

MINUTES  
JEFFERSON COUNTY PLANNING COMMISSION  
NOVEMBER 13, 2007

The Jefferson County Planning Commission met on Tuesday, November 13, 2007 with John Sidor, President presiding. Lynne Deming, Ed Dunleavy, Robert Reynolds, Arnie Dailey and Jim Surkamp were present. Staff members present were Sherry Kelly, Damien Davis, Tony Redman, Roger Goodwin and Sherry Cole.

Todd Baldau and Ellen May were absent with notification. Tom Kane was absent without notification.

Mr. Sidor called the meeting to order at 7:03 p.m.

1. Minutes: Mr. Reynolds motioned to approve the October 23, 2007 minutes. Mr. Dunleavy seconded the motion which passed unanimously.
2. Requests for postponement. Damien Davis, County Engineer, stated that the applicants for Item #3, Final Plat Public Hearing for the Cambridge Subdivision and Item #14, Request by Nuannit Vasuvat for a variance, asked for a postponement until the November 27, 2007 meeting. The applicant for the Cambridge Subdivision waived the 60 Day Rule.

Ms. Deming motioned to postpone the Final Plat Public Hearing for the Cambridge Subdivision until the November 27, 2007 meeting, also noting that the applicant waived the 60 Day Rule. Mr. Reynolds seconded the motion which carried unanimously.

Mr. Reynolds motioned to postpone the request by Nuannit Vasuvat for a variance until the November 27, 2007 meeting. Ms. Deming seconded the motion which carried unanimously.

4. Final Plat Public Hearing for the Luis A. Ocasio Minor Minor Subdivision. Staff and engineer recommended approval. Mr. Sidor opened the public hearing. There was no public comment. Mr. Sidor closed the public hearing. Mr. Reynolds motioned to approve the final plat. Mr. Surkamp seconded the motion which carried unanimously.

5. Final Plat Public Hearing for the Henry C. Morrow Minor Subdivision. Staff and engineer recommended approval. Ed Johnson answered questions from the Planning Commission. Mr. Sidor opened the public hearing. There was no public comment. Mr. Sidor closed the public hearing. Mr. Reynolds motioned to approve the final plat. Mr. Dailey seconded the motion which carried unanimously.

6. Final Plat Public Hearing for the Wanda Aitcheson Minor Subdivision. Staff and engineer recommended approval of the final plat. Ed Johnson was present for questions. Mr. Sidor opened the public hearing. There was no public comment. Mr. Sidor closed the public hearing. Mr. Reynolds motioned to approve the final plat. Ms. Deming seconded the motion which carried unanimously.

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7. Final Plat Public Hearing for the Jackson Woods Subdivision. Staff and engineer recommended approval. Mike Shepp/Dewberry stated that they will put a note on the recordable Final Plat stating that bacteria testing will be provided by the Health Department. Mr. Sidor opened the public hearing. There was no public comment. Mr. Sidor closed the public hearing. Mr. Reynolds motioned to approve the final plat conditioned on a note being placed on the final plat stating that normal bacteria testing will be provided by the Board of Health Department. Mr. Dailey seconded the motion which carried unanimously.

8. Final Plat Public Hearing for the Angus View Subdivision. Staff and engineer recommended approval of the final plat. Annette van Hilst answered questions from the Planning Commission. Mr. Sidor opened the public hearing. There was no public comment. Mr. Sidor closed the public hearing. Mr. Reynolds motioned to approve the final plat. Ms. Deming seconded the motion which carried unanimously.

9. Final Plat Public Hearing for the Wilmoth Construction Subdivision. Staff and engineer recommended approval of the final plat. Mike Shepp/Dewberry was present for questions. Mr. Sidor opened the public hearing. There was no public comment. Mr. Reynolds motioned to approve the final plat. Mr. Dunleavy seconded the motion which carried unanimously.

10. Final Plat Public Hearing for the Greenbrier Investments, LLC Subdivision. Matthew Powell answered questions from the Planning Commission. Mr. Sidor opened the public hearing. There was no public comment. Mr. Sidor closed the public hearing. Mr. Dunleavy motioned to approve the final plat. Mr. Reynolds seconded the motion which carried unanimously.

11. Final Plat Public Hearing for the Longfield Farm Subdivision. Staff and engineer recommended approval of the final plat. Matthew Powell and Patricia Sanderson answered questions from the Planning Commission. Mr. Sidor opened the public hearing. There was no public comment. Mr. Sidor closed the public hearing. Mr. Surkamp motioned to approve the final plat conditioned on the access easement to Lot 27 be shown on the final plat. Mr. Reynolds seconded the motion which carried unanimously.

