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

Berkeley County Planning Commission Agenda
November 21, 2016 @ 6:00 pm.

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF THE AGENDA

4. SUNSHINE LAW SPEAKERS

5. APPROVAL OF MEETING MINUTES
   a. November 7, 2016

6. PUBLIC HEARINGS
   a. Lots N2A & N2B Prelim/Final Waiver (#027-16)
   b. Riverside Villages Final Plat Approval (#18-03)
   c. ROCS 9 West Final Plat Approval (#16-04)

7. PRELIMINARY PLAT APPROVAL
   a. Village at Spring Mills (#022-16)

8. PRELIMINARY / FINAL PLAT APPROVAL
   a. Marks Preliminary/Final Plat (#029-16)
   b. Cimaglio/Santucci Preliminary/Final Plat (#034-16)
   c. F&G Farms Preliminary/Final Plat (#030-15)

9. REPLAT APPROVAL
   a. Washington Trail—East (#58-02)

10. STAFF/COUNSEL DISCUSSION/ACTION/MOTION
    a. 2017 Meeting Dates

11. ADJOURNMENT

****The Planning Commission reserves the right to re-arrange items on the agenda due to time constraints of the public or Commission****

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PUBLIC HEARING
STAFF REPORT
REQUEST FOR WAIVER
November 21, 2016

Project: Lots N2A & N2B

File #: 027-16

Developer: Mr. Sol Trotter
365 Sweetbriar Rd.
Martinsburg, WV 25405

Surveyor: Mr. Greg Yebernetsky
1211 Palmer Rd.
Hedgesville, WV 25427

District, Tax Map, & Parcel: Arden Tax District, Tax Map 16, Parcel 1.59.

Location: The property is located on the south side of Rt. 19 (Paynes Ford Rd.), 0.5 miles east of the intersection of Rt. 19 and 19/1 (Airport Rd.), in the Arden District.

Project Description: The project proposes a waiver to section 305.4.1 which requires road frontage on a WVDOH road, in order to subdivide a lot using the simultaneous Preliminary/Final Plat Process.

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Well & Septic)	
Berkeley County Public Service Water District (Water Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit) Letter Received	
Central Dispatch (Road names) approved	
GPP Permit Application	
NPDES Permit Application	
*Traffic Study	
*School Impact Analysis	
Appendix C—Environmental Impact Checklist	

MEETINGS & SUBMISSIONS	DATE RECEIVED
Waiver Requests	
Waiver Requested	10/19/2016
Waiver Request Advertised	10/31/2016
Waiver Denied	
Request for Consideration	
Request for Consideration Submitted	
Request for Consideration Advertised	
Request for Consideration Accepted/Denied	

Preliminary/Final Plat	
Preliminary/Final Plat Submitted	
1st Review Comments	
Preliminary/Final Plat Re-Submitted	
Preliminary/Final Plat Approval	

Waivers/Exceptions: The project proposes a waiver to section 305.4.1 which requires road frontage on a WVDOH road, in order to subdivide a lot using the simultaneous Preliminary/Final Plat Process.

Section 305.4 "Procedure-Simultaneous Preliminary/Final Plan" states that *where lots are greater than two (2) acres in size and have frontage on a WVDOH road, and no improvements are needed, the developer may submit a combined Preliminary/Final Plan to be forwarded to the Planning Commission.*

The proposed subdivision includes the creation of one lot and one remainder parcel. The lots are 2.4645 acres (Lot N-2A) and 2.6044 acre (Lot N-2B). The proposal indicates that they will be served by well and septic. The parcels are proposed to be served by a 50' common access easement.

The requirements to be granted a waiver, per section 1203(A) of the Berkeley County Subdivision Ordinance, are as follows:

Section 1203(A)(1): *The conditions requiring the waiver are not the result of any self directed or deliberate physical action taken by the applicant which, had it not been taken, would have alleviated the need for the waiver request.*

It appears that the requested waiver does not meet condition #1. The proposed subdivision could follow the prescribed procedure for Sketch, Preliminary, and Final Plat, as outlined in the 2009 Berkeley County Subdivision Ordinance. It appears that the subdivision could meet the requirements, under the existing procedure for subdivision.

The need for the waiver is unclear, as the subdivision could be reviewed and approved under the existing procedures; it would seem to suggest that the intent of the request is to expedite the review and approval process for this subdivision, for the purposes of convenience.

