

THE FLOWER MOUND OIL AND GAS BOARD OF APPEALS MEETING HELD ON THE 21ST DAY OF OCTOBER 2021, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS, AT 6:30 PM.

[Click here](#) for meeting video link.

The Oil and Gas Board of Appeals met in regular session, with the following members present constituting a quorum:

Gregory Shultz	Chair
Denis Toth	Vice Chair
Ryan Geddie	Board Member, Place 2
Sky Jay Schoggins	Board Member, Place 4
Greg Wilson	Board Member, Place 5
Charles Freeny	Board Member, Place 6
Troy Bishop	Board Member, Place 7
Thomas Stevenson	Board Member, Place 8

Places 6, 7, and 8 of the Board do not vote on items unless they sit in place of one of the regular members, Places 1-5.)

And the following members of Town staff present:

James Donovan	Town Attorney
Matthew Woods	Director of Environmental Services
Helena Lynch	Administrative Assistant
John Luxton	Oil and Gas Inspector

A. CALL TO ORDER - REGULAR SESSION: 6:30 PM

B. INVOCATION AND PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENT

Don Gilmore, 5300 Kensington Ct, Flower Mound, TX 75028
Questioned reason ordinance changed multiple times and how is gas pad equipment is maintained.

D. PUBLIC HEARING

- 1. (OGB21-0002) Public hearing to consider a request from Toll Brothers, Inc., Grapevine, TX, for a variance from Section 34-422(c)(4), as set forth in Ordinance No. 26-03 Section 34-422 of the Town's Code of Ordinances. The variance request is to decrease the new construction setback requirements for a proposed residential subdivision and applicable improvements from the existing Sam Wilson CS natural gas wells, which pad site was permitted prior to the Town's current regulations. The property is generally located south of Cross Timbers Road (FM 1171) and east of Scenic Drive.**

Staff Presentation

John Luxton, Oil and Gas Inspector, answered questions and gave a presentation with the following items included:

- OGB21-0002 Oil and Gas Board of Appeals
- Subject Property Location
- New construction variance
- Townlake PH 5 Site Plan Overview
- Variance Request
- Variance Request
- Town Thoroughfare Map
- Variance Request

Matt Woods, Director of Environmental Services answer questions on this item.

Applicant Presentation

Mike Boswell, Toll Brothers, 2665 Virginia Parkway, Flower Mound, TX 75022 answered questions and gave a presentation with the following items included:

- Sam Wilson Tract Oil and Gas Board of Appeals
- Introductions – Toll Brothers Values
- Sam Wilson Tract
- Proposed Development – Why am I here tonight?
- The Gas Site – Why am I here tonight?
- Variance Request #1 -Walsingham Town Thoroughfare Plan (2018) and Toll's Exhibit
- Variance Request #1 -Walsingham -Excerpt from Town of Flower Mound's Parks and Trail Plan (2019) and Toll's Exhibit
- Variance Request #1 -Walsingham – 1st request
- Variance Request #1 -Walsingham
- Variance Request #2-New Construction - 2nd request
- Map of Townlake plan with setbacks
- Variance Request #2
- Factors to consider slides 13-17
- Geometry example – Picture of a road
- Geometry example – Picture of a roundabout
- Oakbridge at Flower Mound- Picture of trails
- Oakbridge at Flower Mound-Picture of a stand of trees
- Townlake at Flower Mound- Picture of trails
- Townlake at Flower Mound- Picture of trail and fencing
- Questions

Matt Woods, Director of Environmental Services answer questions on this item.

Chair Shultz opened the Public Hearing for item 1.

FLOWER MOUND OIL AND GAS BOARD OF APPEALS MEETING OF APRIL 21, 2021

The following individuals either spoke in support or opposition or had questions / comments related to the item(s): Names listed below don't necessarily reflect the order in which each person spoke, and all addresses are located in Flower Mound unless otherwise indicated.

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/ Comments Only
	Chris Bower, 1800 Valley Ln, Farmers Branch, TX 75234	
	Steve Langridge, 5200 Kensington Ct	

*indicated did not wish to speak but would like to record their opposition.

Board reviewed emails in support of item 1.

