

Jefferson County Planning Commission
October 11, 2016

The Jefferson County Planning Commission met on October 11, 2016 with the following Commission members present: Mike Chapman, President; Wade Louthan, Vice President; Gary Phalen, Gene Taylor, Steve Stolipher, Dickie Childs, Peter Onoszko and J Ware. Staff members present included Jennie Brockman, County Planner; Lydia Lehman, Assistant Prosecuting Attorney; Jonathon Saunders, County Engineer; and Rhonda Greenholtz, Planning Clerk

Donnie Fisher was absent with prior notification

Mr. Mike Chapman called the meeting to order at 7:00 PM

1. Approval of the minutes from the following Planning Commission Meetings

- September 13, 2016

The minutes were approved with no objections

2. Citizen Communications. None.

3. Request for postponement. None

4. **Public Hearing:** Waiver request for The Conservation Fund, Freshwater Institute (PCW#16-09).

The applicant requested a waiver from Section 22.504 B (2) of the Subdivision Regulations which requires a riparian buffer of 50' measured from the top of the stream bank along ephemeral streams with stream channels. The property is designated as Tax District: Shepherdstown (09); Tax Map: 3; Parcel: 3.10; Zoned: Rural (R); Size: 103 acres; Owner: The Conservation Fund.

Ms. Jennifer Brockman provided an overview of the background and review of the request. The request is to replace an existing 3,068 sq. ft. structure with a new 5,451 sq. ft. aquaculture tank structure. A portion of the existing and new structure is located within the required 50' buffer; however, the applicant will also be providing a bioretention basin that will slow and treat on-site stormwater runoff before it flows to the ephemeral stream. Planning staff recommends approval of this waiver provided the impact on the required buffer is limited to the area depicted on the graphic included as part of the staff report.

Mr. Ryan Perks Alpha Associates, representative for the applicant was present.

Mr. Mike Chapman asked the applicant if he would like to speak.

The representative for the applicant declined to speak.

Mr. Jonathon Saunders, County Engineer, presented the Engineering report. Engineering staff recommends approval of this waiver based on the fact that the proposed structure will not increase the impervious area and water quality will not be adversely affected.

Mr. Mike Chapman opened the floor to Public comment.

No Public comment was made.

Mr. Mike Chapman closed the floor to Public comment.

Mr. Steve Stolipher made a motion to approve the waiver. Mr. Gary Phalen seconded the motion which passed unanimously.

5. Planning Commission By-Laws. Discussion/possible drafting of policy regarding criteria for scheduling a fourth Tuesday meeting of the Planning Commission.

Ms. Jennifer Brockman presented a memo from the September 13, 2016 Planning Commission meeting regarding drafting of a Policy regarding the scheduling of a 4th Tuesday meeting. Ms. Brockman read the draft Policy to the Planning Commission members.

A motion was made by Mr. Steve Stolipher to approve the Policy. Mr. Wade Louthan seconded the motion which passed unanimously.

Mr. Mike Chapman signed the Policy.

6. Reports from Legal Counsel and legal advice to the Planning Commission.

a) Active Litigation:

- Far Away Farms: Report on legal action in Jefferson County Circuit Court, Case # 11-C-325 Possible Executive Session. No new report.
- Shiloh Citizens Association: Report on legal action in Supreme Court, Docket #15-1031 Possible Executive Session. No new report. This item may be removed from future agendas. Ms. Lydia Lehman will confirm this at a later date.

7. Planners Memo.

Ms. Brockman presented the Planners memo which included the status of various amendments and a graphic of the Annual Report as requested by the Planning Commission members.

The next scheduled meeting will be held on November 1, 2016 due to the election.

8. President's Report. None
9. Actionable Correspondence. None
10. Non-Actionable Correspondence. None

Mr. Chapman motioned to adjourn the meeting at 7:28 PM.