

# **PUTNAM COUNTY PLANNING COMMISSION**

**Tuesday, September 25, 2007**

**Putnam County Courthouse Courtroom 202**

## **MINUTES**

The Putnam County Planning Commission met on Tuesday, September 25, 2007 at the Putnam County Courthouse, 2<sup>nd</sup> 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: Jeffrey Brannon, Tom Calabrese, Sam Cunningham, Lynn Cvechko, Tom Hankins, Vic Mays, Sarah McCallister, Barbara Reed, and Gary Tillis.

Members absent: C P Farley, Drew Garnes, Glen Lovejoy, Steve Perry, David Powell, and Joe Tyree.

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

Others present who signed in were: Allen and Sidney Dale, Kenneth Samms, Larry Samms, Travas Bennett, Randy Bennett, Sam Carpenter, Jimmy Calhoun, John Gibson, Steve Thurman, John Williams, Daryl Smith, Jimmy Blanton, and Kriota Blanton.

### **APPROVAL OF MINUTES**

The minutes of the July 24, 2007 meeting were reviewed. Motion was made by Tom Hankins and seconded by Barbara Reed to approve the minutes as presented. Motion carried unanimously.

### **INFRASTRUCTURE REPORT**

Commissioner Tillis reported the following: 1) the grant application for the Jim Ridge water project was revised and resubmitted to eliminate five households from the initial application due to the projected cost although if actual construction costs are below the estimate, the households will be added back into the project; 2) the sewer line project along US 35 at Shawnee Estates has been completed; 3) the Midway sewer project has been completed and is now serving customers; 4) design is complete on the Vintroux water and sewer line project; and 5) in an attempt to alleviate the stormwater issues in Hometown, a Small Cities Block Grant application will be submitted in 2008.

### **TRANSPORTATION REPORT**

Commissioner Tillis reported the following: 1) the widening of US35 to three lanes at the John Amos Plant should have gone to bid on September 15.

## **PCDA REPORT**

Commissioner Tillis reported the following: 1) the annual PCDA meeting was held today; 2) revisions to their by-laws were adopted; and 3) PCDA and County Commission will be making a request to the WV Division of Highways to allow Verizon to cross the Kanawha River at the Buffalo Bridge in order to provide high-speed internet to Putnam Business Park in Fraziers Bottom.

## **CITIZEN CONCERNS**

There were no citizen concerns.

## **PUBLIC HEARING PROCEDURE**

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

## **VARIANCE REQUEST - Kenneth and Barbara Samms - 30' Right-of-Way**

### ***Disclosure of Conflict***

No commissioner disclosed a potential conflict of interest with the variance request by Barbara and Kenneth Samms to allow a 30' ROW as adequate to divide property instead of the required 40' ROW. The property is located on Sawmill Road, Scott Depot, WV (tax map 225 parcel 125) and is not zoned.

### ***Public Hearing***

Sarah McCallister opened the public hearing for the variance request by Barbara and Kenneth Samms to allow a 30' ROW as adequate to divide property instead of the required 40' ROW. The property is located on Sawmill Road, Scott Depot, WV (tax map 225 parcel 125) and is not zoned.

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

A question and answer session followed.

Applicant comments:

Kenneth Samms, property owner, requested approval of the variance request and stated that he will be able to provide a 40' right-of-way in some sections although not in others.

Public comments:

Travis Bennett requested information on how this will affect his property.

Staff stated that Mr. Bennett's property is south of the right-of-way and will not be affected.

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 variance criteria worksheet was reviewed, and it was determined that this request met all six conditions required to approve a variance.

Motion was made by Lynn Cvechko and seconded by Tom Calabrese to approve Variance 07-07 by Barbara and Kenneth Samms to allow a 30' ROW as adequate to divide property instead of the required 40' ROW on tax map 225 parcel 125 as amended. Number 3 condition will read "the plat be revised to show a 40' right-of-way where available and 30' where not available". Motion carried unanimously.

#### **ROSEHILL ACRES, SECTION FOUR - Preliminary Plat Extension**

##### ***Disclosure of Conflict***

No commissioner disclosed a potential conflict of interest with the preliminary plat extension request for Rosehill Acres, Section 4.

##### ***Public Hearing***

Sarah McCallister opened the public hearing for the preliminary plat extension request for Rosehill Acres, Section 4.

