for one month.

As there were no further comments from the Board or the public, the Chairman called for a motion.

A motion to delay BP-08-23 was made by Vercher and seconded by Kauffer.

A roll call vote was held and the motion carried unanimously.

(G)PRELIMINARY HEARINGS

6. **BP-08-23** – The application of Coyle Engineering requesting Preliminary Plat approval for Turtle Creek Subdivision, Unit No. 4, being 2.81 acres, more or less, located in Section 11, Township19 North, Range 13 West, Bossier Parish, Louisiana. (Located north of Parks Road on the west side of W Lakeshore Drive) (Police Jury District 3)

Charlie Coyle was present.

Coyle: These next two plats were a part of Turtle Creek Master Plan. We actually brought these to this body back in 2017 and all three were approved at that time. We never went forward with 4 and 5. So much time has passed that now we have to come back for approval so we can move forward.

Vercher: We had an issue last time with the sewer, correct?

Coyle: The one thing that has changed is that the sewer has improved because the parish bought Eagle Waters Treatment Plant so it is a good time to move forward with these now.

As there were no further comments from the Board, the Chairman called for a motion.

A motion to approve BP-08-23 was made by Kauffer and seconded by Nuckolls.

A roll call vote was held and the motion carried unanimously.

7. **BP-09-23** – The application of Coyle Engineering requesting Preliminary Plat approval for Turtle Creek Subdivision, Unit No. 5, being 2.2 acres, more or less, located in Sections 2 and 11, Township19 North, Range 13 West, Bossier Parish, Louisiana. (Located north of Turtle Creek Subdivision Unit No. 3, south of W Lakeshore Drive) (Located north of Turtle Creek Subdivision Unit No. 3, south of W Lakeshore Drive) (Police Jury District 3)

Charlie Coyle was present.

As there were no further comments from the Board, the Chairman called for a motion.

A motion to approve BP-09-23 was made by Kauffer and seconded by Nuckolls.

A roll call vote was held and the motion carried unanimously.

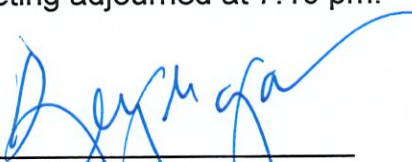
(H) REGULAR MEETING

1. Approval of Minutes
 - a. A motion to approve the April 4, 2023 minutes was made by Nuckolls and seconded by Kauffer.

The motion passed unanimously.

2. Old Business
3. New Business
4. Adjourn

Meeting adjourned at 7:10 pm.



Martha Reyenga

6/5/23

