



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

Berkeley County Planning Commission

Agenda

September 13, 2010 @ 7:00 pm.

SUBJECT TO CHANGE

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) SUNSHINE LAW SPEAKERS
- 4) APPROVAL OF MEETING MINUTES
 - a) AUGUST 23, 2010
- 5) PUBLIC HEARING
 - a) REQUEST FOR SKETCH PLAN ADVANCEMENT – Guardian Fiberglass, Inc. File #017-10
 - b) REQUEST FOR FINAL PLAN APPROVAL – Spring Mills Towne Center Lot B-4- File 014-10
- 6) BOND RELEASE
 - a) REQUEST FOR BOND RELEASE – Eastside Village, Sec. 1,2,3 – File #42-96, #23-00, #41-03
- 7) PRELIMINARY PLAT EXTENSION
 - a) REQUEST FOR PRELIMINARY PLAN EXTENSION - A & S Warehouse –File # 72-02
- 8) PRELIMINARY PLAN ADVANCEMENT
 - a) REQUEST FOR PRELIMINARY PLAN ADVANCEMENT – T L R Civic Center – File# 066-07
- 9) PRELIMINARY / FINAL APPROVAL
 - a) REQUEST FOR PRELIMINARY / FINAL APPROVAL – Lots 2-4 Lands Of Rotz Family LTD. Partnership – File #003-10
- 10) NON-RENEWAL OF CREDIT
- 11) STAFF/COUNSEL DISCUSSION/ACTION/MOTION
- 12) ADJOURNMENT

September 13, 2010



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

Project: Guardian Fiberglass Inc.

File #: 017-10

Developer: Guardian Fiberglass Inc.
2300 Harmon Rd.
Auburn Hills, MI 48326

Engineer: PC DiMagno
61 Eagle School Rd.
Martinsburg, WV 25404

District, Tax Map & Parcel #: A, M14, P13

Location: The project is located on Guardian Fiberglass's property approximately 1500' east of Interstate 81 & 1300' south of WV County Route 32 in the Arden Tax District.

Project Description: Project proposes 1,400' of rail siding re-alignment to conform to Winchester Western Railroad requirements on 2.78 Ac portion within the 197.5780 acres Guardian Fiberglass property.

Administrative History:

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



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Meetings & Submissions	Date
Sketch Submission	8/12/2010
1st Review Comments	8/25/2010
Preliminary Plat Resubmitted	8/26/2010
Sketch Advertised	8/30/2010
Public Hearing (Sketch Plan Advancement)	9/13/2010
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers/ Variances: There have been no variances/waivers for this project.

Project Notes:

Engineer Report: Sketch Plan meets the requirements of the Berkeley County Subdivision Ordinance. County Engineer recommends advancement to the Preliminary Plan Stage.

Staff Recommendation: Based upon the applications 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



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**PUBLIC HEARING
STAFF REPORT
FINAL PLAT REVIEW**

Project: Spring Mills Towne Center Lot B-4

File #: 014-10

Developer: Rental Properties Inc.
222 Langston Blvd.
Martinsburg, WV 25404

Engineer: Davis Renn & Associates, Inc.
PO Box 246
Hagerstown, MD 21740

District, Tax Map & Parcel #: FW, M14, P p/o 8

Location: Property is located on the west side of US Route 11, 700 feet south of WV Route 901, in the Falling Waters Tax District.

Project Description: The project proposes a 3,023 sf commercial business on approximately 0.6800 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	7/27/2010
Berkeley County Public Service Sewer District (Sewer Availability)	7/28/2010
State Health Department (Water)	4/22/2010
State Health Department (Sewer)	4/22/2010
Department of Highways (Entrance Permit)	3/23/2010 *with Lot B-1*
Central Dispatch (Road Names)	N/A
GPP Permit Application	8/13/2010
NPDES Permit Application	8/13/2010
Environmental Checklist	7/22/2010
*Traffic Study	n/a
*School Impact Analysis	n/a



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Meetings & Submissions	Date
Public Hearing (Sketch)	8/23/2010
Preliminary Plat Submitted	8/12/2010
1st Review Comments	8/12/2010
Preliminary Plat Resubmitted	8/12/2010
Advertised	8/24/2010
Public Hearing (Final)	8/13/2010
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers: There have been no waivers for the above mentioned project to date.

