

THE BERKELEY COUNTY PLANNING COMMISSION MINUTES

The Berkeley County Planning Commission met in a regular session on January 3, 2023 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.

2. ROLL CALL

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

Laura Hoffmaster asked for nominations for President and Vice-President.

The motion was made by Eddie Gochenour and seconded by Eric Goff to nominate Linda Barnhart to continue as President. 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.

3. APPROVAL OF THE AGENDA

ACTION TAKEN: The motion was made by Eric Goff and seconded by Vickana Norton 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 Eddie Gochenour to approve the December 19, 2022 meeting minutes. Call for question. The motion carried. Vickana Norton abstained due to absence.

6. PUBLIC HEARINGS

REQUEST FOR FINAL PLAT APPROVAL

- a. **Estates of Tuscarora, Phase 1, Lots 1-7 & Residue, File# 2101-023**

The site is located 1000 feet from the intersection of Thatcher Road (WV Rt. 16) and Tuscarora Pike (WV Rt. 15).

The final plat proposes the development of 8 single family lots on approximately 16 acres, to be served by private well and septic.

Laura Hoffmaster read the description and project notes.

Mark 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 Eddie Gochenour 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 \$206,035.97. Plat to be released upon receipt of surety and Developer's Agreement. Call for question. The motion carried unanimously.

REQUEST FOR WAIVER

b. The Woods Subdivision II, File# 2212-365

The site is located approximately 0.13 miles west of Mountain Lake Road (WV Rt. 17).

The developer wishes to convey the amenities sites to the Homeowners Association. The developer intends to retain a 10 acre parcel where Club House South is located.

Laura Hoffmaster read the description and project notes.

Andy DiMagno was present representing the project.

There were no comments from the public.

Andy DiMagno stated that the project will come back before the Planning Commission. He stated that the golf course is being sold to the HOA, but the 10 acre parcel will be developed separately.

Linda Barnhart asked if the HOA approved of the project.

Andy Dimagno answered that they are only buying the golf course portion, not the 10 acre parcel.

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 seconded by Tim Lewis to approve the waiver to Section 305.4.1, of the Berkeley County Subdivision Ordinance (2009), requiring WVDOH road frontage to proceed through the Preliminary/Final plat process. Call for question. The motion carried unanimously.

REQUEST FOR SKETCH PLAN ADVANCEMENT

c. PLK – Inwood, File# 2210-304

The project is located at the intersection of Winchester Avenue (US Route 11) and Gerrardstown Road (WV Route 51), at the northeastern corner of Terroso Way and Levardi Way, within Butler’s Crossing Commercial.

The developer proposes a fast-food restaurant on 1.06 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.

Joe Galbraith 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 Tim Lewis to approve the advancement of the Sketch Plan to the Preliminary Plan stage. Call For question. The motion carried unanimously.

7. PRELIMINARY PLAN APPROVAL

a. Opal Meadows, File# 2006-002

The project is located on the north and south side of Slonaker Lane (WV Sec. Rt. 9/15), approximately 2500’ east of its intersection with WV Route 9.

The project proposes 6 single family residential lots on 17.5 acres, to be served by private well and septic.

Nate Emery read the description and project notes.
Mike Roberts was present representing the project.

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

b. Smoot's Nursery, File# 2207-204

The site is located at 243 Paynes Ford Road, approximately, 1,300' from Winchester Avenue (US Rt. 11).

The project proposes a commercial nursery, on approximately 4.8 acres, to be served by public water and sewer.

Nate Emery read the description and project notes.
Rob Milne was present representing the project.

Eddie Gochenour asked if they were comfortable with the parking.
Rob Milne stated that they were comfortable with the parking spaces.

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.

8. PRELIMINARY/FINAL PLAT APPROVAL

a. Keith E. Voelker, File# 2210-307

The site is located on WV County Route 18, approximately 0.4 miles southwest of WV county Route 18/1.

The developer is proposing the creation four (4) single family, detached residential lots (approx. 31.3, 10.2, 9.7, and 38.5 acres) to be served by well/septic.

Nate Emery read the description and project notes.
Andy DiMagno was present representing the project.

ACTION TAKEN: The motion was made by Eddie Gochenour and seconded by Vickana Norton to approve the Preliminary/Final Plat. Call for question. The motion carried unanimously.

9. STAFF/ COUNSEL DISCUSSION/ACTION/ MOTION

Staff and Planning Commission members discussed the next steps for the proposed ordinance rewrite.

10. ADJOURNMENT

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

Respectfully submitted,
Sarah Sandri
Administrative Assistant