

PUTNAM COUNTY PLANNING COMMISSION

Tuesday, April 24, 2007

Putnam County Courthouse Courtroom 202

MINUTES

The Putnam County Planning Commission met on Tuesday, April 24, 2007 at the Putnam County Courthouse, 2nd floor courtroom, room 202.

Sarah McCallister, president, called the meeting to order at 7:00 p.m.

Roll call was taken and a quorum was present.

Members present: Tom Calabrese, Sam Cunningham, Lynn Cvechko, C. P. Farley, Tom Hankins, Glen Lovejoy, Sarah McCallister, Steve Perry, Barbara Reed, Gary Tillis, and Joseph Tyree.

Members absent: Jeffrey Brannon, Drew Garnes, Vic Mays, and David Powell.

Staff present: Sandy Mellert, Nicki Barnette, Melissa Sargent, and Linda Bess.

Others present who signed in were: Charles Johnson, Philip Tucker, Lois Gillenwater, Todd Gillenwater, David Bush, Bruce Davis, Tom Liberatore, Don Hayes, Tom McClella, Janey Cochran, Frank Cochran, and Kyle Spyker.

APPROVAL OF MINUTES

The minutes of the March 27, 2007 meeting were reviewed. Motion was made by Barbara Reed and seconded by Lynn Cvechko to approve the minutes as presented. Motion carried unanimously.

INFRASTRUCTURE REPORT

Commissioner Gary Tillis reported the following: 1) QK4 has been hired as the engineer for the Jim/Manila Ridge Phase I water project; 2) design should be completed by July and construction anticipated to begin next spring for that project; 3) also \$200,000 has been received on the grant for that project with the expectations of \$1.3M next year; 4) the Putnam PSD Kanawha Valley sewer project is 95% complete; 5) funding applications have been submitted to WV Development for the Putnam PSD Vintroux water and sewer project that will serve 83 customers and the Teays Hollow sewer project to serve 38 customers; 6) the Hometown wastewater treatment plant is to be upgraded with a \$2M grant; 7) construction on the WV Route 62 Red House sewer project has begun; 8) the Morris Hollow water extension for 14 new customers has begun which will serve fire protection to a portion of Ranch Lake; and 9) answers for Hometown stormwater issues are being sought.

TRANSPORTATION REPORT

Commissioner Gary Tillis reported the following: 1) construction on the 6-mile section of the new US35 project is scheduled to begin May 7 with completion anticipated for April 2009; 2) the

next Transportation Committee meeting is scheduled for Monday, April 30; and 3) DOH updates for the US35 relocation project are expected at that meeting.

PCDA REPORT

Commissioner Gary Tillis reported the following: 1) numerous contacts from retailers have been received regarding new development at the I-64 Hurricane and Crooked Creek exits; and 2) A C & S has shown interest in the purchase of 2.66 acres at the PAR Industrial Park which is owned by the County.

VIOLATIONS REPORT

There were no violations to report.

CITIZEN CONCERNS

Lois Gillenwater, 119 McCloud Road, Scott Depot, reported that since August 2006 her property has been damaged from runoff from construction at Bella Woods subdivision. She stated that this past month a cease and desist order was issued by DEP and she understands that action is pending by the Planning Commission. Ms. Gillenwater expressed her appreciation to staff for their efforts and time extended to them in this situation. She requested that the Planning Commission look into the Resolution for this subdivision to be sure things are done correctly without further harm to her property. She also stated that she feels sure that with the involvement of the planning commission and staff, this situation can be resolved to everyone's benefit.

PUBLIC HEARING PROCEDURE

Sarah McCallister gave a brief explanation of the rules for a public hearing.

PROPOSED SUBDIVISION – Johnson Place, Section IV

Disclosure of Conflict

No commissioner disclosed a potential conflict of interest with the Johnson Place, Section IV proposed subdivision.

Public Hearing

Sarah McCallister opened the public hearing for the proposed Johnson Place, Section IV subdivision.

JOHNSON PLACE, SECTION IV

Charlie Johnson is the developer for the proposed Johnson Place, Section IV subdivision and Randolph Engineering is the engineer. The subdivision is a 20-lot subdivision to be developed on 20+ acres as single-family residential. It is located off Frazier Way next to Saddle Downs subdivision, Scott Depot (tax map 223U parcel 1).

Staff presented the summary, Findings of Fact, and Resolution 07-04, copies of which are attached and made a part of these minutes.

Discussion followed.

There were no developer comments at this time.

Public comments:

Tom Liberatore, president of Beechwood Homeowners Association, expressed concerns regarding the drainage that will affect property in Beechwood from this new construction and development.

