



AGENDA
Jefferson County Planning Commission
Tuesday, August 14, 2018 7:00 PM

Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street in the City of Charles Town.

All Citizens that desire to speak must sign-in prior to the Agenda Item being addressed.

1. Approval of Meeting minutes:
 - July 10, 2018
2. Citizen Communications: If you wish to comment, please sign-in to speak for issues that are not on the agenda or items that are not open for public comment. Items not open for public comment will be so noted.
3. Request for postponement.
4. **Public Workshop:** Request by applicant/owner Universal Forest Products, Eastern Division, Inc. for approval of a Concept Plan for an 8,750 square foot structure and future 45,000 square foot structures. Property Owner/applicant: Universal Forest Products, Eastern Division, Inc. Location: 249 16th Avenue, Ranson, WV. Tax District: Charles Town (02); Tax Map: 7; Parcel 11.16 and 11.18; Size: 29.88 Zoned: Industrial-Commercial. File: S18-04.
5. **Public Hearing:** Request by applicant/owner Universal Forest Products, Eastern Division, Inc. for approval of a waiver from Appendix B, Section 10.6 of the Subdivision Regulations. The applicant is requesting to not install sidewalks. Property Owner/applicant: Universal Forest Products, Eastern Division, Inc. Location: 249 16th Avenue, Ranson, WV. Tax District: Charles Town (02); Tax Map: 7; Parcel 11.16 and 11.18; Size: 29.88 Zoned: Industrial-Commercial. File: PCW18-11.
6. **Public Hearing:** Request by applicant Crystal Lake Property Owners Association for a waiver from Sections 22.207 B (No gated communities) and 21.401 (Obstruction of Easements) of the Subdivision Regulations. The applicant would like to install entrance gates at the intersection of Broken Rock Road at intersection with Bakerton Road and Cherry Run Road at intersection with Benson Road to assist in the regulation of trespassers thereby reducing vandalism and public disturbances. No gate is proposed at the Peace Ridge Road entrance. Tax District: Harpers Ferry (04); Tax Map: 2; in the vicinity of and accesses to Parcel: 89; Zone: Rural. File:74-71

There is no public comment for the following items.

7. **Review and Approval** of the Planning Commission's FY 2018 Annual Report to the County Commission per WV Code §8A-2-11. The Planning Commission is required by State Code to make an annual report to the appropriate governing body concerning the operation of the planning commission and the status of planning within its jurisdiction. (To be distributed at the meeting)
8. Reports from Legal Counsel and legal advice to the Planning Commission.
9. Planner's Memo.
10. President's Report.

11. Actionable Correspondence:

- E-mail requesting text amendment to the Zoning and Land Development Ordinance to allow the general public to utilize a proposed “Veterinary Services Pet Crematorium” in the Rural Zoning District which is restricted to provide their services to established veterinary clinics/hospitals.

12. Non-Actionable Correspondence:

DRAFT

Jefferson County Planning Commission

July 10, 2018

The Jefferson County Planning Commission met on July 10, 2018 with the following Commission members present: Steve Stolipher, Vice President; Wade Louthan, Secretary; Peter Onoszko, County Commission Liaison; Jack Hefestay, Mike Shepp, Ron Thomas and Ray Bruning. Staff members present included Jennifer Brockman, County Planner, and Rhonda Greenholtz, Planning Clerk.

Mr. Donnie Fisher was absent with prior notification. Mr. J Ware arrived at 7:21 PM.

Mr. Steve Stolipher presided over the meeting in Mr. Fisher's absence and called the meeting to order at 7:00 PM.

1. The minutes from the June 12, 2018 meeting were approved with no objections.
2. Citizen Communications. None
3. Request for postponement. A request made to postpone Item # 6 on the Agenda until the August 14, 2018 meeting.
4. A Public Hearing was held for a Final Plat Amendment in accordance with Section 24.202A of the *Subdivision Regulations*. The request was made by applicants Emil M. Kosko, Jr. & Christopher K. Kosko and Gary & Cathy Stanhope to lift the single family restriction from the Harold E. & Suella M. Jewell Minor Subdivision, Lots 1 & 2-Residue (PC File #90-34) for the purpose of operating a farm winery.

Ms. Jennifer Brockman provided an overview of the proposed request. The two lots make up the entirety of the Harold E. & Suella M Jewell MSD. The Plat contains a single family restriction note that was a required for minor subdivisions at the time of approval. The applicant wishes to operate a farm winery on the properties. The operation of a farm winery is a permitted use in any district in that it is considered an "agricultural use".

Mr. Kosko, applicant, stated that he and his father currently own one of the properties and are in the process of purchasing the adjoining property. They would like to merge the properties to be able to create a parcel on which they can grow the grapes for the farm winery. Mr. Kosko then proceeded to explain the process of wine making and that this would be the first "Estate" winery in the Eastern Panhandle.

A discussion ensued between the Planning Commission members and the applicant regarding the operation of a farm winery. It was suggested that Mr. Kosko get in contact with the Jefferson County Development Authority to aid in this endeavor.

Mr. Steve Stolipher opened the floor to Public Comment.

No Public comment was made.

Mr. Stolipher closed the floor to Public Comment

Mr. Mike Shepp made a motion to approve the request to lift the single family restriction on Lots 1 & 2 Residue Harold E. & Suella M. Jewell subdivision. Mr. Peter Onoszko seconded the motion. A vote was taken which carried unanimously.

5. A Public Hearing was held for a waiver request by applicants Garnett & Harry Catrow from Section 20.201 and 20.202(C) of the *2008 Subdivision Regulations* (adopted 10/9/08) that required all lots to face on an access easement having a width of 50 feet and that the easement shall be part of the residue or remaining property (PC File #09-26, Lots 1, 2 & 3 Catrow Minor Subdivision). The applicant is requesting that Lot 2 of the Catrow Minor Subdivision be permitted to utilize a separate driveway to have direct access onto Sandpiper Lane.

Ms. Jennifer Brockman provided an overview of the request. In the *2008 Subdivision Regulations* the 50' access easement was required to remain with the residue portion of a minor subdivision. The Catrow Minor Subdivision, Lots 1, 2, & 3-Residue, approved in 2010, was the resubdivision of a lot in Section D of Mecklenburg Heights, which was approved prior to the adoption of a *Subdivision Ordinance* in Jefferson County. The request is for Lot 2 to be permitted to access directly onto Sandpiper Lane. Two (2) letters in support of the waiver have been submitted. One (1) was received from the Mecklenburg Maintenance Association, Inc., and the other was received from R. Kelly, an adjoining property owner.

Mr. Catrow was asked if he would like to speak. He declined but was willing to answer any questions.

No questions were asked.

Mr. Steve Stolipher opened the floor to Public Comment.

No Public Comment was made.

Mr. Steve Stolipher closed the floor to Public Comment.

Mr. Mike Shepp made a motion to approve the request as presented. Mr. Wade Louthan seconded the motion. A vote was taken which passed unanimously.

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

Mr. Nathan Cochran was not present at the meeting. Ms. Jennifer Brockman updated the Planning Commission members on an Appeal that was presented at the June 28, 2018 Board of Zoning Appeals meeting regarding a decision made by Alex Beaulieu, Zoning Administrator regarding Magnolia Springs and the Historic Landmark Commission. Ms. Beaulieu's decision was upheld by the Board of Zoning Appeals (BZA). An appeal may be made to the Circuit Court within 30 days of the Findings of Facts. The Findings of Facts are typically approved at the following BZA meeting which would be on July 26, 2018. At this time it is not known if an appeal to the Circuit Court will be made.

Minutes
Planning Commission
July 10, 2018

7. Planners Memo.

Ms. Brockman provided an overview of the progress and changes to the upcoming text amendments to the Zoning Ordinance and the Subdivision Regulations.

She also informed the members about a Land Use Law/Planning conference she attended which included a session on a new provision in the WV Code related to the definition of Agri-tourism. She briefed them on the content of this new law and informed them that there are newly created draft rules on Agro-Tourism which are available for public comment. Ms. Brockman will forward these draft rules to the Planning Commission members for review and comment.

The next scheduled Planning Commission meeting will be held on August 14, 2018.

8. President's Report. None

9. Actionable Correspondence. None

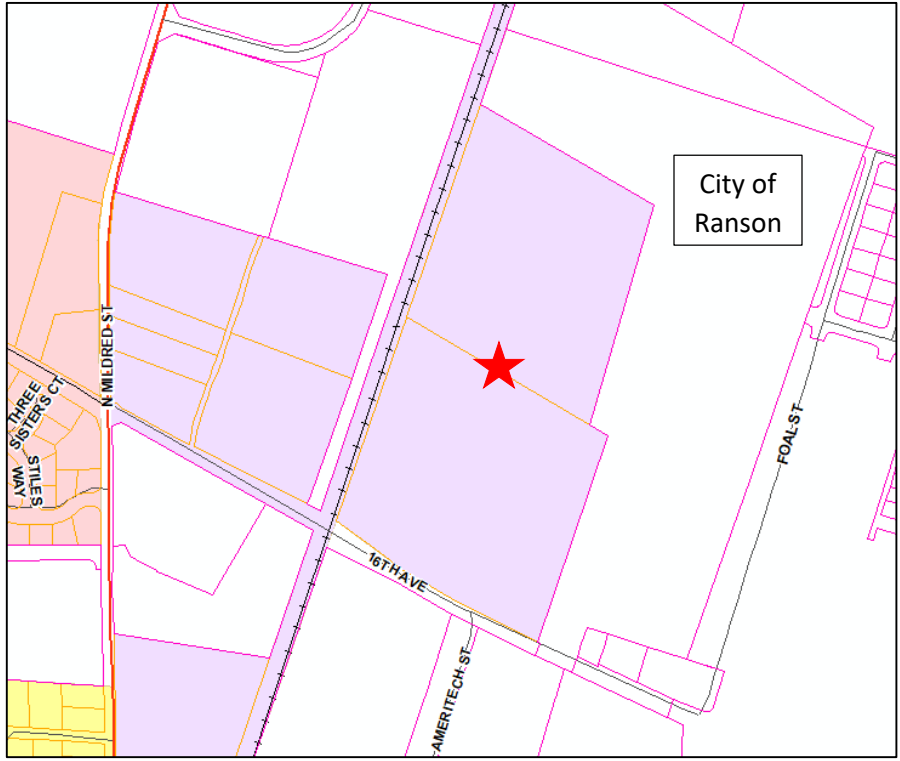
10. Non-Actionable Correspondence. None

Mr. Stolipher motioned to adjourn the meeting at 7:22 PM with no objections.

Staff Report
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Item #4

Public Workshop: Request by applicant Universal Forest Products, Eastern Division, Inc. for approval of a Concept Plan for an 8,750 square foot structure and a future 45,000 square foot structure. File: S18-04

APPLICANT:	Universal Forest Products, Eastern Division Inc.
OWNER:	Same as Applicant
DEVELOPER:	Same as Applicant
CONSULTANT:	Pennoni Associates, Inc.
PROPERTY LOCATION:	249 16 th Ave., Ranson, WV
LEGAL DESCRIPTION & ZONING DISTRICT	District: Charles Town (02); Tax Map: 7; Parcel: 11.16 & 11.18; Size 29.88 ac; Zone: Industrial Commercial
	
	Zoning Map Designation: <i>North:</i> City of Ranson <i>South:</i> City of Ranson <i>East:</i> City of Ranson <i>West:</i> Industrial Commercial
PARCEL HISTORY:	S05-14: Site Plan for a 9,000 sq. ft. additional building & proposed treating facility. 10/20/05: BZA granted variance from landscaping requirements. 8/9/18: Zoning Variance request to reduce required landscaping (pending) 8/14/18: Sidewalk waiver request (pending)
PROPOSED ACTIVITY	A proposed 8,750 building and a future 45,000 square foot building.

Staff Report
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1. Background:

The development of the Universal Forest Products, Eastern Division property, located just outside of the Corporation of Ranson, pre-dates the adoption of Zoning and Subdivision Regulations in Jefferson County. Universal Forest Products in Ranson manufactures and supplies wood products used in industrial packaging and construction; supplies concrete formwork used in construction; and supplies lumber and components to building supply dealers.

In 1999, a merger plat was processed creating the 29.88 acre parcel where the facility currently exists. In 2005, a Site Plan (S05-14) was processed that showed the relocation of a 9,000 square foot manufacturing building, the construction of a proposed treating facility addition, and revisions to the on-site stormwater facilities. At this time, a variance was granted by the BZA related to the required screening and buffering requirements around the perimeter of the property for those proposed improvements.

In 2006 and 2008, a number of red-line revisions were processed related to changes in materials and stormwater design. In recent years, numerous changes were made on site including some changes to the stormwater retention design in response to comments from WV DEP. In early 2017, the applicants attended a Pre-Proposal Conference (PPC) meeting regarding relocating a planned future 9,000 sq. ft. building shown on the approved site plan and the construction of a new 8,750 sq. ft. building. At that time, based on aerial imagery, it became apparent that the site had expanded beyond the scope of the approved Site Plan (S05-14). As a result of the PPC, the applicant was told that in order to correct this violation, they were required to either restore the site to the original condition or to process a revised Site Plan. They were also authorized to process a red-line revision for the relocation of the previously approved 9,000 sq. ft. building. This red-line was approved in October 2017.

On May 18, 2018, the applicant submitted a Site Plan proposing two pre-engineered buildings, one of which is 8,750 sq. ft. and one of which is 45,000 sq. ft., both of which require processing a Concept Plan and a Site Plan prior to the issuance of a building permit. On May 25, 2018, a Site Plan Determination letter was sent to the applicant stating that a Concept Plan is required prior to processing the Site Plan. It should be noted that the Site Plan includes significant revisions to the stormwater management design as well as the two new buildings.

2. Summary of the Request:

The applicant is requesting approval of a Concept Plan for all new structures or new additions to structures located on a parcel which total more than 5,000 and less than 250,000 sq. ft. gross floor area.

The Concept Plan is for the 8,750 square foot structure and the proposed future 45,000 square foot structure. A Concept Plan was received on July 27, 2018 which includes all revisions and both buildings. The applicant would like to process the 8,750 sq. ft. structure as soon as possible in order to cover materials located where the structure is proposed, and process the 45,000 square foot building in the future.

