

Winchester/Clark County Planning Commission

MINUTES

A meeting of the Winchester-Clark County Planning Commission was held at 7:00 p.m. on Tuesday, August 3, 2021, at the Clark County Courthouse, Fiscal Courtroom, Winchester, Kentucky, with Commission Chairman, Shane Wiseman, presiding.

Those present were:

Shane Wiseman, Chairman
Stefan Fink, Vice Chairman
Christy Bush, Secretary
Terry Mynk, Treasurer
Bill Harp
Tim Nance
Becky Watts
Robert Jeffries, Planning Director
Robert Gullette, Jr., Legal Counsel
Kim Mathias, Recording Secretary

The following Commissioner was absent: Aaron Pelfrey

The meeting was called to order by Chairperson, Shane Wiseman at 7:00 PM.

Mr. Wiseman welcomed Mrs. Becky Watts to the Commission. Mrs. Watts was given the oath of office and sworn in prior to the start of the meeting.

The minutes of the meetings held on July 6, 2021 were presented. A motion was made by Mr. Fink to approve the minutes. After second by Mr. Mynk the minutes were approved as presented with unanimous vote.

The Treasurer's Report was presented with a reconciliation report and financial reports for August 2021 for review and approval by the Commissioners.

The following account was presented for approval:

Ron Rigney (engineering services)	\$552.50
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A motion was made by Mr. Mynk to approve the minutes. After second by Mr. Harp and with unanimous vote, the Treasurer's report was accepted into record and the accounts were approved to pay.

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The public was invited to be heard for any matters not on the agenda. Mr. Will Mayer expressed concern that the Findings of Facts was not recorded in the July minutes. Mr. Jeffries indicated that the Findings of Facts were recorded in the July minutes.

A public hearing was held to review an application for a Cellular Antenna Tower Facility (AT&T Mobility) on 1.83 acres zoned B-4 (General Business) located at 630 Van Meter Road.

The applicant (New Cingular Wireless PCS, LLC dba AT&T Mobility) is requesting to construct a wireless communication tower facility (also known as a cell tower) on a 1.83 acre property located at 630 Van Meter Road. The property is currently zoned B-4 (General Business) and is vacant. The applicant has submitted a uniform application pursuant to Kentucky Revised Statutes, Chapter 100.9865 and Chapter 100.987. The plans for the tower and sit plan for the location were submitted with the uniform application.

After presentation of the staff report, the Applicant's legal representative, Mr. David Pike, was called to answer questions.

Mr. Pike introduced a PowerPoint presentation and Hearing Distribution binder into the record.

The floor was then open for public comment. There were no comments or questions in favor or opposition of the request.

After review and comments by each member and discussion of the matter, Mrs. Bush made the following motion: I make a motion to approve the application to construct a wireless communication tower for New Cingular Wireless PCS, LLC (dba AT&T Mobility) on the proposed site as presented at this meeting for the property located at 630 Van Meter Road. The applicant complied with KRS Chapter 100.9865 and 100.987 when seeking approval and the proposed telecommunication tower is designed and constructed so that it minimizes any potential negative aesthetic, environmental, or visual impacts and complies with the regulations as set forth in Article 9.10 of the Winchester/Clark County Zoning Ordinance. After second by Mr. Fink and with unanimous vote the motion carried.

Mr. Bill Harp made a motion to take the application addressed at 1545 McClure Road off the table. After second by Mr. Nance and with unanimous vote the motion carried.

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A public hearing was held to waive the requirement for a Preliminary plat and approve Units 1A, 1B, and 1C as the Final Major Subdivision Plat for Mallard Cove currently addressed at 1545 McClure Road.

The Applicant, CP Builders, is requesting to review the Major Subdivision Plat for the Mallard Cove Subdivision. The project was last reviewed on September 1, 2020 as a rezoning. With the zoning map amendment the Applicant also submitted a development plan showing the proposed layout of the subdivision. The application was tabled at that time in order to allow for public comments. The application was then forwarded to the Fiscal Court to rezone the property from A-1 to R-1C at the October 6, 2020 meeting.

After presentation of the staff report, the Applicant was available to answer questions.

The floor was then open for public comment. There were no comments in favor of the request.

After review and comments by each member and discussion of the matter, Mr. Fink made the following motion: I make a motion to approve the major subdivision plats known as Mallard Cove Units 1-A, 1-B, and 1-C, which subdivides the 15.145 acres into 35 single family residential lots, located at 1545 McClure Road, and waive the preliminary plat requirement, based on the fact that the proposal meets the qualification for a final plat and the development is in line with the zoning map amendment and development plan approval that took place in September and October of 2020 with the contingency that the street addresses are added to the plat. After second by Mr. Mynk and with unanimous vote the motion carried.

In Other Business, the Commissioners reviewed a Final Plat and Storm Water Study/Hydrology Analysis for the Major Subdivision located at 3686 Combs Ferry Road, owned by SKR Group, LLC.

Mr. Matt Ratliff (SKR Group) and Mr. Brent Combs, PE, with Thoroughbred Engineering was available to answer questions regarding the analysis performed. The floor was opened for public comments in favor or opposition.

The following individuals made comments and submitted information in opposition of the project:

Anna Bruce Kostelnik
Tom Kostelnik

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The following individuals made comments in favor of the project:

Robert Baldwin
John Rompf

After review and comments by each member and discussion of the matter, Mr. Fink made the following motion: I make a motion to approve the Hydrology Analysis as a storm water study based on the recommendation of Ron Rigney (Engineer) dated July 25, 2021. Upon second by Mr. Mynk and with unanimous vote the motion carried.

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In Staff Comments, Mr. Jeffries commented on a letter received by Mr. Sparks containing guidelines for the upcoming audit.

Mr. Wiseman informed the Commissioners that Ms. Mathias (recording secretary) had given notice. Mr. Jeffries will advertise for the position.

There being no other business, Mr. Fink motioned to adjourn the meeting at 8:51 PM.

The next Planning Commission meeting will be held on Tuesday, September 7, 2021.

Prepared by:

Respectfully submitted,


Kim Mathias, Recording Secretary


Christy Bush, Secretary