

Morgan County Planning Commission
Meeting Minutes
February 28, 2012

I. CALL TO ORDER

Meeting was opened at 7:02 p.m.

Members present: Brian Carter, Carl Cowgill, Jack Soronen, Amy Lane, Brenda Hutchinson, Jim Hoyt, Susan Parker.

Members absent: Eric Larue, Wayne Omps, Scott Swaim, Mary Ellen Largent.

Others present: Alma E. Gorse, County Planner, Richard Parks, P.E.

II. MEETING MINUTES

On an Amy Lane/Susan Parker motion, the Planning Commission unanimously approved the minutes from the January 24, 2012 meeting.

III. WAIVER REQUEST – MORGAN COUNTY SUBDIVISION ORDINANCE
SECTION 7.2 DEVELOPER TIME LIMITS – PHASED PRELIMINARY PLAT

- A. Michael Farm Subdivision – Phased Preliminary Plat
Owned and developed by J. Philip Kesecker
Property location: West side of Theodore Hawvermale Road
0.6 miles north of New Hope Road
Allen District, Tax Map 18, Parcels 1, 16.1, 16.5

Developer is requesting an extension of time for the Preliminary Plat submittal for Phase I. The Phased Preliminary Plat for Michael Farm Subdivision was approved in January 2010. The Preliminary Plat submittal for Phase I is due by July 1, 2012.

Waiver Request: Requesting a waiver of the two (2) year time limit to submit a Preliminary Plat for the first phase of Michael Farm Subdivision.

Staff had provided the members a report of all remaining preliminary plat and phased preliminary plat approvals and the deadlines for each. The phased preliminary plats have deadlines for submitting the preliminary plat for their next phase. In 2010, the West

Virginia legislature approved an amendment to West Virginia Chapter 8A issuing a blanket approval deadline of July 1, 2012. This is the deadline for Michael Farm preliminary plat submittal for Phase I.

The members discussed the importance of fairness between the older preliminary plat approvals that were approved under an older version of the subdivision regulations (Shadow Valley Farm and Sleepy Creek Forest) that have received several extension request approvals versus preliminary plats approved under the recent version of the subdivision regulations that only allow for two extension request approvals. The recent version of regulations only allows for a one year extension of preliminary plat approvals.

Planning Commission members requested that staff send out reminder notifications to the developers listed on the report notifying them of the upcoming approval deadlines.

On a Carl Cowgill/Jim Hoyt motion, the Planning Commission approved the waiver of the two year time limit to submit a Preliminary Plat for Phase I for Michael Farm Subdivision due to the downturn of the economy. This extension approval is valid for one year changing the preliminary plat deadline for Phase I from July 1, 2012 to July 1, 2013. This motion carried.

Staff had informed the group of Senate Bill 540 that is currently being considered by the West Virginia Legislature. This bill extends the original blanket approval for approved land development plans and plats from July 1, 2012 to July 1, 2015. This bill has not yet been formally adopted but is still being considered.

IV. DISCUSSION

- A. Warm Springs Watershed Association
Kate Lehman
Warm Springs Watershed Study

Kate Lehman, President of the Warm Springs Watershed Association (WSWA), updated the Commission on the projects that the Association is currently working on. WSWA was recently awarded a Chesapeake Bay Regulatory Grant for \$30,000.00 to conduct an engineered analysis of Warm Springs Run. The study will highlight any problems within the run or in the watershed. This report will also provide a listing of prioritized recommendations for any issues found. The watershed group is close to selecting an engineering firm to handle the project.

Another smaller project that the WSWA is working on is a demonstration project to create a buffer between the Warm Springs Run and the Morgan County Courthouse employee parking lot with rain gardens or possibly porous pavers to help reduce the amount of pollutants entering into the stream from the parking lot.

B. Matthew Pennington, Region 9 Chesapeake Bay Program Coordinator
National Flood Insurance Program Community Rating System

Mr. Pennington is the Chesapeake Bay Coordinator for the Region 9 office which covers all the counties in the eastern panhandle. He has offered to assist the Morgan County Planning Office with submitting a Community Rating System (CRS) application. The CRS Program has been identified in the West Virginia's Chesapeake Bay Watershed Implementation Plan Phase II as an incentive for communities to adopt higher regulatory standards.

The Community Rating System is a structurally tiered program offering savings on flood insurance premiums for citizens. The tiered rating is established from a series of credit points compiled during the application process. These credit points are earned by a variety of activities that a community engages in such as regulations, enforcement, remediation, outreach and mapping. There are several prerequisites that the county must meet prior to the application submittal. A Community Assessment Visit will need to be conducted by FEMA prior to submitting the application. Mr. Pennington will be assisting the County Planner with this application process.

The Planning Commission approved of the project and agreed to submit it to the County Commission for their approval once the Community Assessment Visit and application is completed.

C. Staff Report – Update on Commercial Permits Submitted/Issued
Upcoming events

Staff had discussed the following:

- Food Lion Grocery Store – Interior renovations permit to be issued in the next month; renovating bakery, produce and updating electrical.
- Scott and Amanda Michael – Application for a new physicians office located on the east side of Rt. 522, across from Dairy Queen; currently working on a stormwater management application for parking area. Staff will notify Commission if special meeting needs to be scheduled to expedite this application.
- New War Memorial Hospital – Final site inspection performed by staff and site is in compliance with local regulations; waiting for as-builts from developer. Open House is scheduled for April 21, 2012, 1:00pm-5:00pm; fully operational on April 28, 2012.
- Warm Springs Watershed Dam Inspection – inspection of 8 flood control dams with EPCD personnel on March 27, 2012 at 9:00 a.m., meeting in the Food Lion parking lot.
- New Morgan County Senior Center building – Interior renovations to occur, no permits have been obtained to date.

D. Selecting/Confirming next meeting date

Staff had informed the group that the West Virginia Department of Environmental Protection had scheduled the public hearing for Mountain Springs Utility Discharge Permit for March 27, 2012 at 6:00 p.m. The next regular Planning Commission meeting is scheduled for the same evening beginning at 7:00 p.m.

Since there is no new business scheduled for March's meeting and there is interest from the group to attend the public hearing for Mountain Springs, the March 27, 2012 Planning Commission meeting was cancelled. Should there be an application submitted for Planning Commission consideration, a special meeting may be scheduled at that time.

E. House Bill 2463

Planning Commission President Jack Soronen, updated the group regarding a House Bill that would require Planning Commission members to be appointed in equal numbers from each magisterial district. Mr. Soronen viewed his disappointment with this bill and will follow its progression through this legislative session.

V. ADJOURNMENT

The meeting adjourned at 8:30 p.m.