3. Staff Determination of Application Sufficiency and Concept Plan Completeness Review

In accordance with the amended Subdivision Regulations, the Concept Plan process incorporates a sufficiency and completeness review in a single step. Staff found the submitted plan “sufficient” (i.e. meeting all requirements of Section 24.106 of the Jefferson County Subdivision and Land Use Regulations), after revisions were submitted. These requirements, as well as the current review status for each requirement for the Universal Forest Products application, are provided below:

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Required Item from Section 24.106(A-J)	Description	Status
B. Submission Contents	The submission shall contain the following elements:	
1. General Location	A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.	Provided
2. Concept Plan	A Concept Plan shall be submitted in accordance with the content and formatting guidelines provided in Appendix A, Plan & Plat Standards.	Provided
3. Zoning Information	This shall include: <ul style="list-style-type: none"> a) Determination of the zoning district in which the proposed project is situated. b) Density calculations. c) Site resource map. 	Provided based on Industrial Commercial Zoning
4. Proposal Description	This site shall be a written description of the proposal with general identification of the number of dwelling units or floor area proposed, commentary, zoning, and development option selected if the development is residential.	Provided
5. Traffic Impact Data	This shall include: <ul style="list-style-type: none"> a) Average Daily Trip figures for the adjoining or accessible State road. b) Trip generation figures c) Nearest key intersection that will serve the proposed project. A “key intersection” is defined as any intersection with a primary or secondary highway as classified by the current Comprehensive Plan. d) “Highway Problem Areas” according to the current Comprehensive Plan that falls within a one-mile radius of the project. 	Provided
Trip Generation	In the event trip generation in the peak hour exceeds 100 or the limitation designated in the most current DOH Traffic Engineering Directive, a traffic study will be required which includes generators, etc. unless the West Virginia Division of Highways has created an agreement with the applicant to provide site access improvements that are typically required by a traffic study. This type of study should be performed by a traffic engineering consultant. The effect of phasing the subdivision shall be cumulative.	Trip generation related to the first structure does not require a traffic study; WVDOH will be deferred to regarding whether a future traffic study is required with the Preliminary Plat
6. Agency Reviews	The reviewing agencies found in Section 23.203 and 23.204 shall conduct reviews of the proposed concept plan.	Letters to required agencies

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	Applicant shall provide copy of letters sent to outside agencies to the Departments of Planning and Zoning within 7 days of submission of Concept Plan. If any review agency fails to respond, they shall be deemed by these Regulations to have approved the plan.	provided; no responses were received
7. Adjoining Property	Accurate list of all properties and owners' addresses adjoining the subject property to be notified by staff of the date of the workshop.	Provided
8. Other Data	Any other data or information the applicant believes will assist in the review.	
9. Other Reviews	Any other staff or agency reviews of the plans.	
C. Review Content	The Department and agency reviews shall address the areas indicated in D through G below and any other areas of concern to the agencies.	See below
D. Department	<p>The Department review shall include the following:</p> <ol style="list-style-type: none"> 1. Whether the density, use, and plan meet the requirements of the Zoning Ordinance and any other zoning issues that can be identified at the concept plan submission. (Landscaping, for instance, is not generally available at this stage). Staff shall identify conditions that would enable the plan to meet the standards. It shall also identify any other zoning issues the developer shall address in a preliminary plat submittal. 2. Staff opinion as to whether the plan meets the site development planning or subdivision criteria of these Regulations. The Department shall review the concept plan for modifications that would improve the plan. 	Staff determined that the proposed Concept Plan has met the requirements of the Zoning Ordinance and the Subdivision Regulations
E. WVDOH	The WVDOH approval is necessary prior to preliminary plat approval. The County defers to the WVDOH requirements and approval.	Noted
F. Traffic Impact	The WVDOH shall determine whether a traffic impact study will be required during the preliminary plat stage.	Defer to WVDOH
G. Public Service	The review shall indicate whether there are existing water and sewer systems in place that can handle the development. If not, the review shall indicate the type or extent of a system that shall be proposed by the developer to best meet the County's needs in that area of the County.	The property is currently served by well and septic
H. Recommended Conditions	All reviews shall contain recommended conditions for moving forward to a site plan or reasons why the plan should be denied.	DOH and Utility provider approval required before

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		Preliminary Plat approval
I. Approval	Unless there are reviews indicating that the development cannot conform to the Zoning Ordinance, be serviced by public services, or provide its own utilities, or other factors that make the development impossible, Planning staff shall accept or deny the concept plan as complete.	Planning Staff accepts the Concept Plan as complete.
J. Effect	Upon accepting the application as complete, Planning staff shall place it on the next possible Planning Commission agenda as a public workshop. Staff shall advertise the public workshop in a local newspaper and the applicant shall post notice on the property in accordance with the Subdivision Regulations.	The Concept Plan was scheduled for a Public Workshop consistent with this requirement.

4. External Agency Reviews (attached)

No comments were received from external agencies.

5. Staff Recommendation related to the Concept Plan :

Procedurally, all site developments which propose buildings, both new and additions to existing, where all new structures or new additions to structures located on a parcel total more than 5,000 and less than 250,000 sq. ft. gross floor area may process as a Minor Site Development but require the submittal and approval of a Concept Plan prior to the administrative review of the Site Plan.

Section 20.203A.3 does provide an exception for “building(s), both new and additions to existing, regardless of size, when located in a business and/or industrial park on a lot within an approved major non-residential subdivision with master planned roads and stormwater”. While this property is zoned Industrial-Commercial and has an approved Site Plan, it is not within a master planned non-residential subdivision. Therefore the only way to allow the construction of a structure over 5,000 square feet is to first process this Concept Plan.

The Site Plan submitted for this project, which can be processed administratively after approval of this Concept Plan, includes a number of designed improvements, including documenting changes made to the stormwater management facilities meet our current Stormwater Management Ordinance requirements, changes drive aisles and parking, and the proposed two structures (8,750 sq. ft. and 45,000 sq. ft.). In addition to the submitted Site Plan which is under review at this time, a waiver of the required sidewalk is on today’s agenda and a Zoning Variance for the some of the required landscaping and buffer will be heard by the Board of Zoning Appeals.

The Planning and Zoning Department Staff finds the Universal Forest Products Concept Plan to be “complete” based on the information provided related to the criteria above and note that the applicant will be required to receive DOH and Utility provider approval prior to approval of the Preliminary Plat:

6. Planning Commission Direction

The Concept Plan Public Workshop allows for the Planning Commission and the general public to comment on the proposed plan before complete engineering design and cost are incurred. The Subdivision and Land Development Regulations outline the procedure:

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1. The applicant makes a short presentation.
2. Staff explains outside agency comments and whether the plan can meet the standards of the Zoning Ordinance.
3. Public comment is solicited.

Following the applicant's presentation, staff's explanation and the solicitation of public comment, the Planning Commission shall provide direction to the applicant as required under Concept Plan Direction outlined in the Subdivision Regulations. The Planning Commission has the option of providing this direction at the same meeting during which the Concept Plan public hearing takes place, or at a subsequent meeting that occurs within 14 days of the meeting at which the Concept Plan public hearing is closed.

The Subdivision and Land Development Regulations outline the direction to be provided to the applicant:

“The Planning Commission shall direct the preparation of a Preliminary Plat subject to conditions to be addressed in the application. The purpose of this review is to guide the developer so that when the Preliminary Plat is formally reviewed by the staff, there should not be a whole range of issues being raised for the first time. The developer shall cite conditions and demonstrate that they have been met or otherwise addressed.”

It should be noted that the direction provided to the applicant in the Concept Plan Public Workshop shall be applicable for a period of two years, with the provision that any amendments to the Subdivision and Land Development Regulations or the Zoning and Land Development Ordinance in the second year shall be applicable.



JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning
116 East Washington Street, P.O. Box 338
Charles Town, WV 25414

File Number: 518-04
Staff Initials: vlg
Total Fee(s): 0

www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Concept Plan Review Checklist

The Concept Plan submittal shall be on white paper and shall show in simple form the proposed project. Further details can be found in the checklist below. The Concept Plan shall be accompanied by a tract location map and a tentative list of restrictive covenants and conditions or a tentative statement of project objectives, rules, and regulations.

In order to determine sufficiency, this application and a copy of the Concept Plan must be submitted to the Jefferson County Departments of Planning and Zoning 45 days prior to the next regularly scheduled Planning Commission meeting. Please refer to Article 24 of the Subdivision Regulations for Concept Plan Requirements.

Property Owner Information

Name: Universal Forest Products, Eastern Division, Inc. UFP Eastern Division, Inc.
Mailing Address: Route 9 West, P.O. Box 188; Ranson, WV 25438
Phone Number: (616) 364-6161 Email: sweir@ufpi.com

Registered Engineer(s), Surveyor(s), or Consultant(s) Information

Name: Pennoni Associates, Inc.
Mailing Address: 208 Church Street, SE; Leesburg, VA 20175
Phone Number: (703) 777-3616 Email: mjerussi@pennoni.com

Physical Property Details

Physical Address: 249 16th Avenue
City: Ranson State: WV Zip Code: 25438
Tax District: Charles Town Map No: 7 Parcel No: 11.16 A&B
Parcel Size: 29.8757 Deed Book: 926 Page No: 215

Zoning District (please check one)

Grid of zoning districts with checkboxes: Residential Growth (RG), Industrial Commercial (IC), Rural (R), Residential-Light Industrial-Commercial (RLIC), Village (V), Neighborhood Commercial (NC), General Commercial (GC), Highway Commercial (HC), Light Industrial (LI), Major Industrial (MI), Planned Neighborhood Development (PND), Office/Commercial Mixed-Use (O/C). IC is checked.

RECEIVED JUN 28 2018 JEFFERSON COUNTY PLANNING, ZONING AND ENGINEERING Place Received Date Stamp Here

Signature of Property Owner: [Signature] Date: 6/27/18

Signature of Property Owner: _____ Date: _____

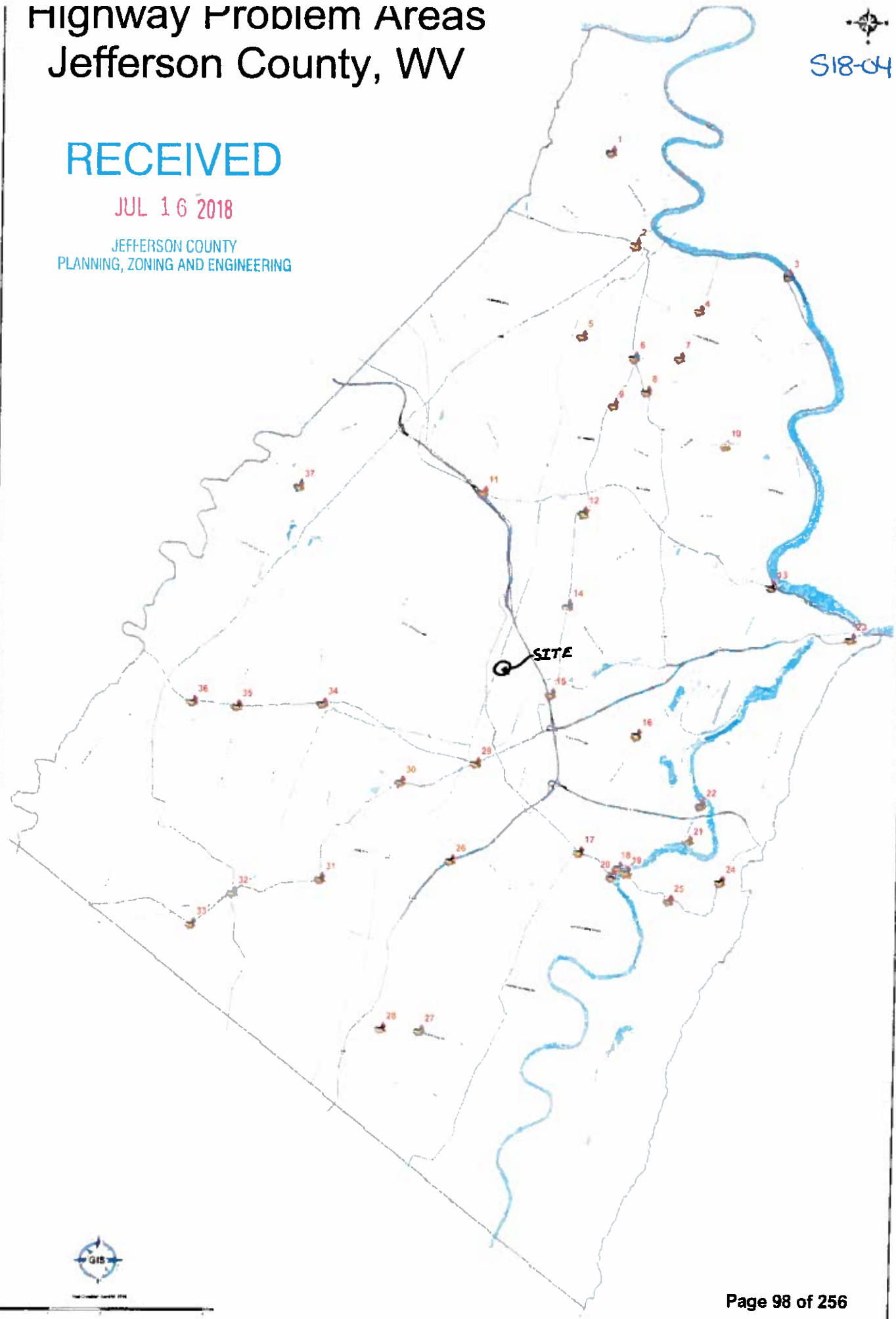
Highway Problem Areas Jefferson County, WV

S18-04

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JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING



