

Morgan County Planning Commission
Meeting Minutes
June 25, 2019
Morgan County Commission Meeting Chambers

I. CALL TO ORDER

Meeting was opened at 7:03 p.m.

Members present: Jack Soronen, Scott Swaim, Susan Parker, Justin Andrews, Robert White, George Didawick, Wayne Omms, Eric LaRue, Lori Hansroth.

Members absent: Carl Cowgill, Ken Reed.

Others present: Alma Gorse, Mike Pearse and Larry Omms.

II. MEETING MINUTES

Planning member S. Parker requested that the meeting minutes be amended to reflect that the engineer comments listed on page 3 were addressed by the developer. Staff will amend the first paragraph on page 4 that states "Staff had reported that all outstanding items on the engineer report have been addressed by the developer and"

On a S. Parker/J. Andrews motion, the Morgan County Planning Commission meeting minutes from April 23, 2019 were approved with the amendment of the resolution of comments inserted on page 4. Motion carried.

III. MORGAN COUNTY SUBDIVISION ORDINANCE
WAIVER/EXTENSION REQUEST

Kesecker Knoll Subdivision Phase 4B

Owned and developed by J. Philip Kesecker

Project location: East side of Johnson Mill Road, 0.28 miles north of Henry O. Michael Road.

Phased Preliminary Plat was approved January 28, 2010 and again in June 2015 for 74 lots developed in 6 phases with an average lot size of 2.77 acres.

Developer is requesting an extension of time for the submission of the Preliminary Plat for Phase 4B.

Waiver Request: Requesting a waiver of the 24 month (2 year) time limit to submit a Preliminary Plat for Phase 4B for Kesecker Knoll Subdivision. Extension request is for one year, making the new deadline June 2020. This is the third extension request. Morgan County Subdivision Regulations Section 7.2-Developer Time Limits-Preliminary Plat and Section 6.0 Waivers.

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June 4, 2019

Staff Report

Extension of Time Waiver Request

Kesecker Knoll Subdivision

Preliminary Plat Submission Extension Request for Phase 4B (16 lots)

Owner/Developer: J. Philip Kesecker

Location: East side of Johnson Mill Road, 0.28 miles north of Henry O. Michael Road
Allen District, Tax Map 18, Parcel 26.1

Waiver Request:

Kesecker Knoll Subdivision, Phase 4B – Extension request of one year for submission of Section 4B consisting of 16 lots. Waiver of Developer Time Limits for submission of a Preliminary Plat for first Phase of development (Phase 4B).

Findings of Facts and Project History:

Public Notice was posted one time as required by Section 6.0 of the Ordinance in the Morgan Messenger on May 29, 2019.

Kesecker Knoll Subdivision Phased Preliminary Plat timeline:

Phases 1 thru 3 are completed. (Sect 1 – 2008, Sect. 2 – 2010, Sect. 3 – 2013).

Phased Preliminary Plat was approved in January 2010, expired in January 2015.

Re-applied for Phased Preliminary Plat approval in May 2015 and approved June 23, 2015 for Phases 4 thru 6.

Because this is considered to be a new Phased Plat, developer has two years (24 months) to submit the first Phase, which is Phase 4. Subsequent phases, every five years.

In February, 2017 an application was approved to split Phase 4 into two Phases, 4A and 4B.

Phase 4– 22 Lots – deadline for Preliminary Plat in June 2017 (originally)

Phase 4A–6 Lots – Preliminary Plat was approved at the 6.27.17 meeting and is valid until 6.27.20. Construction has not started on this section.

Phase 4B-16 remaining lots for Phase – One year extension request was approved 6.27.17. Second one year extension request was approved on 6.28.18, expiring June 2019.

Phase 5 – 20 Lots

Phase 6 – 11 Lots

Note: Kesecker Knoll Phased Preliminary Plat is up for renewal in June 2020.

Developer is requesting an extension of one year for Preliminary Plat submission of Phase 4B – 16 lots. This is the third extension request for this Section.

Request applicable to:

Morgan County Subdivision Regulations

Article 6 – Waivers Section 6.0

Section 7.2 Developer Time Limits – Phased Preliminary Plat “Developer shall have two years from the date of Phased Preliminary plat approval to submit the Preliminary Plat drawings for the first phase of development”. The Ordinance allows for two extension requests.

