

STATE OF TEXAS §
COUNTY OF DENTON §
TOWN OF BARTONVILLE §

The regular monthly meeting of the Planning and Zoning Commission of the Town of Bartonville was held on June 27, 2007, at 7:00 p.m., in the Bartonville Town Hall. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted at 3:00 p.m. on June 23, 2007, at Bartonville Town Hall giving notice of time, date, place, and agenda thereof. *Please note that due to the July 4th Holiday the Commission held their regular monthly meeting on June 27, 2007. Proper notice was given for this meeting and the public hearings that were held.*

Present:	Absent:
Ralph Arment, Chairman	Jim Langford
Gloria Mc Donald, Vice Chairman	
Don Abernathy	
Betty Medlock	

Also present: Debbie Millican, Town Administrator
Gary Vickery, Town Engineer

This constituting a quorum, the following business took place:

Chairperson Arment called the meeting to order at 7:05 p.m.

Call to Order

The Commissioners considered the June 6, 2007, regular monthly meeting minutes. Don Abernathy moved to approve the June 6, 2007, minutes as written. Betty Medlock seconded the motion. For: Abernathy, Medlock and Arment. Against: None. Abstain: McDonald. The motion carried 3-0-1.

Approve Minutes

No one chose to speak during the open comment portion of the agenda.

Open Forum

The Commissioners participated in a public hearing to hear public comment and to consider recommendations to the Town Council regarding the proposed Ordinance 428-07, an Ordinance amending Town of Bartonville Code of Ordinances, Chapter 14, Article 14.300, Ordinance 361-05, Zoning Regulations for the Town of Bartonville, so as to change the zoning designation of an approximately 30.1536 acre tract of land situated in the J.R. Chambers Survey, Abstract No. 1518 and the J. Burke Survey, Abstract No. 42, in the corporate limits of the Town of Bartonville, Denton County, Texas, being all of Lot 4 of Long Meadows Estates, an addition to the Town of Bartonville, Texas according to the Plat thereof recorded in Cabinet K, Page 111, Plat Records, Denton County, Texas and being more particularly described in Exhibit "A," attached hereto, from a zoning designation of "AG"- Agriculture to a zoning designation of "RE-5"- Residential Estates (5 Acres) and by amending the Official Zoning Map to reflect such change.

Public Hearing

Chairperson Arment opened the hearing to public comment and asked to hear from the applicant.

Hearing Opened

Mark Feighner stated that he was the applicant and that the zoning change was in conformance with the adopted land use plan. He said that his home was on the property and that he had no intentions of developing. Mr. Feighner stated he just wanted to avail himself of the land uses and restrictions provided for in RE-5 zoning districts.

Applicant

Town Administrator, Debbie Millican, presented the planning review and recommendation to approve as prepared by Deputy Town Secretary, Kristi Gilbert. Ms. Millican stated that while the Commission should not take into consideration future development plans when considering a zoning change request, the applicant needs to be aware that the current configuration of the property would not meet the Town's development requirements to subdivide the land. The property owner would be required to purchase additional land or obtain numerous variances in order to develop the property. Ms Millican stated that the request for RE-5 zoning was in conformance with the approved Land Use Plan and the land uses of the surrounding properties.

Staff

No one signed in to speak in favor of or in opposition to the zoning change request.

**In Favor/
Opposed**

Chairperson Arment closed the hearing to public comment.

Hearing Closed

Gloria McDonald moved to recommend that the Town Council approve Ordinance 428-07, as requested and recommended by staff. Don Abernathy seconded the motion. For: Unanimous. The motion carried 4 to 0.

**ACTION:
Approve Ord 428-
07**

The Commission Members held a hearing to hear public comment and to consider recommendations to the Town Council regarding Ordinance 429-07; AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING ARTICLE 14.300, EXHIBIT "A," THE TOWN OF BARTONVILLE COMPREHENSIVE ZONING ORDINANCE, AS AMENDED, BY REPEALING IN IT'S ENTIRETY CHAPTER 30, SECTION 30.3, OIL AND GAS DRILLING AND PRODUCTION AND REPLACING IT WITH A NEW SECTION 30.3 TO BE ENTITLED "OIL AND GAS WELL DRILLING AND PRODUCTION"; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

Public Hearing:

Chairperson Arment opened the hearing to public comment and asked to hear staff recommendations.

Hearing Opened

Gloria McDonald stated that the amending ordinance had been initiated by Town staff in response to complaints of gas trucks traveling on unauthorized streets. The ordinance will help in educating all subcontractors of the approved route for each well. Ms. McDonald stated that she had attended an oil and gas conference and learned that a waiver of subrogation needs to be added to the proposed ordinance. The Commission Members also discussed adding 1) ... wellhead "or other source" in paragraph f(3) on page 9; adding a definition for "Wellhead"; and requiring a noise mitigation plan at the time of permitting.

Staff

No one signed in to speak in favor of or in opposition to the Ordinance.

**In Favor/
Opposed**

Chairperson Arment closed the hearing to public comment.

Hearing Closed

Gloria McDonald moved to recommend that the Town Council approve Ordinance 429-07, as revised to require a noise mitigation plan; require a waiver of subrogation; provide definition of "Wellhead"; and add ..."or other source" in paragraph f(3) on page 9. Betty Medlock seconded the motion. For: Unanimous. The motion carried 4-0.

**ACTION:
Approve Ord 429-
07**

The Commission Members considered recommendations to the Town Council to an application from JEA/HydroTech Engineering, Inc. for the drilling and production of three gas wells known as the Rachwal #1H, #2H and #3H wells. Robby Plato spoke on behalf of the applicant. He stated that he had provided a waiver of subrogation in his insurance certificates for the proposed Rachwal Wells. Town Engineer Gary Vickery reviewed the revised application and stated that the applicant had addressed all of the concerns addressed in his June 20th Review. Mr. Vickery recommended approval.

**Oil/Gas Drilling
Permits**

Don Abernathy moved to recommend approval of Rachwal #1H, 2H and 3H Oil and Gas Drilling Permits as revised to be in compliance with the Town Engineer's review dated June 20, 2007. Gloria McDonald seconded the motion. For: Unanimous. The motion carried 4 to 0.

**ACTION:
Approve Rachwal
#1H, 2H and 3H**

There being no further business to come before the body, Chairperson Arment declared the meeting adjourned at 8:12 p.m.

APPROVED this the 1st day of June, 2007.

Approved:

Ralph Arment, Chairperson

Attest:

Kristi Gilbert, Deputy Town Secretary

(Seal)