Section 1203(A)(2): *The waiver will not be contrary to, the public interest, health, safety, and welfare given the evidence presented.*

As aforementioned, the plat appears to comply with the 2009 Subdivision Ordinance; therefore, it would not be contrary to the public interest.

Section 1203(A)(3): *Consistency and fairness in applying the Ordinance shall not be jeopardized or compromised.*

Section 305.4.1 "Procedure for Simultaneous Preliminary/Final Plat" exists as an exception from the full major subdivision procedure, as written. However to qualify for this simultaneous review, three (3) parameters have been set: lots must greater than two (2) acres in size, with frontage on a WVDOH road, and no improvements are needed. To begin to waive the directives that allow this process to exist will compromise fairness and consistency.

That being said, waivers to section 305.4.1 have been granted in the past for projects where all improvements were in existence, such as: Board of Child Care (#036-12), Thurston Subdivision (#005-13), David Wageley Subdivision (#022-12), and most recently Secrist Lots (#023-16). However, many who did not and could not meet the qualifications for simultaneous Preliminary/Final Plat review were forced to take the alternate route of the standard procedure for Sketch, Preliminary, and Final Plat approvals.

Project Notes: Mr. Sol Trotter has provided a justification which is attached for review.

Staff Recommendation: It is the opinion of staff that, the application does not meet the requirements in Section 1203(A)(1) and 1203(A)(3) to be granted a waiver. Therefore, staff recommends denial of the proposed waiver.

Respectfully Submitted,

The Planning Department

Attachments: Waiver Justification, provided by Mr. Sol Trotter, 10/19/2016

October 19, 2016

Berkeley County Planning Commission
400 West Stephen Street
Suite 203
Martinsburg, WV 25405

Re: Lot N2A & N2B Subdivision Waiver Request
Arden District, TM 16, Parcel 1.59

Dear Mike,

We would like to request a waiver of a portion of Section 305.4.1 that requires frontage on a WV DOH road in order to process a subdivision as a Preliminary/Final application. We would kindly request that a Preliminary/Final application be allowed for a one lot and a residue, fronting on an existing 50' common access easement.

The current parcel (Lot –"N"2) is 5.0689 acres. There is a single family home served by a LP septic and conventional well. We are proposing dividing the current parcel into 2 parcels. The existing single family home resides on 2.5767 acres, and the residue consisting of 2.4922 acres. Both parcels would front the existing 50' common access easement, and utilize their own private septic and well systems.

This waiver request is not the result of any self-directed or deliberate physical action taken by the owner. The waiver request is not contrary to the interest, health, safety and welfare of the public. This waiver request does not jeopardize or compromise the consistency and fairness of the ordinance. The waiver will allow a lot to be created on an existing 50' access easement.

The request stems from the limiting language/scope of the current process. Section 305.4.1 requires frontage on a WV DOH road. The county/community gave up their roads years ago. The state also abandoned the orphan road program. The majority of the new road formation is private/subdivision owned. The current regulations do not address this area. The ROW/easement width should be one of the determining factors.

Please let me know if you have any questions or comments.

Cordially,

Sol Trotter

OCT 19 2016
Berkeley County
Planning Commission

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PUBLIC HEARING
STAFF REPORT
FINAL PLAT APPROVAL
November 21, 2016

Project: **Riverside Villages, Phase 3 Townhome Lots 262-267**

File #: **18-03**

Developer: Marlowe Towne Center, LLC
9745 Garish Shop Road
Hagerstown, MD 21740

Engineer: Eco Land Solutions
223 N. Prospect St, Ste 304
Hagerstown, MD 21740

District, Tax Map & Parcel #: Falling Waters District, Map 6, Parcel 262

Location: The property is located on the west side of US Route 11 (Williamsport Pike), just below its intersection with Interstate 81 at the intersection of Corporate Boulevard West and Halfway Boulevard, in the Falling Waters Tax District.

Project Description: The project proposes to develop six (6) townhomes on approximately one acre.