Highway Problem Areas in Jefferson County			
Number	Route/Road	Location	Problem
1	Scrabble Road	1/4 mile West of Shepherherd Grade Road	90 Degree turn
2	WV 45	Intersection with WV 480, WV 45 and WV 230	Road width through historic area limits turn movements
3	River Road	Near Potomac Ridge Lane	Prone to flooding
4	Trough Road	One mile east of WV 230	90 Degree turn
5	Ridge Road	Intersection with Gardners Lane	Poor intersection angle causing poor visibility
6	Intersection of WV 230 and Flowing Springs Road	Intersection of WV 230, Flowing Springs Road, Gardners Lane and Trough Road	High number of access and turning movements, visibility constraints
7	Trough Road	1/2 mile north of Engle Molers	Two 90 degree turns
8	WV 230	1 mile south of Flowing Springs Rd	S Curve
9	Flowing Springs Road	Approximately 1 south of WV 230 intersection	Curve
10	Engle Molers Road	1/4 mile south of Uvilla	Two 90 degree turns
11	Luther Jones Road	Intersection with Wiltshire Road and Old Charlestown Road	Limited stacking area at light due to tracks. Development is expected to take place in this area over next two decades
12	Flowing Springs Road	Approximately 700 feet north of Shenandoah Junction Road	Two 90 degree turns
13	Bakerton Road	Bakerton Road Tunnel	Sharp Curve, Poor Sight Distance, One Lane Tunnel
14	Daniel Road	Intersection with Flowing Springs Road just north of Old Country Club Road	Poor intersection angle causing poor visibility
15	Sun Road	Intersection with WV 9 West	No merge lane on Route 9
16	Cattail Run Road	Intersection with Marlow RD and Cattail RD	90 Degree turn
17	Cattail Run Road	At intersection with WV 115	Poor sight distance pulling onto WV 115
18	Bloomery Road	1,000 north of WV 115	Within 100 Year Floodplain, periodic flooding
19	Wilt Road	From WV 115 at to dead end	Within 100 Year Floodplain, periodic flooding
20	John Rissler Road	From WV 115 at Bloomery to dead end	Within 100 Year Floodplain, periodic flooding
21	Bloomery Road	2,500 South of Rt. 9 tunnel	90 Degree turn
22	Bloomery Road	1,250 north of WV 115	90 Degree turn
23	US 340 and Chestnut Hill Road	Intersection with Chestnut Hill Road	Inadequate Turning Area onto Chestnut Hill Road; Poor intersection angle causing poor visibility, steep slope
24	WV 115	At Chestnut Hill	Poor intersection angle causing poor visibility
25	WV 115	At Mission Road	Multiple Accident Location Long dead-end road with only 1 point of ingress/egress
26	Augustine Ave	Intersection with US 340	Adjacent intersection with Hyuett Road may lead to stacking during peak hours.
27	Meyerstown Road	One mile east of US 340	Two 90 degree turns
28	Meyerstown Road	1/2 mile east of US 340	90 degree turn
29	Summit Point Road	Intersection with WV 51 (Washington St)	Poor intersection angle causing poor visibility, intersection at capacity
30	Summit Point Road	Near Lindsay Drive	90 Degree turn
31	Summit Point Road	Intersection with Lloyd Road	90 Degree Turn
32	Summit Point Road	At intersection with Leetown Road and Summit Point Road	Poor intersection angle causing poor visibility
33	Summit Point Road	In vicinity of Summit Point Raceway	90 Degree turn
34	WV 51	Intersection with Earl and Darke Lane	Misalignment of intersection
35	WV 51	Intersection with Childs Road	Poor sight distance turning onto WV 51
36	Old Middleway Road	Intersection with WV 51	Poor sight distance and intersection angle
37	Paynes Ford Road	3,500 feet west of Leetown Road	Two 90 degree turns

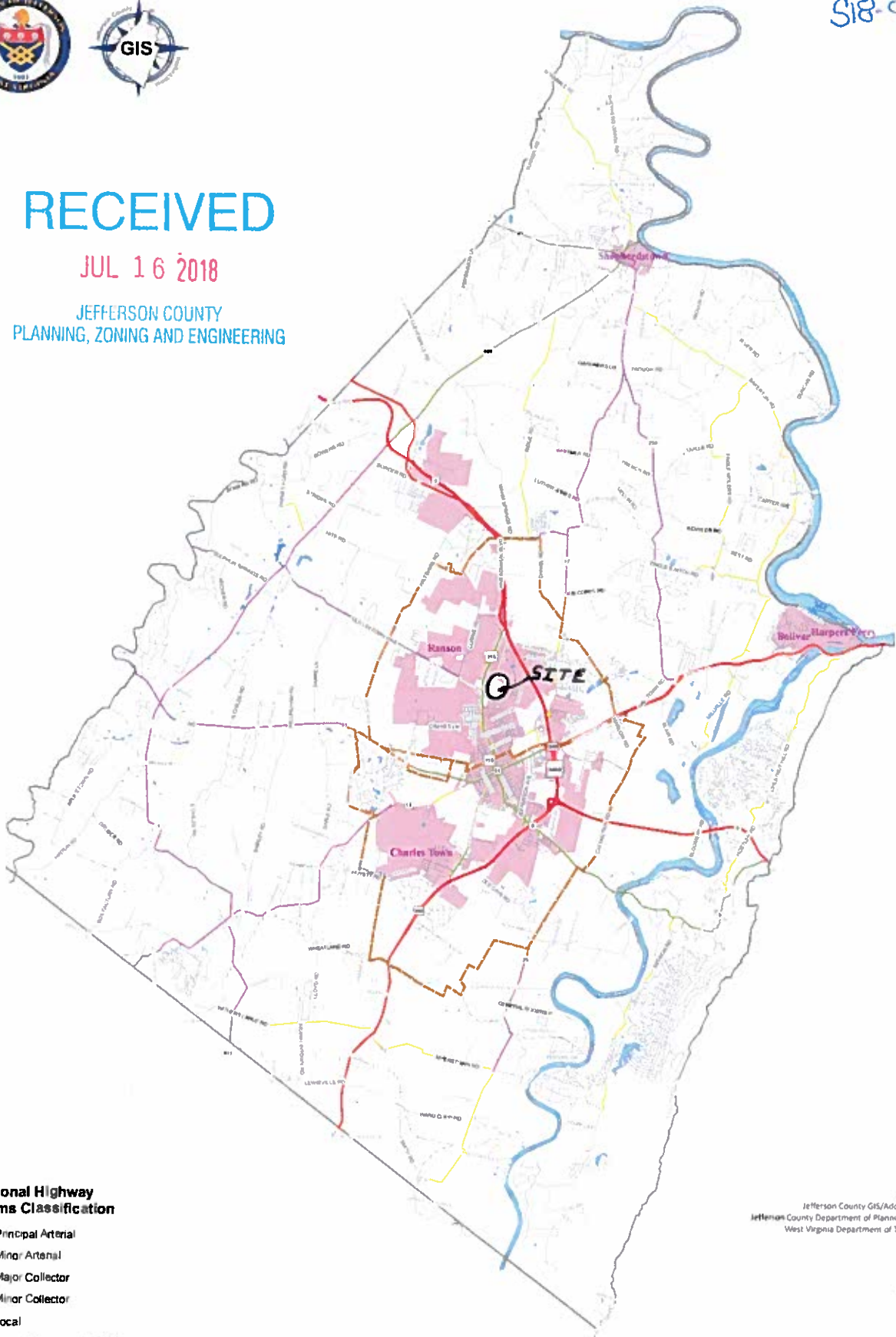


S18-04

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JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING



Functional Highway Systems Classification

- Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Local
- Urban Growth Boundaries
- Towns

Date Sources:
Jefferson County GIS/Addressing Office
Jefferson County Department of Planning and Zoning
West Virginia Department of Transportation



Roadway Classification Map Envision Jefferson 2035

SITE INFORMATION AND GENERAL SITE NOTES

- THE BOUNDARY LINES OF THE SUBJECT SITE HAS BEEN DESCRIBED BY BEARINGS AND DISTANCES. THE BOUNDARY INFORMATION HAS BEEN OBTAINED FROM THE DEED RECORDED IN DB 926 PG 215 ON MAY 11, 1999. A PLAT SHOWING THE BOUNDARY LINE ADJUSTMENT OF THE PROPERTY WAS RECORDED WITH JEFFERSON COUNTY, WEST VIRGINIA, ON AUGUST 20, 1998, ON DB 926 PG 218. THE ERROR OF CLOSURE ON THAT RECORDED PLAT HAS A PRECISION OF 1:298,480.
- ACCESS TO THIS SITE IS PROVIDED BY EXISTING ENTRANCES AND AN EXISTING DRIVEWAY SERVING THE FACILITY.
- PARKING REQUIRED = 1 SP PER EMPLOYEE, MAXIMUM SHIFT. PARKING REQUIRED = 90 SPACES
- PARKING PROVIDED = 9 EXISTING SPACES (7 REGULAR AND 2 HANDICAP SPACES)
81 PROPOSED SPACES
- SEVENTY-TWO (72) HOURS PRIOR TO EXCAVATION IN PUBLIC RIGHTS-OF-WAY OR IN AREAS SERVED BY UNDERGROUND UTILITIES, CALL MISS UTILITY 1-800-245-4848.
- SIGNING SHALL BE IN CONFORMANCE WITH ALL EXISTING ORDINANCES IN JEFFERSON COUNTY AND/OR STATE FEDERAL LAW.
- SITE INFORMATION:
ZONING DISTRICT: INDUSTRIAL-COMMERCIAL
PROPOSED USE: INDUSTRIAL/WOOD MANUFACTURING
TOTAL SITE AREA = 29.8757 ACRES
LIMITS OF WORK = 1.74 ACRES
IMPERMEABLE SITE COVERAGE=33%
- REQUIRED SET BACK LIMITS AND BUFFERS ARE AS FOLLOWS:
FRONT BUILDING SETBACK=50'
SIDE BUILDING SETBACK=50'
REAR BUILDING SETBACK=50'
FRONT PARKING SETBACK=25'
SIDE PARKING SETBACK=20'
REAR PARKING SETBACK=20'
FRONT BUFFER=25'
SIDE BUFFER=20'
REAR BUFFER=20'
- NO FUTURE EASEMENTS HAVE BEEN PROPOSED.
- THIS PROPERTY DOES NOT CONTAIN THE 100-YEAR FLOODPLAIN.
- THERE ARE NO DELINEATED WETLANDS ON THIS SITE.
- ALL UTILITIES (E.G. POWER, TELEPHONE, CABLE) SHALL BE UNDERGROUND.
- PUBLIC SERVICE CONNECTION: IF PUBLIC SEWER/WATER BECOMES AVAILABLE, FUTURE CONNECTION IS REQUIRED.
- STORMWATER MANAGEMENT SHALL BE PROVIDED BY THE EXISTING INFILTRATION POND. THE QUALITY OF RUNOFF DURING CONSTRUCTION SHALL BE MANAGED BY PROPER EROSION AND SEDIMENT CONTROL MEASURES.
- TO KEEP EROSION AND SEDIMENTATION TO A MINIMUM, DISTURB AS LITTLE EARTH AS POSSIBLE DURING ALL PHASES OF CONSTRUCTION.
- EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE PRIOR TO PERFORMING ANY SIGNIFICANT EARTH DISTURBING ACTIVITIES.
- FOLLOWING INITIAL SOIL DISTURBANCE OR REDISTURBANCE, PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN 7 CALENDAR DAYS. HIGHWAY ENTRANCE PERMIT, WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION WV-NPDES GENERAL PERMIT TO BE OBTAINED 45 DAYS PRIOR TO CONSTRUCTION.
- CONTOUR INTERVAL = 2 FEET.
- CONTRACTOR TO VERIFY FIELD CONDITIONS PRIOR TO AND DURING CONSTRUCTION AND NOTIFY PENNONI ASSOCIATES, INC. AT (703) 777-3616 IMMEDIATELY OF ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND APPROVED PLANS.
- CONTRACTOR SHALL FURNISH ALL MATERIALS, LABOR AND EQUIPMENT REQUIRED AND SHALL PERFORM ALL WORK INCLUDING RESTORATION FOR THE COMPLETED IMPROVEMENTS SHOWN.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION STAKEOUT. ALL DIMENSIONS AND ELEVATIONS SHOWN ON THE CONTRACT DOCUMENT SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO BEGINNING WORK.
- OWNER/DEVELOPER SHALL OBTAIN, AT HIS OWN EXPENSE, ALL PERMITS REQUIRED PRIOR TO STARTING WORK AND SHALL ADHERE TO THE CONDITIONS IMPOSED.
- CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF WEST VIRGINIA (OVERHEAD HIGH VOLTAGE LINE SAFETY ACT).
- ACCESS BY EMERGENCY VEHICLES MUST BE MAINTAINED AT ALL TIMES.
- EXISTING UNDERGROUND UTILITY INFORMATION TAKEN FROM AVAILABLE RECORDS. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION AND FOR ANY DAMAGE THAT MAY OCCUR DUE TO THIS FAILURE TO LOCATE AND PROTECT THESE UNDERGROUND FACILITIES.
- THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING ROADS AND UTILITIES WHICH OCCUR AS A RESULT OF CONSTRUCTION.
- CHANGES OR REVISIONS TO THESE CONSTRUCTION PLANS SHALL NOT BE MADE UNLESS FIRST APPROVED BY PENNONI ASSOCIATES, INC. AND UNIVERSAL FOREST PRODUCTS.
- EXISTING DRAINAGE STRUCTURES, AND FRAMES AND COVERS SHALL BE ADJUSTED OR RECONSTRUCTED, AS NECESSARY, TO MATCH, FINISH GRADE.
- THE APPROVAL OF THIS PLAN DOES NOT CONSTITUTE THE APPROVAL OF FUTURE WORK.
- THE APPROVAL OF THESE PLANS SHALL IN NO WAY RELIEVE THE OWNER OF COMPLYING WITH OTHER APPLICABLE LOCAL, STATE AND FEDERAL REQUIREMENTS.
- NO TRASH DUMPSTERS HAVE BEEN PROPOSED WITH THIS SITE PLAN.
- THERE ARE NO EXISTING EASEMENTS ON THIS SITE.
- THERE ARE NO OFF-SITE STRUCTURES/BUILDINGS LOCATED WITHIN 200' DOWNSTREAM OF ANY DRAINAGE PIPE OUTFALL.
- THIS PROPERTY DOES NOT HAVE ANY RESTRICTIVE COVENANTS.
- THERE IS NO RESERVATION OF LAND FOR PUBLIC/SEMI-PUBLIC USE ON THIS SITE.
- NO LIGHTING HAS BEEN PROPOSED WITH THIS SITE PLAN.
- THERE ARE NO CONTINUOUSLY FLOWING STREAMS WITHIN 500' OF THIS PROPERTY.

38. PER THE ZONING AND DEVELOPMENT REVIEW ORDINANCE, JEFFERSON COUNTY, SECTION 8.9A

- NOISE ALL NOISE SHALL BE MUFFLED AS NOT TO BE OBJECTIONABLE DUE TO INTERMITTING, BEAT FREQUENCY, OR SHRILLNESS. NOISE LEVELS SHALL NOT EXCEED THE FOLLOWING SOUND LEVELS dB (A). THE SOUND-PRESSURE LEVEL SHALL BE MEASURED AT THE PROPERTY LINE WITH A SOUND LEVEL METER.

SOUND MEASURED IN ADJOINING AGRICULTURAL OR RESIDENTIAL GROWTH DISTRICT	DAY	NIGHT
	7 AM-6 PM	6 PM-7 AM
	60 dB (A)	50 dB (A)

THE FOLLOWING SOURCES OF NOISE ARE EXEMPT:

- TRANSPORTATION VEHICLES NOT UNDER THE CONTROL OF THE INDUSTRIAL USE.
- OCCASIONALLY USED SAFETY SIGNALS, WARNING DEVICES, AND EMERGENCY PRESSURE RELIEF VALVES.
- TEMPORARY CONSTRUCTION ACTIVITY BETWEEN 7:00 a.m. AND 7:00 p.m.

- ODOR NO OPERATION SHALL RESULT IN THE CREATION OF ODORS OF SUCH INTENSITY AND CHARACTER AS TO BE DETRIMENTAL TO THE HEALTH AND WELFARE OR THE PUBLIC OF WHICH INTERFERES WITH THE COMFORT OF THE PUBLIC. ODOR THRESHOLDS SHALL BE IN ACCORDANCE WITH ASTM d139-57 "STANDARD METHOD FOR MEASUREMENT OF ODOR IN ATMOSPHERES (DILUTION METHOD)" OR ITS EQUIVALENT. ODOROUS MATERIAL RELEASED FROM ANY OPERATION OR ACTIVITY SHALL NOT EXCEED THE ODOR THRESHOLD CONCENTRATION BEYOND THE LOT LINE, MEASURED EITHER AT GROUND LEVEL OR HABITABLE ELEVATION.

