

M-I-N-U-T-E-S

of

JOINT PLANNING COMMISSION

held in

Pikeville, Kentucky

on

November 6, 1997



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Minutes of the Joint Planning Commission meeting held, on Thursday, November 6, 1997, at the hour of 7:25 P.M. in Pikeville City Hall, Hambley Boulevard, Pikeville, Kentucky.

APPEARANCES:

Joint Planning Commission members present were: Leon Huffman, Phenis Potter, and Hon. Richard Elswick, Attorney at Law, Pikeville, Kentucky, representing the Joint Planning Commission.

Also present were Rick Keene and Levy Greene.

MR. ELSWICK:

I guess the first item is there appears to have been some resignations from the Planning Commission.

I have been informed that two members from Elkhorn City have resigned and that Nelson Scott, a Pikeville City member, has resigned, and there is a possibility that Steve Blevins is no longer a member of the Planning Commission.

So our ranks have been depleted to where it would appear to me that the three of us probably constitute a quorum. So let the record reflect that we do have a quorum and that we are going to proceed to do business.

I'll ask Mr. Keene if he will go ahead and present his matters before the Commission at this time.

MR. RICK KEENE:

I've got two matters to bring before the Commission and both of them are in reference to the Coal Hollow area, Mr. Adams' property.

The first one you previously approved Lots 1 through 8 in Coal Hollow. He has now added two lots on

the lower end, Lots 9 and 10, everything else being the same. All the draining and subdivision and roadway and everything is the same except for the addition of two lots, Lots 9 and 10.

The Technical Advisory Committee doesn't see any problem and would recommend to this committee that it be approved.

MR. ELSWICK:

Following the recommendation of the Technical Advisory Committee this revised plat of the subdivision of Coal Hollow is approved. Do I hear a motion to approve it?

MR. HUFFMAN:

I've got one question before I do. You've got lots extending down into the commercial section. The first 200 feet of it is commercial.

MR. KEENE:

No. The commercial section

is still down at the end of it; that's my understanding here.

MR. HUFFMAN:

I've got no problem with the road going through it. Is there a road going through it?

MR. ELSWICK:

Here is the road running here (indicating).

MR. HUFFMAN:

Do you have another road up on top of the hill coming around. Is that in the next thing you are going to present?

MR. KEENE:

Yes.

MR. HUFFMAN:

Those lots don't come down into the 200 feet?

MR. ELSWICK:

I don't think so because this
draft here shows this is the 200 foot.

MR. KEENE:

One inch is a 50 foot scale.
So he has 200 feet down there.

MR. HUFFMAN:

I make a motion we approve
it.

MR. POTTER:

I second the motion.

MR. ELSWICK:

All in favor, say aye.

AYES.

MR. HUFFMAN:

How many lots is in that?

MR. KEENE:

I takes a total of ten.

There were previously eight and he's added two more.

MR. HUFFMAN:

He still owes a check for \$70.00. He should be here in a few minutes; I don't have a copy of this.

MR. KEENE:

That's your copy.

The other item is what is referred to the Coal Hollow Ridge and it's the area that's upon the point right at the mouth of Coal Hollow. If you are looking from the Boulevard into Coal Hollow it's that area that is on the left on the end of the point. About six weeks ago, was it, Levy, Mr. Adams went up there and actually disturbed that area which is outside of the existing subdivision area and it came a rain naturally and some material washed down and some neighbors complained and Levy asked me to go down there and take a look at it and when we did I

recommended to Mr. Adams that he do certain things down there in the form of an erosion control plan immediately to prevent material, fresh dirt and mud and this sort of thing, from being washed onto the roadway and into the storm drain which he went ahead within 24 hours and did the work.

I then told him that even though he wasn't actively developing the area right now because of the nature of the disturbance that he needed to submit an erosion control plan similar for what he did for the Dark Hollow area showing us in writing on a map what he was going to do to prevent this silt from washing onto the roadways and stopping the drains up.

This is a map of Coal Hollow here (indicating) and if you recall there's an underground storm drain that goes from here across the riverfill and we don't want that stopped up because everything coming out of here is going to wash right across the Boulevard.

When I went up there this is an existing street, and I can't recall the name of that street now, but it's an existing street up there and when you come off the street you are going uphill into this area and I cautioned him to make sure that there weren't any drainage that come back off of this area along the city street. So what he did was he actually cut this down so that it slopes away from the city street and back toward Coal Hollow.

Then he came around here and diverted all the drainage from this freshly exposed area down here and there's a silt fence along the Boulevard on his property here (indicating) and silt basin in here and a second basin here to catch this silt before it goes here and prevent it from going onto the Boulevard. The drainage won't go back on this street because it's actually a downhill slope and we also had him put stone the first 150 foot here so they

won't be tracking mud back out on this city street.

He has accomplished all of that work. I don't see any problems with it. The Technical Advisory Committee met and considered it and took public comments and we would recommend its approval to the Planning Commission.

MR. HUFFMAN:

Does he have any lots on that?

MR. KEENE:

No. What he says he is wanting to do later on is to build what he calls these stilt houses like they've got down in Gatlinburg.

MR. HUFFMAN:

Does he have two lots?