12. Community Impact Statement Public Hearing for the Notting Hill Subdivision. Kristen Ringstaff and Mark Dyck with W. H. Gordon Associates answered questions from the Planning Commission. Mr. Sidor opened the public hearing. David Michael Gwin and Paul Chalfant spoke. The public hearing was closed. Mark Dyck and Kristen Ringstaff rebutted and answered more questions from the Planning Commission. Mr. Dunleavy motioned to approve the final plat. Mr. Dailey seconded the motion. Mr. Surkamp made an amendment to the motion requiring that as a part of the Preliminary Plat submittal that Twilla Carr do an onsite inspection and that her opinion in writing be submitted with the Preliminary Plat. The amendment failed

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due to a lack of a second. The original motion passed with a vote of 5 for and 1 opposed (Mr. Surkamp).

13. Community Impact Statement Public Hearing for the Woods at Wheatland Subdivision. Staff and engineer recommended approval. J. Michael Cassell made a presentation. Mark Dyck and Michael Cassell answered questions from the Planning Commission. Mr. Sidor opened the public hearing. Ean Harrison spoke. Mr. Sidor closed the public hearing. Mr. Sidor stated he was concerned about the traffic issue. To this issue Roger Goodwin, Chief County Engineer, stated that the developer will need to obtain a highway entrance permit and comply with any requirements imposed by the West Virginia Division of Highways; in addition, Mr. Goodwin pointed out that the developer will need to comply with possible highway improvements outlined in Article 8 of the Subdivision Ordinance. Mr. Dunleavy motioned to accept the Community Impact Statement. Ms. Deming seconded the motion which passed with a vote of 5 for and 1 opposed (Mr. Sidor).

14. Variance Request postponed. See Item #2.

15. Site Plan and Issuance of Improvement Location Permit for the Canterbury Health Care Center. Staff and engineer recommended approval of the site plan and issuance of the improvement Location Permit. Dick Klein and Ryan Perks with Alpha were present for questions. There was no public comment. Mr. Reynolds motioned to approve the site plan and issuance of the Improvement Location Permit. Ms. Deming seconded the motion which carried unanimously.

16. Site Plan and Issuance of Improvement Location Permit for the Eastern Management Development Center. Staff and engineer recommended approval and issuance of the Improvement Location Permit. Dick Klein with Alpha made a presentation. There was no public comment. Ms. Deming motioned to approve the site plan and issuance of the Improvement Location Permit. Mr. Dunleavy seconded the motion which carried unanimously.

17. Site Plan and Issuance of Improvement Location Permit for E-Z Mart Car Wash. Staff and engineer recommended approval. Paul Sherry answered questions from the Planning Commission. There was no public comment. Mr. Surkamp motioned to approve the Site Plan and Issuance of Improvement Location Permit. Ms. Deming seconded the motion which carried unanimously.

18. Director's Report on office activities and questions. Mr. Redman stated that this item could wait until the November 14, 2007 meeting regarding the Draft Zoning Ordinance and Draft Zoning Map.

19. Public Comment Period. Mr. Sidor advised that this item on the agenda should be removed.

20. Planning Commission Exchange. Ms. Deming stated that she is concerned about the review process. She stated that staff needs to do onsite visits of all projects. Staff and engineer stated they normally do onsite inspections.

Mr. Dunleavy would like the Planning Commission to have a copy of project review checklists sent to Planning Commission members in order to see what the staff and engineer are reviewing.

21. Reports from Legal Counsel. Mr. Casimiro stated the Gibson/Benview Subdivision petition for appeal was denied by the Supreme Court. The Circuit Court approved the Final Plat.

Mr. Casimiro further advised that the County Commission adopted the Planning Commission's By-Laws. Mr. Casimiro stated he would get a copy of the approved By-Laws to the Planning Commissioners along with the date adopted.

Mr. Casimiro passed out a Petition for Injunction regarding the Shenandoah School. Mr. Dailey was concerned about the Planning Commission hearing the Snyder/Shenandoah School variance request at the November 27, 2007 meeting. Mr. Casimiro advised the Planning Commission they should hear the variance request.

22. Actionable Correspondence. None.

23. Non-Actionable Correspondence. None.

Mr. Dailey motioned to adjourn the meeting at 9:45 p.m. on November 13, 2007. Mr. Reynolds seconded the motion which carried unanimously. A detailed transcript of this meeting can be found on CD # . These minutes were prepared by Sherry Cole.