



BERKELEY COUNTY DEPARTMENT OF LAND USE PLANNING AND ENGINEERING

400 West Stephen Street - Suite 202, Martinsburg, WV 25401-3838
Telephone: 304-264-1966 or 304-264-1963, Fax: 304-262-3128 or 304-262-3127
Web Page: www.berkeleycountycomm.org

March 22, 2010 @ 7:00 pm.

*****We are now back at 400 West Stephen Street*****

*****In the County Commission Chambers*****

Amended Agenda

*****SUBJECT TO CHANGE*****

1. CALL TO ORDER
2. ROLL CALL
3. SUNSHINE LAW SPEAKERS
4. PUBLIC HEARING
 - a. REQUEST FOR SKETCH PLAN ADVANCEMENT-Hedgesville Real Estate Lot 3 & 3A-File#021-09.
 - b. REQUEST FOR SKETCH PLAN ADVANCEMENT-Shady grove Mobile home Park-File#029-08.
 - c. REQUEST FOR FINAL PLAN APPROVAL-Sheetz Liberty Business Park-File#002-09.
5. REQUEST TO PULL BOND-
 - a. The Cove-File #105-03
6. STAFF/COUNSEL DISCUSSION/ACTION/MOTION
7. ADJOURNMENT



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**PUBLIC HEARING
STAFF REPORT
REQUEST FOR SKETCH PLAN ADVANCEMENT**

Project: Lot 3 & Lot 3A Hedgesville Real Estate

File #: 021-09

Developer: Hedgesville Real Estate LLC
 43 Elwood St.
 Martinsburg, WV 25404

Engineer: Lavelle & Associates, Inc
 5732 Industry Ln.
 Frederick, MD 21704

District, Tax Map & Parcel #: H, M 34, P 11.35

Location: Property is located at 1110 Hedgesville Rd., 200 feet east of the GM Access Rd. in the Hedgesville Tax District.

Project Description: Proposes an addition to an existing business on approximately 1.2571 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	
Berkeley County Public Service Sewer District (Sewer Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit)	
Central Dispatch (Road Names)	
GPP Permit Application	
NPDES Permit Application	
*Traffic Study	
*School Impact Analysis	

Meetings & Submissions	Date
Public Hearing (Sketch)	3/22/2010
Sketch Plan Submitted	
Preliminary Plat Submitted	
1st Review Comments	
Preliminary Plat Resubmitted	
Preliminary Plat Resubmitted	
Preliminary Plan Advancement	
Advertised	
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers/ Variances: At the January 25, 2010 Planning Commission meeting a waiver of Section 503 of the Berkeley County Subdivision Regulations to reduce the side yard setback was granted.

Project Notes:

1. Storm Water Management is in compliance with the Berkeley County Storm Water Management and Sediment and Erosion Control Ordinance, per Section 713 of the Subdivision Regulations.

Staff Recommendation:

Based upon the applications, approvals received from various agencies, staff recommendations, and information submitted at the public hearing, staff recommends advancement of the Sketch Plan to the Preliminary Plan Stage as complying with the provisions of the Ordinance

Respectfully Submitted,

The Planning Department

March 22, 2010

4a



BERKELEY COUNTY PLANNING COMMISSION

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

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PUBLIC HEARING STAFF REPORT REQUEST FOR SKETCH PLAN ADVANCEMENT

Project: Shady Grove Mobile Home Park

File #: 029-08

Developer: Gilbert A. Mobley
8291 Washington Blvd
Jessup, MD 20794

Engineer: PC DiMagno Engineering
61 Eagle School Road
Martinsburg, WV 25401

District, Tax Map & Parcel #: MC, M7, P19

Location: The property is located on the south side of Route 51/7 (Sulphur Springs Road), approximately 0.1 mile east of Route 34/2 (Hatchery Road), in the Mill Creek Tax District.

Project Description: Proposes a gated manufactured retirement community on approximately 48 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	
Berkeley County Public Service Sewer District (Sewer Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit)	
Central Dispatch (Road Names)	
GPP Permit Application	
NPDES Permit Application	
*Traffic Study	
*School Impact Analysis	

March 22, 2010

Meetings & Submissions	Date
Pre-Application STAC Meeting	08/13/08
Preliminary Plat Submitted	
1st Review Comments	
Preliminary Plat Resubmitted	
Preliminary Plat Resubmitted	
Advertised	
Public Hearing (Preliminary Plat/Site Plan Approval)	
Final Plat/Site Plan Approval	
Bond Reduction	

Waiver: At the February 22, 2010 Planning Commission meeting a Waiver of Section 1002.5 of the Berkeley County Subdivision Regulations allowing 50 foot; 5000 square foot lots in Shady Grove Mobile Home Park was granted.

At the February 22, 2010 Planning Commission meeting a Waiver of Section 402.2.c.23 of the Berkeley County Subdivision Regulations requiring a Traffic Study was granted.

Project Notes:

- Storm Water Management is in compliance with the Berkeley County Storm Water Management and Sediment and Erosion Control Ordinance, per Section 713 of the Subdivision Regulations.

Staff Recommendation: Based upon the applications, approvals received from various agencies, staff recommendations, and information submitted at the public hearing, staff recommends advancement of the Sketch Plan to the Preliminary Plan Stage as complying with the provisions of the Ordinance

Respectfully Submitted,

The Planning Department

March 22, 2010

4b



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PUBLIC HEARING STAFF REPORT REQUEST FOR FINAL PLAN APPROVAL

Project: Sheetz at Liberty Business Park

File #: 002-09

Developer: Sheetz- Allen Stevens
5700 Sixth Avenue
Altoona, PA 16602

Engineer: Frederick, Seibert & Associates
128 S Potomac Street
Hagerstown, MD 21740

District, Tax Map & Parcel #: A, M17, P7.5

Location: Property is located on the southwest corner of Short Road (Route 9/26) and Charlestown Road (Route 9), Lot 1 of Liberty Business Park in the Arden Tax District.

Project Description: Project proposes a convenience store/gas station on approximately 1.81 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	
Berkeley County Public Service Sewer District (Sewer Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit)	
Central Dispatch (Road Names)	
GPP Permit Application	
NPDES Permit Application	
*Traffic Study	
*School Impact Analysis	

March 22, 2010

4c

Meetings & Submissions	Date
Environmental Checklists	9/28/2009
Advertised	9/15/2009
Sketch Submitted	9/14/2009
Sketch Plan Advancement Public Hearing	10/5/2009
Preliminary Plat Submitted	12/28/2009
1st Review Comments	12/29/2009
Preliminary Plat Resubmitted	1/8/2010
Preliminary Plan Advancement	1/25/2010
Advertised Final Plan	
Public Hearing Final Plan	
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers/ Variances: At the September 28, 2009 Planning Commission granted 2 variances to reduce the building setback lines:

- #1. Reduction of setbacks along Short Road from 50 feet to 45 feet;
- #2. Reduction of setbacks along Charlestown Road from 75 feet to 60 feet to create buildable area for Lot 1.

Project Notes:

- 3. Storm Water Management is in compliance with the Berkeley County Storm Water Management and Sediment and Erosion Control Ordinance, per Section 713 of the Subdivision Regulations.

Engineer Recommendation: The Assistant County Engineer recommends granting Final Plat approval contingent upon the receipt of surety in the amount of \$502,188.60.

Staff Recommendation: Based upon the applications, approvals received from various agencies, staff recommendations, and information submitted at the public hearing, staff recommends granting final plat approval as complying with the provisions of the Ordinance.

Respectfully Submitted,

The Planning Department

March 22, 2010