- SMOKE NO SMOKE, DUST, FUMES, OR PARTICULATE MATTER SHALL BE PERCEPTIBLE AT ANY LOT LINE. FURTHER, THE REGULATIONS AND STANDARDS GOVERNING THE CONTROL OF AIR POLLUTION SHALL BE THE SAME AS THOSE ADOPTED BY THE STATE OF WEST VIRGINIA. FOR THE PURPOSE OF GRADING THE DENSITY OR EQUIVALENT CAPACITY OF SMOKE, THE RINGELMAN CHART AS PUBLISHED BY THE UNITED STATES BUREAU OF MINES SHALL BE USED. THE EMISSION OF SMOKE DARKER THAN RINGELMAN NO. 1 FROM ANY CHIMNEY, STACK, VENT, OPENING, OR COMBUSTION PROCESS IS PROHIBITED.

- THE TOTAL EMISSION RATE OF DUST AND PARTICULATE MATTER FROM ALL VENTS, STACKS, CHIMNEYS, FLUES OR OTHER OPENING OR ANY PROCESS, OPERATION, OR ACTIVITY EXCEPT SOLID WASTE INCINERATORS WITHIN THE BOUNDARIES OF ANY LOT, WILL NOT EXCEED THE LEVELS SET FORTH BELOW. PARTICULATE MATTER EMISSION FROM MATERIALS OR PRODUCTS SUBJECT TO BECOMING WINDBORNE WILL BE KEPT TO A MINIMUM BY PAVING, SODDING, OILING, WETTING, COVERING OR OTHER MEANS, SUCH AS TO RENDER THE SURFACE WIND RESISTANT. SUCH SOURCES INCLUDE VACANT LOTS, UNPAVED ROADS, YARDS AND STORAGE PILES OR BULK MATERIAL SUCH AS COAL, SAND, CINDERS, SLAG, SULFUR, ETC.

4. AMBIENT AIR QUALITY STANDARD

PARTICULATE MATTER

SUSPENDED	
ANNUAL ARITHMETIC MEAN ug/m	65
24-HOUR MAXIMUM b, ug/m	140
SETTLABLE	
ANNUAL ARITHMETIC AVERAGE, mg/cm ³ /month	0.35
MONTHLY MAXIMUM	0.7

5. VIBRATION

- NO VIBRATION SHALL BE PRODUCED WHICH IS TRANSMITTED THROUGH THE GROUND AND IS DISCERNIBLE WITHOUT THE AID OF INSTRUMENTS AT ANY POINT BEYOND THE LOT LINE NOR SHALL ANY VIBRATION PRODUCED EXCEED 0.002g PEAK MEASURED AT OR BEYOND THE LOT LINE USING EITHER SEISMIC OR ELECTRONIC VIBRATION-MEASURING EQUIPMENT.

6. GLARE AND HEAT

- NO DIRECT OR SKY-REFLECTED GLARE, WHETHER FROM FLOODLIGHTS OR FROM HIGH TEMPERATURE PROCESSES, SUCH AS COMBUSTION OR WELDING OR OTHERWISE, SO AS TO BE VISIBLE AT THE LOT LINE, SHALL BE PERMITTED. THERE SHALL BE NO EMISSION OR TRANSMISSION OF HEAT OR HEATED AIR AS TO BE DISCERNIBLE AT THE LOT LINE.

7. TOXIC MATTER

- THE AMBIENT AIR QUALITY STANDARDS FOR THE STATE OF WEST VIRGINIA SHALL BE THE GUIDE TO THE RELEASE OF AIRBORNE TOXIC MATERIALS ACROSS LOT LINES. WHERE TOXIC MATERIALS ARE NOT LISTED IN THE AMBIENT AIR QUALITY STANDARDS OF THE STATE, THE RELEASE OF SUCH MATERIALS SHALL BE IN ACCORDANCE WITH THE FRACTIONAL QUANTITIES PERMITTED BELOW, OF THOSE TOXIC MATERIALS CURRENTLY LISTED IN THE THRESHOLD LIMIT VALUES ADOPTED BY THE AMERICAN CONFERENCE OF GOVERNMENTAL INDUSTRIAL HYGIENISTS. UNLESS OTHERWISE STATED, THE MEASUREMENT OF TOXIC MATTER SHALL BE AT GROUND LEVEL OR HABITABLE ELEVATION, AND SHALL BE THE AVERAGE OF ANY TWENTY-FOUR (24) HOURS SAMPLING PERIOD. THE RELEASE OF AIRBORNE TOXIC MATTER WILL NOT EXCEED ON-THIRTEENTH OF THE THRESHOLD LIMIT VALUE ACROSS LOT LINES. SUCH MATERIALS SHALL INCLUDE BUT ARE NOT LIMITED TO: ALL PRIMARY EXPLOSIVES SUCH AS LEAD AZIDE, LEAD STYPHNATE, FULMINATES AND TETRACENE; ALL HIGH EXPLOSIVES SUCH AS TNT, RDX, HMX, PETN, AND PICRIC ACID; PROPELLANTS AND COMPONENTS THEREOF, SUCH AS DRY NITROCELLULOSE, BLACK POWDER, BORON HYDRIDES, HYDRAZINE AND ITS DERIVATIVES; PYROTECHNICS AND FIREWORKS SUCH AS ACETYLIDES, TETRAZOLES AND OZONIDES; UNSTABLE OXIDIZING AGENTS SUCH AS PERCHLORIC ACID, PERCHLORATES, AND HYDROGEN PEROXIDE IN CONCENTRATION GREATER THAN THIRTY-FIVE (35) PERCENT; AND NUCLEAR FUELS, FISSIONABLE MATERIALS AND PRODUCTS, AND REACTOR ELEMENTS SUCH AS URANIUM 235 AND PLUTONIUM 239. THE STORAGE, UTILIZATION OR MANUFACTURE OF MATERIALS OR PRODUCTS WHICH DECOMPOSE BY DETONATION IS PROHIBITED.

8. FIRE HAZARDS

- THE STORAGE, UTILIZATION OR MANUFACTURE OF SOILED MATERIALS WHICH ARE ACTIVE TO INTENSE BURNING SHALL BE CONDUCTED WITHIN SPACES HAVING FIRE RESISTIVE CONSTRUCTION OF NO LESS THAN TWO (2) HOURS AND PROTECTED WITH AN AUTOMATIC FIRE EXTINGUISHING SYSTEM. THE TOTAL CAPACITY OF FLAMMABLE LIQUIDS AND GASSES SHALL NOT EXCEED THOSE QUANTITIES PERMITTED IN THE FOLLOWING TABLE FOR EACH OF THE INDUSTRIAL DISTRICTS:

CAPACITY	STORAGE	
	LIQUIDS	60,000 GALLONS
GASES-ABOVE GROUND	150,000 SCF+	
-BELOW GROUND	300,000 SCF+	
+SCF-STANDARD CUBIC FEET AT SIXTY (60) DEGREES FAHRENHEIT AND 29.92 INCHES MERCURY		
THE FOLLOWING SETBACK REQUIREMENTS WILL APPLY TO THE LOCATION OF ANY CONTAINER WHICH HOLDS FLAMMABLE LIQUIDS OR GASES:		
CASES:		
CONTAINER SETBACK FROM LOT LINES		BETWEEN ABOVE GROUND
		CONTAINERS
		(FEET)
0 TO 2,000	25	3
2,000 TO 30,000	50	5
30,000 TO 60,000	50	5
IN EXCESS OF 60,000	75	100

PAVEMENT NOTES

- TYPICAL SECTIONS ARE INTENDED TO SHOW GENERAL FEATURES OF THE PROPOSED CONSTRUCTION. FOR EXACT DETAILS AT ANY GIVEN LOCATION, SEE THE PLANS.
- AT LOCATIONS WHERE THE FINAL SURFACE COURSE OF ASPHALT PAVEMENT IS TO BE FEATHERED INTO THE EXISTING SURFACE COURSE, THE EXISTING SURFACE COURSE IS TO BE MILLED TO A MINIMUM DEPTH OF 1" AND A TACK COAT APPLIED PRIOR TO FINAL PAVING TO ENSURE SMOOTH, WELL BONDED JOINTS.
- ANY NEW PAVEMENT LAYER OPENED TO TRAFFIC SHALL RECEIVE A TACK COAT PRIOR TO PLACEMENT OF ANY OVERLAYING ASPHALT LAYER.

ROAD NOTES

- SUBGRADE ON CUT SHALL BE COMPACTED FOR A MINIMUM OF ONE (1) FOOT IN DEPTH. SUBGRADES IN FILL SHALL MEET COMPACTION STANDARDS AT ALL LEVELS.
- GRAVEL USED IN BASE COURSES AND SURFACING SHALL BE CONSTRUCTED ON A COMPACTED SUBGRADE FREE OF ORGANIC MATTER. GRAVEL SHALL BE WELL-GRADED CRUSHED STONE AGGREGATE SUCH AS 1-1/2 INCH CRUSHER RUN WHICH SHALL BE PLACED AND ROLLED IN A MOIST CONDITION SO THAT THE FINES REMAIN MIXED WITH THE MORE COARSE MATERIAL.
- ASPHALT COURSES, WHERE APPLICABLE, SHALL BE APPLIED TO THE PREPARED GRAVEL SURFACE FOLLOWING THE APPLICATION OF A LIQUID ASPHALT PRIME COAT. ASPHALT SHALL CONSIST OF A PLANT-MIXED BITUMINOUS MATERIAL ROLLED SMOOTH. THE ASPHALT SURFACE SHALL BE SMOOTH, SEAMLESS AND OF A UNIFORM TEXTURE. ASPHALT MATERIAL SHALL COMPLY WITH THE MINIMUM SPECIFICATIONS REQUIRED BY THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION.

EARTHWORK NOTES

- ALL PERIMETER EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE PRIOR TO PERFORMING ANY EARTH DISTURBING ACTIVITIES.
- ALL CHANNEL CHANGES SHALL BE CONSTRUCTED DURING THE EARLIEST STAGE OF A PARTICULAR PHASE CONSTRUCTION AND SHALL BE CONSTRUCTED IN THE DRY WEATHER WHENEVER POSSIBLE. STABILIZATION OR VEGETATION SHALL BE ESTABLISHED BEFORE FLOW IS REDIRECTED THROUGH THE CONSTRUCTED AREAS AS DIRECTED BY THE ENGINEER.
- SUBSOIL UNDER REPLACEMENT PAVEMENT SHALL BE COMPACTED FOR A MINIMUM OF ONE (1) FOOT IN DEPTH.
- AREAS OF YIELDING OR SOFT MATERIAL UNDER PROPOSED PAVEMENT SHALL BE OVER-EXCAVATED TO A DEPTH OF 12 INCHES AND REPLACED WITH SUITABLE MATERIAL, AND COMPACTED.
- ALL FINISHED GRADING AND PAVING SHALL BE DONE IN SUCH A MANNER TO PRECLUDE THE PONDING OF WATER ON THE SITE, PARTICULARLY ADJACENT TO EXISTING OR PROPOSED BUILDINGS AND STORM INLETS.
- EXCAVATION SUPPORT SYSTEM SHALL CONFORM TO THE PROVISIONS OF OSHA CONSTRUCTION STANDARD 29 CFR PART 1926 SUBPART P.

RIP-RAP

- RIP-RAP SHALL BE A DURABLE STONE, ANGULAR IN SHAPE, GRADED THROUGHOUT THE INDICATED SIZE RANGE AND DUMPED, UNROUTED, ON A FILTER MEDIUM, SUCH AS POLYFILTER X OR TYPAR, SO AS TO CREATE A MINIMUM OF VOIDS.

FIRE PROTECTION

- THE EXISTING FIRE HYDRANT LOCATED IN THE PUBLIC RIGHT OF WAY ACROSS THE STREET FROM THE SITE IS APPROXIMATELY 950 FT. FROM THE CENTER OF THE SITE. IT WAS AGREED UPON AS ADEQUATE FOR FIRE PROTECTION BETWEEN PATTON HARRIS RUST & ASSOCIATES (PENNONI ASSOCIATES, INC.) AND UNIVERSAL FOREST PRODUCTS EASTERN DIVISION, INC.

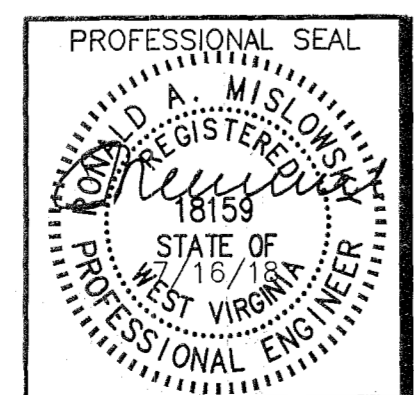
LEGEND

	EXISTING	PROPOSED
PROPERTY LINE	.....	.....
STREET CENTERLINE	.....	.....
CONTOURS	..... 24	..... 24
CURB AND GUTTER	.....	CG-6 TRANS. CG-6R
EDGE OF PAVEMENT	.....	.....
STORM SEWER	.....	.....
SANITARY SEWER	.....	.....
WATERMAIN	..... W/M	..... W/M
GAS LINE	..... G	..... G
OVERHEAD ELECTRIC	..... OHE	.....
UNDERGROUND ELECTRIC	..... UGE	..... UGE
OVERHEAD TELEPHONE	..... OHT	.....
UNDERGROUND TELEPHONE	..... UGT	..... UGT
FENCE LINE	.....	.....
WATER METER	.....	.....
WATER VALVE	.....	.....
FIRE HYDRANT	.....	.....
UTILITY POLE	.....	.....
TRAFFIC SIGNAL POLE	.....	.....
STREET LIGHT	.....	.....
SPOT SHOT	..... 23.45	..... 23.56
STORM STRUCTURE LABEL	..... 1	..... 5
SANITARY STRUCTURE LABEL	..... 2	..... 5
SIGN	.....	.....
TREE	.....	.....
TREE LINE	.....	.....
LIMITS OF GRADING	.....	.....
TEST HOLE	.....	.....
PARKING SPACES NUMBER	.....	.....
BENCHMARK	.....	.....
BUILDING WALL	.....	.....
DOOR LOCATION	.....	.....