Administrative History:

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Wells and Septic)	6/15/2004
Berkeley County Public Service Water District (Water Availability)	3/11/2003, 8/15/2005
Berkeley County Public Service Sewer District (Sewer Availability)	9/1/2005
State Health Department (Water)	n/a
State Health Department (Sewer)	9/1/2005
Department of Highways (Entrance Permit) Letter Received	7/28/2005
Central Dispatch (Road Names) approved	7/15/2003
GPP Permit Application	1/26/2004, 9/1/2005
NPDES Permit Application	10/22/2004
*Traffic Study	3/11/2003
*School Impact Analysis	3/11/2003
Appendix C – Environmental Impact Checklist	n/a

MEETINGS & SUBMISSIONS	DATE
Pre-Application STAC Meeting	4/7/03

Preliminary Plan	
Preliminary Plan Submitted	4/20/05
Preliminary Plan Re-Submitted	
Preliminary Plan Public Hearing / Approved	11/7/05
Final Plat	
Final Plat Submitted	8/11/2016
1st Review Comments	P-8/17/2016 E-8/31/2016
Final Plat Re-Submitted	9/2/2016
Final Plat Determination	10/17/2016
Final Plat Public Hearing	11/21/2016
Final Plat Approval	
Bond Reduction	

Waivers/Variances: No waivers or variances have been requested.

Project Notes: This project was originally submitted under the 1975 Subdivision Ordinance.

Engineer Report: The County Engineer issued a letter on October 4, 2016, stating the Final Plat meets the requirements of the Subdivision Ordinance; therefore, the County engineer recommends approval of the Final Plat upon receipt of a surety in the amount of $7,656.00.

Staff Recommendation: The Final Plat meets the requirements of the Subdivision Ordinance; therefore, Staff recommends approval of the Final Plat upon receipt of a surety in the amount of $7,656.00.

Respectfully Submitted,

The Planning Department

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PUBLIC HEARING
STAFF REPORT
FINAL PLAT APPROVAL

November 21, 2016

Project: ROCS (9 West)

File #: 16-04

Developer: RM Roach & Sons LLC
333 E. John Street
PO Box 2889
Martinsburg, WV 2540

Engineer: Fox & Associates, Inc.
1981 Mt. Aetna Road
Hagerstown, MD 21740

District, Tax Map, & Parcel: Hedgesville Tax District, Map 34, Parcel 11.1.

Location: The property is located at the southeast corner of WV Rt. 9 and Industrial Circle, in the Hedgesville Tax District.

Project Description: The project proposes the construction of a convenience store with gas pumps on lot1. A Major Plan change was approved on June 6, 2016 and the final plat reflects those changes.

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Well & Septic)	
Berkeley County Public Service Water District (Water Availability)	11/1/2010
State Health Department (Water)	1/6/2011
State Health Department (Sewer)	1/6/2011
Department of Highways (Entrance Permit) Letter Received	6/18/2015
Central Dispatch (Road names) approved	5/3/2010
GPP Permit Application	3/14/2011
NPDES Permit Application	3/30/2011
*Traffic Study	
*School Impact Analysis	
Appendix C—Environmental Impact Checklist	

MEETINGS & SUBMISSIONS	DATE RECEIVED
Waiver Requests	

Waiver Requested	n/a
Waiver Request Advertised	
Waiver Denied	
Sketch Plan	
Sketch Plan Approved	12/19/2005
Preliminary Plan	
Preliminary Plan Approved	7/11/2011
Plan Change(s)	
Administrative Plan Change Approved	12/17/2015
Major Plan Change Requested	2/2/2016
1st Review Comments	2/18/2016
Major Plan Change Re-Submitted	2/24/2016
Major Plan Change Public Hearing Advertised	5/16/2016
Major Plan Change Public Hearing	6/6/2016
Final Plat	
Final Plat Submitted	6/17/2016
1st Review Comments	P-6/27/2016 E-7/7/2016
Final Plat Re-Submitted	7/13/2016
Final Plat Determination Meeting	10/17/2016
Final Plat Public Hearing Advertised	10/31/2016
Final Plat Public Hearing	11/21/2016
Final Plat Approval	
Bond Reduction	

Waivers/Exceptions: There have been no exceptions/waivers granted for this project.

Project Notes: The final plat shows three lots with the convenience store on lot 1.

County Engineer's Report: On 10/5/2016, The County Engineer issued a letter stating that the plat meets the requirements of the County and no bond is required at this time. Therefore, the County Engineer recommends the Final Plat approval.

Staff Recommendation: The final plat meets the requirements of the ordinance; therefore, Staff recommends approval of the Final Plat.

