

**PLANNING COMMISSION  
CITY OF MARTINSBURG  
232 N. QUEEN STREET  
Regular Meeting Minutes  
January 5, 2004  
City Council Chambers  
7:00 p.m.**

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With a quorum present, President Jim Rodgers called the regular meeting of the Martinsburg Planning Commission to order at 7:00 p.m. The following Commissioners were present: Jim Rodgers, Mary Hayward, Charlene Elins, Steve Workings, Mark Palmer, Yvonne Jenkins, Reenie Raines, Ron Effland and ex-officio member Councilman Gregg Wachtel. Not present was Reenie Raines. Also in attendance were Legal Counsel Kin Sayre, City Planner Tracy Smith, City Engineer Mike Covell and Planning Secretary Gena Long.

**ROLL CALL (and microphone check)**

**APPROVAL OF December 1, 2010 MEETING MINUTES**

Commissioner Palmer pointed out that he was addressed as Commissioner Parker on page three of the minute and asked that it be changed.

Commissioner Hayward made a motion to approve the minutes with that correction. Commissioner Palmer seconded the motion which was followed by a unanimous vote of "aye." Motion carried.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**1.CASE # SP 09-057. Northwest Corner of the Intersection of S. Delaware Avenue and W. Stephen Street. Site Plan application requesting review of four (4) single-family semi-detached dwellings and associated right-of-ways. T&J Associates, applicant.**

Mr. Jim Seibert, applicant, presented this request for a site plan approval. Also present was Ms. Telena Spies, co-owner and Mr. Merle Holsinger, engineer.

Commissioner Palmer asked about the storm water swale. City Engineer Michael Covell explained that, through grading, storm water would be directed to bio-retention areas and that the third party consultant has recommended acceptance of the design as long as there is a storm water maintenance agreement executed and recorded by the developer.

Discussion included the location of the stormwater swales and maintenance of the areas. Mr. Covell stated that the ponds will lend themselves to a high level of maintenance, mulching and planting the media beds, and the covenants will hold the property owners liable for maintaining the stormwater features and the driveways. Mr. Covell stated that he fears the individual homeowners will not maintain their areas, but notification of the requirement to do so will be recorded with the deed. He recommended the developer offer a courtesy copy of the maintenance needed to buyers.

Commissioner Workings asked about the cost of maintenance. Mr. Holsinger stated that it should be limited to the cost of annual mulching, about two pick-up truck loads.

Ex-officio Wachtel cautioned that if they were not maintained, it could become a very unattractive situation. Mr. Covell stated that these are privately owned and have no chance of becoming the responsibility of the City, but that the City is secure in its means to enforce maintenance.

Mr. Covell stated that the design has been configured to meet the requirements of the Martinsburg Zoning Ordinance and the Utilities Directors are satisfied that comments and concerns have been answered.

Further discussion included parking, shared driveways and possible issues between neighbors. Mr. Covell stated that the police could become involved if parking obstructs Delaware Avenue and that there are no plans to make it a one-way street, at this time.

Mr. Siebert confirmed that the market will be for senior housing, but he can't predict or influence the age group of the buyers.

Commissioner Workings moved, in Case # SP 09-057, to approve the application. Mr. Covell asked that approval be contingent upon replies from the state that design is adequate and that the stormwater management agreement be executed. Legal Counsel Kin Sayre asked that the covenants include more details to alert the property owners that they will have a responsibility regarding the standards of the design of the stormwater management features. Commissioner Workings accepted the amendments. Commissioner Palmer seconded the motion. Commissioners Jenkins, Palmer and Workings voted "yes." Commissioners Elins and Hayward voted "no." Motion carried.

## **OTHER BUSINESS**

Election of officers.

Commissioner Workings moved to open the nominations. Commissioner Palmer seconded the motion that was followed by a unanimous vote of "aye." Motion carried.

Commissioner Workings moved to nominate President Rodgers as president. Commissioner Palmer seconded the motion that was followed by a unanimous vote of "aye." Motion carried.

Commissioner Workings moved to close nominations for President. Commissioner Hayward seconded the motion that was followed by a unanimous vote of "aye." Motion carried.

With a unanimous vote of "aye," President Rodgers was elected President.

Commissioner Palmer moved to nominate Commissioner Workings as Vice President. Commissioner Hayward seconded the motion that was followed by a unanimous vote of "aye."

Commissioner Palmer moved to close nominations. Commissioner Elins seconded the nomination that was followed by a unanimous vote of "aye." Motion carried.

With a unanimous vote of "aye." Commissioner Workings was voted Vice President.

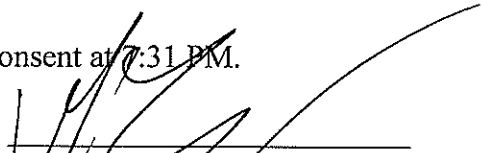
## **DISCUSSION/ACTION (approve/deny)**

Though there are currently no new cases for the February agenda, the Commissioners decided to meet to discuss subdivision regulations and infill development.

**ADJOURNMENT**

The meeting was adjourned by unanimous consent at 7:31 PM.

  
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Jim Rodgers, President

  
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Gene Long, Planning Secretary