Staff presented the Findings of Fact, including Addendum to 98-3, for the preliminary plat extension request for Rosehill Acres, Section 4, copies of which are attached and made a part of these minutes. Staff also presented photos submitted by an adjacent property owner of the detention pond located on lot 309, copies of which are attached and made a part of these minutes. A chart outlining prior preliminary plat extension approvals and denials, a copy of which is attached and made a part of these minutes, was also presented to the commission members.

A question and answer session followed.

##### **Applicant comments:**

Jimmy Calhoun, project engineer, requested approval of the extension and stated that the developer has continued with construction although it has been slow with 80 - 85% of the improvements being complete at this time

##### **Public comments:**

Steve Thurman, 805 Rosehill, requested information regarding the use of lot 331 as an access to section 4, stated that the developers have the subdivision in a constant mess because of the slow pace of completing the project, requested that the developer complete section 3 prior to continuing with section 4, and stated that detention pond #2 is not working correctly and never has.

Jimmy Blanton, 702 Poinsettia Drive, reiterated the comments made by Mr. Thurman regarding the pond and roads, and requested that the developer build single family structures not duplex.

Daryl Smith, 305 Rosehill, stated that the construction vehicles have damaged the roads, requested that the developer make improvements to the roads now, not later, and requested information regarding the intended size of the homes to be built in section 4.

Sam Carpenter, 505 Roseberry Drive, reiterated all the previous comments and stated that the developer has not been diligent in the maintenance of the pond nor the streets so far and fears that this will continue in the future.

In answer to the above questions and concerns, Jimmy Calhoun stated 1) that the detention pond was also designed and built for sediment and erosion control for sections three and four and will be used as such until the project is completed, 2) at that time, the pond will be vegetated, dressed out and spruced up to be maintained as a detention pond, and 3) section four only has access from Scott Lane not through section three.

Extensive discussion followed.

There being no further comments or questions, 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 Gary Tillis and seconded by Lynn Cvechko to approve Addendum to 98-3 to extend the expiration date for preliminary plat approval for Rosehill Acres, Section Four as a single-family development to September 25, 2008 to include the following additional conditions: 1) require heavy equipment and all construction vehicles to use only Scott Lane as access to Section Four and no access across the subdivision streets or lot 331 in Rosehill Acres; 2) during the first phase of construction in Section Four, abide by the NPDES permit with maintenance of the detention pond continuing throughout, with seeding and mulching on the slopes; and 3) for final approval, sediment from Detention Pond #2 be removed and the pond be certified by a registered professional engineer that the pond is working to capacity. The motion carried with a 7 - 1 vote.

### **VIOLATIONS REPORT**

There were no violations to report.

### **ADMINISTRATIVE SUBDIVISION REPORT**

Staff provided a summary of the July and August 2007 administrative subdivision approval for the following parcels:

#### July:

Thomas & Lisa Gerencir	-	3 lots; .77, 9.69 & 9.23 acres; located on Steele Ridge Road, Buffalo
Connie Combs	-	1 lot; 3.22 acres; located on North Poplar Fork Road, Winfield
Norris Boggs	-	1 lot; 1.67 acres; located on Rocky Step Road, Scott Depot
John Scott	-	1 lot; 5.264 acres; located on Sams Fork Road, Hurricane
Clarence Watt	-	2 lots; 1.25 & 1.5 acres; located at 1709 Steele Ridge Road, Red House

#### August:

Steorts & Sons	-	1 lot; 1.10 acres; located on Cow Creek Road, Hurricane
James Casto	-	1 lot; 7.514 acres; located on Manila Creek Road, Poca
William Mangus	-	1 lot; 1.17 acres; located on Mt. Vernon Road, Hurricane
Ruth Ann King	-	1 lot; 1.56 acres; located on Cow Creek Road, Hurricane

**FINANCIAL REPORT**

Staff presented the financial reports for July and August 2007. There were no comments or questions.

**MONTHLY REPORT**

Staff presented the monthly reports for July and August summarizing the building/zoning permit approvals. There were no comments or questions.

**STAFF REPORT**

Staff reported the following: 1) engineers and surveyors recently attended a FEMA training held in the Office of Planning and Infrastructure; 2) future training sessions are planned; and 3) Putnam County is being required to update the Floodplain Management Program Ordinance and draft copies of revisions will soon be sent to the Ordinance Revision Committee.

**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 9:10 p.m.

Respectfully submitted,

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Linda Bess, Secretary

Attest: \_\_\_\_\_  
Presiding Officer

Minutes were approved: \_\_\_\_\_