

**PLANNING COMMISSION
CITY OF MARTINSBURG
232 N. QUEEN STREET
Regular Meeting Minutes
October 4, 2017
J. Oakley Seibert Council Chambers**

With a quorum present, President Jim Rodgers called the regular meeting of the Martinsburg Planning Commission to order at 6:00 p.m. The following Commissioners were present: Jim Rodgers, Scott Hamilton, Reenie Raines, George Reichard, Steve Workings and ex-officio member Councilman Greg Wachtel. The following Commissioners were not present: Jeffrey Molenda, Mark Palmer, Chris Ross and Yvonne Jenkins. Also in attendance were Legal Counsel Chris Peterson, City Engineer/Planning Director Kim Petrucci, City Planner Tracy Sherman and Planning Secretary Holly Hartman.

ROLL CALL (and microphone check)

APPROVAL OF September 6, 2017 MEETING MINUTES

Commissioner Raines made the motion to approve the September minutes as presented. Commissioner Reichard seconded the motion followed by a unanimous vote of "aye". Motion carried.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 1. Project # SD 17-00011. 214-216 Spruce Street (NW intersection of Spruce & Pine Streets). Public Hearing.** Request to subdivide an unimproved parcel consisting of approximately 15,969 sq-ft into two lots sized approximately 8,916 sq-ft and approximately 7,053 sq-ft. Terry Weber, applicant.

Mike Roberts, representing Terry Weber, presented this request.

City Planner Tracy Sherman explained that this request was previously approved several years ago but was not recorded at the courthouse. Therefore, it has to be approved again so the applicant can have it recorded.

President Rodgers opened the public hearing at 6:03 p.m. As no one came forward to speak for or against this request, the public hearing was closed at 6:03 p.m.

Commissioner Reichard made the motion to approve the request as presented. Commissioner Workings seconded the motion followed by a unanimous vote of "aye". Motion carried.

DISCUSSION/ACTION ITEMS:

1. Home Occupation request: 1025 W. King Street. Travis Bishop/Mission Popcorn

Travis Bishop, 1025 W. King Street, presented this request. Mr. Bishop stated that he has recently opened a business making popcorn and would like permission to occasionally make popcorn at his residence. Mr. Bishop has a mobile trailer and vendor permit to sell throughout Berkeley County. He added that on the occasion that he needs to make popcorn at home it will be in his garage and/or in front of his garage door with a propane-fueled kettle so there will be no waste or fumes.

Ms. Sherman asked if the area outside of his garage where he would make popcorn was on his property or on the sidewalk. Mr. Bishop replied that it was on his property. Ms. Sherman then asked what was being done with the waste kernels. Mr. Bishop answered that he disposes of them in the dumpster at his business location.

Commissioner Raines asked if there were certain hours of operation. Mr. Bishop replied that there are not specific hours. He will only make popcorn as needed. He stated that he would like the freedom to go into his garage and make popcorn for orders as they come in.

Ms. Sherman asked if there was available parking as residential structures are required to have a minimum of one space and this commission cannot allow less. Mr. Bishop replied that he has a two-car garage and can park at least 6 cars beside his house.

City Engineer/Planning Director Kim Petrucci asked if there were any employees. Mr. Bishop responded that it was only himself and his wife.

Ex-officio member Councilman Greg Wachtel asked how often he expected to make popcorn at his residence. Mr. Bishop answered maybe one time per month. He stated that he uses his down time at events to make what extra product he needs for other customers.

Commissioner Workings asked if there were any previous home occupation requests in an accessory structure that were approved or turned down by the Commission. Ms. Sherman replied that there were two approved in the last year or so. One was a sign shop and the other was a tattoo parlor. Prior to that, there was a karate studio and a massage parlor that were denied.

Mr. Bishop stated that he would not have customers shopping at his home. He will make the product at his home to deliver to his customer. Mr. Bishop added that if the business works out, he plans to open a store downtown next year, but for the current time he has a mobile unit.

Commissioner Workings made the motion to approve the home occupation request as presented. Commissioner Hamilton seconded the motion followed by a unanimous vote of "aye". Motion carried.

OTHER BUSINESS: None

ADJOURNMENT:

Commissioner Raines made the motion to adjourn. Commissioner Reichard seconded the motion followed by a unanimous vote of "aye". Motion carried.

The meeting was adjourned at 6:15 p.m.


Jim Rodgers, President


Holly Hartman, Planning Secretary