

City of Lewisburg
Planning Commission Regular Session and Public Hearings
Meeting Minutes — May 4, 2023, 7 p.m.
942 Washington Street West, Lewisburg, WV
Paul L. Cooley Council Chambers

PRESENT: Commissioners Valerie Pritt, Helen Harless, Dan Stevenson, Margaret Gossard, Matt Campbell (via ZOOM) and City Manager Misty Hill; Planning and Zoning Officer Marsha Cunningham; Recording Officer Tina Alvey.

ABSENT: Chairperson John Little; Commissioners Tia Bouman and Davis Lewis.

VISITORS: Mayor Beverly White, City Attorney Tom White, Public Works Director Tony Legg, Wayne Bolen, Jerry Galyean, Galya Galyean, Yvette Yarid, Larry Jones, Steve Cooke, John Maynahan, Kristen McClung, Peri Shucky, Robert Vass, Thomas Spears, Debbie Kilcollin.

CALL TO ORDER: The meeting was called to order by Commissioner Valerie Pritt at 7 p.m.

APPROVAL OF MINUTES: Commissioner Margaret Gossard moved approval of the minutes of the April 6, 2023, regular session and public hearing. Said motion was seconded by Commissioner Helen Harless, and approved 6-0, with Chairperson John Little and Commissioners Tia Bouman and Davis Lewis absent.

COMMENTS FROM THE PUBLIC: None.

***Public Hearing for Conditional Use Permit:** Debra L. Kilcollim, 215 Randolph Street West.
Approval is sought for a permit to operate a three-plus bedroom AirBnB at the indicated address.*

Planning and Zoning Officer Marsha Cunningham told the Commission that Kilcollin had previously operated a two-bedroom AirBnB. The Randolph Street property is zoned O-R, the lot is large enough to provide 11 parking spaces, and Kilcollin has sent letters to all neighboring property owners, none of whom expressed objections to the application. Kilcollin said she has begun the process to obtain a business license for this property. There were no comments from the public at the one-minute public hearing.

Commissioner Dan Stevenson made a motion to forward the application for a conditional use permit for operation of a three-plus bedroom AirBnB on to City Council with a positive recommendation. Gossard seconded the motion, which was approved 6-0, with Little, Bouman and Lewis absent.

***Public Hearing for Stormwater Plan:** The Gardens of Blackbird Village*

Developer Robert Vass advised the Commission that he had met with property owners from the neighboring Blackbird Village development who shared concerns about water infiltration issues left behind by a previous developer. After hearing those concerns, Vass engaged the Terradon Corporation to conduct a full study and create a new stormwater plan.

Terradon's Kristen McClung described how she had developed a new stormwater plan that will bring the entire site, including yet-to-be developed Gardens of Blackbird Village and the established Blackbird Village, into compliance with the city's stormwater ordinance, making use of two existing ponds. The plan also will address substantial drainage coming down to Blackbird

Village from the neighboring development, McClung said. She pointed out that the owners of the involved properties will need to negotiate an easement in order to implement the plan.

Pritt opened the public hearing on the stormwater plan at 7:21 p.m., whereupon Steve Cooke, president of the Blackbird Village Homeowners Association (BVHOA), took the floor. Cooke emphasized that The Gardens of Blackbird Village is a separate subdivision, with separate ownership from Blackbird Village, although the two are geographically adjacent. Speaking on behalf of BVHOA, he expressed opposition to The Gardens' stormwater plan. Cooke also objected to potential road congestion and The Gardens' developer's intention to include sidewalks in its road plan.

Vass said The Gardens' 40-home site plan and an easement were previously approved by the city. Furthermore, he said, the sidewalks and a wider roadway are now required by an updated city ordinance. He said 50 percent of the water runoff that is flowing into Blackbird Village is coming from Crowfields. He said The Gardens' proposal will redirect that flow to an injection well, with The Gardens paying for the diversion, taking over monitoring and maintenance of the injection well and paying for maintenance of a road.

Blackbird Village resident Wayne Bolen also spoke during the public hearing, asking that a hydrologist employed by the established subdivision be allowed to examine the Terradon study before the HOA enters into an easement agreement with Vass.

Pritt advised the contending parties that a Planning Commission hearing is not the proper forum for the conduct of easement negotiations. She closed the public hearing at 7:42 p.m.

City Manager Misty Hill, who is also a member of the Planning Commission, said the only issue scheduled for a public hearing in this matter was The Gardens' stormwater plan, as well as a review of the proposed subdivision's updated site plan. City Attorney Tom White advised the Commissioners that they could table the stormwater plan pending a conference between the BVHOA and The Gardens' developer to work out their differences.

Upon a motion by Stevenson, seconded by Gossard, and approved 6-0, with Little, Bouman and Lewis absent, the stormwater plan was tabled until the Commission's June 1 meeting.

Site Plan Review: The Gardens of Blackbird Village

Terradon's Kristen McClung offered a preliminary description of the site in question, which calls for construction of 40 dwelling units, which were approved by the city in 2021. The updated site plan widens the proposed roadway to 24' and adds 4' wide sidewalks to both sides of the roadway, in keeping with city ordinances.

Hill requested that the site plan review be tabled because negotiations connected to the already-tabled stormwater plan may result in changes to the site plan. Upon a motion by Hill, seconded by Stevenson, and approved 6-0, with Little, Bouman and Lewis absent, the site plan review was tabled.

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COMMENTS FROM PLANNING AND ZONING OFFICER: Cunningham said she expects a working session will be necessary prior to the Commission's June 1 meeting. The working session will begin at 5:30 p.m. on June 1, followed at 7 p.m. by the regular session and public hearing(s), if any.

ADJOURNMENT: The meeting adjourned at 8:05 p.m., upon motion by Gossard, seconded by Harless, and approved 6-0, with Little, Bouman and Lewis absent.

Respectfully submitted,
Tina Alvey
Recording Officer