

Morgan County Planning Commission  
Meeting Minutes  
August 26, 2014

I. CALL TO ORDER

Meeting opened at 7:02 p.m.

Members present: Susan Parker, Jack Soronen, Jim Hoyt, George Didawick, Scott Swaim, Robert White.

Members absent: Brian Carter, Eric LaRue, Wayne Omps, Stacy Dugan, Carl Cowgill.

Others present: Alma Gorse, Richard Parks. See attached sign-in sheet.

II. MEETING MINUTES

On a Jim Hoyt/Scott Swaim motion, the Morgan County Planning Commission unanimously approved the July 22, 2014 meeting minutes.

III. FINAL PLAT PUBLIC HEARINGS  
MINOR SUBDIVISION APPLICATIONS

- A. Vos Mountain Section I Lots 7 & 8  
Developer: Vos Mountain, LLC  
Site Location: Cacapon District, west side of Ledge View Lane, 1.25 miles SW of Cacapon River crossing on Rockford Road  
Project consists of two lots totaling 17.05 acres, average lot size of 8.52 acres  
Waiver Requests:   1. Reduction of scale of plat to 1"=150'  
                          2. Reduction of plat size to 18'x24'  
                          (Morgan County Subdivision Regulations Section 13.3.a.1)  
                          3. Stormwater Management Requirements

*Engineer Report – July 30, 2014*  
*Arro Consulting – Richard Parks, P.E.*  
*Vos Mountain Section I Lots 7&8*  
*Final Plat Review*

*We have reviewed the final plat submitted for the above referenced project and offer the following observations.*

1. *Property owner must sign the plat.*

2. *We have no record of the road (Ledge View Lane) being designed or constructed fronting Lots 7 & 8. If the road does not exist to the specifications for Class II roads, the road must be designed and submitted for review and approval. The plat must then be labeled as "Preliminary Plat" not final plat.*
3. *Since this plat requires right of way for a new road, the subdivision must be called a "Single Family Subdivision" not a minor subdivision.*
4. *Stormwater management is not exempt although a waiver may be considered. Please submit documentation to support a waiver or implement stormwater management.*
5. *Waivers have been requested to reduce the sheet size to 18"x24" and to reduce the scale from 1"=50' to 1"=150'. While the staff has no objection to the sheet size, the reduction to 1"=150'; is not easily scaled. We suggest a reduction to 1"=100' maximum.*

*Engineer Report – August 14, 2014  
Arro Consulting – Richard Parks, P.E.  
Vos Mountain Section I Lots 7&8  
Final Plat*

*After review of the final plat, we recommend approving a waiver for stormwater management based on Section 3(d)(i) of the Stormwater Management Ordinance. The development will not generate more than a 10% increase in the 2 year, 24 hour post development peak discharge rate over the 2 year, 24 hour pre-development peak discharge rate.*

*Engineer Report – August 18, 2014  
Arro Consulting – Richard Parks, P.E.  
Vos Mountain Section I Lots 7&8  
Final Plat – Second Submission*

*We have reviewed the final plat and find that it meets the minimum requirements of the County Subdivision Ordinance with the following conditions:*

1. *Owner/developer to sign certification.*
2. *Approval of the following waivers by Planning Commission:*
  - a. *Reduction of scale of plat from 1"=50' to 1"=100' (Section 13.3.(1)).*
  - b. *Reduction of drawing size from 24"x36" to 18"x24" (Section 13.3.(1)).*

Staff had stated that the subdivision road, Ledge View Lane, had been constructed and approved by the Planning Commission in 2008. The developer built the road to Peanut Lane intersection which is south of the proposed lots. No road construction is being proposed since the road already exists and has been approved by the Planning Commission.

Staff and applicant withdrew the stormwater management waiver request since there is no construction being proposed therefore stormwater management requirements are not applicable. (Less than 5,000 square feet and less than one acre disturbed).

The Planning Commission took the following action in regards to this application.

Waiver Requests:

On a Scott Swaim/Jim Hoyt motion, The Planning Commission approved the waiver requesting a reduction of scale of the plat from 1"=50' to 1"=100' for Vos Mountain Section I Lots 7 & 8 final plat. Motion carried.

On a Susan Parker/George Didawick motion, the Planning Commission approved the waiver requesting a reduction in the plat size from 24"x36" to 18"x24" for Vos Mountain Section I Lots 7 & 8 final plat. Motion carried.

Final Plat approval:

On a Susan Parker/Jim Hoyt motion, the Planning Commission approved the Final Plat application for Vos Mountain Section I Lots 7 & 8. Motion carried.