William B. Davis, 306 Beechwood, expressed concerns regarding the 40' right-of-way on Beechwood Road and stated he objects to others using that right-of-way and he also expressed concerns regarding the 30" drainage culvert under Beechwood Road.

Kyle Spyker, president of Saddle Downs Homeowners Association, expressed concerns regarding the access road damage from the trucks during construction of Johnson Place and asked who would be responsible for maintenance of the access road to Saddle Downs during and after this development construction.

In answer to the above questions, developer Charlie Johnson stated that he owns the Beechwood Road's 40' right-of-way which Beechwood subdivision has use of and access to. He has no plans at this time to open and use that right-of-way for Johnson Place. He also stated that Johnson Place Restrictive Covenants require Johnson Place Homeowners Association to pay a pro-rata share of the maintenance of Frazier Way. Mr. Johnson also stated that Beechwood took it on themselves to downsize the culvert in question from 36" to 30".

Don Hayes, engineer for the development, explained that the drainage calculations for the proposed development were for the previous 36" culvert. Beechwood replaced the 36" culvert with a 30".

There being no further questions or comments, Sarah McCallister closed the public hearing and reconvened the regular meeting.

Deliberation and Action

Discussion ensued with a question and answer session.

Motion was made by Tom Hankins and seconded by Joe Tyree to accept and classify Johnson Place, Section 4 as a major subdivision. Motion carried unanimously.

Staff reviewed Resolution 07-04.

It was determined to amend Resolution 07-04 to include: 1) the site plan shall be revised to correctly show the existing culvert under Beechwood Road as 30" instead of 36", and 2) that Johnson Place Subdivision Homeowners Association shall be responsible for a pro-rata portion of the maintenance of Frazier Way from Teays Valley Road (Route 33) to Angela Drive (the south entrance of Johnson Place Subdivision).

Motion was made by CP Farley and seconded by Joe Tyree to accept and approve Resolution 07-04 as amended. Motion carried unanimously.

VARIANCE REQUEST - Nyle Pauley 30' Right-of-Way

Disclosure of Conflict

Sam Cunningham recused himself from the meeting due to a conflict of interest with the variance request by Nyle Pauley for an existing 30' right-of-way to be adequate for one lot to be divided from tax parcel 4 on tax map 234C instead of the required 40' right-of-way. He is the surveyor of record for this division of property.

Public Hearing

Sarah McCallister opened the public hearing for the variance request by Nyle Pauley for an existing 30' right-of-way to be adequate for one 3.34 acre lot to be divided from tax parcel 4 on tax map 234C instead of the required 40' right-of-way,

Staff presented Variance 07-05, a copy of which is attached and made a part of these minutes.

A question and answer session followed.

There were no applicant comments.

There were no public comments.

There being no further questions or comments, Sarah McCallister closed the public hearing and reconvened the regular meeting.

Deliberation and Action

Discussion ensued with a question and answer session.

The criteria was reviewed and it was determined that all conditions were met in order to approve the variance request. An amendment should be made to the Variance to have a 40' right-of-way shown on the plat for the portion of the right-of-way in front of the 3.34 acre parcel.

Motion was made by Tom Hankins and seconded by Lynn Cvechko to approve the Variance 07-05 for an existing 30' right-of-way to be adequate for one 3.34 acre lot to be divided from tax parcel 4 on tax map 234C instead of the required 40' right-of-way with the conditions in the Findings of Fact and the plat amended to show a 40' right-of-way across the front of the 3.34 acre parcel. Motion carried unanimously.

ADMINISTRATIVE SUBDIVISION REPORT

Staff provided a summary of the March 2007 administrative subdivision approval for the following parcels:

Greg Humphreys - 1 lot; 3.007 acres; located at the intersection of US35 and 17/4, Scary Creek, Scott Depot

FINANCIAL REPORT

Staff presented the financial report for March 2007. There were no comments or questions.

MONTHLY REPORT

Staff presented the monthly report for March 2007 summarizing the building/zoning permit approvals. There were no comments or questions.

STAFF REPORT

Staff reported the following: 1) Sheryl Thomas resigned the position of Associate Planner and interviews are currently being conducted to fill that position; 2) additional planning training will be conducted in May by Regional Intergovernmental Council; 3) Nicki Barnette, Senior Planner, spoke at the Contractor’s Expo regarding Putnam County floodplain and did a fantastic job; 4) staff will be speaking on zoning and land use at the Real Estate Law Seminar on June 1, 2007; and 5) some of the illegal portable signs on private property along the highway reported last month have been removed.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

There was no further new business to discuss.

ADJOURNMENT

Motion was made and seconded to adjourn. Motion carried unanimously. The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Linda Bess, Secretary

Attest: _____
Presiding Officer

Minutes were approved: _____