Respectfully Submitted,

The Planning Department

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STAFF REPORT
PRELIMINARY PLAN ADVANCEMENT
November 21, 2016

Project: Village at Spring Mills

File #: 022-16

Developer: Mr. David Biafora
6200 Mid-Atlantic Dr.
Morgantown, WV 26508

Engineer: Cheat Road Engineering
100 Hart Field Rd.
Morgantown, WV 26505

District, Tax Map & Parcel #: Falling Waters, Map 14, and Parcel 5.14

Location: The property is located off of exit 20 on I-81, east on Hammonds Mill Rd., left on Rt. 11, and the site is approximately ¼ mile after the existing Sheetz convenience store.

Project Description: The project proposes two (2) lots on approximately 13.942 acres, for multi-family residential and commercial use.

Administrative History:

APPROVAL LETTERS	DATE
Berkeley County Health Department (Well & Septic)	
Berkeley County Public Service Water District (Water Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit) Letter Received	
Central Dispatch (Road names) approved	
GPP Permit Application	
NPDES Permit Application	
*Traffic Study	7/1/2016
*School Impact Analysis	7/1/2016
Appendix C—Environmental Impact Checklist	7/1/2016

MEETINGS & SUBMISSIONS	DATE RECEIVED
Waiver & Exception Requests	
Waiver Requested	
Waiver Request Advertised	
Waiver Request Withdrawn	
Exception Requested (Sidewalks Section 705)	7/1/2016
Sketch Plan	
Sketch Plan Submitted	7/1/2016

1st Review Comments	7/11/2016-P 7/15/2016-E
Sketch Plan Re-Submitted	7/25/2016
Sketch Plan Public Hearing Advertised	8/1/2016
Sketch Plan Advancement Meeting	8/15/2016
Sketch Plan Approval	
Preliminary Plan	
Preliminary Plan Submitted	8/16/2016
1st Review Comments	8/22/2016
Preliminary Plan Re-Submitted	10/19/2016
Preliminary Plan Re-submission	11/14/2016
2nd Review Comments	11/2/2016
Preliminary Plan Advancement Meeting / Approved	11/21/2016
Final Plat	
Final Plat Submitted	
1st Review Comments	
Final Plat Re-Submitted	
Final Plat Determination Meeting	
Final Plat Public Hearing Advertised	
Final Plat Public Hearing	
Final Plat Approval	
Bond Reduction	

Exceptions: The Planning commission on August 15, 2016 granted an exception to section 705, requiring sidewalks.

Waivers: No waivers have been proposed, as part of this project.

Project Notes: The project proposes two (2) lots on approximately 13.942 acres, for multi-family residential and commercial use. Thirty (30) condominium style apartments (quad configuration) are proposed, for a total of one hundred and twenty (120) units. The following uses are also proposed: two (2) proposed commercial buildings, one (1) proposed club house building, one (1) proposed pool, and one (1) existing building to be converted to a leasing office. The application materials indicate the project will be served by public utilities.

Engineer's Report: The project engineering was reviewed utilizing the Third Party Engineering Review option. CTL Engineering reviewed the project for compliance with the 2009 Subdivision Regulations and the 2016 Storm water Management Ordinance and issued a letter October 27, 2016 stating the plans are in compliance with the regulations.

Staff Recommendation: The Preliminary Plan meets the requirements of the 2009 Subdivision Ordinance; therefore Planning Staff recommends advancement of the Preliminary Plan to the Final Plat stage.

Respectfully Submitted,
The Planning Department

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STAFF REPORT
PRELIMINARY/FINAL PLAT APPROVAL
November 21, 2016

Project: Marks Preliminary/Final Plat

File #: 029-16

Developer: Mr. and Mrs. Damon & April Marks
20 Rachel Ln.
Berkeley Springs, WV 25411

Surveyor: DL Consulting
281 Candlewood Ln.
Great Cacapon, WV 25422

District, Tax Map, & Parcel: Gerrardstown Tax District, Map 8, Parcel 3

Location: The property is located to the north of the intersection of Dunham Dr. (WV Secondary Rt. 7/11) at the intersection of Dunham Drive and Grecian Lane, in the Gerrardstown Tax District.

Project Description: The project entails the creation of one (1) 45.66 acre lot, and one (1) 15.00 acre remainder.