B. Stonewall Hill Subdivision

Developer: Greg & Sally Unger

Site Location: Allen District, north end of both sides of Brosius West Lane

Project consists of three lots totaling 7.40 acres, average lot size of 2.47 acres

- Waiver Requests:
1. Reduction of scale of plat to 1"=60'
  2. Reduction of plat size to 18"x24"  
(Morgan County Subdivision Regulations Section 13.3.a.1)
  3. Stormwater Management Requirements

*Engineer Report – July 30, 2014*

*Arro Consulting – Richard Parks, P.E.*

*Stonewall Hill – 3 lot Minor Subdivision*

*Final Plat*

*We have reviewed the final plat and offer the following observations.*

1. *Two waivers are requested – one for the sheet size of 24"x18" and one for the scale 1"=60'.*
2. *All 3 lots will access an existing 30' wide R/W (Brosius West Lane). This right of way appears to have been dedicated by the State Road Commission to a private land owner (PGS Corp). I understand that one existing home has a right to use the existing lane for ingress/egress. If this is a private road and not public anymore, do the additional 2 lots have a right to use it for access? Section 10.4 of the Subdivision Regulations requires access onto a public road. I'm not sure that "Brosius West Lane" qualifies as a "public" road. This issue requires response from the Surveyor of record.*

3. *A common driveway in a 20' right of way is shown for lots 1 and 2. Section 12.0(m) requires common driveways to be constructed by the Developer, therefore the driveway should be designed. A maintenance agreement should also be prepared and submitted for a common driveway.*
4. *The 20' right of way shown from Lot 1 across Lot 2 should be clarified by note that it is for ingress/egress for Lot 1.*
5. *This subdivision is not exempt from stormwater management, but may qualify for a waiver. The engineer should submit documentation supporting a waiver or implement stormwater management.*

*Engineer Report – August 14, 2014  
Arro Consulting – Richard Parks, P.E.  
Stonewall Hill Lots 1-3  
Stormwater Management*

*After review of the final plat, we recommend approving a waiver for stormwater management based on Section 3(d)(i) of the Stormwater Management Ordinance. The development will not generate more than a 10% increase in the 2 year, 24 hour post development peak discharge rate over the 2 year, 24 hour pre-development peak discharge rate.*

*Engineer Report – August 18, 2014  
Arro Consulting – Richard Parks, P.E.  
Stonewall Hill Final Plat Lots 1-3  
Second Submission*

*We have reviewed the final plat and find that it meets the minimum requirements of the County Subdivision Ordinance with the following conditions.*

1. *Developer or his agent shall provide evidence to the County Planner in the form of a deed, plat or legal agreement that indicated the existence of a legal means of ingress/egress for lots 1, 2 and 3 over Brosius West Lane to Route 522 and legal documentation that perpetual maintenance will be performed over the existing road and right of way from the entrance to Lots 1, 2 and 3 to state maintained Route 522.*
2. *Owner/developer to sign certification.*
3. *Approval of following waivers by Planning Commission*
  - a. *Reduction of scale of plat from 1"=50' to 1"=60' (Section 13.3.(1)).*
  - b. *Reduction of drawing size from 24"x36" to 18"x24" (Section 13.3.(1)).*

*Staff had stated that Brosius West Lane was the old Route 522 and already exists so no road construction was being proposed for this subdivision. Staff and applicant withdrew the stormwater management waiver request since there is no construction being proposed therefore stormwater management requirements are not applicable. (Less than 5,000 square*

feet and less than one acre disturbed). Staff had clarified that there are deeded rights-of-ways allowing public access on Brosius West Lane and that the covenants and restrictions had been modified to include language stating that the lot owners will be responsible for maintaining the road.

The Planning Commission took the following action regarding this application.

Waiver Requests:

On a George Didawick/Jim Hoyt motion, the Planning Commission approved the waiver requesting a reduction in plat size from 24"x36" to 18"x24" for Stonewall Hill Subdivision Lots 1,2,3 final plat. Motion carried.

On a Susan Parker/Jim Hoyt motion, the Planning Commission approved the waiver requesting a reduction in scale from 1"=50' to 1"=60' for Stonewall Hill Subdivision Lots 1,2,3 final plat. Motion carried.

Final Plat approval:

On a Jim Hoyt/George Didawick motion, the Planning Commission approved the Final Plat application for Stonewall Hill Subdivision Lots 1,2,3. Motion carried.

#### IV. OTHER DISCUSSION

Larry Lower, representing the Town of Bath Planning Commission, updated the group on the progress of revising the Town of Bath Comprehensive Plan. County Planning Commission representatives are Eric Larue and Jack Soronen.

The Bath Planning Commission is currently scheduling and conducting public meetings on various topics to gather public comments on the update. They are also circulating a survey, both electronically and in paper form, to gather feedback about the Town.

The Town Planning Commission is also planning to reach out to other entities such as Rotary and Chamber events, to encourage additional feedback.

Planning Commission member Susan Parker asked if they are looking at any models to assist them with this effort. Mr. Lower did state that they have reviewed plans from Romney, Shepherdstown and other smaller town's in West Virginia.

Mr. Lower also updated the group on the Streetscapes project that is currently focusing on the area encompassing the intersection of Fairfax Street and North Washington Street. There was a public workshop recently held regarding various options available to resurface Fairfax Street where the yellow bricks currently are. This project also includes the installation of green infrastructure along Washington Street and Fairfax Street to assist with drainage issues.

The Planning Commission thanked Mr. Lower for coming in and updating them on these projects and thanked him for his many contributions to Morgan County.

V. ADJOURNMENT

The meeting adjourned at 8:15 p.m.