



## BERKELEY COUNTY PLANNING COMMISSION

400 West Stephen Street - Suite 203, Martinsburg, WV 25401-3838

Telephone: 304/264-1963, Fax: 304/262-3127

Web Page: [www.berkeleywv.org](http://www.berkeleywv.org)

### Development Roundtable Meeting

July 12, 2013 930 pm

#### Notes

Mike Thompson, the Planning Director, opened the meeting by welcoming and introducing the new staff member Courtney Ponikvar, Administrative Assistant.

Mr. Thompson updated the attendees that the approved tolling amendment was now on the website and this will be a topic of discussion in the next few weeks at the Planning Commission meeting. He also stated that the subdivision regulation reviews is not as far along as he would like, but it should be moving further within the next 30 days.

Ms. Shrader was not able to attend today's meeting so Mike Thompson stated that the engineering department is anticipating the Council will adopt the 2012 building codes at a Council meeting in August with an effective date later this year, possibly in November. Keep checking the county council agendas for additional information.

Mr. Thompson opened discussion with the first topic being the Public Hearing process for subdivisions. He stated that he feels right now every step is not necessarily presented to the public or the commission at the best point during the project. He feels there is room for improvement by either requiring more information at the time of sketch plan approval or waiting until preliminary plan to bring plans to a Public Hearing.

Jason Gerhart stated that if the Public Hearing would take place at the preliminary plan stage there would be a significant increase in cost to the developer if there were issues that needed to be addressed because so much time and effort already went into the project at that point. He feels that the Public Hearing should continue to come at the sketch phase because it is easier to address issues at this point in the project.

Mike Thompson stated that they may ask for more information to be given at the sketch phase to alleviate some of the questions from the public.

Donald Fox stated that they assure the public that the questions will be answered by the planning at a later time in the process.

Mike Thompson stated that one option that might be considered would be sending out letters to the adjoining property owners so if they have any questions they can be answered prior to the completion of the project by staff.

Mike Wiley stated that there should be a hybrid plan because there are many projects submitted for Sketch Plan approval that never moves forward, however by waiting for final plat approval this is very stressful.

Mike Thompson stated that he is happy to sit down with the developers and talk about these things before technical changes are proposed for consideration. A discussion followed as to when actually the state code requires the public hearing. Mr. Thompson said that he has requested the County Attorney, Mr. Bentley, to look at the statute as final plat is not mentioned, but the language seems to indicate that is the point they are talking about in association with the required public hearing.

Dave Hartley stated that he has not found out any information out about what is done in other jurisdictions at this time, but will continue to make inquiries.

Steve Thomas proposed the possibility of having separate paths for residential subdivisions and one from commercial subdivisions.

Mike Shifler stated that lot size should play a major role in determination of which process should be used.

Jason Gerhart stated that in Jefferson County a different size projects have different procedures.

Mike Thompson stated that presently the only way to create a lot as a minor subdivision is through family transfer process where previously lots were allowed to be created with minor subdivisions, but this was abused in the past and maybe we should consider at the minor subdivision process again as it seems cumbersome to have to go through the entire process to create on residential lot.

Steve Thomas stated that GIS mapping helps keep track of this issue, which is a tool we did not have previously and will assist in monitoring projects. There are potential issues, but seems like something that would be worth looking at.

Mike Shifler stated that he has not had many new large projects most of the ones coming in are small plans.

Mr. Thompson opened discussion on a second topic, that being sidewalks. The requirements for different land uses may need to be different. This is a discussion the Planning Commission asked that we have because of the number of exception for sidewalks that are being requested and granted. It seems like an exception is being requested on most non-residential projects, therefore maybe a change is warranted to the ordinance. Mr. Thompson said this is a complicated issue as we are trying to promote safety for both vehicles and pedestrians.

One of the points mentioned was the issue with the DOH and their position that sidewalks should not be in their rights-of-way. Another issue discussed was where they should be located. Jason Gerhart stated that there should be a foot traffic study conducted in heavy residential and commercial areas along with major routes. He thought this would help bring the WV Department of Highways into the discussions. Another point being that studies, like the Development Authority's backed study for the North Martinsburg area can be a big help as while the sidewalk system is not in place now a developer knows there is a plan and what he installs is not a sidewalk to nowhere.

Dirk Stansbury stated that Jefferson County is making the owner keep an area for sidewalks or the trails program. A discussion followed about looking at the possibility of not requiring sidewalks, but an easement area in the event they are needed in the future.

Steve Thomas brought up a point that needed to be stressed that has come to our attention. The DOH has stated that even if there are existing driveways, permits need to be applied for so they can ensure safety by tracking entrance placement as they have found that at times they are not located at the permitted location and as installed create a hazard.

Dirk Stansbury stated he felt some other issues should be looked into. The requirement for a developer to provide for a 70' radius on cul-de-sacs in some instances was the first discussed. One possibility would be if the total length of the street is 300' or less they should be allowed to use a 30' radius cul-de-sac. He also raised the issue of requiring fire hydrants at the end of all cul-de-sacs.

Steve Thomas responded that Eddie Gochenour is looking into this from the fire safety side as they would prefer hydrants at the intersection rather than the end of the cul-de-sac.

A discussion followed of the road classifications, the required setbacks, and where the DOH measure from for setbacks (edge of pavements, right-of way).

Steve Thomas stated that he and Courtney have been working on the bonds and hopes to have the increased rates available prior to sending out the letter for expiration to ensure a functional bond with the county engineer's recommendations. This will also be done with regard to non-expiring bonds that while they are renewed every year, the amount needs to keep pace with costs like the annual renewable ones.

Mike Thompson ended with thanking everyone for their attendance, interest and ideas. He will be in contact with individuals in the near future asking for their participation in a review committee.