ABBREVIATIONS

A	ARC	PCR	POINT OF CURB RETURN
AC	ACRE	PC	POINT OF CURVATURE
@	AT	PP	POWER POLE
BM	BENCH MARK	PRC	POINT OF REVERSE CURVATURE
BLDG	BUILDING	PVI	POINT OF VERTICAL INTERSECTION
BRL	BUILDING RESTRICTION LINE	PVC	POINT OF VERTICAL CURVATURE OR POLYVINYL CHLORIDE
CL	CENTERLINE	PVMT	PAVEMENT
C	RATIONAL RUNOFF COEFFICIENT	PVT	POINT OF VERTICAL TANGENCY
CG	CURB AND GUTTER	PT	POINT OF TANGENCY
CH	CHORD	PL	PROPERTY LINE
CD	CLEAN DUT	PRDP	PROPOSED
CGN	CONCRETE	R	RADIUS
CMP	CORRUGATED METAL PIPE	RED	REDUCER
CY	CUBIC YARDS	RCP	REINFORCED CONCRETE PIPE
XING	CROSSING	RT	RIGHT
DI	DROP INLET	RWD	RIGHT-OF-WAY
DIA	DIAMETER	SAN	SANITARY
DNG	DRAINAGE	SEW	SEWER
EP	EDGE OF PAVEMENT	SHLD	SHOULDER
ESMT	EASEMENT	SHT	SHEET
EX	EXISTING	SD	SIGHT DISTANCE
FC	FACE OF CURB	SF	SQUARE FOOT
FH	FIRE HYDRANT	STA	STATION
FF	FIRST FLOOR OR FINISHED FLOOR	STM	STORM
FL	FLOW LINE	SY	SQUARE YARDS
FM	FORCE MAIN	TC	TOP OF CURB
GV	GATE VALVE	TEMP	TEMPORARY
HP	HIGH POINT	TS	TOP OF SIDEWALK
INV	INVERT ELEVATION	TW	TOP OF WALL
IPF	IRON PIPE FOUND	TYP	TYPICAL
IPS	IRON PIPE SET	UG	UNDERGROUND ELECTRIC
LAT	LATERAL	UE	UNDERGROUND GAS
LF	LINEAR FEET	UT	UNDERGROUND TELEPHONE
LQS	LANDSCAPE OPEN SPACE	UTV	UNDERGROUND TELEVISION
LT	LEFT	VC	VERTICAL CURVE
LTP	LIGHT POLE	W	WATER
LP	LOW POINT	WL	WATERLINE
MAX	MAXIMUM	WM	WATER METER
MIN	MINIMUM	WS	WATER SURFACE
OS	OFFSET	WW	WASTE WATER
PRL	PARKING RESTRICTION LINE		
PCC	POINT OF COMPOUND CURVATURE		

NO.	DESCRIPTION	DATE	CHKD
	REVISION		



PROJECT
**UNIVERSAL FOREST PRODUCTS
RANSON PLANT EXPANSION**
CHARLES TOWN DISTRICT
RANSON, WEST VIRGINIA

TITLE
**NOTES, LEGEND
& ABBREVIATIONS**

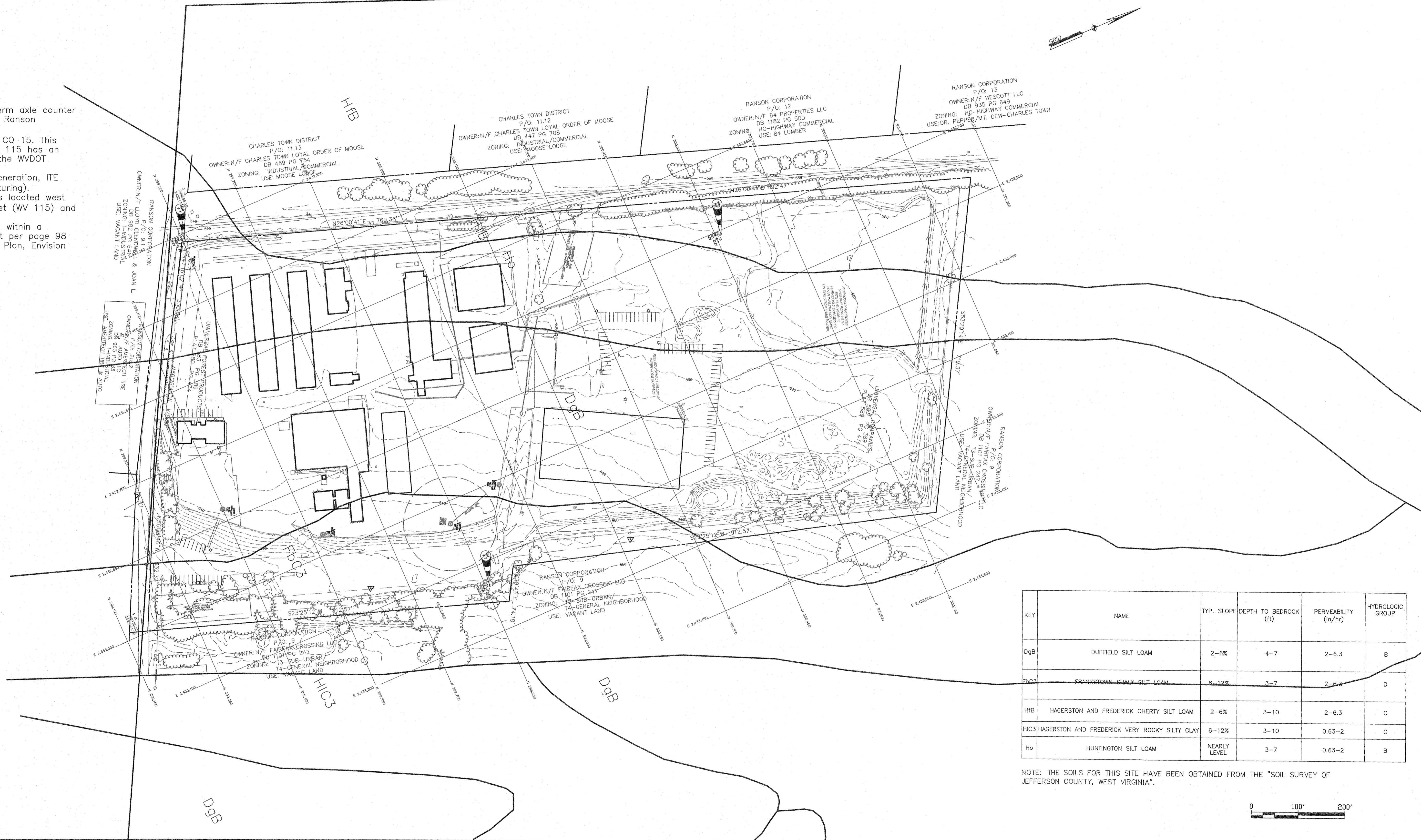
Pennonni Pennoni Associates Inc.
Engineers • Surveyors • Planners
Landscape Architects
208 Church Street, SE • Leesburg, VA 20175
T 703.777.3616 • F 703.777.3725

DESIGN	IVM	SURVEY	PENNONI
DRAWN	IVM	DATE	DECEMBER 2017
CHECKED	MJ	SCALE	N/A
SHEET	2	FILE NO.	11154-1-3
	OF 5		

Time Period	ITE Land Use Code	140	Manufacturing			kaf (1,000 square feet)			Vehicle Trips			Notes
			X = 51.4	Total Trips (Equation)	Average Rate	Std. Dev.	Total Trips (Rate)	% Enter	% Exit	Total	Entering		Exiting
Weekday	T = 3.88(X) - 20.70	0.82	179.00	3.93	2.62	202.00	50%	50%	202	101	101	Average Rate
AM Peak Hour of Adj. Street	T = 0.83(X) - 29.52	0.80	13.00	0.81	0.96	41.63	72%	28%	42	30	12	Average Rate
PM Peak Hour of Adj. Street	T = 0.78(X) - 15.97	0.76	24.00	0.79	0.92	40.61	43%	57%	41	18	23	Average Rate
Saturday Peak Hour of Generator	N/A		0.28	*		14.39	50%	50%	14	7	7	Average Rate

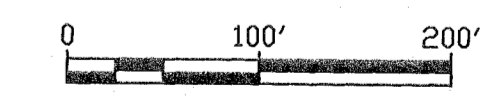
Traffic Impact Data:

- Station 1920632 is a short term axle counter located at a two way road in Ranson (Jefferson County) on WV 115 [LRS 19301150000], north of CO 15. This location on N. Mildred St., WV 115 has an AADT of 4,867 for 2016 per the WVDOT web-site.
- Refer to this sheet for trip generation, ITE Land Use Code 140 (Manufacturing).
- The nearest key intersection is located west of the site at N. Mildred Street (WV 115) and Old Leetown Pike.
- No highway problem areas fall within a one-mile radius of the project per page 98 and 99 of the Comprehensive Plan, Envision Jefferson 2035.

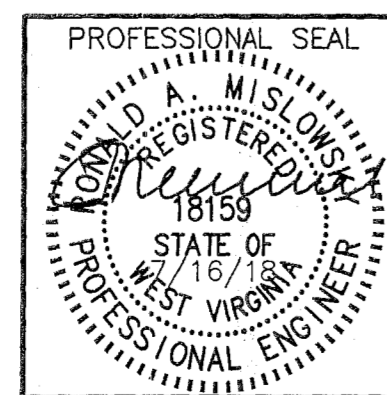


KEY	NAME	TYP. SLOPE	DEPTH TO BEDROCK (ft)	PERMEABILITY (in/hr)	HYDROLOGIC GROUP
D9B	DUFFIELD SILT LOAM	2-6%	4-7	2-6.3	B
HIC3	FRANKTOWN SHALY SILT LOAM	6-12%	3-7	2-6.3	D
HIB	HAGERSTON AND FREDERICK CHERTY SILT LOAM	2-6%	3-10	2-6.3	C
HIC3	HAGERSTON AND FREDERICK VERY ROCKY SILTY CLAY	6-12%	3-10	0.63-2	C
H0	HUNTINGTON SILT LOAM	NEARLY LEVEL	3-7	0.63-2	B

NOTE: THE SOILS FOR THIS SITE HAVE BEEN OBTAINED FROM THE "SOIL SURVEY OF JEFFERSON COUNTY, WEST VIRGINIA".



NO.	DESCRIPTION	DATE	CHKD
	REVISION		



PROJECT
**UNIVERSAL FOREST PRODUCTS
 RANSON PLANT EXPANSION**
 CHARLES TOWN DISTRICT
 RANSON, WEST VIRGINIA

TITLE
OVERALL PLAN

Pennoni Associates Inc.
 Engineers • Surveyors • Planners
 Landscape Architects
 208 Church Street, SE • Leesburg, VA 20175
 T 703.777.3616 • F 703.777.3725

DESIGN	SURVEY
IVM	PENNONI
DRAWN	DATE
IVM	DECEMBER 2017
CHECKED	SCALE
MJ	1"=100'
SHEET C100SUR	FILE NO.
3 OF 5	11154-1-3

July 10, 2018

Jefferson County Health Department
1948 Wiltshire Rd # 1
Kearneysville, WV 25430

**RE: Universal Forest Products Ranson Plant Addition Site Plan – Concept Plan
249 16th Avenue
Ranson, WV 25438**

The subject concept plan has been prepared to propose a new 50' x 175' (8,750 SF) pre-engineered building and show a possible 150' x 300' (45,000 SF) future building. In addition to the proposed and future structure, necessary parking and site improvements will be shown to provide more efficient daily plant operation. The proposed improvements will improve the overall site appearance and the structures will allow for the stacks of wood on pallets to be covered. The new 50' x 175' (8,750 SF) pre-engineered building is only a roof top structure with metal posts for support. The future 150' x 300' (45,000 SF) is still being coordinated internally, and no architectural drawings have been provided yet to show the final building type. Refer to the concept plan exhibit included for the building locations. It should be noted that no proposed utilities are being added as part of this concept plan.

Should you have any questions concerning the subject plan, please don't hesitate to contact us at (703) 840-4851 or (703) 840-4861.

Sincerely,

Pennoni



Mark Jerussi, P.E.
Senior Project Manager



Ian V. Morris
Project Engineer

RECEIVED

JUL 16 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

July 10, 2018

West Virginia Department of Health
One Davis Square, Suite 100 East
Charleston, WV 25301

**RE: Universal Forest Products Ranson Plant Addition Site Plan – Concept Plan
249 16th Avenue
Ranson, WV 25438**

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JUL 16 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

July 10, 2018

Jefferson County Public Service District
340 Edmond Rd
Kearneysville, WV 25430

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249 16th Avenue
Ranson, WV 25438**

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RECEIVED
JUL 16 2018
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

July 10, 2018

West Virginia Department of Environmental Protection
601 57th Street SE
Charleston, WV 25304

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249 16th Avenue
Ranson, WV 25438**

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JUL 16 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

July 10, 2018

Jefferson County Historical Landmarks Commission
116 East Washington Street
Charles Town, WV 25414

**RE: Universal Forest Products Ranson Plant Addition Site Plan – Concept Plan
249 16th Avenue
Ranson, WV 25438**

The subject concept plan has been prepared to propose a new 50' x 175' (8,750 SF) pre-engineered building and show a possible 150' x 300' (45,000 SF) future building. In addition to the proposed and future structure, necessary parking and site improvements will be shown to provide more efficient daily plant operation. The proposed improvements will improve the overall site appearance and the structures will allow for the stacks of wood on pallets to be covered. The new 50' x 175' (8,750 SF) pre-engineered building is only a roof top structure with metal posts for support. The future 150' x 300' (45,000 SF) is still being coordinated internally, and no architectural drawings have been provided yet to show the final building type. Refer to the concept plan exhibit included for the building locations. It should be noted that no proposed utilities are being added as part of this concept plan.

Should you have any questions concerning the subject plan, please don't hesitate to contact us at (703) 840-4851 or (703) 840-4861.

Sincerely,

Pennoni



Mark Jerussi, P.E.
Senior Project Manager



Ian V. Morris
Project Engineer

RECEIVED

JUL 16 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

July 10, 2018

Jefferson County Addressing/GIS Office
116 East Washington Street, Suite 201
Charles Town, WV 25414

**RE: Universal Forest Products Ranson Plant Addition Site Plan – Concept Plan
249 16th Avenue
Ranson, WV 25438**

The subject concept plan has been prepared to propose a new 50' x 175' (8,750 SF) pre-engineered building and show a possible 150' x 300' (45,000 SF) future building. In addition to the proposed and future structure, necessary parking and site improvements will be shown to provide more efficient daily plant operation. The proposed improvements will improve the overall site appearance and the structures will allow for the stacks of wood on pallets to be covered. The new 50' x 175' (8,750 SF) pre-engineered building is only a roof top structure with metal posts for support. The future 150' x 300' (45,000 SF) is still being coordinated internally, and no architectural drawings have been provided yet to show the final building type. Refer to the concept plan exhibit included for the building locations. It should be noted that no proposed utilities are being added as part of this concept plan.