Board Member Deliberation

Motion

Vice Chair Toth made a motion to recommend approval of the request from Toll Brothers, Inc., Grapevine, TX, for a variance from Section 34-422(c)(4), as set forth in Ordinance No. 26-03, Section 34-422 of the Town's Code of Ordinances. The request is to decrease new construction setback requirements for a proposed residential subdivision and applicable improvements from the existing Sam Wilson CS natural gas wells, which pad site was permitted prior to the Town's current regulations. The property involved is generally located south of Cross Timbers Road (FM 1171) and east of Scenic Drive. Board Member Geddie seconded the motion.

VOTE ON THE MOTION

Motion to approve passed

AYES: Geddie, Toth, Shultz, Schoggins
NAYS: Wilson
ABSTAIN: None

- (OGB21-0001) Public hearing to consider a request from the applicant for a variance from Section 34-422(c)(4), as set forth in Ordinance No. 26-03 Section 34-422 of the Town's Code of Ordinances. The variance request is to decrease new construction setback requirements for a proposed single-family residential structure and applicable improvements from the existing Sam Wilson CS natural gas wells, which pad site was permitted prior to the Town's current regulations. The property is generally located south of Cross Timbers Road (FM 1171) and east of Scenic Drive.**

Staff Presentation

John Luxton, Oil and Gas Inspector, answered questions and gave a presentation with the following items included:

- Oil and Gas Board of Appeal OGB21-0001
- Subject Property Location
- New Construction Variance
- Site plan overview
- Variance Request
- Variance Request

Applicant Presentation

Bronz Peterson, 12908 Whisper Willow Ct, Haslet, TX 75028 answered questions and gave a presentation with the following items included:

- Scenic Dr Presentation
- Overview
- Overview continued
- Overview continued
- Variance Requested
- Variance Requested continued
- Exhibit - A
- Exhibit A -1000' Radius from Gas Wellbore map
- Exhibit - B
- Exhibit B - 500' radius from Gas Wellbore map
- Exhibit - C
- Exhibit C - 250' map
- Exhibit - D
- Exhibit D - Scenic Drive Project
- Exhibit - E
- Exhibit - F Scenic Drive Survey
- Items OGBOA to Consider for Appeals Slides 17- 29
- Summary
- Summary continued

Matt Woods, Director of Environmental Services answer questions on this item.

James Donovan, Town Attorney answered questions on this item.

The following individuals either spoke in support or opposition or had questions / comments related to the item(s): Names listed below don't necessarily reflect the order in which each person spoke, and all addresses are located in Flower Mound unless otherwise indicated.

Support: Comments/Questions	Opposition: Comments/Questions	Question(s)/ Comments Only
	Chris Bower, 1800 Valley Ln, Farmers Branch, TX 75234	Mike Boswell, 2665 Virginia Parkway
	Don Gilmore,5300 Kensington Ct	

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Board reviewed emails in support of item 1.

Board Member Deliberation

Motion

Board Member Toth made a motion to approve with the change to keep the water well setback at

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1,000 feet and limiting the amount of residences to the singular amount as was initially indicated on his request continuing with the request for a variance from Section 34-422(c)(4), as set forth in, Ordinance No. 26-30 Section 34-422 of the Town's Code of Ordinances. The variance request is to decrease new construction setback requirements for a proposed single-family residential structure and applicable improvements from the existing Sam Wilson CS natural gas wells, which pad site was permitted prior to the Town's current regulations. The property is generally located south of Cross Timbers Road (FM 1171) and east of Scenic Drive. Board Member Schoggins seconded the motion.

VOTE ON THE MOTION

Motion to approve with limitations passed

AYES: Wilson, Schoggins, Schultz, Toth, Geddie
NAYS: None
ABSTAIN: None

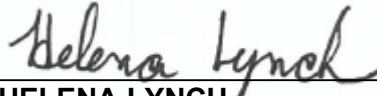
E. ADJOURNMENT – REGULAR SESSION 8:49 PM

TOWN OF FLOWER MOUND, TEXAS



GREGORY SHULTZ
CHAIR

ATTEST:



HELENA LYNCH
ADMINISTRATIVE ASSISTANT