

Morgan County Planning Commission  
Meeting Minutes  
January 24, 2012

I. CALL TO ORDER

Members present: Jack Soronen, Jim Hoyt, Carl Cowgill, Mary Ellen Largent, Wayne Omps, Amy Lane, Eric Larue, Scott Swaim, Brenda Hutchinson and Susan Parker.

Meeting opened at 7:03 p.m.

II. ELECTION OF OFFICERS

On a Mary Ellen Largent/Jim Hoyt motion, Jack Soronen was nominated to serve as the 2012 Morgan County Planning Commission President. Motion carried.

On a Amy Lane/Mary Ellen Largent motion, Scott Swaim was nominated to serve as the 2012 Morgan County Planning Commission Vice President. Motion carried.

III. MEETING MINUTES

On a Mary Ellen Largent/Susan Parker motion, the minutes from the December 6, 2011 meeting were unanimously approved.

IV. WAIVER REQUEST – MORGAN COUNTY COMMERCIAL AND INDUSTRIAL IMPROVEMENT LOCATION PERMIT ORDINANCE

- A. Miller, Vernon and Doris  
Property location: 228 Willey Lane  
Great Cacapon, WV  
Cacapon District  
Tax Map 8A, Parcels 31 & 32

Property owner had requested approval of the placement of a second single wide mobile home on the above referenced property without having to comply with the Mobile Home Park Requirements stated in Section 11.3 of the Morgan County Subdivision Regulations. A waiver request was submitted, reviewed and denied by the Planning Commission at their

September 27, 2011 meeting due to the lack of public water and reduced lot size.

The property owner then submitted an appeal of this decision and at the December 6, 2011 Planning Meeting. The Planning Commission accepted the appeal request and granted the original waiver of the Morgan County Subdivision Regulations, Mobile Home Park Requirements, specifically the waiver of the lot size and road width requirements.

The Applicant is now requesting a waiver of the road width requirements in the Commercial and Industrial Improvement Location Permit Ordinance due to the three units being classified as multi-family.

Planning member Brian Carter stated that the placement of the three units on these lots in Great Cacapon does meet the West Virginia Health Department requirements for mobile home parks.

On a Carl Cowgill/Susan Parker motion, the Planning Commission approved the waiver request of Section 4.6 – Access Road requirements, specifically the road width requirement, of the Commercial and Industrial Improvement Location Permit Ordinance. Motion carried.

## V. COMMERCIAL AND INDUSTRIAL IMPROVEMENT LOCATION PERMIT APPLICATION

- A. Mountaineer Quality Associates  
David Smith, Owner  
Property location: 4782 Valley Road, Berkeley Springs  
Rt. 522 south, 300' south of Mesner Road  
Project consists of construction of a 42' x 60' storage building to store shelving

*Engineer Report – December 7, 2011  
Arro Consulting – Richard Parks, P.E.  
Commercial ILP Application  
Mountain Quality Assoc., LLC – Proposed Storage Building*

*We have reviewed the site plan submitted for the proposed 60' x 42' storage building along Rt. 522. The plan is in general conformance with the County's ordinance with the following additions, deletions, or clarifications.*

1. *The proposed impervious area on site is less than 3000 SF exempting the site from stormwater management. Should expansion of impervious areas on site take place in the future, stormwater management for the site will need to be addressed.*

2. *Provide total area of the site on the plan.*
3. *Show location of electric power to the new structure and specify if underground or overhead.*
4. *The existing gravel drive is shown being paved. A driveway culvert under the driveway may be prudent since the drainage area is approximately 0.6 acres and the 10 year storm approaches 2 cfs., which may create icing conditions during winter months. Please show culvert. If a WVDOT permit is required to improve the entrance, please provide evidence of the permit.*
5. *We assume the existing office building has a septic system or public sewer. Please show the location of the septic field or sewer line on the plan.*
6. *If the proposed storage building is to have plumbing, show the location of the sewer facilities and Health Department approval.*
7. *Show the finished floor elevation and height of the building.*
8. *Provide a note on the plans that the new exterior lights mounted to the building will project light downward and not cause a glare to neighbors or the traveling public on Rt. 522.*
9. *Indicate the new sign will be a minimum of 7.5' from the ROW line. Will the existing blank sign in the southeast corner be removed? Will the new sign be illuminated? If so, show electric power location.*
10. *It appears some grading may be required around the building to divert runoff from the high side around the building and provide a level entrance fronting the door. In addition, the typical section for the paved entrance will require some grading on site beyond the limits of paving. Please show proposed grading and/or proposed spot elevations with limits of disturbance.*

