

**Morgan County Planning Commission
Meeting Minutes
September 25, 2018
Morgan County Commission Meeting Chambers**

I. CALL TO ORDER

Meeting was opened at 7:02 p.m.

Members present: Scott Swaim, Wayne Omps, Robert White, Lori Hansroth, Justin Andrews, Robert Ford, Eric LaRue, Susan Parker.

Members absent: Jack Soronen, George Didawick, Carl Cowgill.

Others present: Alma Gorse, County Planner, Brian Hopkins, P.E., see attached sign in sheet.

II. MEETING MINUTES

On a L. Hansroth/E. LaRue motion, the June 26, 2018 Morgan County Planning Commission meeting minutes were unanimously approved.

III. COMMERCIAL AND INDUSTRIAL IMPROVEMENT LOCATION PERMIT APPLICATION

Capstone Spirits

Owned and developed by Kathryn Krenn and John Hrubec

Located on Lot 11, Morgan County Business Park, Intersection of Rt 522 (Valley Road) and JR Hawvermale Way.

The project consists of a small distillery and tasting room with 6 building:

- 2 – 24'x36' mashing and distillery buildings
- 2 – 24'x20' fermentation and storage buildings
- 1 – 20' x 10' maintenance building
- 827 sq ft visitor's center

Total square footage is 3,715 sq ft and are all connected by courtyards and parking area.

Waiver Request: Requesting reduction of stormwater management requirements to improvement of soil to "C" or better. This is a pilot program for use of bio-char and poultry litter to improve soil and drainage.

Morgan County Planning Commission – September 25, 2018

Staff Report prepared by A. Gorse, County Planner

Commercial and Industrial Improvement Location Permit Application

*Approved 10.23.18
ASG*

Capstone Spirits

Owned and developed by Kathryn Krenn and John Hrubec

Location: Intersection of JR Hawvermale Way and Valley Road, Morgan County Business Park Lot 11, Timber Ridge District, Tax Map 8, Parcel 54 – 2.26 acres

Waiver Request: Reduction of SWM requirements to improvement of soil “C” or better. This is a pilot program for use of bio-char and poultry litter to improve soil and drainage.

Project Description: The project is a small distillery and tasting room consisting of 6 buildings, 2-24’x36’, 2-24’x20’, 1-20’x10’ maintenance garage and 827 sq ft visitor’s center. Total square footage of buildings is 3,715 sq ft, all connected by courtyards and parking area.

Background Information:

Public notice was posted two times in the Morgan Messenger on August 29, 2018 and September 5, 2018. Sign was posted at the site on August 29, 2018.

A completed application has been received and the site plan addresses the requirements listed in Section 3.2 of the Ordinance, specifically:

- Landscape Plan;
- Fencing/Buffering;
- Exterior lighting;
- Interior roadways and parking;
- Pedestrian sidewalks and walkways;
- Provisions for solid waste collection;
- Open space;
- Communications antennas – not applicable;
- Signs;
- Proposed land uses, Building locations;
- Location of material storage;
- Location of special facilities for refuse collection, mail delivery is applicable;
- Stormwater management provisions/Sediment and erosion control;
- Traffic flow and control devices.

Other applicable permits/approvals received are:

- WVDOH Entrance Permit approval;
- Water approval from MC Business park/MCEDA;
- Sewage approval from MC Business park/MCEDA;
- WVDEP NPDES Stormwater Permit not applicable, project less than one acre disturbed area;
- WV Fire Marshall review and approval;

EPCD sediment and erosion control review – Letter received stating they no longer provide this service – We do our own stormwater and sediment & erosion control review.

Engineer Report – September 6, 2018

Brian Hopkins, P.E. – Arro Consulting

Capstone Distillery CILP Application and Stormwater Waiver (First Review)

As requested, we have performed an engineering review on the materials for the Capstone Distillery site plans that we received on August 29, 2018. These materials included a 3-sheet site plan set, 15-page distillery building plan set, 7-page visitor's center building plan set, 3-page commercial entrance site plan set, improvement plan application and checklist, a waiver request application for stormwater management and a 1 page letter from the offices of J. Golden. We also received a copy of the Stormwater analysis plan for the 522 business park.

