

THE BERKELEY COUNTY PLANNING COMMISSION MINUTES

The Berkeley County Planning Commission met in a regular session on January 3, 2022 in the Council Chambers at 400 W. Stephen Street, Martinsburg, West Virginia.

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Laura Hoffmaster, presiding.

a. ELECTION OF OFFICERS

Laura Hoffmaster asked for nominations for President and Vice-President. The motion was made by Eric Goff and seconded by Nic Diehl to nominate Linda Barnhart to continue as President. Call for question. The motion carried unanimously. The motion was made by Eddie Gochenour and seconded by Nic Diehl to close nominations. Call for question. The motion carried unanimously.

The motion was made by Linda Barnhart and seconded by Eric Goff to nominate Tim Lewis as Vice-President. Call for question. The motion carried unanimously.

The motion was made by Eddie Gochenour and seconded by Eric Goff to close nominations. Call for question. The motion carried unanimously.

2. ROLL CALL

- a. PLANNING COMMISSION MEMBERS PRESENT: Linda Barnhart, Eddie Gochenour, Tim Lewis, Vickana Norton, Eric Goff, Dan Gantt, and Nic Diehl.
- b. MEMBERS ABSENT: Derick Smith
- c. STAFF: Laura Hoffmaster, Planner; Sarah Sandri, Administrative Assistant; Doug Smith, County Engineer; Jeff Mauzy, Assistant Legal Director.

3. APPROVAL OF THE AGENDA

ACTION TAKEN: The motion was made by Eric Goff and seconded by Nic Diehl to approve the agenda. Call for question. The motion carried unanimously.

4. SUNSHINE LAW SPEAKER: None

5. APPROVAL OF MEETING MINUTES

- a. **ACTION TAKEN:** The motion was made by Eric Goff and seconded by Vickana Norton to approve the December 20, 2021 meeting minutes. Call for question. Dan Gantt abstained due to absence. The motion carried.

6. PUBLIC HEARINGS

REQUEST FOR SKETCH PLAN ADVANCEMENT

a. Dollar General – Shepherdstown Road, File #2110-378

The site is located at the intersection of Eagle School Road (WV Rt. 45/5) and Shepherdstown Road (WV Rt. 45).

The developer is proposing a 10,640 square foot Dollar General, on approximately 1.05 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Rob Milne was present representing the project.

There were no comments from the public.

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Dan Gantt to close the Public Hearing. Call for question. The motion carried unanimously.

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Dan Gantt to approve the advancement of the Sketch Plan to the Preliminary Plan stage. Call For question. The motion carried unanimously.

b. Owens Self-Storage, File #2110-388

The site is located on Williamsport Pike (US Rt. 11), north of Grade Road (WV Rt. 1).

The developer is proposing a self-storage facility, on approximately 0.88 acres. Water and sewer utilities are not proposed.

Laura Hoffmaster read the description and project notes.
Dirk Stansbury was present representing the project.

There were no comments from the public.

ACTION TAKEN: The motion was made by Dan Gantt and seconded by Eric Goff to close the Public Hearing. Call for question. The motion carried unanimously.

ACTION TAKEN: The motion was made by Dan Gantt and seconded by Nic Diehl to approve the advancement of the Sketch Plan to the Preliminary Plan stage. Call For question. The motion carried unanimously.

REQUEST FOR FINAL PLAT APPROVAL

c. South Brook, Section 1, Phase 2, Lots 13-27, 29-52, 59-73, 82-93, 104-159 and TH 16-91, File# 2110-387

The property is located on Shiley Road (CR 34/2); approximately 0.3 miles north of Hatchery Road (CR 11/8).

The phase proposes 198 residential lots (122 single family detached and 76 single family attached), on approximately 85.4 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Jason Gerhart was present representing the project.

There were no comments from the public.

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Eric Goff to close the Public Hearing. Call for question. The motion carried unanimously.

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Dan Gantt to approve the Final Plat contingent upon receipt of surety in the amount of \$3,521,910.00 and a completed Developer's Agreement. Call for question. The motion carried unanimously.

7. PRELIMINARY PLAN APPROVAL

a. Tudor's Biscuit World/Anthony's Pizza, File# 2109-343

The site is located on Winchester Avenue (US RT 11), approximately 250' north of Pride Avenue (CR 55/11), on the right.

