

**PUTNAM COUNTY PLANNING COMMISSION**  
**Tuesday, March 27, 2018**  
**Putnam County Courthouse Courtroom 202**

**MINUTES**

The Putnam County Planning Commission met on Tuesday, March 27, 2018 at the Putnam County Courthouse, Second Floor Courtroom, Room 202.

John Dill, president, called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

Roll call was taken and a quorum was present.

Members present: Jason Asbury, Scott Chambers, John Dill, Jim Dodrill, Ron Foster, David Hobba, Bryan Hoylman, Sarah McCallister, David Meadows, Thor Meeks, and Jacob Pack.

Members absent: Steve Perry, Vic Mays, David Mills, and Greg Williamson.

Staff present: Timothy Smith, Melissa Sargent, Tim Keaton, and Lisa Powell.

Others present who signed in were: Jeremy Ross and Araya Cates.

**APPROVAL OF MINUTES**

The minutes of the February 27, 2018 meeting were reviewed. Motion was made by Jacob Pack and seconded by Bryan Hoylman to approve the minutes as presented. The motion carried unanimously.

**PCDA REPORT**

Ron Foster reported the following: 1) Columbia Gas has declared eminent domain in the Putnam Business Park for pipeline expansion; 2) Discussion occurred regarding the possible expansion of two businesses within the county and the creation of over 100 new jobs; 3) PCDA director recently traveled to Italy and several businesses there have inquired about site availability in Putnam County; 4) PCDA budget was approved for fiscal year 2018-2019; 5) Federal grant money has been received by PCDA for the employment of a new employee to focus on retention and expansion of current businesses within the county.

**CITIZEN CONCERNS**

There were no citizen concerns.

**RIGHT OF WAY VARIANCE**

Jeremy Ross requested a variance to subdivide Tax Map 227B, Parcel 38.1 into two (2) lots using the existing 40' right of way from Dairy Road to the existing 40' right of way on Lee Street to the existing 15' right of way on Willard Drive, Poca, WV.

***Public Hearing***

John Dill opened the public hearing for the requested variance to subdivide Tax Map 227B, Parcel 38.1 into two (2) lots using the existing 40' right of way from Dairy Road to the existing 40' right of way on Lee Street to the existing 15' right of way on Willard Drive, Poca, WV.

***Disclosure of Conflict***

No commissioner disclosed a conflict of interest.

Staff presented the Summary, a copy of which is attached and made a part of these minutes.

Applicant comments: There were no comments.

Public comments: There were no comments.

There being no further questions or comments, John Dill closed the public hearing and reconvened the regular meeting.

### ***Deliberation and Action***

Discussion ensued with a question and answer session.

Motion was made by Jacob Pack and seconded by Bryan Hoylman to approve the variance with the following conditions as recommended by staff:

- The owner(s) of the 0.57 acre parcel shall be responsible for paying a pro-rata share of the access road maintenance.
- There shall be no further subdivision of land until the requirements of the *Putnam County Subdivision Regulations* are met.

The motion carried unanimously.

### ***Findings of Fact in Support of Decision***

The Planning Commission made the following Findings of Fact with regard to the specific criteria set forth in the Subdivision Regulations:

- A. The Board found that granting of the waiver or variance will not be detrimental to the public safety, health, welfare, or injurious to other property because there will be no significant impact on traffic volume.
- B. The Board found the conditions upon which the request for a waiver or variance are based arise from special conditions or attributes which pertain to the property for which a waiver or variance is sought and were not created by the person seeking the waiver or variance due to the fact that Willard Drive was developed prior to the adoption of *Putnam county Subdivision Regulations*.
- C. The Board found the waiver or variance would eliminate an unnecessary hardship, as distinguished from a mere inconvenience, and would allow the intent of the subdivision regulations to be observed and substantial justice as evidenced by statements submitted by the applicant and included as Attachment G.
- D. The Board found the waiver or variance will not in any manner vary the provisions of any other regulations, ordinance, or plans adopted by the County and agreed with statements submitted by Mr. Ross and included as Attachment G.
- E. In approving waivers or variances, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards, or requirements of these regulations. The Board found this criterion to be met due to fact that conditions were made a part of the recommendation for approval.

- F. A petition for any such waiver or variance shall be submitted in writing by the applicant. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. The Board found this criterion to be met as evidenced by the information submitted in the packet.