After review of the materials for conformance to the County's Ordinances and standard engineering practices, we offer the following comments:

- 1. General: We did not perform a detailed review of the commercial entrance plans for work in the WV State Highways right of way; it is our understanding that the WVDOH is the cognizant authority.*
- 2. Please see the redlined plans, please address comments on the redlined plans and return redlines plans with the resubmission.*
- 3. A spot for the Planning Commission to sign and date the plan when they approve it should be provided and an Owner's Certification signed and dated by the owner should be added.*
- 4. A construction detail for the pavers should be provided.*
- 5. A parking tabulation should be proved per Section 4.7 per the County's commercial improvement location ordinance (CILPO). One space is required for every 50 square feet of floor area devoted to customer service.*
- 6. Dimension the length and width of the typical parking lot space. The minimum size is to be 9 feet by 18 feet. Dimension the parking aisle width. This dimension should be 24 feet at a minimum.*
- 7. Landscape screening should be provided where utilities, tanks etc. will be located and these items should be shown on the site plans per Section 4.4 of the County's commercial improvement location ordinance (CILPO).*
- 8. Proposed and existing sewer and water lines and appurtenances should be shown. Clean outs should be installed at the building, property line and every 100 feet. Profiles should be provided to show sufficient depth and clearance for any crossings.*
- 9. Water and sewer approvals should be provided.*

10. Sediment controls should be provided in accordance with the Erosion and sediment control best management practice manual, WVDEP, i.e. Silt fence should be installed below all disturbed areas, inlet protection above the culvert and rip rap check dams should be installed in the swale.

Stormwater Management

11. The project proposes to add approximately 9,000 sf of impervious area. A stormwater concept plan for the business park had been created in 2015 but implementation was to be provided by individual lot developers. The applicant has requested a waiver from stormwater management requirements and has shown general water quality improvements including:

- a. A bio-retention area.
- b. An improved soil and garden area.

For the improved soil area the applicant indicates plans for a bio-char soil amendment, a nutrient management and soil preparation plan should be provided, if not properly sequestered, phosphates and other pollutants in chicken litter could cause an adverse effect to wetlands just downstream.

12. A stormwater management waiver is required per Section 3(d) of the County Stormwater Management Ordinance (SWMO). While we are sympathetic to the request:

- a. The minimum information required for a request for a waiver per Section 6.B of the SWMO must include:
 - i. A design report with a narrative, summary of pre and post development run-off for the 2-year, 10-year and 100-year events, drainage area analysis, downstream impacts analysis, etc.
 - b. In order to approve a waiver it must be shown that the proposed development will not generate more than a 10% increase in the 2-year 24-hour post development peak discharge over the 2-year 24-hour pre-development peak discharge rates.
 - c. It must also be shown that the downstream properties and wetlands will not be negatively impacted.

Please Note:

- a. For pre-development all land use must be considered meadow in good condition and SCS RCN methodology must be used per Section 5 of the County's SWMO.
- b. Consideration should be made to ensuring new impervious surfaces drain to the bio-retention area, i.e., a flatboat swale from the parking area to the north and a flat bottom swale on the lower side of the eastern property line.
- c. Due to soil group D soils on site, underdrain should be installed in bio-retention areas and bio-swale.
- d. Details including: cross sections, planting media depth, plantings, and Installation and Maintenance notes for the stormwater BMP's are required in the report and plans.
- e. Drainage area maps with Tc path must be included.
- f. As-built plans will need to be submitted to the County after construction.
- g. An Inspection and Maintenance Agreement of Private Stormwater Management Facilities will need to be completed and executed prior to final approval.

Engineer Report – September 24, 2018

Brian Hopkins, P.E. – Arro Consulting

Capstone Distillery CILP Application and Stormwater Waiver (Second Review)

As requested, we have performed re-review on the materials for the Capstone Distillery site plans that we received on September 20, 2018. These materials included a 5-sheet site plan set, 15 page SWM report and itemized comment response letters.

After review of the materials for conformance to the County's Ordinances and standard engineering practices, we found our previous comments substantially addressed and offer the following comments:

1. Previous Comment 8 – "Proposed and existing sewer and water lines and appurtenances should be shown. Clean outs should be installed at the building, property line and every 100 feet. Profiles should be provided to show sufficient depth and clearance for any crossings. " This comment was substantially addressed but cleanout stacks should be shown on the profiles.