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Senior Project Manager



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Project Engineer

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JUL 16 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

July 10, 2018

West Virginia Department of Division of Highways
1900 Kanawha Blvd E
Building 5
Charleston, WV 25305

**RE: Universal Forest Products Ranson Plant Addition Site Plan – Concept Plan
249 16th Avenue
Ranson, WV 25438**

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Senior Project Manager



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Project Engineer

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JUL 16 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

July 10, 2018

Jefferson County Schools
110 Mordington Avenue
Charles Town, WV 25414

**RE: Universal Forest Products Ranson Plant Addition Site Plan – Concept Plan
249 16th Avenue
Ranson, WV 25438**

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Sincerely,

Pennoni



Mark Jerussi, P.E.
Senior Project Manager



Ian V. Morris
Project Engineer

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JUL 16 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

S18-04

July 10, 2018

Jefferson County Emergency Services Agency
419 16th St
Ranson, WV 25438

**RE: Universal Forest Products Ranson Plant Addition Site Plan – Concept Plan
249 16th Avenue
Ranson, WV 25438**

The subject concept plan has been prepared to propose a new 50' x 175' (8,750 SF) pre-engineered building and show a possible 150' x 300' (45,000 SF) future building. In addition to the proposed and future structure, necessary parking and site improvements will be shown to provide more efficient daily plant operation. The proposed improvements will improve the overall site appearance and the structures will allow for the stacks of wood on pallets to be covered. The new 50' x 175' (8,750 SF) pre-engineered building is only a roof top structure with metal posts for support. The future 150' x 300' (45,000 SF) is still being coordinated internally, and no architectural drawings have been provided yet to show the final building type. Refer to the concept plan exhibit included for the building locations. It should be noted that no proposed utilities are being added as part of this concept plan.

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Sincerely,

Pennoni



Mark Jerussi, P.E.
Senior Project Manager



Ian V. Morris
Project Engineer

RECEIVED

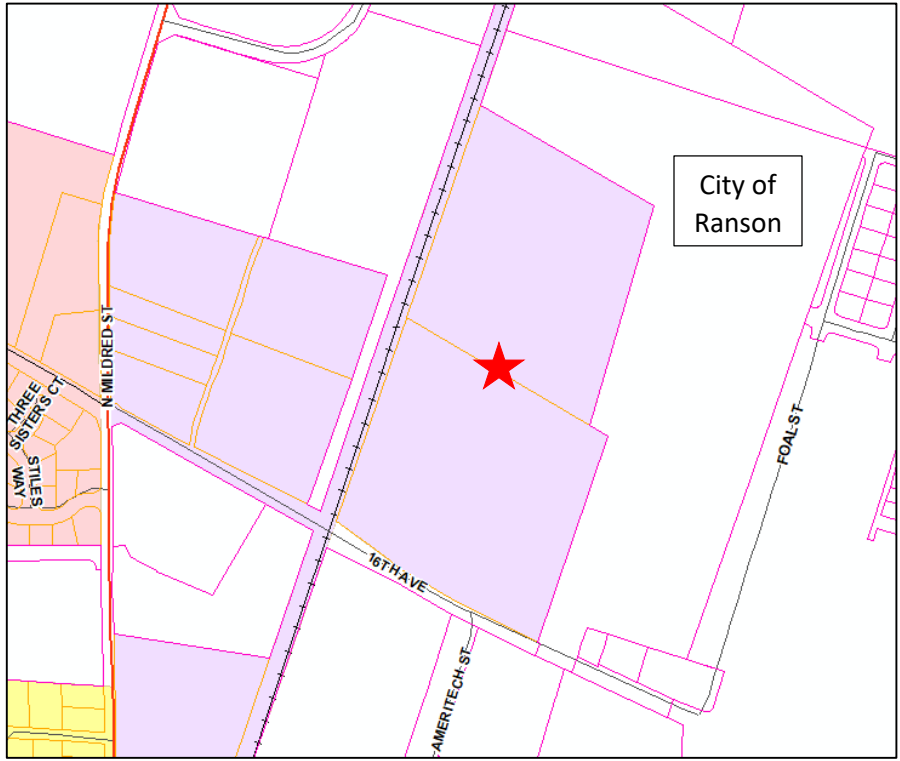
JUL 16 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

Staff Report
 Jefferson County Planning Commission Meeting
 August 14, 2018

Item #5

Public Hearing: Request by applicant Universal Forest Products, Eastern Division, Inc. for a waiver from Appendix B, Section 10.6 of the Subdivision Regulations. The applicant is requesting to not install sidewalks. File: PCW18-11.

APPLICANT:	Universal Forest Products, Eastern Division Inc.
OWNER:	Same as Applicant
DEVELOPER:	Same as Applicant
CONSULTANT:	Pennoni Associates, Inc.
PROPERTY LOCATION:	249 16 th Ave., Ranson, WV
LEGAL DESCRIPTION & ZONING DISTRICT	District: Charles Town (02); Tax Map: 7; Parcel: 11.16 & 11.18; Size 29.88 ac; Zone: Industrial Commercial 
	Zoning Map Designation: <i>North:</i> City of Ranson <i>South:</i> City of Ranson <i>East:</i> City of Ranson <i>West:</i> Industrial Commercial
PARCEL HISTORY:	S05-14: Site Plan for a 9,000 sq. ft. additional building & proposed treating facility. 10/20/05: BZA granted variance from landscaping requirements. 8/9/18: Zoning Variance request to reduce required landscaping (pending) 8/14/18: Concept Plan for a 8,750 sq. ft. and 45,000 sq. ft. building (pending)

Staff Report
Jefferson County Planning Commission Meeting
August 14, 2018

1. Site Background:

The development of the Universal Forest Products, Eastern Division property, located just outside of the Corporation of Ranson, pre-dates the adoption of Zoning and Subdivision Regulations in Jefferson County.

In 1999, a merger plat was processed creating the 29.88 acre parcel where the facility currently exists. The last Site Plan (S05-14) was approved in 2005. At that time, a variance was granted by the BZA related to the required screening and buffering requirements around the perimeter of the property for those proposed improvements. Since that time, a number of red-line revisions have been processed related to changes in materials and stormwater design and the relocation of a previously approved building.

In 2017, it became apparent that numerous changes and expansions were made on site, including some changes to the stormwater retention design in response to comments from WV DEP and the expansion of parking areas, without approval of a revised or new site plan. On May 18, 2018, the applicant submitted a Site Plan to address numerous stormwater and parking revisions which had occurred and is proposing two pre-engineered buildings (8,750 sq. ft. and 45,000 sq. ft.). Due to the size of the structures, a Site Plan Determination letter was sent to the applicant stating that a Concept Plan is required prior to processing the Site Plan. The Public Workshop for this Concept Plan was held at today's meeting.

2. Site Location

The property on which this facility is located sits on the northern edge of Ranson and abuts properties within Ranson on two sides, with the railroad along its western edge. The property is within the Ranson Urban Growth Boundary. When this facility was located here it was fairly well removed from the core neighborhoods and government center of Ranson and was developed as a stand-alone industrial business on a narrow two lane road. Across the railroad tracks to the west is a car dealership and a Moose Lodge. Across the street to the south is Ranson Self Storage. Traditionally, 16th Avenue was only travelled by truck traffic serving the businesses in this area.

In the early 2000's, the Jefferson County Emergency Services headquarters and staffed ambulance service was located at the corner of 16th Avenue and Foal Street. At about this same time, Fairfax Crossing began to be developed within Ranson, which includes a mixture of single family detached and townhouse development, as well as Potomac Towne Center which includes a significant commercial area near the WV 9 four-lane road. The ultimate goal of Ranson is for Fairfax Boulevard to connect from the downtown area of Ranson to this new development. As a result of these changes, the traffic pattern has changed on 16th Ave. and the road is now used by regular car traffic connecting N. Mildred Street with the Fairfax Crossing neighborhoods and commercial areas. At this time there are no sidewalks in this area but as the area becomes more urban in nature, sidewalks may become important for pedestrian traffic.

3. Summary of the Request:

The applicant is requesting a waiver from Appendix B, Section 10.6 of the *Subdivision Regulations* that requires sidewalks to support all non-residential subdivision/site development. The applicant is requesting to not install sidewalks.

4. Staff Comments:

Appendix B, Section 10.6A of the *Subdivision Regulations* does provide that on a case by case basis, the Office of Planning and Zoning may consider alternatives to traditional sidewalks such as hard surface

Staff Report
Jefferson County Planning Commission Meeting
August 14, 2018

trails or meandering paths and that Planning and Zoning Staff may allow a 10 foot pedestrian/bike easement(s) in-lieu of installation of a sidewalk, trail or path when in the judgment of Staff an easement(s) may be a preferred option. Staff generally does not administratively approve the use of an easement only for a commercially zoned property or in an area with urban level density and therefore required the submittal of this waiver request.

Additionally, the interconnectivity of businesses and neighborhoods was identified as an important objective of the *Envision Jefferson 2035 Comprehensive Plan* and, as such, the waiver of the required sidewalk, needs to be carefully considered. While the following excerpts from the Comp Plan are not requirements, they should be taken into consideration when reviewing this waiver request and may indicate the need to clarify this provision of the Subdivision Regulations in the future.

Comprehensive Plan Excerpts

Goals 12 and 13 relate to Transportation. Under Goal #13, which states “Provide a Variety of Options for Mobility and Accessibility for Jefferson County Residents and Visitors, including Public Transportation and Pedestrian/non-motorized Opportunities within the County and Between Neighboring Counties and States” (p. 202), the following objectives particularly relate to the provision of sidewalks:

Objective #4: Implement a network of sidewalks, shared roadways, and trails that are available to residents of Jefferson County and that connections along the trails/pathway are extended into adjoining neighborhoods, communities, and counties.

Objective #5: Require that sidewalks are constructed (or that at a minimum, easements are provided) within and connecting to existing and new development within the UGBs, PGAs, or Villages.

Under Subsection 2E “Transportation” there is a discussion of “Sidewalks and Trails” (p. 114) which includes the following benefits to sidewalks and trails:

“The increased availability of sidewalks and trails would encourage:

- greater transportation options;
- health, wellness and safety of residents;
- reduced transportation costs for both communities and for residents; and
- a greater sense of community.”

The Transportation Recommendations (Goals 12 & 13) Section (p. 116) includes the following

“#7 Strengthen provisions in the County’s Subdivision and Land Development Regulations to accomplish the following:

- a. Provide for the incremental construction of sidewalks and bicycle and pedestrian paths in and between new and existing neighborhoods as development occurs.
- b. Require commercial developers to enhance sidewalks, bicycle, and pedestrian paths accessibility, and visibility within their developments.
- c. Strive to provide connectivity between bike and pedestrian paths that pass through or connect to adjacent new and existing residential developments. (*emphasis added*)

The section entitled “Implementation Tools” includes numerous proposed actions for the Planning Commission including the development of opportunities for “interconnectivity for roads, sidewalks, and

Staff Report
Jefferson County Planning Commission Meeting
August 14, 2018

trails to other neighboring developments and property” to be required which, in turn, will reduce the traffic volumes on the primary roads.

Subdivision and Land Development Regulations Site Plan Components

Toward this end, the Jefferson County Subdivision and Land Development Regulations also includes Section 21.204 Pedestrian Circulation under Site Plan Components which states the following:

“All proposed site plans shall provide a safe, efficient, and attractive pedestrian environment. The criteria for this include:

- A. **Access to Adjoining Property.** The access to adjoining properties shall provide for continued pedestrian access to adjoining commercial properties. Where the adjoining use is residential, the connections shall be to any street's or stub street's sidewalks.
- B. **Crossings.** Crossings of roads or drives shall be clearly identified and signed to provide safe pedestrian crossings. Landscaping shall not interfere with sight distances. Traffic calming measures shall be encouraged in any locations where pedestrian crossings are proposed. . . .” (*emphasis added*)

Conclusion

The properties along 16th Avenue are within the Ranson Urban Growth Boundary and are located within an area that appears to need to plan for the future provision of pedestrian interconnectivity as the adjoining areas develop with commercial uses and townhouse and single family residential developments. The recommendations of the *Comprehensive Plan* regarding providing pedestrian interconnectivity makes this recommendation for existing as well as proposed development. The question always becomes how to begin to meet this goal in an area that is already partially developed without this feature. At a minimum, the provision of an easement along the frontage of this property allows for the potential for future pedestrian interconnectivity as other properties along this road develop or redevelop.

5. Waiver Requirements:

The applicant is requesting that the requirement for providing a sidewalk along the property frontage be waived. They have addressed the following requirements found in “Division 24.300 Waivers” of the Subdivision Regulations in their attached application:

Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- (2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- (4) that the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.

Staff Report
Jefferson County Planning Commission Meeting
August 14, 2018

6. Staff Recommendation:

Staff prefers to see the beginning of an interconnected sidewalk for this area of the County; however, if the Planning Commission is inclined to approve this waiver, staff recommends that a 10' easement be provided by deed or plat and that the easement be marked either by striping if the area is paved so both drivers and pedestrians are aware that foot traffic may occur in this area.



JEFFERSON COUNTY, WEST VIRGINIA
Dept. of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: PCW18-11
 Staff Initials: GH
 Sketch Received:
 List of Adjoiners:
 Fees Paid: 100.00

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Waiver Request

Note: Waivers from the 2008 Amended Subdivision Regulations must comply with Division 24.300 of the Subdivision Regulations.

Sketch on a separate sheet of paper the shape and location of lot. Show the location of the intended construction or land use indicating building setbacks, size, and height. Identify existing buildings, structures, or land uses on the property. Sign and date the sketch. Provide a vicinity map of the area and a list of the adjoining property owner's mailing addresses.

Property Owner Information

Name: UFP Eastern Division, Inc.
 Mailing Address: Route 9 West, P.O. Box 188; Ranson, WV 25438
 Phone Number: (616) 364-6161 Email: sweir@ufpi.com

Applicant Contact Information

Name: UFP Eastern Division, Inc.
 Mailing Address: 2801 East Beltline Avenue; Grand Rapids, Michigan 49525
 Phone Number: (616) 364-6161 Email: sweir@ufpi.com

Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)

Name: Pennoni Associates, Inc.
 Mailing Address: 208 Church Street, SE; Leesburg, VA 20175
 Phone Number: (703) 777-3616 Email: mjerussi@pennoni.com

Physical Property Details

Physical Address 249 16th Avenue; Ranson, WV 25438
 Tax District: Charles Town Map No: 7 Parcel No: 11.16 A&B
 Parcel Size: 29.8757 Deed Book: 926 Page No: 215

Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential-Light Industrial-Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (OC)
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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JUL 24 2018

JEFFERSON COUNTY
 PLANNING, ZONING AND ENGINEERING

Place Date Stamp Here

What Section of the Subdivision Regulations are you Requesting to Waive?

Section 10.6.

Briefly Describe the Nature of Your Waiver Request:

Waiver request to not provide a sidewalk along 16th Avenue.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

This is an existing private manufacturing facility that is privately maintained.

