

PUTNAM COUNTY PLANNING COMMISSION

Tuesday, July 24, 2007

Putnam County Courthouse Courtroom 202

MINUTES

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

David Powell, vice president, called the meeting to order at 7:00 p.m.

Roll call was taken and a quorum was present.

Members present: Jeffrey Brannon, Tom Calabrese, Sam Cunningham, Lynn Cvechko, Drew Garnes, Tom Hankins, Glen Lovejoy, Vic Mays, Steve Perry, David Powell, Barbara Reed, Gary Tillis, and Joseph Tyree.

Members absent: C.P. Farley and Sarah McCallister.

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

Others present who signed in were: Todd Dofflemyer, Marshall Armstrong, Howard Chapman, Aldie Chapman, Mark Madore, Bert and Carolyn Pauley, Dan Bock, Jeff Baldwin, Gary McClain, Joan Glenn, Gary Bowser, and Jim and Kitty Hannanan.

Judy Reedy, the new Associate Planner in the Office of Planning and Infrastructure, was introduced.

APPROVAL OF MINUTES

The minutes of the June 26, 2007 meeting were reviewed. Motion was made by Barbara Reed and seconded by Joe Tyree to approve the minutes as presented. Motion carried unanimously.

INFRASTRUCTURE REPORT

Commissioner Tillis reported that County Commission has hired Terradon Corporation as the engineer for the \$3.195M water project which will provide water for approximately 115 new customers in the following areas of the County: Lime Kiln Road, Woods Drive, Beech Hill, Old Delta Road, Lake Hollow/Sycamore Ridge, Panther Lick Road, and Dry Branch. Funding will be provided by West Virginia American Water Company (\$281,000) and a WV Infrastructure Fund Loan of \$2,914,000. Construction is anticipated to be completed this time next year.

TRANSPORTATION REPORT

Commissioner Tillis reported that a letter was received in answer to a County Commission request to Governor Manchin and DOH Commissioner Mattox regarding three issues: US35 (Winfield Road) is scheduled to be paved fall of 2007, paving on WV Route 62 is scheduled for

summer of 2008, and inspection for painting and repairs of the Winfield Bridge is scheduled for 2009.

PCDA REPORT

There was no PCDA report due to no PCDA meeting in July.

VIOLATIONS REPORT

Staff presented the Findings of Fact regarding the portable sign violation by The Hottest Dog located at Mid Valley Square, Phase II, Hurricane, a copy of which is attached and made a part of these minutes, outlining the time line for the violation.

Public comments:

Gary Bowser, owner of The Hottest Dog, stated that the sign will be removed tomorrow, or even tonight. He also presented a letter from property owner Mr. Meeks that The Hottest Dog will now be allowed to place a sign on the monument sign for Mid Valley Square Phase I and his sign should be up sometime in the next 30 days.

Discussion followed.

Motion was made by Gary Tillis and seconded by Lynn Cvechko to forward the violation to County Commission for the August 14, 2007 meeting agenda. The motion was discussed extensively. Due to the fact that Mr. Bowser stated that he will remove the sign tonight, Gary Tillis rescinded his motion to forward this violation to County Commission. The motion to rescind passed unanimously. This violation will not be forwarded to County Commission due to the fact that when the sign is removed, Mr. Bowser will be in compliance with the *Zoning Ordinance for the Zoned Unincorporated Areas of Putnam County* regarding portable signs.

CITIZEN CONCERNS

Mark Madore, Family First Realty, stated that he believes that the Division of Highways (DOH) sign sweep conducted in May 2007 was initiated by the Office of Planning and Infrastructure and stated that he does not believe that staff should be spending their time assisting DOH in this manner.

PUBLIC HEARING PROCEDURE

David Powell gave a brief explanation of the rules for a public hearing.

PROPOSED SUBDIVISION - Devonshire, Phase I

Disclosure of Conflict

No commissioner disclosed a potential conflict of interest with the Devonshire, Phase I proposed subdivision.

Public Hearing

David Powell opened the public hearing for the proposed Devonshire, Phase I subdivision.

DEVONSHIRE, PHASE I

Cathcart Properties is the developer for the proposed Devonshire, Phase I subdivision and Terradon Corporation is the engineer. The subdivision is a 130-lot subdivision to be developed on 44.39 acres as single-family residential and mixed residential. It is located on Hedrick Road, Scott Depot, tax map 224, parcels 60, 61, and 62.

Staff presented the summary, Findings of Fact, and Resolution 07-06, copies of which are attached and made a part of these minutes.

Discussion followed.

Developer comments:

Todd Dofflemyer, Cathcart Properties, requested approval of the project and stated that he would answer any questions.