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Well & Septic)	8/16/2016
Berkeley County Public Service Water District (Water Availability)	N/A
State Health Department (Water)	N/A
State Health Department (Sewer)	N/A
Department of Highways (Entrance Permit) Letter Received	10/12/2016
Central Dispatch (Road names) approved	N/A
GPP Permit Application	N/A
NPDES Permit Application	N/A
*Traffic Study	N/A
*School Impact Analysis	N/A
Appendix C—Environmental Impact Checklist	N/A

MEETINGS & SUBMISSIONS	DATE RECEIVED
Waiver Requests	
Waiver Requested	No Waivers Requested
Waiver Request Advertised	
Waiver Denied	
Request for Consideration	
Request for Consideration Submitted	No Requests Submitted
Request for Consideration Advertised	
Request for Consideration Accepted/Denied	

Preliminary/Final Plat	
Preliminary/Final Plat Submitted	8/16/2016
1st Review Comments-Planning	8/22/2016
1st Review Comments-Engineering	9/2/2016
Preliminary/Final Plat Re-Submitted	10/7/2016
Conditional Completion-Planning	10/18/2016
Conditional Completion-Engineering	11/2/2016
Preliminary/Final Plat Planning Commission Meeting	11/21/2016
Preliminary/Final Approval Date	

Waivers/Exceptions: No waivers or exceptions have been requested with this application.

Project Notes: The project entails the creation of one (1) 45.66 acre lot, and one (1) 15.00 acre remainder. The application materials indicate that the lots will be served by well and septic.

Engineer's Recommendation: On November 2, 2016, the County Engineer issued a letter which stated that are review of the project has been completed and found to be in substantial completion with the Subdivision Ordinance.

Staff Recommendation: The Preliminary/Final Plat meets the requirements of the Subdivision Ordinance; therefore, Staff recommends approval of the Preliminary/Final Plat.

Respectfully Submitted,

The Planning Department

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STAFF REPORT
PRELIMINARY/FINAL PLAT APPROVAL
November 21, 2016

Project: Cimaglio Preliminary/Final Plat

File #: 034-16

Developer: Mrs. Katherine Santucci
130 Fourth Bridge Rd.
Hedgesville, WV 25427

Surveyor: Berry Surveying Associates
PO Box 1090
Martinsburg, WV 24502

District, Tax Map, & Parcel: Gerrardstown Tax District, Map 9, Parcel 8

Location: The site is located on Fourth Bridge Road, approximately 700 feet east of its intersection with WV Route 7 (Back Creek Valley Road), in the Gerrardstown Tax District.

Project Description: The project entails the creation of one (1) 10.0122 acre lot, and one (1) 169.3661 acre remainder.

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Well & Septic)	11/1/2016
Berkeley County Public Service Water District (Water Availability)	N/A
State Health Department (Water)	N/A
State Health Department (Sewer)	N/A
Department of Highways (Entrance Permit) Letter Received	11/9/2016
Central Dispatch (Road names) approved	N/A
GPP Permit Application	N/A
NPDES Permit Application	N/A
*Traffic Study	N/A
*School Impact Analysis	N/A
Appendix C—Environmental Impact Checklist	N/A

MEETINGS & SUBMISSIONS	DATE RECEIVED
Waiver Requests	
Waiver Requested	3/28/2013
Waiver Request Advertised	4/8/2013
Waiver Denied	Waiver received #010-13 (5/6/13)
Request for Consideration	
Request for Consideration Submitted	No Requests Submitted
Request for Consideration Advertised	
Request for Consideration Accepted/Denied	

Preliminary/Final Plat	
Preliminary/Final Plat Submitted	9/14/2016
1st Review Comments-Planning	10/3/2016
1st Review Comments-Engineering	10/26/2016
Preliminary/Final Plat Re-Submitted	11/1/2016
Conditional Completion-Planning	11/9/2016
Conditional Completion-Engineering	11/16/16
Preliminary/Final Plat Planning Commission Meeting	11/21/2016
Preliminary/Final Approval Date	

Waivers/Exceptions: On May 6, 2013 a waiver was granted to allow the creation of a tract to be accessed via a right-of-way instead of having WV DOH road access as required in Section 305.4.1.

Project Notes: The project entails the creation of one (1) 10.0122 acre lot, and one (1) 169.3661 acre remainder. The application materials indicate that the lots will be served by well and septic.

Engineer's Recommendation: On November 16, 2016, the County Engineer issued a letter which stated that are review of the project has been completed and found to be in substantial completion with the Subdivision Ordinance.

