

THE BERKELEY COUNTY PLANNING COMMISSION MINUTES

The Berkeley County Planning Commission met in a regular session on May 5, 2025 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 Linda Barnhart, presiding.

2. ROLL CALL

- a. PLANNING COMMISSION MEMBERS PRESENT: Linda Barnhart, Vickana Norton, Ron Truitt , Troy Barrett, Eric Goff, and Tim Lewis.
- b. MEMBERS ABSENT: John Hardy, Mike Bush, Dan Gantt
STAFF: Laura Hoffmaster, Deputy Director of Community Development, Sarah Sandri, Planner; Doug Smith, County Engineer; Jeff Mauzy, Deputy Legal Director.

3. APPROVAL OF THE AGENDA

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

4. SUNSHINE LAW SPEAKER: None

5. APPROVAL OF MEETING MINUTES

ACTION TAKEN: The motion was made by Eric Goff and seconded by Ron Truitt to approve the April 21, 2025 minutes. Call for question. The motion carried unanimously.

6. PUBLIC HEARINGS

REQUEST FOR FINAL PLAT APPROVAL

a. Nessle Junction – Section 2, Lots 3-6, File# 2411-340

The property is located on the north side of Grade Road; approximately 350' east of its intersection with Kitchens Orchard Road.

The developer is proposing four single-family residential lots, on 11.27 acres, to be served by public water and private septic.

Laura Hoffmaster read the description and project notes.
Dan Llewellyn was present representing the project.

There were no comments from the public.

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

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Eric Goff to approve the Final Plat contingent upon receipt of surety in the amount of \$201,364.80. Plat to be released upon receipt of surety and developer's agreement. Call for question. The motion carried unanimously.

b. South Brook – Section 2, Phase 5, TH Lots 138-145 & 162-169; Lots 222-239, 252-258, 261-263 & 300-312, File# 2412-397

The property is located on Shiley Road (WV Sec. Rt. 34/2), approximately 0.3 miles north of Hatchery Road (WV Sec. Rt. 11/8).

The final plat proposes 41 single-family lots and 16 townhouse lots on 44.84 acres, to be served by public

water and sewer.

Laura Hoffmaster read the description and project notes.
Brooke Perry and Hunter Wilson were present representing the project.

There were no comments from the public.

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

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Eric Goff to approve the Final Plat contingent upon receipt of surety in the amount of \$1,058,676.00. Plat to be released upon Receipt of surety and developer's agreement. Call for question. The motion carried unanimously.

c. Communities of Burwell, Phase 11, Lots P1-P14 & H26-H37, File# 2410-301

The property is located on Nipetown Road (WV Sec. Rt. 8), approximately 1 mile west from its intersection with Weaver Lane (WV Sec. Rt.11/7).

The final plat proposes 28 single-family lots on 20.15 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Mike Roberts was present representing the project.

There were no comments from the public.

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

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Eric Goff to approve the Final Plat contingent upon receipt of surety in the amount of \$382,129.50. Plat to be released upon receipt of surety. Call for question. The motion carried unanimously.

d. Communities of Burwell, Phase 12, Lots J9-J18 & L39-L46, File# 2410-302

The property is located on Nipetown Road (WV Sec. Rt. 8), approximately 1 mile west from its intersection with Weaver Lane (WV Sec. Rt.11/7).

The final plat proposes 18 townhouse lots on 1.86 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Mike Roberts was present representing the project.

There were no comments from the public.

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

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Eric Goff to approve the Final Plat contingent upon receipt of surety in the amount of \$26,400.00. Plat to be released upon receipt of surety. Call for question. The motion carried unanimously.

REQUEST FOR WAIVER

e. Stehley Lane, File# 2504-089

The site is located east of Williamsport Pike (US Rt. 11) approximately 1 mile north of Dupont Road (WV Sec. Rt. 11/60).

