

Jefferson County Planning Commission  
November 1, 2016

The Jefferson County Planning Commission met on November 1, 2016 with the following Commission members present: Wade Louthan, Vice President; Gary Phalen, Gene Taylor, J Ware, Steve Stolipher, Donnie Fisher, Peter Onoszko and Dickie Childs. Staff members present included Jennie Brockman, County Planner; Lydia Lehman, Assistant Prosecuting Attorney; and Rhonda Greenholtz, Planning Clerk

Mike Chapman, President; was absent with prior notification

Mr. Wade Louthan presided over the meeting and called the meeting to order at 7:00 PM

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

- October 11, 2016

The minutes were approved with no objections.

2. Citizen Communications. None.

3. Request for postponement. None.

4. Review and approval of the 2017 Planning Commission Meeting Schedule.

Mr. Gary Phalen made a motion to approve the 2017 Planning Commission Meeting Schedule. Mr. Gene Taylor seconded the motion which carried unanimously.

5. **Public Hearing:** Waiver request for The Asam Family Limited Partnership (PCW#16-10). The applicant is requesting a waiver from Sections 20.201B and Sections 24.110 through 24.117 of the Subdivision Regulations which requires most non-residential subdivisions to process as a major subdivision. The property is designated as Tax District: Shepherdstown (09); Tax Map: 1; Parcel: 1; Zoned: Residential Growth (RG); Size: 6.15 acres; Owner: The Asam Family Limited Partnership.

Mr. Mike Shepp, Allegheny Surveys presented the request and a brief history of the property on behalf of the applicant. The applicant is requesting a waiver to be able to advance to the Final Plat stage and process as a Minor Subdivision. Mr. Shepp stated that no changes to the infrastructure or new construction is being proposed at this time. He agrees with the recommendation made by staff to add a note on the plat that states that “the lots have the right of access across each other and that if either lot is sold to any non-related entity, an access easement shall be created.” This request is simply to be able to keep the main building on its own parcel for corporate and financial reasons.

Mr. Dickie Childs asked if part of the property is located within the Town of Shepherdstown Corporate limits and if the Town has been informed of this request. Ms. Jennifer Brockman stated that yes a portion of the property is located within the corporate limits and contact had been made with the Town. The property was posted and adjoining property owners were notified. Any further development that may occur on the portion of the property located within the corporate limits will fall under Shepherdstown's jurisdiction.

Ms. Brockman stated the request for the waiver is reasonable. She informed the Planning Commission members that a variance request will be presented at the Board of Zoning appeals

meeting to be held on November 10, 2016 regarding building setbacks, landscape buffers, parking and drive aisles.

Mr. Louthan opened the floor to Public Comment.

No Public Comment was made.

Mr. Louthan closed the floor to Public Comment

Mr. Steven Stolipher made a motion to approve the request as presented by the applicant. Mr. Gary Phalen seconded the motion which carried unanimously.

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 informed the Planning Commission that a Public Hearing has been scheduled by the County Commission for December 1<sup>st</sup> at 7:00 pm on the LESA Cluster Amendment. Staff will be available at 6:30 PM to address any questions the Public may have.

Ms. Brockman also provided updates on the upcoming Zoning Ordinances and Subdivision Regulations amendments, including the proposed Mass Event amendment. Mr. Peter Onoszko provided an update on the Mass Event amendment stating it will be further addressed once the LESA Amendment has been passed as the two amendments overlap each other. This item will be brought back to the Planning Commission at a later date.

Planning Commission members are required to complete 2 hours of training once a year. Ms. Brockman suggested a video training related to Signage. This may be helpful as it will relate to an upcoming ordinance amendment. Mr. Stolipher made a suggestion that a training on facades may also be of interest to the members. Ms. Brockman agreed and will explore tiny houses and Air B and B's also.

Mr. Stolipher inquired about the status of the extensions of vested properties as this may come up again soon. He suggested adding this item to the next Planning Commission Meeting agenda for discussion. Mr. Onoszko informed the Planning Commission that a meeting has been scheduled for November 3, 2016 between the County Commissioners and the local Municipalities to discuss the Public Service District (PSD).

The next meeting is scheduled for December 13, 2016

8. President's Report. None

9. Actionable Correspondence. None

10. Non-Actionable Correspondence. None

Mr. Louthan motioned to adjourn the meeting at 7:17 PM.