

Notes from BZA Administrative Meeting – April 4, 2019

Members Present: M. Buscher (Chair), C. Craig, L. Rago, and D. Simmons (Secretary); Alternates Present: S. Amos (by phone), H. Becker, R. Case  
 Meeting Started at 5:02pm Meeting Ended at 6:56pm

**EXPERTISE IDENTIFIED BY BZA FOR HOTEL APPLICATION REVIEW SUPPORT**

<b>TOPIC</b>	<b>HF ORDINANCE ARTICLE</b>	<b>PROPOSED EXPERTS/PROCESS</b>	<b>NOTES</b>	<b>ACTION ITEMS</b>
Storm Water Management (SWM)	1713.03	Region 9 (Matt Pennock), County, others	Responsibility of PC (not BZA); BZA forwards relevant application docs to PC	
Grading Plan	1303.04(d)(1)	NONE	Part of PC review of SWM via 1713.03	
Historic Resources Plan	1303.04(d)(2)	WV Historic Preservation Office (SHPO), Mills Group	Confirm extent to which HLC reviewed HRP with SHPO during Concept Design process	
Construction Plan	1303.04(d)(3)	County, Region 9, others	Appendix B of HF Ordinances includes requirements	Mike to call Region 9 to determine their capabilities (with Hap and/or Dave)
Landscape Plan	1303.04(d)(4)	Request PC to manage, Professional Landscaper, Tree Committee		
Scale Model	1303.04(d)(5)	Planner (Ball, others) to help craft request	Much discussion about including night views with light impacts from various points in town and across the river	
Performance Bond	1303.04(d)(6)	Town Insurance Company to help establish	May need legal advice?	
Lighting Plan	1303.04(d)(7)	Rob Case	includes env impact statement on effect to flora, fauna, and night sky	
Traffic Study	1313.04(f)(7)	Wells & Associates, HEPMPO (Matt Mullenax), WV DOH	WV DOH may not study local/neighborhood traffic issues	
Other Topics/Needs				BZA members to review list of topics/experts from Town (Ball) and SWaN for other potential needs

**Preliminary list of questions for land-use attorney (Mark Sadd)**

1. Do we put requests out to bid for expert opinions on facets of the project, and if so, at what point? We have contemplated the following options. Option a. is recommended by the Town Planner (hired) due to the need to obtain costs that will support the applicant's fee while Option b. allows for a more defined scope for each review (i.e., more refined costs), but may result in a slower process as we await approval for monies from the Town.
  - a. Prior to receiving application so that Town Council can approve expenditures before work is needed
  - b. Upon receipt of application so that BZA can determine more definitively the scopes of work for each consultant/expert
2. If Council approves a set amount for experts/consultants in Option a. or b. above and we find that we need more money during our review, how do we proceed?
3. Would you advise us to have an attorney present at BZA meetings? If so, a land-use attorney? Or other? As an alternative, are we allowed to inform the applicant that we will need an attorney present, at their cost, if they have an attorney present at any meeting?
4. If the streets in the overlay district are sold by the town and are not used as streets:
  - a. how are they zoned? If a street is not a street any longer, what is it? What is the lot identification?
  - b. who does this?
  - c. does this constitute a variance? Is rezoning required?What if they are leased?
5. What is the role of the Planner hired by the Town as a project facilitator in regard to the work of the BZA? Can the BZA appoint the Town Planner as the Proper Authority for determining that a Zoning Compliance Permit is complete?

**POSSIBLY FOR M. SADD, AFTER OUR REVIEW OF STATE CODE/HF ORDINANCES**

6. When we do solicit bids for consultants/experts, are we required to advertise and/or receive a certain number of bids? Do the projected costs trigger advertising or other solicitation requirements?

**NEXT SCHEDULED MEETINGS:**

Tuesday, 4/9/19 at 11am

Monday, 4/15/19 at 3:30pm to 5pm

Wednesday, 4/24/19 at 7pm