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

There are no existing sidewalks along 16th Avenue that provide access to any of the adjacent property owners or residents. Also, providing a sidewalk along the existing road frontage does not seem safe since there is an existing railroad that crosses 16th Avenue to the west of the subject property.


Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

Providing a sidewalk "where needed" to continue to the existing off-site is not needed since there are no existing sidewalks to tie into or continue.

Explain how the waiver, if granted, will result in a project of better quality and/or character.

This is an existing private site that DOES NOT have daily customer service. The daily plant operation is primarily manufacturing and product distribution to various customers via train or Universal Forest Products delivery trucks. A sidewalk proposed by this site does not provide any needed access to this facility or surrounding properties.

Original signature is required. The information given is correct to the best of my knowledge.


Signature of Property Owner 7/20/18
Date

Signature of Property Owner Date

To Be Completed By Office

Date of Public Meeting/Public Hearing

Official/Administrative Body

Date Property to be Posted By

Date Adjoiner Letters to be Mailed

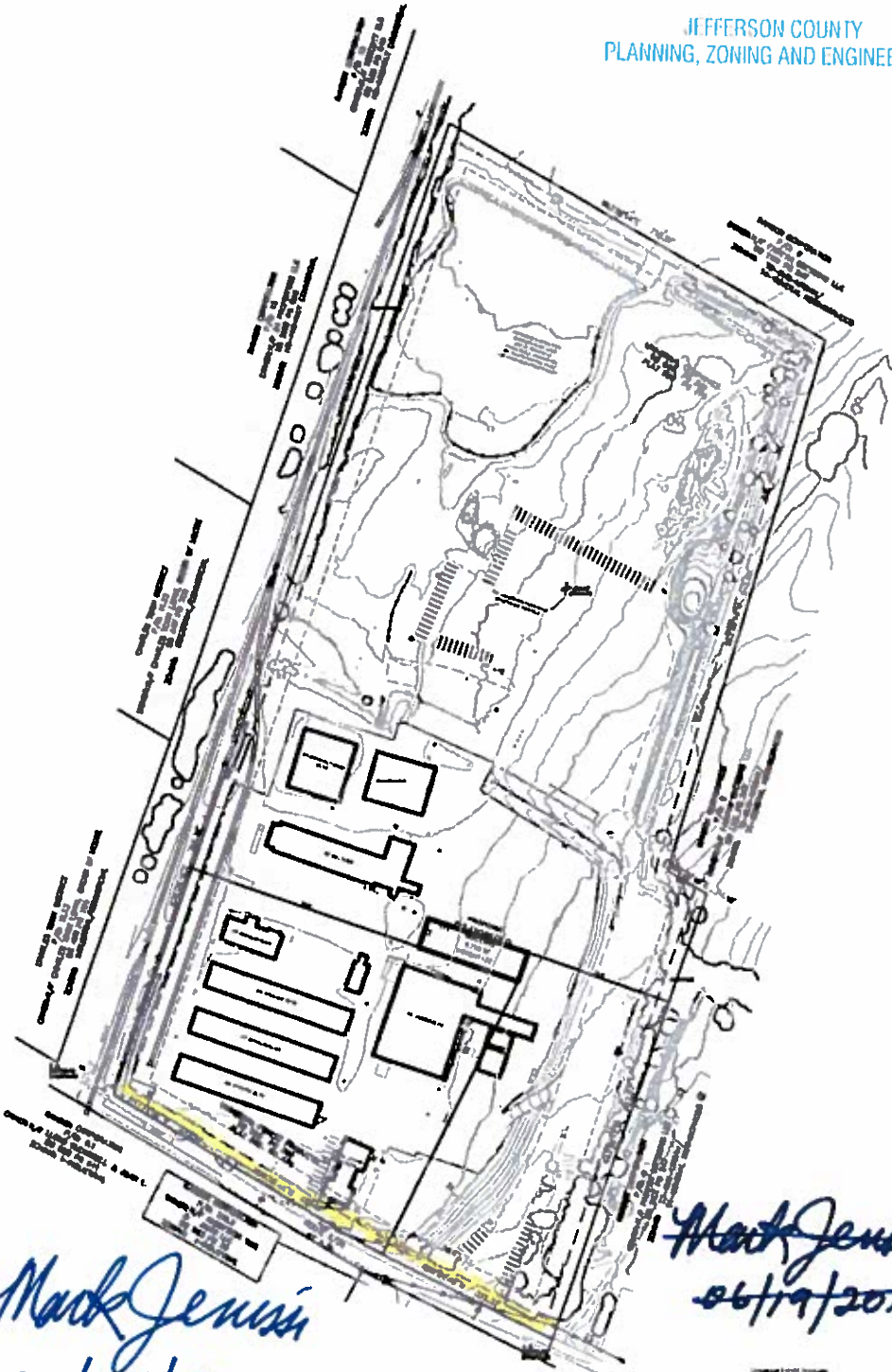
Approved/Denied by a vote of _____ for and _____ against this _____ day of _____, _____

Approved Denied

RECEIVED

JUL 24 2018

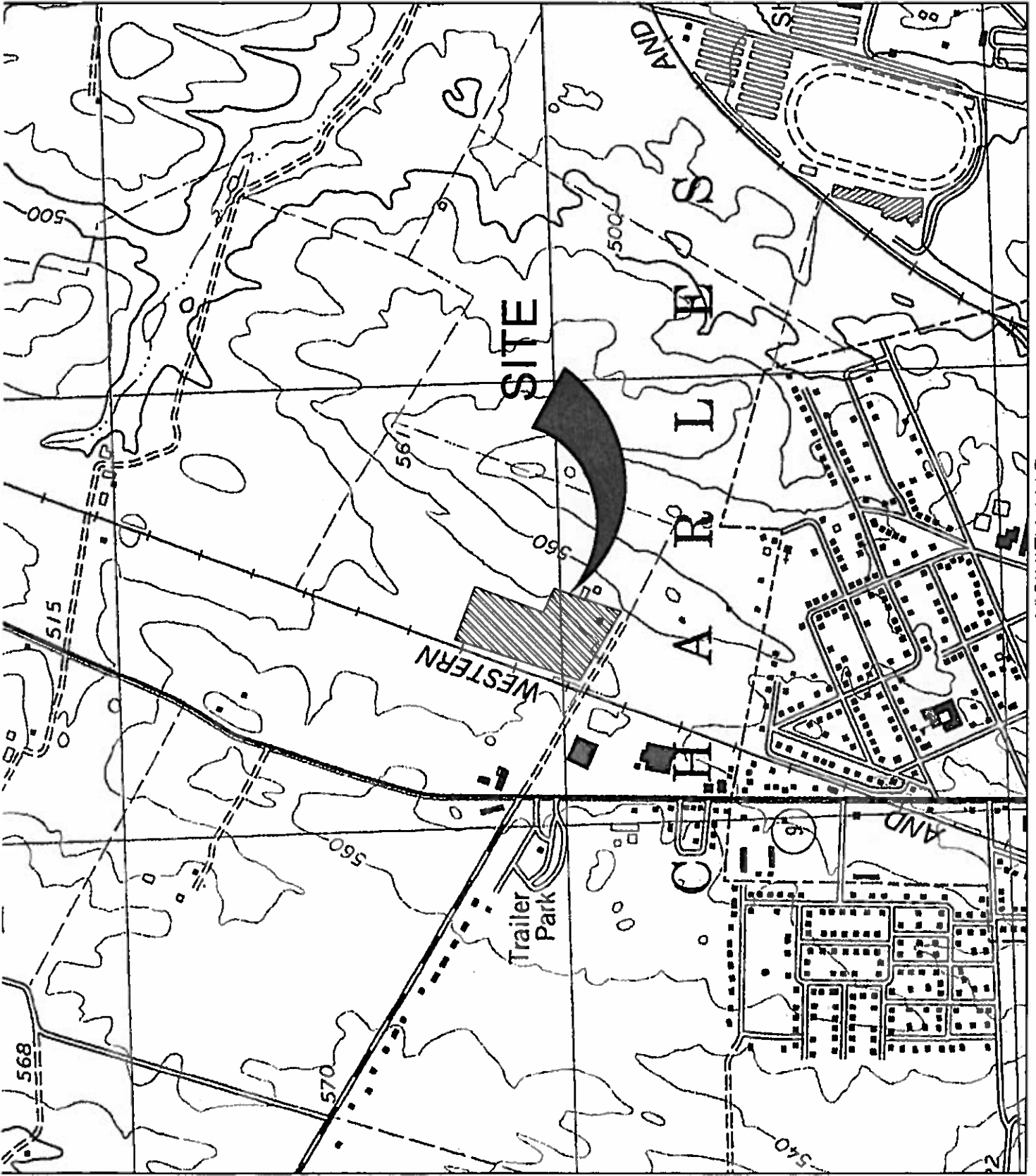
JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING



Mack Jensen
07/24/2018

Mack Jensen
06/19/2018

Landmark North Inc.
 10000 North 10th Street
 Suite 100
 Omaha, NE 68114
 Phone: (402) 426-1100
 Fax: (402) 426-1101
 www.landmarknorth.com



VICINITY MAP
1" = 500'

Staff Report
Jefferson County Planning Commission Meeting
August 14, 2018

Benson Road. No gate is proposed for the Peace Ridge Road entrance. This request is being made on behalf of the Crystal Lake Property Owner's Association to assist in the regulation of trespassers along those roads, thereby reducing vandalism and public disturbances along these roads and at the quarry lake. The applicant has indicated that this request does not result in a fully gated community but creates a situation which discourages trespassers and reduces cut-through traffic.

The minutes of the 2017 and 2018 Crystal Lake Property Owners Association are attached to the application. In 2017, the Association voted no to the Cherry Run Road gate (7 yes to 10 no) and yes to the Broken Rock Road gate (11 yes to 7 no). In 2018, the Association voted yes (12 yes to 1 no) to the Cherry Run Road gate.

Note that a number of written objections to this request have been received since this Public Hearing was scheduled and that those are included in this packet as well as a response from the applicant representing the Crystal Lake Property Owners Association.

2. Background:

The original Valley View subdivision, consisting of 49 lots, is located just north of the village of Bakerton. It was created in 1974 and processed under the early Subdivision Ordinance adopted by the Jefferson County Commission. The lake that is focal point of the HOA property, "Crystal Lake", is the remnant of an old quarry. All lots within the development and some other properties in the Bakerton area have permitted access to the HOA property containing the lake. The subdivision has its primary access via its main entrance off Carter Avenue, now known as Peace Ridge Road. A portion of this entry road is paved. There are also two narrow, gravel roads which provide access to the development and have become a convenient access for trespassers, primarily teens accessing the lake, and for cut-through traffic from Carter Avenue to Bakerton Road.

The Planning file for this project (#74-71) indicates that as far back as 1992 it had become apparent to some of the residents that trespassers were becoming an issue and there is a record of a number of arrests and deaths. In December 1992, a Violation Notice was sent to the Crystal Lake Property Owner's Association regarding blockades that had been placed at the intersection of Ridge Road (now known as Peace Ridge Road) and Valley View Drive (now known as Broken Rock Road) and at the intersection of Ridge Road and Lake View Drive (now known as Cherry Run Road).

In response to this violation notice, the Planning Commission held a Public Hearing on May 11, 1993 on a follow up request by the Crystal Lake Property Owners Association (Bakerton Quarry) to allow the closure of the connecting road then known as Ridge Road (now known as Peace Ridge Road) which was owned by the Association and which led to the quarry area. The request was to be able to close the road from May 1 through October 1 of each year. Planning staff indicated that they had received numerous complaints and calls of concern about the use of this road over the years. At that time the staff recommended that if the Planning Commission decided to allow closure of the road that an agreement be submitted stating the Fire Companies and Emergency Services has approved the arrangement. The Planning Commission approved a motion to allow closure of the portion of the road as presented from May 1 through October 1 of each year contingent upon something being submitted in writing acknowledging the Fire Companies serving the area and Emergency Services Office are in agreement with the closure.

The approved request was revisited two months later at the July 13, 1993 Planning Commission meeting. At this meeting it was reported that letters had been submitted by the Fire Chief of Shepherdstown Fire Company and the Director of Jefferson County Emergency Services opposing closure of the road. A letter from the Fire Chief of Friendship Fire Company supported closure of the

Staff Report
Jefferson County Planning Commission Meeting
August 14, 2018

road. The planning and engineering staff also recommended that the road remain open. The Planning Commission then approved a motion that Ridge Road remain open; noting that the conditions of closure had not been met as stipulated by the Commission on May 11, 1993.

3. Staff Comments:

Generally, planners are focused on the overall health, safety and welfare of the entire community and promote goals that ensure emergency services responsiveness and protection, and that encourage the interconnectivity of the community. For this reason, subdivision regulation standards are generally not supportive of gated communities because they contradict these principles. On the other hand, new technology exists that enables emergency services to have consistent easy access through gated roads. Please refer to the letter received from the Bakerton Fire Department regarding their thoughts on the gate technology.

It also appears that, in this case, there is disagreement amongst the neighbors as to whether the proposed gates would, in fact, better protect their neighborhood or would increase the risks to the health, safety and welfare of the residents in this neighborhood. These concerns need to be carefully weighed by the Planning Commission during this hearing.

4. Waiver Requirements:

The applicant is requesting that the requirement to prohibit obstructions in a shared access be waived and to be allowed to construct a gated community.

Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- (1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- (2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- (3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- (4) that the waiver if granted will result in a project of better quality and/or character.

The Planning Commission should consider the information included in this report and provided by the applicant as well as the neighbors who are objecting to this request. In particular, whether the waiver, if granted, “will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents”.

5. Staff Recommendation:

Staff believes that the requested placement of obstructions in a neighborhood’s access easements and the creation of a partially gated community is contrary to the recommendations of the *Envision Jefferson 2035 Comprehensive Plan* which encourages interconnectivity and ensuring that all residences and businesses have adequate access to emergency services by police, fire and ambulance. Staff therefore does not support this waiver request.



JEFFERSON COUNTY, WEST VIRGINIA
Dept. of Engineering, Planning, and Zoning
Office of Planning and Zoning
 116 East Washington Street, P.O. Box 716
 Charles Town, WV 25414
 www.jeffersoncountywv.org

File Number: PCW18-10
 Staff Initials: JH
 Sketch Received: _____
 List of Adjoiners: _____
 Fees Paid: 100.00

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Waiver Request

Note: Waivers from the 2008 Amended Subdivision Regulations must comply with Division 24.300 of the Subdivision Regulations.

Sketch on a separate sheet of paper the shape and location of lot. Show the location of the intended construction or land use indicating building setbacks, size, and height. Identify existing buildings, structures, or land uses on the property. Sign and date the sketch. Provide a vicinity map of the area and a list of the adjoining property owner's mailing addresses.

