

Jefferson County Planning Commission
November 14, 2017

The Jefferson County Planning Commission met on November 14, 2017 with the following Commission members present: Donnie Fisher, President; Steve Stolipher, Vice President; Wade Louthan, Secretary; Peter Onozko, County Commission Liaison; Jack Hefestay, and Ron Thomas. Staff members present included Jennifer Brockman, County Planner; Roger Goodwin, Director of Engineering, Planning & Zoning; Jonathan Saunders, County Engineer; Nathan Cochran, Assistant Prosecuting Attorney; and Rhonda Greenholtz, Planning Clerk

Mr. Gene Taylor and Mr. Ray Bruning were absent with prior notification.

Mr. J Ware was absent without prior notification.

Mr. Donnie Fisher called the meeting to order at 7:00 PM.

1. Approval of the October 10, 2017 minutes.
The minutes were approved with no objections.
2. Citizen Communications. None
3. Request for postponement. None
4. A Public Hearing was held by the Planning Commission for applicant Shepherdstown Public Library for a waiver from Section 24.108.C. of the Subdivision and Land Development Regulations which requires a Site Plan be submitted within two years of receiving Concept Plan approval.

Ms. Brockman provided an overview of the history of the project. The project had received Concept Plan approval after the Public Workshop held on October 13, 2015. The Library is processing as a Minor Site Plan with a Concept Plan, which is a two-step process. The Site Plan is administratively approved and no further Public Hearings are held after the Concept Plan. The applicant has worked diligently toward submission of a site plan; however their development is contingent upon acquisition of small parcels from adjoining properties and the installation of the road as a part of the Colonial Hills Phase 3A project. Therefore, it has not been prudent to proceed with the submittal of the Site Plan until those efforts are completed. Staff recommended granting the approval of the request with the provision that any amendments to the Subdivision Regulations or the Zoning Ordinance, if any, which occur within the year be required as a part of the Site Plan submittal.

Mr. Ryan Perks, Gordon, Representative for the applicant, believes the application speaks for itself and is available to answer any questions the Planning Commission may have. Mr. Bob Keller and Ms. Libby Sturm, Representatives for the Library were also present.

Mr. Peter Onoszko inquired as to what stage of construction the project is in.

Mr. Bob Keller responded that the construction of the Library cannot commence until access to the site is achieved through the extension of Lowe Drive. The extension will be constructed with the start of the Colonial Hills Phase IIIA project. The access is expected to be completed in the spring.

Mr. Donnie Fisher opened the floor for public comment.

No public comment was made.

Mr. Fisher closed the floor to public comment.

Mr. Peter Onoszko made a motion to grant the request for a 1 year extension to submit the Site Plan for the Shepherdstown Public Library. Mr. Steve Stolipher seconded the motion. A vote was taken which carried unanimously.

5. A Public Hearing was held on the proposed text amendments to the Jefferson County Subdivision and Land Development Regulations, File# STA16-01. The text amendment, in accordance with WV Code § 8A-4-5 proposes revisions and additions to multiple sections of the Subdivision and Land Development Regulations including Section 20.106, Adjustment of Lot Boundaries; Division 20.200, types of development; Section 20.201, Minor Subdivisions; Section 20.202, Major Subdivisions; Section 20.203, Minor Site Development; and Appendix A, Section 1.4, Final Plat; and Section 1.5, Recordation of Final Plats for Minor and Major Subdivisions.

Ms. Brockman explained that the minor edits proposed by the Planning Commission have been included in the version for the Public Hearing. The Planning Commissions role is to obtain public comment and finalize a version to forward to the County Commissioners to schedule a Public Hearing.

Mr. Fisher opened the Public Hearing for public comment.

No public comment was made.

Mr. Fisher closed the the Public Hearing.

Mr. Steve Stolipher made a motion to recommend approval of the proposed text amendment and forward the amendment to the County Commission for the purpose of scheduling a Public Hearing. Mr. Jack Hefestay seconded the motion. A vote was taken which passed unanimously.

6. Discussion was held by the Planning Commission to determine whether the Preliminary Plat Application for Colonial Hills Phase IIIA (File#17-06) can be deemed "complete" in accordance with Sections 24.113 and 24.114 of the Subdivision Regulations for the purpose of scheduling a Public Hearing for this application at the December 12, 2017 Planning Commission meeting.

Ms. Jennifer Brockman provided an overview of the project. Staff has now finalized the “completeness review” and per Section 24.113 of the Subdivision Regulations, and recommends approval of the Preliminary Plat. State law also requires the Planning Commissions to deem the application complete for the purpose of scheduling a Public Hearing. This is the first Major subdivision to process under the new Subdivision Regulations. This is the subdivision that was referred to during the discussion of the Shepherdstown Public Library Site Plan waiver request (Agenda Item #4). Access to the Library site will be provided via the Colonial Hills Phase 3A (townhouse portion) of this project.

As this is not the Public Hearing for the project, the application was not included in the packet. Staff has deemed the plan complete and is requesting that the Planning Commission deem the application complete for the purpose of scheduling a Public Hearing. The Staff report references the criteria that is required to deem the plan “complete”. Staff recommends placing this item on the December agenda. The approval of the Preliminary Plat, after the Public Hearing, allows the applicant to move forward with the Final Plat which is administratively approved.

A discussion ensued which outlined the Major Subdivision review process and clarified the role of the Planning Commission in deeming the Preliminary Plat “complete”.

Mr. Stolipher made a motion to deem the file complete and to schedule a Public Hearing for December 12, 2017. Mr. Hefestay seconded the motion. A vote was taken which carried a 5 to 1 vote with Mr. Onoszko opposing.

7. Review and approval of the 2018 Planning Commission Meeting Schedule.

A motion was made by Mr. Steve Stolipher to accept the 2018 Planning Commission Meeting Schedule. Mr. Ron Thomas seconded the motion. A vote was taken which carried unanimously.

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

a) Active Litigation:

- Shiloh Citizens Association: Report on legal action in Supreme Court, Docket #15-1031 Possible Executive Session.

No new updates on this item.

9. Planners Memo.

- Training for the Planning Commission on Signage Laws is scheduled for November 28, 2017.
- Upcoming PC meeting:

Next Regular Meeting: December 12, 2017

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10. President's Report. None

11. Actionable Correspondence. None

12. Non-Actionable Correspondence. None

Mr. Fisher motioned to adjourn the meeting at 7:32 PM with no objections.