The developer is proposing the subdivision of an existing 1.1-acre lot, which Stehley Lane dissects. There is an existing dwelling on each side of the road. Lot 1 (119 Stehley Lane) is approximately 0.54 acres and is already served by private well and septic. Lot 2 (62 Stehley Lane) is approximately 0.56 acres and is already served by public water and private septic.

Laura Hoffmaster read the description and project notes.
No one was present representing the project.

There were no comments from the public.
Tim asked the story of the parcel and how it has 2 houses on the lot.
Laura Hoffmaster stated the parcel is old and the houses were built a long time ago.

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

ACTION TAKEN: The motion was made by Vickana Norton and seconded by Troy Barrett to approve the waivers to Article 5, Table 5-4 (Subdivision and Land Use Ordinance 2025) requiring a minimum of 40,000 sq. ft. for lots served by public water and private septic and Article 5, Table 5-6 (Subdivision and Land Use Ordinance 2025) requiring a minimum of 60,000 sq. ft. for lots served by private well and septic. Call For question. The motion carried unanimously.

PRELIMINARY PLAN APPROVAL

a. BCPSWD Industrial Zone Elevated Water Tank, File# 2410-318

The site is located on the west side of Development Drive (WV Sec. Rt. 11/65), approximately 0.80 miles south of Business Park Drive (WV Sec. Rt. 81/8).

The developer is proposing a freestanding water tank on 1 acre.

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

Linda Barnhart asked if this will be the water supply for the mobile home community.
Laura Hoffmaster answered that this project is near P&G, but there another water tank going on Ridge Road.
Linda Barnhart asked who the water supply is for.
Steve Cvijanovich answered it would be more of a holding tank to make sure there is more reserve water.

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Eric Goff to approve the advancement of the Preliminary Plan. Call for question. The motion carried unanimously.

b. Southside Towns, File# 2410-317

The project is directly adjacent to Winchester Avenue (U Rt. 11), approximately 150' north from the intersection with Sofia Lane.

The developer is proposing 12 townhouse lots on 1.3 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Todd Heck was present representing the project.

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Eric Goff to approve the advancement of the Preliminary Plan to the Final Plat stage. Call for question. The motion carried unanimously.

REQUEST FOR FINAL PLAT DETERMINATION

a. Communities of Burwell, Phase 10, Lots A60-A67, D25-D30, E11-E15 & K7-K14, File #2305-156

The property is located on Nipetown Road (WV Sec. Rt. 8), approximately 1 mile west from its intersection with Weaver Lane (WV Sec. Rt. 11/7).

The final plat proposes 27 single-family lots on 9.01 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.
Mike Roberts was present representing the project.

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Troy Barrett to accept staff recommendation for the Final Plat Determination and advertising of a public hearing for consideration of Final Plat Approval at the June 2, 2025 Planning Commission Meeting. Call for question. The motion carried unanimously.

b. Foxtail Mills, Phase 4, Lots 53-80, File #2504-099

The site is located on the north side of Bedington Road (WV Rt. 6), approximately 300' east of the intersection of Bedington Road (WV Rt. 6) and Miss Staci Drive.

The developer is proposing 28 townhome lots on 2.67 acres, to be served by public water and sewer.

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

Steve Cvijanovich stated this was the last final plat for the project.

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Ron Truitt to accept staff recommendation for the Final Plat Determination and advertising of a public hearing for consideration of Final Plat Approval at the June 2, 2025 Planning Commission Meeting. Call for question. The motion carried unanimously.

7. STAFF/ COUNSEL DISCUSSION/ACTION/ MOTION

- a. Comprehensive Plan Update-** Laura stated there would be another public engagement on May 8th from 6-8PM. She stated there would also be stakeholder focus groups earlier in the day.

8. ADJOURNMENT

ACTION TAKEN: The motion was made by Eric Goff and seconded by Ron Truitt to adjourn the meeting at 6:27pm. Call for question. The motion carried unanimously.

Respectfully submitted,
Sarah Sandri
Planner I