MR. KEENE:

Yes. Of course, we've told him that before he does that he's got

to submit plans showing how he is going to have parking, the size of the lots, the setbacks, elevations, turning, the whole bit that's required for a subdivision; that before he does anything up there that he is required to submit that.

The only purpose of this is to get something in writing on what the requirements are. We also required him to seed that area which he has done to prevent silt and mud and debris from washing off to the city streets and causing problems. This doesn't entitle him to -- actually he's not supposed to do any sort of work. This is just to prevent what he has already done.

This is another case of him going out and disturbing an area before he has any plans or anything submitted on how he is going to prevent problems. The problems weren't severe but they could have been. He disturbed a pretty good size area there before he submitted the plans. I don't know what to do with

him. I mean he knows what needs to be done. I don't know what to do to get him to submit the plans and get designs drawn up before he actually does the work. We talked about that in the last meeting.

MR. POTTER:

The work has not been done yet?

MR. KEENE:

No, he's done the work. He did the work before the plan was even put together. I went down on the hill and said, "You need to do this, this and this to prevent a problem". Fortunately, he went ahead and did it because there was heavy rains that night. If he hadn't took some drainage control before that it probably would have washed quite a bit of mud and stuff out on the street but even then he was like two weeks later before he ever submitted the plan and basically what he

did was incorporate within the plan what I told him to do down there the day that we made the inspection. I'll give him credit -- when we go down and catch him doing something like that and we tell him what he needs to do and he gets right on it and does it but the whole point is we encouraged him to get these plans through and drawn up and these designs made before he does the work. He has yet to do that. I don't know that he will.

MR. ELSWICK:

Do we have a motion to approve this plan?

MR. HUFFMAN:

I move we accept the Technical Advisory's recommendation on the road on Coal Hollow. Is that what we need?

MR. KEENE:

Coal Hollow Ridge is the name
of it.

MR. ELSWICK:

Approve the erosion control
plan for Coal Hollow.

MR. HUFFMAN:

I move we accept the erosion
control plan for Coal Hollow.

MR. ELSWICK:

Do I hear a second to that?

MR. POTTER:

I second it.

MR. ELSWICK:

All in favor say, aye.

AYES.

MR. ELSWICK:

Before we go onto something

else I had forgotten to get approval of the Minutes from our last meeting. I have Minutes here from the July 31st meeting. I assume that everyone has had a chance to review those. Do I hear a motion that those Minutes be approved?

MR. HUFFMAN:

I move they be approved.

MR. POTTER:

I did read them. I'll second it.

MR. ELSWICK:

All in favor, say aye.

AYES.

MR. HUFFMAN:

That's the one that changed the zoning on Cedar Creek.

MR. ELSWICK:

Let the Minutes stand

approved then. Is there any other matters to come before the Commission?

MR. HUFFMAN:

Yes. The public hearing on Park Street and they changed the lot from R1 to R3. It's .346 acres. I moved that it be changed from R1 to R3.

MR. POTTER:

Since there's no one here to object to it, I second it.

MR. ELSWICK:

All in favor, say aye?

AYES.

MR. ELSWICK:

Let the record reflect that the motion carries and it will be the recommendation of the Planning Commission to the City Commission that the .346 acres on Park Street currently

zoned R1 be rezoned as R3. Any other matters?

MR. HUFFMAN:

I've got the Minutes of the last time we met and we didn't have a quorum and didn't do nothing about it but you need to pay the bills and a treasurer's report and the bills are for our reporter here. We've got three of them to be approved. We have paid one of them. One is for \$85.00 for August 28th and one for \$109.00 and those two have been paid and this one is for the last one that we just heard in this Minutes and it's \$127.00 and I move that they all three be approved since two of them have already been paid.

MR. POTTER:

I'll second that.

MR. ELSWICK:

The motion carries.

MR. HUFFMAN:

You also have a treasurer's report that shows a copy of the bank statements.

MR. ELSWICK:

Let the treasurer's report be accepted. Any other matters?

MR. HUFFMAN:

I don't have any others. I anticipated that we would have Joe Justice but we don't have him. So I move we adjourn.

MR. POTTER:

I second that motion.

MR. ELSWICK:

Meeting stands adjourned.

STATE OF KENTUCKY)
)
COUNTY OF PIKE)

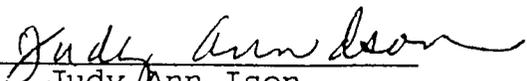
C-E-R-T-I-F-I-C-A-T-E

I, Judy Ann Ison, a Registered Professional Reporter and a Notary Public for the State of Kentucky at Large, do hereby certify that the foregoing Minutes were taken at the time and place specified therein and was completed without adjournment; that the Minutes were taken by me in shorthand notes with electronic backup and reduced to the foregoing transcript and that the foregoing transcript is a true and accurate transcript to the best of my ability of the proceedings.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties or any attorney or counsel in the foregoing proceedings and further that I am not financially interested in the outcome of this matter.

GIVEN UNDER MY HAND at Pikeville, Kentucky, this the 14th day of November, 1997.

My Commission expires June 20, 1998.



Judy Ann Ison
REGISTERED PROFESSIONAL REPORTER
NOTARY AT LARGE, STATE OF KENTUCKY