*Engineer Report – January 3, 2012  
Arro Consulting – Richard Parks, P.E.  
Mountaineer Quality Assoc., LLC  
Commercial Site plan – Review No. 2*

*We have reviewed the revised plans and the point-by-point response letter from the Engineer. We find the site plan meets the minimum requirements of the County's Commercial and Industrial Improvement Location Permit Ordinance, upon receipt of an approved WVDOT entrance permit. Should any future impervious areas be added to the site, stormwater management may be required.*

On a Jim Hoyt/Eric Larue motion, the Planning Commission approved the Commercial Improvement Location Permit application for Mountaineer Quality Assoc., LLC for the construction of a 42' x 60' storage building contingent upon receiving an approved entrance permit from the West Virginia Division of Highways. Motion carried.

## VI. DISCUSSION

### A. Eastern Panhandle Conservation District Stormwater Management Update Jim Michael and Lin Dunham

Jim Michael and Lin Dunham, both representing the Eastern Panhandle Conservation District met with the Planning Commission to update them on the Phase II Watershed Implementation Plan that was recently released by the West Virginia Department of Environmental Protection for public comments. The WIP's are plans submitted to EPA as part of West Virginia's Chesapeake Bay restoration efforts. Mr. Michael provided the group an outline of the watershed improvement portion of the WIP, specifically the agriculture sector and what additional regulations are being considered for the farming community. Listed is an outline of topics presented:

#### Highlights of the Phase II WIP Agriculture Sections:

- Cover cropping
- Nutrient Management Plan to be in place for each farm
- Concerns with stream protection such as fencing out livestock, alternate watering systems and eroding streambanks
- CAFO (Confined Animal Feeding Operations)
- Concerns with water management

Mr. Michael also discussed the local stormwater efforts of watershed groups, specifically the Sleepy Creek Watershed Association and the Warm Springs Watershed Association. They have been working on various stormwater protection and stream restoration projects such as a porous pavers demonstration site, tree planting and stream restoration projects.

### B. Chesapeake Bay Accountability Grant Award Preliminary Draft prepared by Arro Consulting

The Planning Commission received a grant award for \$10,000.00 to fund an overall review of the county's stormwater regulations and the Chesapeake Bay Restoration requirements being implemented by EPA.

Richard Parks, Planning Commission consulting engineer, prepared a draft powerpoint presentation regarding stormwater management and a brief background of the Chesapeake Bay Restoration requirements in the West Virginia Watershed Implementation Plan, Phase II report. This presentation will be utilized as part of the Planning Commissions informative workshops that are planned upon completion of the project. Arro and staff will continue to work on the project and update the Planning Commission each month.

C. Arro Consulting – Billing Rate Increase Proposal

Richard Parks, representing Arro Consulting, who serves as the consulting engineer group for the Planning Commission, presented a proposed billing rate increase for the engineering services they provide Morgan County. The proposal is a three (3) percent rate increase of their billing fees. Staff stated that the majority of the fees that Arro charges for Planning Commission reviews are in turn billed back to the applicants. Arro also provides engineering services on various grant projects that the county is involved in.

On a Susan Parker/Scott Swaim motion, the Planning Commission recommended approval of the rate increase and instructed staff to forward the proposal to the County Commission for their approval. Motion carried (Carl Cowgill opposed).

VII. ADJOURNMENT

The meeting adjourned at 8:45 p.m.