Staff Recommendation: The Preliminary/Final Plat meets the requirements of the Subdivision Ordinance; therefore, Staff recommends approval of the Preliminary/Final Plat.

Respectfully Submitted,

The Planning Department

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STAFF REPORT
PRELIMINARY/FINAL PLAT APPROVAL
November 21, 2016

Project: F & G Farms Preliminary/Final Plat

File #: 030-16

Developer: F & G Farms
6274 Hedgesville Road
Hedgesville, WV 25427

Surveyor: Greg Yebernetsky
1211 Palmer Road
Hedgesville, WV 25427

District, Tax Map, & Parcel: Hedgesville Tax District, Map 21, Parcel 4

Location: The site is located on the north side of Hedgesville Road (WV RT 9) approximately 500 feet east of the bridge over Back Creek, in the Hedgesville Tax District.

Project Description: The project entails the creation of one (1) 6.6328 acre lot, and one (1) 342 acre residue.

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Well & Septic)	08/08/2016
Berkeley County Public Service Water District (Water Availability)	N/A
State Health Department (Water)	N/A
State Health Department (Sewer)	N/A
Department of Highways (Entrance Permit) Letter Received	04/14/2015
Central Dispatch (Road names) approved	N/A
GPP Permit Application	N/A
NPDES Permit Application	N/A
*Traffic Study	N/A
*School Impact Analysis	N/A
Appendix C—Environmental Impact Checklist	N/A

MEETINGS & SUBMISSIONS	DATE RECEIVED
Waiver Requests	
Waiver Requested	
Waiver Request Advertised	
Waiver Denied	
Request for Consideration	
Request for Consideration Submitted	
Request for Consideration Advertised	
Request for Consideration Accepted/Denied	

Preliminary/Final Plat	
Preliminary/Final Plat Submitted	8/22/2016
1st Review Comments-Planning	9/7/2016
1st Review Comments-Engineering	9/14/2016
Preliminary/Final Plat Re-Submitted	9/20/2016
Conditional Completion-Planning	9/26/2016
Conditional Completion-Engineering	11/14/2016
Preliminary/Final Plat Planning Commission Meeting	11/21/2016
Preliminary/Final Approval Date	

Waivers/Exceptions: No waivers or exception have been requested.

Project Notes: The project entails the creation of one (1) 6.6328 acre lot, and one (1) 342 acre remainder. The application materials indicate that the lots will be served by well and septic.

Engineer's Recommendation: On November 14, 2016, the County Engineer issued a letter which stated that are review of the project has been completed and found to be in substantial completion with the Subdivision Ordinance.

Staff Recommendation: The Preliminary/Final Plat meets the requirements of the Subdivision Ordinance; therefore, Staff recommends approval of the Preliminary/Final Plat.

Respectfully Submitted,

The Planning Department

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STAFF REPORT
REQUEST FOR REPLAT APPROVAL
Washington Trail—East
(Lots 28-29)
November 21, 2016

Project: **Washington Trail -East**

File #: **058-02**

Developer: DR Acquisitions LLC
10212 Governor Lane Blvd.
Suite 1006
Williamsport, MD 21795

Engineer: Eco Land Solutions LLC
223 N. Prospect Street
Hagerstown, MD 21740

District, Tax Map & Parcel #: Arden District, Map 12, Parcels 179 and 180

Location: The project is located at the intersection of Summit Point Road and Baker Road (9/19) in the Washington Tail—East Subdivision, in the Arden Tax District.

Project Description: The replat deals with 2 lots of the proposed 144 lot subdivision on approximately 0.426 acres.

Administrative History:

APPROVAL LETTERS	DATE RECEIVED
Berkeley County Health Department (Wells and Septic)	n/a
Berkeley County Public Service Water District (Water Availability)	05/12/03
Berkeley County Public Service Sewer District (Sewer Availability)	05/12/03
State Health Department (Water)	05/12/03
State Health Department (Sewer)	05/12/03
Department of Highways (Entrance Permit) Letter Received	05/12/03
Central Dispatch (Road Names) approved	05/12/03
GPP Permit Application	05/12/03
NPDES Permit Application	05/12/03
*Traffic Study	n/a
*School Impact Analysis	n/a