2. Previous comments 11-12 regarding Stormwater Management.

It has been shown that the plan meets the SWM requirements two-fold; by volume control and treatment of the discharge, and by adding under 5,000 square feet of total impervious area.

a. The site as a whole is not increasing the 2-yr, 10-yr, or 100-yr pre/post as shown by the Natural Resource Conservation Service TR-55 computations. A large vegetated soil amendment/improvement area with bio-char provides about 0.5 acre feet of retention.

b. Impervious area delineations show that project is creating less than 5,000 square feet of impervious:

The site is providing an engineered pervious parking lot and drive aisle which has positive flow relief to sheet flow to pervious grassed surfaces.

The remaining pervious area added per the drawings submitted is less than 5,000 square feet of rooftops and they drain to rain barrels and then over 80 feet plus, shallow slope, vegetated surface "disconnects" for further Water Quality Treatment credit.

3. The parking lot geo grid detail is not showing up on Sheet S-2 and should be updated.

Also, the handicap spot and access way to the visitor center show a hatching pattern. The hatching pattern should be identified and should be an ADA complaint smooth surface.

In summation, previous comments and redlines regarding: parking, sediment controls, signage, utility lines, grading, drainage, SWM and SWM details have been substantially addressed and the last remaining comments are to include cleanout stack location on the profile, update the drawings/detail on the parking lot geogrid detail, and identify the hatching (designate the surface) on the handicap parking spot and access way.

Finally, the following bookkeeping items should be completed:

1. The Owner's Certification needs to be signed and dated by the owner.
2. The Surveyor's Certification needs to be signed, sealed and dated by the designer.
3. Please note that an Inspection and Maintenance Agreement of Private Stormwater Management Facilities will need to be completed and executed prior to final approval.

Matt Pennington, Region 9 Planning and Development Office Chesapeake Bay Coordinator, and Sebastian Donner, West Virginia Department of Environmental Protection provided the group a summary of what the bio-char garden area material consists of and how it benefits the site for plantings and stormwater runoff. This is a pilot program that will be funded through a grant application.

The bio-char material basically consists of recycled wood and poultry litter that is subjected to high temperatures. Once applied to the soil, it provides nutrients for garden plantings and infiltrates water runoff. The site will also have rain barrels installed at the buildings to catch roof-top run-off.

Mr. Pennington stated that he will provide the Planning Commission and staff with updates on the initial testing of the bio-char material and once applied at the site, with soil testing reports to ensure nutrient and absorption levels are within the guidelines as proposed.

With the installation of the bio-char area, installation of porous pavers in the parking area and placement of rain barrels at the site, the total impervious area for the project falls below the 5,000 square foot threshold for stormwater management requirements. Because of this, the stormwater management waiver request was rescinded by the developer.

After some discussion, the following action was taken.

On a S. Parker/E. LaRue motion, the Morgan County Planning Commission approved the Commercial Improvement Location Permit application for Capstone Spirits for the construction of a small distillery, with the understanding that they report back periodically on the progress of the use of the bio-char and poultry litter material proposed as part of their stormwater management plan with the guidance of the Planning Commission for future such decisions.

Discussion: S. Swaim requested to define "periodically".

Amendment: Report on basis to be determined by staff and Mr. Pennington's office.

Vote: Unanimously approved.

IV. ADJOURNMENT

Meeting was adjourned at 8:15 p.m.

Morgan County Planning Commission

MEETING SIGN-IN SHEET

DATE: 9.25.18

NO.	NAME	REPRESENTING	PHONE #	Sheet: Of:
				E-MAIL ADDRESS
1	Cindy Bann	Capston (BLS)	258 3161	
2	Kathryn Krenn	Capstone Spirits	703.808.2358	
3	John Arubec	"	"	
4	Nick Arubec	"	"	
5	SEBASTIAN DOWNER	no	304-937-7100	
6	Matthew Pennington	Region 9 PDC	301-707-1920	mpennington@region9mcon
7	Lon Hansford			
8	Daryl Coules	MC EDA	8546	
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