Section 7.3 Waiver of Time Limits

Mike Pearse, representing the developer, stated that construction on Phase 4A is scheduled for late fall of this year. Phases 4B, 5 and 6 are unknowns at this time.

On a R. White/S. Parker motion, the Morgan County Planning Commission approved the waiver request of the 24 month 2 year time limit to submit a Preliminary Plat for Phase 4B, Kesecker Knoll Subdivision, allowing a one-year extension of this deadline. New deadline for submitting Phase 4B Preliminary Plat is June 2020. Motion carried.

IV. COMMERCIAL AND INDUSTRIAL IMPROVEMENT LOCATION PERMIT APPLICATION APPROVALS

Coolfont Resort, LLC

Owned and developed by G. Larry Omps and family

Project Description: 2,100 square feet addition constructed to an existing building

Located at 110 Michigan Lane, Berkeley Springs.

This is the location of the Berkeley Springs Brewery.

Update and possible action on approvals received at December 4, 2018 and March 26, 2019 Planning meetings.

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June 7, 2019

Prepared by A. Gorse, County Planner

**Commercial and Industrial Improvement Location Permit Application
Update on Approvals Received at December 4, 2018 and March 26, 2019**

Coolfont Resort, LLC – Brewery and Brew Pub Building

Owned and developed by G. Larry Omps and family

Project Description: 2,100 square feet addition constructed to an existing building
Located at 110 Michigan Lane, Berkeley Springs, location of the Berkeley Springs Brewery
Rock Gap District, Tax Map 1, Parcels 30-33, 33.1

Project Description: The project consists of a 70'x30' (2100 sq ft) addition that was constructed on an existing building. The building was used as the laundry for Coolfont when in operation.

Project History:

Action Taken at the December 4, 2018 Planning Commission Meeting:

Waiver Request:

On a S. Parker/L. Hansroth motion, the Morgan County Planning Commission approved the requested waiver of a professionally prepared site plan requirement for construction projects larger than 2,000 square feet in size provided that the developer addresses comments # 4 through #7 of the engineer report dated November 14, 2018 on the handwritten site plan provided with their application.

Discussion: Planning member S. Swaim questioned whether there should be a deadline for providing the required information.

Amendment/Addition to motion: The approval of the waiver request is contingent upon receiving this information (addressing comments #4 through #7) by the next regularly scheduled planning meeting. If the information is not provided within this time frame, the waiver request is not approved. Vote: 6 members: yea, 1 recusal (W. Omps).

Commercial Permit Application:

On a S. Parker/E. LaRue motion, the Morgan County Planning Commission approved the Commercial Improvement Location Permit for a 2,100 square foot addition to an existing building located at 110 Michigan Lane for Coolfont Resort, LLC contingent upon receipt of an approved WV Division of Highways entrance permit. Vote: 6 members - yea, 1 recusal (W. Omps). The comments to be addressed on the engineer report (as part of the waiver request approval) are also part of the permit approval.

Action Taken at the March 26, 2019 Planning Commission Meeting:

Staff had reported that the applicant had addressed the four outstanding items referenced on the November 14, 2018 engineer report satisfactorily and within the allotted time frame imposed. Staff also reported that the developer has met with the WV Division of Highways to address the requirement of an entrance permit for the brewery located on Michigan Lane. The Planning Commission instructed staff to send a letter to the developer, Mr. Omps, stating that the WV Division of Highways Entrance Permit is required prior to issuance of the Improvement Location Permit, and the Planning Commission will review the status of this matter at their June 2019 meeting.

The developer, Mr. Omps, approached the Commission and stated that he had met with WV Division of Highways, Burlington, WV personnel and they indicated that there are no entrance permits on file for the 4 Coolfont Resort entrances. WVDOH indicated that three of the entrances required small improvements but the 4th entrance at Michigan Lane showed signs of stormwater issues and additional work was needed for that entrance. Mr. Omps, Planning Staff and Planning Commission President Jack Soronen are scheduled to meet with WVDOH personnel Wednesday, June 26th at 9:30 to review the specifics of what will be required to obtain entrance permits for all entrances.

The Planning Commission accepted this update from Mr. Omps and agreed to allow him time to comply with our entrance permit requirement. Staff will update the Commission as necessary.

V. ADJOURNMENT

The Planning Commission meeting adjourned at 7:55 p.m.