Project Notes:

Staff's Recommendation: Staff recommends granting Final Plan Approval contingent upon receipt of the surety and developer's agreement.

Engineer's Recommendation: Assistant County Engineer recommends granting Final Plat Approval contingent upon receipt of surety in the amount of \$71,884.80 and a properly executed developer's agreement.

Respectfully Submitted,

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STAFF REPORT REQUEST FOR BOND RELEASE

Projects: Eastside Village, Sections 1-3

File #s: 42-96, 23-00, 41-03

Developer: Trenary Building Services **Engineer:** Not up to date
 147 Minnick Road
 Inwood, WV 25428

District, Tax Map & Parcel #: MC, M 6P, P/O P 18

Location: The property is located on the east side of Route 51/6 (Pedal Car Drive), approximately ½ mile from Route 51, in the Mill Creek Tax District.

Project Description: Approved for a total of 28 lots on approximately 8 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	9/14/98, 1/20/99, 5/22/03
Berkeley County Public Service Sewer District (Sewer Availability)	9/14/98, 1/20/99, 6/7/00, 6/18/03
State Health Department (Water)	10/20/98
State Health Department (Sewer)	10/20/98
Department of Highways (Entrance Permit)	12/30/98, 1/12/99, 6/18/03
Central Dispatch (Road Names)	
GPP Permit Application (Soil Conservation)	10/14/98, 06/06/03
NPDES Permit Application	N/A
*Traffic Study	N/A
*School Impact Analysis	N/A



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Meetings & Submissions	Date
Pre-Application STAC Meeting	7/1/96
Preliminary Plat Submitted	9/14/98, 5/25/00
1st Review Comments	11/6/98, 6/9/00
Preliminary Plat Resubmitted	11/12/98, 6/16/00
Preliminary Plat Resubmitted	12/10/98, 1/13/99
Advertised	7/15/00
Public Hearing (Preliminary Plat Approval)	3/1/99, 8/14/00
Final Plat/Site Plan Approval	3/1/99, 8/14/00
Bond Reduction	10/15/01 (Sec 1 & 2)

Waivers/ Variances: There have been no variances/waivers for this project.

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.
2. On September 12, 2007, a field inspection was performed by the Engineering Department. At that time all items appear to be completed and in substantial compliance with the approved Preliminary Plans **except** for paving of the roads in Section 2 and submission of as-builts.
3. All lots in all Sections have been built and completed for quite some time (Section 3).
4. Current sureties are as follows:
 - Section 1 - \$12,581.00
 - Section 2 - \$13,093.00
 - Section 3 - \$5,532.30
 All sureties are in the form of Letters of Credit all due to expire on July 31, 2008.
5. The project has been completed and appears to be in substantial compliance with the approved Preliminary Plans.
6. As-builts have NOT been submitted; therefore the bond cannot be fully released.

Engineer Recommendation: Forthcoming

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STAFF REPORT PRELIMINARY PLAN EXTENSION

Project: A&S Warehouse

File #: 72-02

Developer: A&S Warehouse Inc, Bruce Beall
 P.O. Box 1012
 Martinsburg, WV 25401

Engineer: Chester Engineers
 400 Professional Dr. Suite 380
 Gaithersburg, MD 20879

District, Tax Map & Parcel #: A, M14, P12

Location: The property is located at 5491 Tabler Station Rd, east Interstate 81 and west of US 11, in the Arden Tax District.

