

THE BERKELEY COUNTY PLANNING COMMISSION MINUTES

The Berkeley County Planning Commission met in a regular session on May 16, 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, Vickana Norton, Dan Gantt and Eric Goff.
- b. MEMBERS ABSENT: Nic Diehl
- c. STAFF: Laura Hoffmaster, Senior Planner; Monique Boots, Planner II; Sarah Sandri, Administrative Assistant; Doug Smith, County Engineer; Anthony Delligatti, Legal Director.

3. APPROVAL OF THE AGENDA

ACTION TAKEN: The motion was made by Eric Goff and seconded by Eddie Gochenour 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 May 2, 2022 meeting minutes. Call for question. The motion carried. Dan Gantt recused due to absence.

6. PUBLIC HEARINGS

REQUEST FOR FINAL PLAT APPROVAL

- a. **Harvest Glen, Phase 1, Lots 2, 11-25 & 32, File# 2007-078**

The site is located on Vicksburg Court and Creasey Way.

The phase proposes 17 single family lots on approximately 12 acres, to be served by public water and sewer.

Monique Boots read the description and project notes.
Steve Cvijanovich was present representing the project.

Dan Gantt recused himself due to conflict of interest and exited the room.

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 Final Plat contingent upon receipt of surety in the amount of \$1,112,812.80. Plat to be released upon receipt of surety and Developer's Agreement. Call for question. The motion carried unanimously.

Dan Gantt returned to the room.

- b. **Red Hill, Section 1, Phase 11, Lots 65-79, 112-139, 178-190 & 338-345, File# 2201-014**

The project is located on Ridge Road S. (WV Rt. 4), approximately 0.5 mile from its intersection with Hedgesville Road (WV Rt. 9).

The final plat proposes the development of 64 single family lots on approximately 15 acres, to be served by public water and sewer.

Monique Boots 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 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 Eddie Gochenour and seconded by Dan Gantt to approve the Final Plat contingent upon receipt of surety in the amount of \$1,379,503.20. Plat to be released upon receipt of surety and Developer's Agreement. Call for question. The motion carried unanimously.

c. Communities of Burwell, Phase 9, Lots J19-J43 and L21-L38, File# 2112-445

The site is located at on Nipetown Road (WV Sec. Rt. 8), approximately 2,000' west from its intersection with Weaver Lane (WV Sec. Rt.11/7).

The phase proposes 43 townhome lots on approximately 6.5 acres, to be served by public water and sewer

Monique Boots read the description and project notes.
Mike Roberts was present representing the project.

There were no comments from the public.

Eddie Gochenour asked if the Covenants and Restrictions would be the same.
Mike Roberts answered that they will be the same but they have to up updated to add the new lot numbers.

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

ACTION TAKEN: The motion was made by Dan Gantt and seconded by Eric Goff to approve the Final Plat contingent upon receipt of surety in the amount of \$479,328.00. 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

d. Sader Residential Development, File# 2204-113 tied to 2107-248

The site is located off of Sader Drive, near the intersection of Winchester Avenue (US Rt. 11) and Gerrardstown Road (WV Rt. 51).

The project proposes 168 single family attached lots and 2 storage unit buildings, on approximately 18 acres, to be served by public water and sewer.

Monique Boots read the description and project notes.

Trevor Lloyd was present representing the project.

There were no comments from the public.

Tim Lewis asked if Sader Drive is being used for both entrances.

Trevor Lloyd answered yes.

Eddie Gochenour asked about the fire station and if they had anything against the development.

Trevor Lloyd stated that they have spoken with the fire station and they did not have any issues with the project.

Eddie Gochenour asked if they can make sure that, there is proper signage for the fire station.

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

ACTION TAKEN: The motion was made by Dan Gantt and seconded by Eric Goff to approve the waiver to Section 802.1.a.i of the Berkeley County Subdivision Ordinance (2009) prohibiting a right-of-way from being in a buffer and Section 802.a.b.i.a requiring a 25' buffer with screening between a residential and commercial use. Call for question. The motion carried unanimously.

7. PRELIMINARY PLAN APPROVAL

a. Mountaineer Recovery Village, Phase 1, File# 2203-071

The project is located on the west side of Van Metre Road, approximately 900' south of the intersection of Van Metre Rd. and Charles Town Rd.

Phase 1 proposes (3) recovery residences, on approximately 4.9 acres, to be served by public water and sewer.

Laura Hoffmaster read the description and project notes.

Steve Cvijanovich was present representing the project.

Dan Gantt recused due to conflict of interest and exited the room.

ACTION TAKEN: The motion was made by Eddie Gochenour 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.

Dan Gantt returned to the room.

b. Dollar General – Shepherdstown Road, File# 2203-067

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.

ACTION TAKEN: The motion was made by Dan Gantt 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. Miller Subdivision, File# 2101-022

The site is located at the end of Cabana Lane (WV Sec. Rt. 901/53).

The project proposes a 2 acre residential lot and 55 acre residue parcel, 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 Eddie Gochenour and seconded by Eric Goff to approve the Preliminary/Final Plat. Call for question. The motion carried unanimously.

9. STAFF/ COUNSEL DISCUSSION/ACTION/ MOTION

10. ADJOURNMENT

ACTION TAKEN: The motion was made by Eric Goff and seconded by Dan Gantt to adjourn the meeting at 6:22 PM. Call for question. The motion carried unanimously.

Respectfully submitted,
Sarah Sandri
Administrative Assistant

Berkeley County Planning Commission Meeting Minutes, May 16, 2022.