Public comments:

Joan Glenn requested the date for start of construction.

Mr. Dofflemyer stated that construction is anticipated to begin August 1, 2007 provided that they have received all necessary permits by that day, such as the Corp of Engineers permit. If approval of the Corp permit is delayed, it is possible that construction will not begin until spring of 2008.

There being no further questions or comments, David Powell 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 Devonshire, Phase I as a major subdivision. Motion carried unanimously.

Resolution 07-06 was reviewed in detail.

Motion was made by Tom Hankins and seconded by Barbara Reed to approve Resolution 07-06 as presented. Motion carried unanimously.

ADDENDUM TO RESOLUTION 06-07 - Bella Woods

Vic Mays recused himself from the meeting and left the room due to a conflict of interest with the Addendum to Resolution 06-07. He is one of the developers of Bella Woods.

David Powell opened the public hearing for the Addendum to Resolution 06-07.

Staff presented the Addendum to Resolution 06-07 for Bella Woods subdivision, a copy of which is attached and made a part of these minutes.

There were no petitioner comments.

There were no public comments.

There being no questions or comments, David Powell closed the public hearing and reconvened the regular meeting.

Discussion ensued with a question and answer session.

Motion was made by Joe Tyree and seconded by Jeffrey Brannon to approve Addendum to Resolution 06-07 for Bella Woods subdivision as presented. Motion carried unanimously.

Vic Mays returned to the meeting.

VARIANCE REQUEST - Tim Donut US Ltd. - Commercial Right-of-Way

Disclosure of Conflict

No commissioner disclosed a potential conflict of interest with the variance request by Tim Donut US Limited to allow a 40' right-of-way to be adequate to divide property for commercial purposes instead of the required 60' right-of-way.

Public Hearing

David Powell opened the public hearing for the variance request by by Tim Donut US Limited to allow a 40' right-of-way to be adequate to divide property for commercial purposes instead of the required 60' right-of-way.

Staff presented Variance 07-06, a copy of which is attached and made a part of these minutes.

A question and answer session followed.

Applicant comments:

Jeff Baldwin, Tim Donut US Ltd., requested approval of the variance and stated that he would answer any questions.

There were no public comments.

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

Deliberation and Action

Discussion ensued with a question and answer session.

The variance criteria worksheet was reviewed and it was determined that this request met all six conditions required for the approval of a variance.

Motion was made by Tom Hankins and seconded by Vic Mays to approve Variance 07-06 by Tim Donut US Limited to allow a 40' right-of-way to be adequate to divide property for commercial purposes instead of the required 60' right-of-way as presented. Motion carried unanimously.

ADMINISTRATIVE SUBDIVISION REPORT

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

- | | | |
|--------------------|---|---|
| T J & M, LLC | - | 1 lot; 6.62 acres; located on Coon Creek Drive, Scott Depot. |
| Leo Myers | - | 1 lot; 2.401 acres; located on Clendenin Creek, Liberty. |
| Holden Eades | - | 1 lot; 20 acres; located on Bowles Ridge Road, Liberty. |
| Ruth Payne | - | 1 lot; 2 acres; located on Luikart Ridge, Red House. |
| City of Hurricane | - | 1 lot; 15.03 acres; located on Route 34, Hurricane. |
| Ricky Houdershelot | - | 1 lot; 4.07 acres; located at 379 Blue Lick Road, Winfield. |
| Arnold Wehrle | - | 1 lot; 8.05 acres; located on Stave Branch Rd, Fraziers Bottom. |

FINANCIAL REPORT

Staff presented the financial report for June 2007, which is also the fiscal year end 2006-2007 report. There were no comments or questions.

MONTHLY REPORT

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

STAFF REPORT

Staff reported the following: 1) The project behind Kmart in the wetland has received a Notice of Violation from DEP as well as a Cease and Desist Order from the Corp of Engineers. Plans have not been submitted to the Office of Planning and Infrastructure. When plans are received, a meeting will be held with all interested parties. Anyone interested may furnish their name, telephone number, or email address to staff. 2) Tom Hankins, Nicki Barnette and Sandy Mellert attended the planner training session on comprehensive plans presented by Regional Intergovernmental Council. The Putnam County Comprehensive Plan needs to be updated. Staff has conferred with the County Administrator regarding a consultant for this process. 3) Explained in detail the DOH sign sweep held in May. 4) Further amendments to the Putnam County Subdivision Regulations are being drafted. As soon as the draft is complete, an Ordinance Revision Committee meeting will be scheduled.

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 8:50 p.m.

Respectfully submitted,

Linda Bess, Secretary

Attest: _____
Presiding Officer

Minutes were approved: _____