

## **Draft Minutes**

### **Shepherdstown Planning Commission**

**February 16, 2009**

#### **Town Hall**

**Agenda item 1, call to order**, 7:08 pm. Members present: Stuart Wallace, Karene Motivans, Paul Welch, vice president Josh Stella, Catherine Wilson, Harvey Heyser, and Eric Janus. Minutes, zoning officer Michael Abshire.

**Agenda item 2, approval of regular minutes** of January 19, 2009. PC voted to postpone until the next meeting when President Pam Berry is present as she was quoted extensively in the minutes.

**Agenda item 3, conflicts of interest:** none reported.

**Agenda item 4, visitors signed in:** Michael Theis, Julia Byrd, Meredith Byrd, Bob and Dana Mitchell, Bane Schell, and Sonja Evanisko.

**Agenda item 5, Mayor's and Town Council's Report:** S. Wallace reported the Town Hall project is moving forward and possibly within two months the Building Committee (BC) will appear before the Planning Commission (PC). Total square footage needs have been established and approved by Town Council, office for current staff and additional staff person, a committee room, and police space. The next issue will be whether the current building is to be kept and added onto or if the current building will be demolished and an all new building erected. BC asked if any PC members would represent PC as the building plans proceed. There was general verbal agreement among members that it would be more advantageous for the BC to send a representative to Town Council, PC, and HLC to brief each on the current status of the project. J. Stella felt that it's more than likely that the project will end up going to the Board of Appeals.

**Agenda item 6, Shepherdstown Historic Landmarks Commission (SHLC) Report:** Sue Nash will chair the next meeting, as Jean Ehman ended her term and left the SHLC. The historic survey application for a grant from the State was approved;

Michael Abshire agreed to travel to Charleston, WV, for a workshop and to pick up the check.

**Agenda item 7, zoning officer's report:** Nothing new other than Blasting Ordinance is back from the attorney and it will be emailed out, 2/17/09.

**Agenda item 8, applications for consideration:**

**09-03, Robert Mitchell, 103 W. High Street addition.** Applicant addressed the PC to explain the project and answer questions about the drawings. Project includes: kitchen renovation, current deck removed and replaced by a family room, and a small porch added to the family; the project will leave a smaller footprint than currently exists with the deck; in addition, two external kitchen walls that are made of particle board and are rotting are to be replaced; a gable roof with one skylight and asphalt shingles; the new addition will have wooden German siding, wooden windows to match current. Will shingles be too much of a contrast to the standing seam? Applicant said he could put either on, but he prefers shingles to reduce exterior sounds. Neighbor Sonja Evanisko expressed concern about the addition blocking her new sunroom. Applicant and neighbor agreed that neighbor had been consulted throughout the project. Setback lines may be at issue as 12 feet are needed on one side. There appears to be no height problem but the PC needs dimensions to be sure.

Applicant needs to return with dimensions, shade or shadow study to see it. As the applicant's architect died (January 2009), S. Wallace offered to show the applicant how to do the study; he pointed out though, the shadow study is just an answer, it is not a mandate.

PC requested the applicant bring samples of roof material, skylight design, wood German siding. K. Motivans complimented applicant that addition will be distinctive from historic asbestos siding on the rest of the house.

Applicant withdrew application to gather and provide more information.

**09-01, Tony Price, 107 E. New Street, satellite dish installation:** For an unknown amount time, dish was installed and is in public view from the front of the property. PC denied application as its current site is in violation of 9-213 (b).

**09-04, James & Deborah Romano, 105 College Street, fence installation.** PC requested more information from the applicant, and emphasized the applicant must make the choice of fence to install rather than that being a decision of the PC.

**09-05, Neal Martineau, 208 W. New Street, install four wood-frame storm windows on front of the house.** PC majority approved the application by a 5-2 vote with the stipulation that the applicant follow the draft **Shepherdstown Historic Guidelines page 28, Windows: Screens, Storm and Security**. H. Heyser and S. Wallace voted against approval because they felt there should have been a drawing of the storm window design with dimensions. As the applicant stated in his application, the storm windows would be built according to current operating historic guidelines (Lewisburg, WV).

**Agenda item 9, continued business:**

- (a) Attorney revisions of blasting ordinance will be emailed to PC members 2/17/09.
- (b) List of Title 9 issues to be resolved will be addressed at the PC work session on March 2, 2009.
- (c) Shepherdstown Historic District Design Guidelines—suggested revisions: P. Berry will submit the revised Introduction for the March 2, 2009, work session.

**Agenda item 10, new business:** H. Heyser raised concern that when the PC has a scheduled meeting—whether regular or work session—and there is no quorum, there is no meeting. He suggested having a list of talk subjects that whoever shows up for the meeting they can talk about something productive that is not on the agenda, but is relevant to the PC and may require attention, such as Title 9 issues that need to be revised.

E. Janus pointed out the time for public comment on the flood plain ordinance is nearing an end and the PC will have to take that up again.

**Agenda item 11, Board of Appeals:**

- (a) Carlos Niederhauser and Robert Glenn, 113 North Church Street: PC responded by letter to BoA request for a “decision and order.”

(b) G. Jay Hurley, 205 E. Washington Street/200 Mill Street, approved by BoA on November 25, 2008, decision and order pending.

(c) St. Agnes Catholic Church: BoA approved on November 25, 2008, decision and order pending.

**Meeting adjourned** at 8:56 p.m.