Project Description: Proposes a 192,000 sf warehouse on approximately 7.9900 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	3/10/2003
Berkeley County Public Service Sewer District (Sewer Availability)	3/10/2003
State Health Department (Water)	N/A
State Health Department (Sewer)	N/A
Department of Highways (Entrance Permit)	3/10/2003
Central Dispatch (Road Names)	NA
GPP Permit Application	
NPDES Permit Application	
*Traffic Study	
*School Impact Analysis	



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Meetings & Submissions	Date
Pre-Application STAC Meeting	
Preliminary Plat Submitted	
1st Review Comments	
Preliminary Plat Resubmitted	
Preliminary Plat Resubmitted	
Advertised	
Public Hearing (Preliminary Plat/Site Plan Approval)	9/15/2003
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers/ Variances: There have been no variances/waivers for this project.

Project Notes:

- September 15, 2003 the project received Preliminary approval.
- March 13, 2004 West Virginia Legislature enrolled Senate Bill 454 amending the 1931 WV Code Chapter 8, and thus creating Chapter 8A, the current Land Use Planning Code, which states a vesting policy of five years from the date of approval.
- September 7, 2004 the project was granted a one (1) year Preliminary Extension.
- August 15, 2005 the project was granted a one (1) year Preliminary Extension, contingent upon submission of fees and As-Builts.
- There has been no record of As-Built submission to date.

Staff Recommendation: Staff recommends granting the extension.

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STAFF REPORT REQUEST FOR PRELIMINARY PAN ADVANCEMENT

Project: TLR Civic Center

File #: 066-07

Developer: Kevin Green (Pastor)
 50 Monroe Street
 Martinsburg, WV 25401

Engineer: PC Dimagno
 61 Eagle School Road
 Martinsburg, WV 25401

District, Tax Map & Parcel #: H, M38L, P10

Location: Property is located approximately 0.8 miles north of Tavern Road on Rock Cliff Drive, in the Hedgesville Tax District.

Project Description: The project proposes a 49,087 square foot Civic Center, a 25,447 square foot Student Life Center, and 8 campus housing dormitory buildings on approximately 24.6 acres.

Administrative History:

Approval Letters	Date Received
Environmental Checklist	11/12/2009
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	7/22/2010
Berkeley County Public Service Sewer District (Sewer Availability)	7/22/2010
State Health Department (Water)	7/22/2010
State Health Department (Sewer)	7/22/2010
Department of Highways (Entrance Permit) <i>*Letter received*</i>	7/22/2010
Central Dispatch (Road Names)	8/4/2010
GPP Permit Application	7/22/2010
NPDES Permit Application	7/22/2010
*Traffic Study	11/12/2009
*School Impact Analysis	N/A



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Meetings & Submissions	Date
Advertised	11/21/2009
Sketch Public Hearing	12/07/2009
Sketch	11/12/2009
Preliminary Plat Submitted	7/22/2010
1st Review Comments	7/28/2010
Preliminary Plat Resubmitted	8/5/2010
2 nd Review Comments	8/11/2010
Preliminary Plat Resubmitted	
Advertised	
Public Hearing (Preliminary Plat/Site Plan Approval)	
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers: There have been no waivers for the above mentioned project to date.

Project Notes:

Staff's Recommendation: **FORTHCOMING**

Engineer's Recommendation: **FORTHCOMING**

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STAFF REPORT PRELIMINARY / FINAL PLAT APPROVAL

Project: Riverside Marketplace

File #: 003-10

Developer: Riverside Marketplace LLC
9729 Garis Shop Road
Hagerstown, MD 21740

Engineer: Fox & Associates
981 Mt. Aetna Rd.
Hagerstown, MD 21740

District, Tax Map & Parcel #: FW, M7N, P160.3

Location: Property is located on the east side of Route 11, 1000' south of I-81 exit, in the Falling Waters Tax District.

Project Description: Proposes 3 lots with a residue on approximately 109.88 acres.

Waivers/ Variances: There have been no variances/waivers for this project.

Project Notes: **This project meets the requirements set forth in section 305.4 of the subdivision ordinance regarding simultaneous Preliminary/Final Plan.**

Engineer Report: No improvements are needed, therefore no surety is requested.

Staff Recommendation: Staff recommends granting Preliminary / Final Plan Approval.

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