The project proposes a 4,200 sq. ft. Tudor's Biscuit World & Anthony's Pizza, on approximately 1.1 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Rob Milne was present representing the project.

ACTION TAKEN: The motion was made by Dan Gantt and seconded by Nic Diehl to approve the advancement of the Preliminary Plan to the Final Plat stage. Call for question. The motion carried unanimously.

8. REQUEST FOR FINAL PLAT DETERMINATION

a. Cold Spring Run, Phase 5, Lots 74-87, File #2109-338

The project is located on Kelly Island Road (WV Rt. 9/13), approximately 2,000' north of Paynes Ford Road (WV Rt. 19).

The phase is proposing 22 residential lots, on approximately 14 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Dirk Stansbury was present representing the project.

ACTION TAKEN: The motion was made by Dan Gantt and seconded by Eric Goff to accept staff recommendation for the Final Plat Determination and advertising of a public hearing for consideration of Final Plat Approval at the February 7, 2022 Planning Commission Meeting. Call for question. The motion carried unanimously.

b. Dillon Farm Estates, Section 1, Phase 2, Lots 23-55, 80-81, 90, 98-114 & 181-191, File #2110-380

The property is located on the south side of Hedgesville Road (WV Route 9), 0.4 miles northwest of Ridge Road (WV Route 4).

The developer is proposing 64 residential lots on 6.7 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Jason Gerhart was present representing the project.

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Dan Gantt to accept staff recommendation for the Final Plat Determination and advertising of a public hearing for consideration of Final Plat Approval at the February 7, 2022 Planning Commission Meeting. Call for question. The motion carried unanimously.

9. REQUEST FOR FINAL PLAT APPROVAL- Previously Tabled

a. Goldfinch Meadows, Phase 3, Lots 28-109 & 172-197, File# 2110-387

The property is located along the east side of Charles Town Road and south of Baker Road.

The project proposes 108 townhome lots, on 12.53 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Ed Schreiber was present representing the project.

Doug Smith stated that there were no wetlands that showed up when he researched the property. That included historical and anything under review. He stated he reached out to the concerned citizen and he seemed satisfied with Doug's answer. He stated there was nothing to merit further study or analysis.

ACTION TAKEN: The motion was made by Eric Goff and seconded by Dan Gantt to un table the project from the December 6, 2021 Planning Commission Meeting. Call for question. The motion carried unanimously.

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Dan Gantt to approve the Final Plat contingent upon receipt of surety in the amount of \$1,709,966.40 and a completed Developer's Agreement. Call for question. The motion carried unanimously.

10. RE-PLAT

a. Potomac Overlook, Phases 1 & 2, Lots 21, 29, 31, 34, 36 & 37, File #2111-426

The site is located at the end of Gillespie Court, in the Potomac Overlook subdivision.

The re-plat proposes 6 single family lots, on approximately 26 acres, to be served by private well and existing community sewer system.

Laura Hoffmaster read the description and project notes.
Steve Cvijanovich was present representing the project.

Laura Hoffmaster added that there is a current bond in place and they will be sending in a new original with the updated lot numbers.

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Dan Gantt to approve the Re-Plat. Call for question. The motion carried unanimously.

11. STAFF/ COUNSEL DISCUSSION/ACTION/ MOTION

Linda Barnhart asked the status of the Subdivision Ordinance rewrite.

Laura Hoffmaster answered that the next meeting for the rewrite will be on the 19th. She stated there should only be a few more meetings.

Doug Smith stated he is working on Appendix A and it should come out with the Ordinance. He stated that his goal is to add an Appendix B for the Stormwater Management Ordinance so they all work together.

Linda Barnhart asked if they think public hearings could start in March.

Laura Hoffmaster answered springtime for sure.

Linda asked if the comments have been responded to.

Laura Hoffmaster answered that there is a excel sheet with the comments and how they were answered. She stated she would share the spreadsheet with the Planning Commission Members by email.

12. ADJOURNMENT

ACTION TAKEN: The motion was made by Eric Goff and seconded by Dan Gantt to adjourn the meeting at 6:32 PM. Call for question. The motion carried unanimously.

Respectfully submitted,
Sarah Sandri
Administrative Assistant

Berkeley County Planning Commission Meeting Minutes, January 3, 2022.