

Morgan County Planning Commission  
Meeting Minutes  
Morgan County Commission Meeting Chambers  
December 8, 2020 – 7:00 p.m.

I. OPEN MEETING

Meeting was opened at 7:00 p.m. via a Zoom Conference Call.

Members present: Jack Soronen, Justin Andrews, Scott Swaim, Susan Parker, George Didawick, Lori Hansroth, Gary Easton, Eric LaRue and Marialane Schultz.

Members absent: Wayne Omps, Carl Cowgill, Robert White, Jeff Davison and William Clark.

Others present: Amy Schumaker, County Planning/GIS Director, Alex Moore, County Planning/GIS, Joe Knechtel, County Engineer, Cindy Born, Mike Crawford, Harold Divel.

II. MEETING MINUTES

On a M. Schultz/S. Parker motion, the Morgan County Planning Commission unanimously approved the October 27, 2020 meeting minutes with corrections.

III. Request for a Commercial Improvement Location Permit with a request for a waiver of the MORGAN COUNTY STORMWATER MANAGEMENT ORDINANCE

Property Owner: Roger Taylor/ Harold Divel/ Sonny's Produce  
3693 Valley Rd  
Berkeley Springs, WV 25411  
Bath District, Map 11, Parcel 20.3

**Waiver Request:** The applicant is requesting a waiver of the requirements of the Morgan County Stormwater Management Ordinance for commercial sites, as adopted by the authority of the West Virginia Code 8A-1-1 to 8A-11-2 seq. (Morgan County Subdivision Regulations Section 6.0- Waivers).

**Morgan County Planning Commission Meeting – Dec 8, 2020**

November 30, 2020

Prepared by A. Schumaker

Property owner is seeking approval of a waiver of the requirement for the stormwater management requirements.

**Waiver request:**

**The applicant is requesting a waiver of the requirements of the Morgan County Stormwater Management Ordinance for commercial sites, as adopted by the authority of the West Virginia Code 8A-1-1 to 8A-11-2 seq. (Morgan County Subdivision Regulations Section 6.0- Waivers).**

**Project History:**

Property is described as Bath District, Map 11, Parcel 20.3—1.84 acres.  
3693 VALLEY RD, Berkeley Springs WV 25411.

In 2014 Harold Divel for Sonny's Produce proposed a commercial project that consists of a 30'x95' (2850 sqft) plastic greenhouse.

On 9.19.2016 the addition of a 20'x50' (1,000 Sqft) greenhouse and the replacement of a 30'x40' (1,200 sqft) stand was approved.

On 5.18.2020 Sonny's Produce submitted an application for the addition of a new 52'x96' (4,992 sqft) greenhouse and the movement/addition of the original 30x'95'greenhoust to a 48'x96' (4,608 sqft) greenhouse.

On 6.23.2020 The Morgan County Planning Commission approved the waiver of the site plan with the ruling that a new site plan must be submitted meeting the requirements of the planner. Those plans were submitted and approved in November 2020.

On 11.18.2020 Joe Knechtel from Potesta Engineering submitted his comments on the SW Management data that was preformed by Michal Crawford, he found that the data met the request from the planning commission for "best practice calculations by a qualified professional".

#### **Findings of Facts/Conclusions:**

Public Notice was posted as required by the Ordinance in the Morgan Messenger on May 27, 2020, additional notice for a waiver request is not required if the waiver was tabled or deferred for future consideration.

The site plan waiver was granted in the June 2020 MCPC meeting.

The waiver request for the Stormwater Management requirements was tabled in the June 2020 MCPC meeting.

On a G. Didawick/ S. Parker motion, the request for the waiver of the requirements of the Morgan County Stormwater Management Ordinance for commercial sites, as adopted by the authority of the West Virginia Code 8A-1-1 to 8A-11-2 seq. (Morgan County Subdivision Regulations Section 6.0- Waivers) was deferred until the applicant could provide best practice calculations by a qualified professional of the stormwater runoff. Motion Carried.

The site plans were submitted and approved by the planning commission office.

Joe Knechtel discussed Storm Water Management (SWM) calculations and agrees with Mr. Crawford's findings that the new development does not increase water flow of a two-year storm.

On an G. Didawick/S. Parker motion, the Morgan County Planning Commission approved the waiver of Storm Water Management.

On a S. Parker/J. Andrews motion, the Morgan County Planning Commission approved the building permit application for the new greenhouse and movement of existing greenhouse.

Motions passed unanimously.

IV. Planning Commission By-Law discussion/revisions.

Changes are proposed for Article II- II.A Composition.

Group consists of members appointed by the County Commission.

Changes are proposed for Article IV- IV.F Quorum.

Quorum consists of a majority of the full membership

By-Laws need to read "As Amended (date)" at the top.

S. Swaim/G. Didawick motion to table discussion for January 2021 meeting. All approve.

On a G. Didawick/J. Andrews motion, the meeting adjourned at 7:52 p.m.