### **BYLAW REVISION**

Staff presented the following Bylaw revision for consideration.

### **SECTION 3A – PROXY VOTING**

**Proxy Voting:** Members of the Putnam County Planning Commission are expected and encouraged to attend and actively participate in all meetings of the Planning Commission. The Planning Commission recognizes that members appointed by the County Commission to serve on the Planning Commission may occasionally be unable to attend a regular or a special meeting. In order to ensure that the orderly operation of the Planning Commission may occur in the absence of one or more members, proxy voting by a member shall be permitted under the following conditions:

1. That if a quorum of the members appointed is not present, a commission member with a proxy will also be counted toward the number of members present to meet the quorum requirement; and
2. If a quorum is present, no voting pursuant to a proxy shall be permitted; and
3. A Planning Commission member shall only grant a proxy vote to another member of the Planning Commission that is currently serving on the Planning Commission; and
4. That a member who knows that they are not able to attend a regular or special meeting shall review the items on the agenda and any documents they are provided relating to the items on the agenda; and
5. That a member shall provide written authorization for a commission member to vote on their behalf as their proxy. A commission member holding a proxy may vote on any item that comes before the Planning Commission. The member granting the proxy may communicate how they would like the proxy to vote; however, the proxy may vote however they choose after consideration of any comments at the public hearing and/or discussion with other members of the Planning Commission; and
6. That in the event any member authorizes a commission member to vote as their proxy for a meeting, and the member granting the proxy is then able to personally attend the meeting, the proxy shall be null and void; and
7. In the event that a proxy is given to a commission member, the proxy will expire at the end of the specific meeting for which the proxy was granted; and
8. That any Planning Commission member that is not present for a meeting, whether or not they authorize another commission member to vote as their proxy, will be counted as absent for the meeting. (Amended: Date)

Motion was made by Ron Foster and seconded by Sarah McCallister to table further discussion regarding this Bylaw revision. Motion carried unanimously.

### **FEE POLICY REVISION**

Discussion occurred regarding the revision of current fee policies in order to defray printing expenses associated with the new online application submittals. The board requested staff to gather additional information related to these expected printing costs and will continue this discussion at the next meeting.

### **VIOLATIONS REPORT**

Staff gave an update on the Fruth Pharmacy violation. No variance application has been received and staff will meet with the prosecuting attorney to discuss further options.

Thor Meeks disclosed a conflict of interest regarding discussion of the violation for The Paint Store and left the meeting.

Staff presented the violation for The Paint Store, a copy of which is attached and made a part of these minutes.

Sarah McCallister submitted information printed from the Secretary of State's website, a copy of which is attached and made a part of these minutes, which listed Robert Meeks and Theodore Miller as officers of The Paint Store.

John Dill suggested that Timothy Smith personally contact either Mr. Meeks or Mr. Miller at the business location to discuss the violation. Jim Dodrill stated that he was a personal acquaintance of Mr. Meeks and volunteered to speak to him on behalf of the Planning Commission board.

Additionally, Mr. Dill stated that Valley Health located on Teays Valley Road had signage erected on the building's roof and requested an inspection be completed by staff.

### **ADMINISTRATIVE SUBDIVISION REPORT**

Staff presented a summary of the administrative subdivision approvals for February. There were no questions or comments.

### **FINANCIAL REPORTS**

Staff presented the financial reports for January and February. There were no questions or comments.

### **MONTHLY REPORTS**

Staff presented the monthly reports for February summarizing the building/zoning permit approvals. There were no comments or questions.

### **STAFF REPORT**

Staff reported that, according to the order which established the Putnam County Planning Commission, the Planning Commission was required to meet in April.

### **OLD BUSINESS**

John Dill reported on the Ordinance Revision Committee and stated that members had discussed several concerns brought forth by developers and others in the community during the Listening Session held last year. After reviewing many of these issues, the committee had come to the conclusion that the current ordinances were necessary to protect the county as a whole. Additional topics will be discussed in subsequent meetings.

**NEW BUSINESS**

John Dill presented procedural guidelines and suggestions for board members to follow when making comments or motions during meetings. Copies of these guidelines are attached and made a part of these minutes.

**ADJOURNMENT**

Motion was made and seconded to adjourn. Motion carried unanimously. The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Signed: \_\_\_\_\_, Lisa Powell, Secretary

Attest: \_\_\_\_\_, Presiding Officer

Minutes were approved: \_\_\_\_\_