

Morgan County Planning commission
Meeting Minutes
June 25, 2013

I. CALL TO ORDER

Meeting opened at 7:03 p.m.

Members present: Jack Soronen, Carl Cowgill, Wayne Omph, Scott Swaim, George Didawick, Jim Hoyt, Stacy Dugan, Eric LaRue, Brian Carter.

Members absent: Susan Parker, Mary Ellen Largent.

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

II. MEETING MINUTES

On a Jim Hoyt/Stacy Dugan motion, the May 28, 2013 meeting minutes were unanimously approved.

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

- A. Ancora Estates Subdivision – Preliminary Plat
Owned and developer by Kent Kesecker
Property Location: 0.9 miles north on Sir Johns Run Road
Project consists of 7 lots totaling 15.29 acres, average lot size of 2.18 acres.

Developer is requesting an extension of their Preliminary Plat approval. Original preliminary Plat approval was received in August, 2006, then revised and approved in January 2008. First extension approved in May, 2012. Preliminary plat approval is valid until July, 2013.

Waiver Request: Requesting a waiver of Section 7.2 Developer Time Limits – Preliminary Plat, Morgan County Subdivision Regulations. Extensions permissible for up to one year increments.

Applicable to Section 7.3 Time Limits, Morgan County Subdivision Regulations; West Virginia Code Chapter 8A-5-12 Vested Property Right.

Staff had noted that this project is on its 5th vested right year and the developer has used one extension request, approved May 2012. The Ordinance allows for 2 extension requests to be made.

On an Eric LaRue/Jim Hoyt motion, the Morgan County Planning Commission approved the waiver requesting a one year extension of the Preliminary Plat approval for Ancora Estates Subdivision. Motion carried.

The Preliminary Plat approval for Ancora Estates Subdivision is now valid through July 1, 2014.

- B. Parkside Subdivision – Preliminary Plat
Owned and developer by G. Larry Omgs
Property Location: East side of Route 522 behind Dawson’s Hardware
Project consists of 10 lots totaling 31.39 acres, average lot size of 3.10 acres.

Developer is requesting an extension of their Preliminary Plat approval. Original preliminary Plat approval was received in March, 2009 and approval for one year extension in May, 2012. Preliminary plat approval is valid until July, 2013.

Waiver Request: Requesting a waiver of Section 7.2 Developer Time Limits – Preliminary Plat, Morgan County Subdivision Regulations. Extensions permissible for up to one year increments.

Applicable to Section 7.3 Time Limits, Morgan County Subdivision Regulations; West Virginia Code Chapter 8A-5-12 Vested Property Right.

Planning member Wayne Omgs recused himself from participating in the discussion of this project.

Staff had noted that this project is on its 4th vested right year and the developer has used one extension request, approved May 2012. The Ordinance allows for 2 extension requests to be made.

On a George Didawick/Stacy Dugan motion, the Morgan County Planning Commission approved the waiver requesting a one year extension of the Preliminary Plat approval for Parkside Estates Section III Subdivision. W. Omgs – Abstained. Motion Carried.

The Preliminary Plat approval for Parkside Estates Section III is now valid through July 1, 2014.

IV. DISCUSSION

- A. Request from Paradigm Architecture to exempt permit fees for Cacapon Resort State Park addition and improvements.

Staff informed the group that she had been contacted by Brad Leslie, West Virginia State Parks Division, West Virginia Department of Natural Resources and he had requested that the Morgan County Planning Commission exempt the Cacapon State Park Project from the county's permitting fees. Staff had informed Mr. Leslie that this request would need to be placed on the Commission's agenda and considered at the next meeting. Mr. Leslie stated that the architect firm who had completed the design, Paradigm, would be making the request in writing. Staff had also stated that the permit fee for this project would be \$5,566.00. This amount does not include any engineering review costs.

County Commission representative Stacy Dugan stated that waiving the fee would be a courtesy to the state legislators who fought so hard to have this money allocated to the county. She also stated that not waiving the fee could affect additional grant funding for other projects in the county. She recommended that the Planning Commission bill for costs incurred by the county such as Mr. Park's engineering fees to review the project.

A few of the members stated that our permit fee is a minimal amount financially when considering the entire 23 million dollar project. All members agreed that the park is a remarkable public facility and that this improvement will be an additional asset for the county.

On a George Didawick/Jim Hoyt motion, the Morgan County Planning Commission agreed to waive the permit fee minus any expenses incurred for the review of the Commercial Building Permit application such as engineering costs and advertising.

Discussion:

Member Eric Larue wanted clarification that the State had made the request first and the architect firm is making the request for them. Staff had confirmed that was true.

Member Scott Swaim agreed with Mr. Didawick's motion and was surprised that this type of exemption was not already incorporated in the West Virginia State Code similar to permits for schools.

Member Brian Carter stated that he appreciates the State Legislature for funding the project and is encouraged that this will possibly aid in future projects being funded here.

Member Jack Soronen stated that County Commissioner Stacy Dugan was very active in getting this project funding approved.

Member George Didawick stated that by not approving the waiver, it could potentially be used against the county for another project.

Vote: 1 Opposed – C. Cowgill; 1 Abstained – Wayne Omps; Motion carried.

Member Carl Cowgill stated that he loves visiting the park but felt it was not fair that the hospital, cell towers, and other projects such as that must pay a fee and the park has been exempted.

- B. Review and discussion of Morgan County Stormwater Management Regulations
- Review and discussion of existing ordinance and possible amendments to ordinance;
 - Discussion regarding stormwater quality control measures and review of handout prepared by staff as requested at the April planning commission meeting.

The group started out discussing the exemptions that are already in effect in the county's ordinance. These exemptions are for single family and agricultural structures. The group is also considering increasing the square footage exemption limit from 3,000 square feet to 5,000 square feet. The discussion included sizes of single family houses with sizable driveways that would result in more than 5,000 square feet of impervious area and how would this be handled if exemption is removed. Member Jack Soronen stated that washed out driveways is a serious problem throughout the county. There was also some discussion regarding the various sizes of farming structures.

After some extensive discussion, the Planning Commission took the following action:

On an Eric LaRue/Jim Hoyt motion, the Planning Commission agreed to accept the stormwater Management Plan Draft Version #2 as written with the exception of the few changes as follows: Revisions made to Draft Version #2 of the Stormwater Management Plan:

- Page 2 – Section (i) and (iii) – remove word “exacerbation” replace with “worsen”;
- Page 5 (f) do not delete word “Service” (keep in)

This motion carried.

The Planning Commission decided to hold the public hearing during their regularly scheduled meeting in August. Staff will prepare the public notice for publication in the paper and have the draft posted on the county's website.

Planning member Wayne Omps thanked our engineer Richard Parks for preparing the draft revisions and supplying the Commission with various ideas and options.

C. Meeting Reminder

The West Virginia Ethics Committee will be presenting a seminar on the Open Meetings Act on Wednesday, June 26, 2013 at 11:00 a.m.

V. ADJOURNMENT

The meeting adjourned at 8:43 p.m.