MEETINGS & SUBMISSIONS	DATE
Waiver Requests	
Waiver Requested	

Waiver Request Advertised	
Waiver Granted	
Sketch Plan	
Sketch Plan Submitted	
1st Review Comments	
Sketch Plan Re-Submitted	
Sketch Plan Public Hearing Advertised	
Sketch Plan Advancement Meeting / Approved	
Preliminary Plan	
Preliminary Plan Submitted	03/03/04
1st Review Comments	03/0304
Preliminary Plan Re-Submitted	03/17/04
Preliminary Plan Advancement Meeting / Approved	06/07/04
Final Plat	
Final Plat Submitted	
1st Review Comments	
P/F Plat Re-Submitted	
Final Plat Approved	08/23/04
Replat	
Replat Submitted	10/18/2016
Replat Complete	P 11/10/2016 E 11/9/2016
Replat Approved	

Waivers/ Exceptions: No waivers or exceptions have been requested as part of the replat.

Project Notes: The project is proposes to reconfigure the two lots in order to increase the size of the corner lot to better accommodate a residential structure. The lots will be 7,998 and 10,559 square feet in size.

Engineer Report: The County Engineer stated 11/9/16 that the project complies with the Subdivision Regulations and no additional bonding is required.

Staff Recommendation: The Replat meets the requirements of the Subdivision Ordinance; therefore, Staff recommends approval of the Replat.

Respectfully Submitted,

The Planning Department

2017 Planning Commission Meeting Schedule

*Tuesday January 3, 2017
*Tuesday January 17, 2017
Monday February 6, 2017
*Tuesday February 21, 2017
Monday March 6, 2017
Monday March 20, 2017
Monday April 3, 2017
Monday April 17, 2017
Monday May 1, 2017
Monday May15, 2017
Monday June 5, 2017
Monday June 19, 2017
Monday July 3, 2017
Monday July 17, 2017
Monday August 7, 2017
Monday August 21, 2017
*Tuesday September 5, 2017
Monday September 18, 2017
Monday October 2, 2017
Monday October 16, 2017
Monday November 6, 2017
Monday November 20, 2017
Monday December 4, 2017
Monday December 18, 2017

All Meetings begin at 6pm and are held in the Berkeley County Council Chambers on the second floor of the Dunn Building located at 400 West Stephen Street, Martinsburg, West Virginia.

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

Plan Review Activity – October 2016
Performed by Jamie MacLean
Major Project Reviews

File #	Project Name	Plan Type	Date Received	Comments Sent	Days per Review*	Notes
007-16	Quinn Trucking	Preliminary Plan	9/7/2016	10/3/2016	26	
010-13	Cimaglio Subdivision	Preliminary/Final	9/14/2016	10/3/2016	19	
020-15	Thistle Landing Section C	Preliminary Plan	9/14/2016	10/4/2016	20	
023-16	Norman Secrist Lots	Preliminary Final	9/21/2016	10/4/2016	13	
025-16	Rock Cliff Townes	Sketch Revisions	9/21/2016	9/27/2016 CC	6	
039-16	Sandra Smith	Preliminary/Final	9/22/2016	10/5/2016	13	
100-03	Hickory Run Plan Change	Plan Change Revisions	9/22/2016	10/5/2016 (Ad ready) 11/7/2016 PC	13	
040-16	Travis Miller	Preliminary Final	9/22/2016	10/18/2016	26	
21-02	Bellewood	Final Plat Review	9/27/2016	10/5/2016	8	
032-15	Hack Wilson Ct.	Preliminary Review	10/4/2016	10/19/2016	15	
44-05	Heritage Hills	FP Revisions	10/4/2016	10/5/2016	1	
013-16	CM Properties LLC	Revisions	10/6/2016	10/18/2016	12	
017-16	Stonerise Healthcare	Preliminary Review	10/7/2016	10/19/2016	12	
029-16	Sharon Marks Prelim/Final	Revisions	10/7/2016	10/18/2016	11	
041-16	Thompson Distribution	Sketch	10/11/2016	10/18/2016	7	
101-06	Brookfield Major Plan Change	Revisions	10/12/2016	10/19/2016	7	
042-16	Spring Mills Quick Lube	Sketch	10/17/2016	10/25/2016	8	
020-16	BTR Capital	Preliminary Plan	10/18/16	10/25/2016	7	
027-16	Lots N2A & N2B Prelim/Final	Waiver Application	10/19/16	Ad send 10/26/16 PC Meeting 11/12/16	7	
021-16	Station Square	Revisions	10/19/16	10/25/2016	6	
022-16	Villages at Spring Mills	Prelim. Plat Revisions	10/19/16	Mike sent email 10/24/2016	Pending	Incomplete submittal for 3rd party review

