

THE BERKELEY COUNTY PLANNING COMMISSION MINUTES

The Berkeley County Planning Commission met in a regular session on June 6, 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 Linda Barnhart, presiding.

2. ROLL CALL

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

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 Tim Lewis to approve the May 16, 2022 meeting minutes. Call for question. The motion carried unanimously.

6. PUBLIC HEARINGS

REQUEST FOR SKETCH PLAN ADVANCEMENT

a. Pilgrim Industrial, File# 2203-081

The project is located east of Interstate 81, north of Gerrardstown Road (WV Rt. 51), and west of Pilgrim Street.

The project proposes a 1,434,892 sq. ft. warehouse facility and relocation of the existing Berkeley County Recycling facility, on approximately 154 acres to be served by public water and sewer.

Nate Emery read the description and project notes.
John Wright was present representing the project.

There were no comments from the public.

Eddie Gochenour asked about the traffic pattern.

John Wright stated that there will be 2 accesses where the pedestrian traffic will mainly be on Route 51 and the trucks will mostly stay out of the roundabout.

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

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

b. Bridle Creek, Phase 7, File# 2201-029

The site is located along the east side of Barrel Race Road, within the Bridle Creek subdivision, adjacent to and accessed from Phase 5.

The phase proposes 96 townhome lots, on approximately 21 acres, to be served by public water and sewer.

Nate Emery read the description and project notes.
Steve Cvijanovich was present representing the project.

There were no comments from the public.

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

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

c. Fort Evans, File# 2202-050 tied to #2202-055

The site is located along the west side of Winchester Avenue (US Rt. 11), with access being located approximately 500' north of Evans Run Drive (WV. Sec. Rt. 34/11).

The project proposes 32 single family attached lots, on approximately 5.3 acres, to be served by public water and sewer.

Nate Emery read the description and project notes.
Steve Cvijanovich was present representing the project.

Public Comment: John Slough, resident on Evans Run Drive, stated that there was still an issue with the sewer. He asked if the issue has been resolved. He stated that he can still smell the sewage. He also stated that he is concerned about the Stormwater Management. He stated that he is concerned that the downhill water will end up on Evans Run Drive.

Steve Cvijanovich stated that there is one SWM pond that will have a very small target release quantity. He stated that he does not believe there will be a negative impact and only a small amount of water will leave the SWM area.

Doug Smith stated that the SWM design was reviewed and is in compliance with the 2016 SWM Ordinance.

Steve Cvijanovich answered that he will beach out to the Sewer and Water Department to see if there is an issue at the pump station.

Eddie Gochenour stated that he is not aware of any issues concerning that pump station but he will reach out to see what the smell may be coming from.

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

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

d. Airport Lots – Bowman Development, File# 2204-110

The site is located along the south side of Novak Drive, approximately 0.20 mile east of the intersection with Winchester Avenue (US Rt. 11).

The project proposes a 120,000 sq. ft. warehouse building, on approximately 11 acres to be served by public water and sewer.

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

Public Comment: Matthew Weaver stated that he has a memorial site for his friend near that area and asked if that will be affected. He stated the site has been there for 20 years and he maintains the site. Steve Cvijanovich stated that he is unaware of the site and it was not mentioned in the survey of the site. He stated survey crews will be in that area and he will have them check, but it is probably within the State Right-of-Way.

Sandy Hamilton looked up the state code for memorials in the ROW.

Nic Diehl stated that if the site does need to be moved that he can contact him and the airport can find somewhere on their property for the memorial site.

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

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

e. Butler's Crossing Carwash – Outparcel 2, File# 2204-111

The site is located on Winchester Avenue (US Rt. 11), approximately 0.15 miles north of Gerrardstown Road (WV Rt. 51).

The project proposes a 4,333 sq. ft. automated carwash with manual vacuum stations, on 1.23 acres to be served by public water and sewer.

Nate Emery read the description and project notes.
Mark McDonald was present representing the project.

There were no comments from the public.

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

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Eric Goff 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

f. Webber Springs, Section 3, Phase 2, Lots 314-318, File# 2111-417

The site is located along Middleway Pike (WV Rt. 51), approximately 1,800' south of Sulphur Springs Road (WV Rt. 4).

The phase proposes 5 single family detached lots, on approximately 1.4 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 by Eric Goff and seconded by Tim Lewis to close the Public Hearing. Call for question. The motion carried unanimously.

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Tim Lewis to approve the Final Plat contingent upon receipt of surety in the amount of \$95,466.00. Plat to be released upon receipt of surety, Developer's Agreement and proposed Covenants and Restrictions. Call for question. The motion carried unanimously.

REQUEST FOR WAIVER

g. BFS – Warm Springs, File# 2204-119 tied to 2202-053

The project is located at the intersection of Mid-Atlantic Parkway (WV Sec. Rt. 11/27) and Warm Springs Avenue (WV Sec. Rt. 11/24).

The project proposes a 6,832 sq. ft. convenience store and fast food restaurant, on approximately 2 acres, to be served by public water and sewer.

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

There were no comments from the public.

Eddie Gochenour asked with the reduction, is there any hard buffer between the pumps and the road. Steve Cvijanovich answered that the ingress and egress is not along that area and it is by the SWM pond. Laura Hoffmaster stated there is 53 feet from the Right of Way to the pumps.

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

ACTION TAKEN: The motion was made by Tim Lewis and seconded by Nic Diehl to approve the waiver to Section 503.B of the Berkeley County Subdivision Ordinance (2009), requiring a front setback of 50'. The developer would like a reduction to 39' to allow for the installation of the gas pumps. The actual building structure would be within the 50' setback. Call for question. The motion carried unanimously.

7. REQUEST FOR FINAL PLAT DETERMINATION

a. Cardinal Pointe – Section 2, Phase 2, Lots 516-527, 552-575 & 600-611, File #2204-108

The property is located along the north side of Hammonds Mill Road west of Saint Andrews Drive.

The project proposes 48 townhome lots, on 4.77 acres, to be served by public water and sewer.

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

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Tim Lewis to accept staff recommendation for the Final Plat Determination and advertising of a public hearing for consideration of Final Plat Approval at the July 5, 2022 Planning Commission Meeting. Call for question. The motion carried unanimously.

b. Cardinal Pointe, Section 3, Phase 2, Lots 153-160, 207-223, 234-243 & 255-266, File #2204-107

The property is located along the north side of Hammonds Mill Road (WV Rt. 901) west of Saint Andrews Drive.

The project proposes 47 single family lots on 13.87 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.

Steve Cvijanovich was present representing the project.

ACTION TAKEN: The motion was made by Tim Lewis 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 July 5, 2022 Planning Commission Meeting. Call for question. The motion carried unanimously.

8. STAFF/ COUNSEL DISCUSSION/ACTION/ MOTION

Doug Smith stated that the MS4 Ordinance is completed and was given to County Council for approval. He stated once that is approved the Subdivision Ordinance rewrite can continue.

9. ADJOURNMENT

ACTION TAKEN: The motion was made by Eric Goff and seconded by Nic Diehl to adjourn the meeting at 6:56 PM. Call for question. The motion carried unanimously.

Respectfully submitted,

Sarah Sandri

Administrative Assistant

Berkeley County Planning Commission Meeting Minutes, June 6, 2022.