Avg. Days to Review Sketch: 8.5
Avg. Days to Review Prelim: 15.9
Avg. Days to Review Final: 11.4

Avg. Days to Review P/F: 16.84
Avg. Days to Review Plan Change: 12.35

Note:

- Days of review are shown as calendar days (not business days)
- Average days are indicative of average data for January-October 2016
- Weekly review days are Monday's and Tuesday's. Wednesdays will be utilized for ordinance revisions and staff reports for PC packets

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Plan Review Activity – October 2016
Performed by Heather Williams – Planner I
(Prepared November 1, 2016)

Minor Projects

File #	Project Name	Date Received	Date Reviewed	Date Approved	# of Calendar Days per Review
083-16m	McCleary, Stevens Merger/BLA & Easement	09/21/16	10/03/16		12
084-16m	Ward, Sigler Merger/BLA	09/21/16	10/03/16		12
085-16m	Demio Merger/BLA	09/21/16	10/03/16		12
086-16m	Bohrer Addition Merger Plat	09/22/16	10/03/16		11
087-16m	Cornerstone L.P., L.L.P. BLA	09/22/16	10/03/16		11
032-16m	Steptoe BLA	09/23/16 3rd review	10/11/16		18
088-16m	Potts Merger, POC, & F.Transfer	09/23/16	10/11/16		18
081-16m	Bridle Creek-Ph 4 Lot 273/274 BLA	10/04/16 2nd review	10/12/16	10/12/16	8
064-16m	Heritage Hills BLA	10/04/16 3rd review	10/12/16		8
080-16m	Shade BLA	10/06/16 2nd review	10/12/16	10/12/16	6
087-16m	Cornerstone, LP, LLP BLA	10/06/16 2nd review	10/12/16	10/12/16	6
079-16m	R&R Inwood Merger & BLA Plat	10/10/16 2nd review	10/12/16		2
086-16m	Bohrer Addition Merger Plat	10/11/16 2nd review	10/12/16	10/12/16	1
041-16m	Miller Merger	10/12/16 3rd review	10/12/16	10/12/16	1
043-16m	Miller Resurvey	10/12/16 2nd review	10/12/16	10/12/16	1
082-16m	Henry, Reid Merger	10/12/16 2nd review	10/13/16		1
079-16m	R&R Inwood Merger & BLA	10/13/16 3rd review	10/13/16	10/13/16	1
083-16m	McCleary, Stevens Merger/BLA & Easement	10/13/16 2nd review	10/24/16	10/24/16	11
078-16m	Bayer Merger Plat	10/14/16 2nd review	10/24/16	10/24/16	10
089-16m	French BLA Plat	10/04/16	10/24/16		20

090-16m	Stuart BLA	10/11/16	10/24/16	10/24/16	13
091-16m	Odilon Lopez BLA	10/11/16	10/24/16		13
092-16m	Slonaker BLA	10/11/16	10/25/16	10/25/16	14
071-16m	Gregory (BLA) Merger	09/21/16 3rd review new plat/new surveyor	10/25/16 spoke to surveyor and owner		34
082-16m	Henry, Reid Merger	10/25/16 3rd review	10/26/16	10/26/16	1
064-16m	Oakwood HH, LLC BLA	10/25/16 4th review	10/26/16	10/26/16	1
091-16m	Odilon Lopez/Bayer BLA	10/25/16 2nd review	10/26/16		1
				Avg. Days to Review	**9.1 Days**

Major Projects

File #	Project Name	Date Received	Date Reviewed	Date Approved	# of Calendar Days per Review*
014-16	Vanville Substation Preliminary Plan Revisions	09/26/16	10/05/16	10/05/16 Conditionally	9
029-15	Dyno Nobel Preliminary/Final *2nd review*	10/24/16	10/25/16	10/25/16 Conditionally	1
				Avg. Days to Review	**5.0 Days**

SAVE THESE DATES

2017 Development Roundtable Meeting Dates:

January 13, 2017

April 14, 2017

July 14, 2017

October 13, 2017

Meetings are open to anyone and are held in the Council Chambers located at:

400 West Stephen Street

Martinsburg, WV