Property Owner Information

Name: CRYSTAL LAKE PROPERTY OWNERS ASSOC
 Mailing Address: PO BOX 22 BARKERTON, WV 25410
 Phone Number: 609 312 8283 Email: MYCLPOA@gmail.com

Applicant Contact Information

Name: Nick Bajada, Secretary CLPOA
 Mailing Address: 321 Peace Ridge Rd Harpers Ferry WV 25425
 Phone Number: 609 312 8283 Email: nickbajada@gmail.com

Applicant Registered Engineer(s), Surveyor(s), or Consultant(s)

Name: N/A
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details

Physical Address: Barkerton Rd + Broken Rock Rd; Cherry Run Rd + Benson Dr
 Tax District: _____ Map No: _____ Parcel No: _____
 Parcel Size: _____ Deed Book: _____ Page No: _____

Zoning District (please check one)

Residential Growth (RG)	Industrial Commercial (IC)	Rural (R)	Residential-Light Industrial-Commercial (R-LI-C)	Village (V)	Neighborhood Commercial (NC)	General Commercial (GC)	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
			Highway Commercial (HC)	Light Industrial (LI)	Major Industrial (MI)	Planned Neighborhood Development (PND)	Office/Commercial Mixed-Use (OC)
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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JUL 20 2018

JEFFERSON COUNTY
 PLANNING, ZONING AND ENGINEERING
Place Date Stamp Here

What Section of the Subdivision Regulations are you Requesting to Waive?

Section 22.007 B

Section 21.401

Briefly Describe the Nature of Your Waiver Request:

Gates at Cherry Run Rd + Benson Dr, and at Broken Rock Rd and Bakerton Rd. Leaving Peace Ridge Rd ungated. Creating a no through-way development.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

NOT Applicable

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

Valley View subdivision has 3 egresses @ Peace Ridge Rd, Cherry Run Rd, and Broken Rock Rd. Only 2 roads will be gated with an electronic access. Leaving Peace Ridge Rd open. Peace Ridge Rd is paved and is to remain open.

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

This will allow us to help regulate trespassers to the Crystal Lake (Bakerton, Sec 09). Trespassers cause vandalism, and public disturbance. Gates will help prevent this occurrence. Also residents of Bakerton use Peace Ridge Rd + Bakerton Broken Rock Rd to shortcut to Shepherdstown. This causes excess wear + tire to gravel roads.

Explain how the waiver, if granted, will result in a project of better quality and/or character.

Gates will eliminate trespassers to the Quarry, and Motor Vehicles to on gravel roads. One resident has asphalt, and cant open the windows to her own house due to dust kicked up from vehicles on gravel roads.

Original signature is required. The information given is correct to the best of my knowledge.

Signature of Property Owner

7-11-18

Date

Signature of Property Owner

Date

To Be Completed By Office

_____ Date of Public Meeting/Public Hearing

_____ Date Property to be Posted By

_____ Official/Administrative Body

_____ Date Adjoiner Letters to be Mailed

Approved/Denied by a vote of _____ for and _____ against this _____ day of _____,

Approved Denied

**Minutes for the Annual Meeting of Members to the
Crystal Lake Property Owners Association
(CLPOA, Inc.)**

Date: 5 May 2018

Location: Bethel Methodist Church, Bakerton, WV

Purpose: To elect directors and for the transaction of any other business that may properly come before the meeting, including the maintenance of the roads and the common areas.

Ted acted as chairperson, and Nick Bajada acted as secretary of the meeting.

1. Call to order

The meeting was called to order at 2:10 p.m.

Proceedings:

The secretary announced that the following members, constituting a quorum, were present in person or by proxy:

Name	Owned Lots	Proxyholder, if any
Andrew Wandler	25	n/a
Ted Shobe	38	n/a
Nick Bajada	31,32,35	n/a
Jim Cummins	36	Ted Shobe
Anna and Colin Cook	44A	n/a
Dan VanBelleghem	46A	
Lew Wolfson	27	Dan VanBelleghem
William Hufnagel	21	

Lance Gladstone	46C	Abstain from voting
Grant and Renny Smith	9,9A	
Sheryl Nutting	47	n/a
Jim Miner	39	n/a
Theo Cullum	37	
Byron Allen		
Ashlee and Jason Young	26	Anna Cook

2. Approval of previous year's minutes

Minutes approved 11-0
 -Baron Left the meeting.

3. Reports on past year activity and plans for coming year

A. Snow account is negative. One time assessment of \$60 per lot to balance the snow account. Hold on a vote.

I. Increase to insurance by \$8 per unit, Snow assessment of \$60/unit.

II. Motion to approve budget approval for 2019.

a) Motion approved 12-0

B.

I. Collections: Filing of liens is an expense. We will file every 2 years on all properties in the rears. Final notices are attached to annual dues before a lien is submitted.

II. Insurance: Annual insurance rate has gone up. This resulted in an increase of \$8 per unit.

III. Legal: Annual dues for legal are to remain consistent.

C. Recreational Areas

I. Quarry

a) Security has been making a great front on trespassers. There has been a significant reduction. Last 2 years we tried a

security company. Last year we hired an individual directly. The outcome was positive. The hired guard lasted longer than any other guard. This year we will try again with a direct hire through advertising the position.

-hang up sign of Private property for Quarry

- b) Gates: Last year members approved gate on broken rock and Bakerton rd. We are in final phases of county approval for the gate to be installed.

-Sheryll Nutting Left the meeting

- a. Motion to implement a gate on Cherry Run Rd based on available funds in roads and recreation accounts, without requiring a one-time assessment. The board will be responsible for implementing the gate in phases as appropriate or as necessary, 1. Installing post. 2 installing manual gate. 3 installing electrical connection for automation.

Motion Passed 12-1

II. River Access

- a) Very overgrown, and a lot of logs on the access road. Needs volunteers to clear the lot for access and use.

D. Community

- I. No annual gathering is planned.

E. Road Maintenance

- I. Snow removal this previous season was performed by Larry Smith. Complaints of snow plow blowing a lot of gravel onto resident's yards. Maintaining a consistent contractor each year for the snow removal will help learn how our roads are, and each year we can expect improvements on how the roads are plowed. A volunteer can ride along with the plow driver to help instruct issues that have risen previously.

II. Separate management of roads and snow.

- a) Motion to amend Roads committee to clarify that roads committee is not responsible for snow. The board will need to implement a separate body for snow removal.

III. Continuance of using Larry for roads and snow.

- IV. The paved section of Peace Ridge Road is costly to maintain. The discussion is to whether we maintain the asphalt or convert the road

back to gravel. The residents that were present discussed future options of improving the current tar and chip or converting it back to gravel. Discussion was in the best interest, but there were no members present whose lot faces the paved section of road.

- F. Other business. No other business brought to the table.
- G. Currently we have 5 board members. Ted, Andy, Jim, Nick and Anna. Nick is resigning as secretary and will resign from the board when another member can be brought on to maintain 5 members. Anna will be stepping down from the Board.
Renny Smith volunteered to join the board. All members approved the nomination and election of Renny Smith. 12-0.
- H. Adjournment. Motion approved. Meeting Adjourned at 3:50pm.

**Minutes for the Annual Meeting of Members to the
Crystal Lake Property Owners Association
(CLPOA, Inc.)**

Date: 21 May 2017

Location: Bethel Methodist Church, Bakerton, WV

Purpose: To elect directors and for the transaction of any other business that may properly come before the meeting, including the maintenance of the roads and the common areas.

Andrew Wandler acted as chairperson, and Nick Bajada acted as secretary of the meeting.

1. Call to order

The meeting was called to order at 2:10 p.m.

Proceedings:

The secretary announced that the following members, constituting a quorum, were present in person or by proxy:

Name	Owned Lots	Proxyholder, if any
Andrew Wandler	25	n/a
Ted Shobe	38	n/a
Nick Bajada	31,32,35	n/a
Jim Cummins	36	n/a
Anna Cook	44A	n/a
Remy Jakstys	30	James Weller
Ashley and Jason Young	26	James Weller
Neal Snyder	44B	James Weller

Lewis Wolfson	27	James Weller
Sharon Canfield-Major	42,43	James Weller
Sheryl Nutting	47	n/a
Jim Miner	39	n/a
Elizabeth Allen	15	Byron Allen
Theodora Cullum/Lane Harner	37	Ted Shobe
Renny Smith	9	n/a
Grant Smith	9.1	n/a
Dan Van Belleghem	46A	n/a
Michael Roberts	33	n/a
Anne Kask	13	Renny Smith
Barbara Hotz	10,11	Renny Smith
Helen Marie Shea	34	Nick Bajada
Paula LeBlanc	12	James Miner

The secretary attached written proxy statements, executed by the appropriate members, to these for any members listed above represented by a proxyholder. No other persons were present at the meeting.

The vice president welcomed 2 new residents: Colin and Anna Cook (Anna present) and Jim and Antonia Lehman(not present).

Agenda

Jim Cummins made a request regarding the order of items on the agenda. He requested that the Road Maintenance topic be moved to the end of the agenda. His motion was seconded and unanimously approved.

2. Approval of previous year's minutes

The minutes from the prior members' meeting had been distributed prior to the meeting. The Vice President asked if anyone had any corrections to the minutes.

With no corrections to be made, the previous year's minutes were unanimously accepted, with no abstentions.

3. Reports on past year activity and plans for coming year

A. Recreational Areas

I. Quarry

- a) A new security guard starts today. His contract is for 1-6 p.m. or 2-7 p.m. Friday, Saturday, and Sunday. Salary is paid by a voluntary fund handled by Andrew Wandler.
- b) There are no weapons permitted at the quarry
- c) There will be no road gates placed on the corner of Broken Rock Road and Peace Ridge Road, nor Peace Ridge Road and Cherry Run Road.
- d) All references to the Bakerton Quarry found on the internet were reported to the website manager for removal. This includes references and content found on Google Maps, YouTube, and Facebook.
- e) Residents of Valley View need to assist in reporting any trespassers to the CLPOA board or the Jefferson County Sheriff Department.
- f) The quarry needs to look "lived in" to help deter trespassers. The current state of the quarry and the black entrance gate makes it appear abandoned. It was suggested that signs help, and maybe we can get more signage. Suggestion for "Parking with permit only" sign.

Motion to have fencing installed along the common property that fronts Peace Ridge Road. Motion was suspended and unanimously approved to have the CLPOA Board to choose fencing options after further research and discussion.

II. River Access

- a) River access is an ongoing project. The CLPOA Board is trying to conduct a property survey to identify the corner markers. Remy had stated during a previous meeting, he has found some but not all corner markers. The river property has been subjected to attempts of adverse possession from a bordering neighbor.
- b) Quarry and river rights and financial obligations for Potomac Farms is an ongoing concern. This issue requires a lawyer's

interpretation of our current deeds, the CLPOA charter, constitution and by-laws with respect to current West Virginia law. This issue will be tabled to further discussion by the CLPOA Board.

Motion to move roads discussion before treasury report. Seconded and unanimously approved.

B. Financial and Legal

C. Community

- a) Anna and Jim Cummins volunteered to establish a cleanup day and community gathering for the quarry and river property with no abstentions.

D. Road Maintenance

Motion to establish James Miner with oversight from the treasurer as roads manager. Jim Weller will be single contractor for road work within his capabilities. Motion seconded. Motion passed: 12 votes yes to 10 votes no.

Motion to veto previously passed motion as James Miner for roads manager, and to establish a roads committee as written out by Nick Bajada and submitted to the members present at the meeting. Motion seconded. Motion failed to pass: 10 votes yes to 12 votes no.

Michael Roberts left the meeting.

E. Treasurers report

- I. Treasurers report submitted to all members present. Treasurers report approved unanimously.
- II. Currently, CLPOA, Inc. carries a debt of approximately \$5,800 in delinquent accounts.

F. Other Business/ Member Forum

- I. Discussion of implementing entrance gates to the Valley View subdivision was held. Gates would be established at the entrance of Cherry Run Road and Broken Rock Road. All residents of Valley View who are subjected to the annual roads fees would have access to the locked gates. Mechanisms for gate automation would be chosen by the Bakerton Fire Department. No gate would be placed at the entrance of Peace Ridge Road and Carter Avenue. Jefferson County, WV ordinance does not permit any gated communities. The gates would establish the Valley View subdivision as a no through way division. Access to the development for any guests, delivery vehicles, and emergency response vehicles would remain without delay via Peace Ridge Road from Carter Avenue. The purpose of the gates would be to alleviate trespassers utilizing the private roads as a

through way to Shepherdstown. Furthermore, it is expected that there would be a reduction in illegal parking at the quarry as an added benefit. A reduction in vehicle traffic on all gravel roads would equate to a significant reduction in annual road maintenance and dust pollution. Resulting in a significant annual savings for the HOA in road maintenance, and a reduction in air pollution caused by dust from the gravel roads.

Motion to implement gates at the entrance of Cherry Run Road and Broken Rock Road was made by Nick Bajada. The motion was seconded. The motion failed, with 7 votes yes to 10 votes no. Ted Shobe abstained.

Motion to implement a gate only at the entrance of Broken Rock Road and Bakerton Road was made by Nick Bajada. The motion was seconded. The motion passed with 11 votes yes to 7 votes no.

- II. A discussion was held regarding the use of herbicides within the Valley View Subdivision. The use of herbicides is a cause for concern due to the residences reliance of ground water for all their drinking, bathing and house needs. The concern is that overuse of herbicides would result in chemicals seeping into the ground water. The second concern was that the use of herbicides in previous years from the power company caused all bee farms held by residents in the Valley View subdivision to die off. The discussion is aimed at commercial use of herbicides, specifically by contractors of the power company. Use of herbicides by individual property owners was deemed nominal and insignificant, due to the fact land owners use various types, in moderate amounts of the span of several months. In contrast, commercial spraying uses copious amounts of chemicals at one time.

Motion was made to permanently ban all commercial use of any herbicide or pesticide within the boundaries of the Valley View Subdivision. This motion does not include the private use of herbicides or pesticides by deeded land owners. The motion was seconded and passed unanimously with no abstentions.

G. Elections

- I. Nominations were made to elect Jim Cummins, Ted Shobe, Anna Cook and James Miner to the CLPOA Board.

Motion was made to accept the nominations of Jim Cummins, Ted Shobe, Anna Cook and James Miner to the CLPOA Board. The motion was seconded and approved unanimously.

Motion was made by Jim Weller to remove Nick Bajada from the CLPOA Board. No second followed. The motion failed.

Motion was made by Jim Weller to remove Andrew Wandler from the CLPOA Board. No second followed. The motion failed.

H. Adjournment

I. The Vice President adjourned the meeting at 4:15 p.m.

Nicholas Bajada, Secretary

Written opposition
received prior to the
meeting

Petition to the
Jefferson County Planning Commission
And
Crystal Lake Property Owners Association Board of Directors

We the undersigned are against the installation of any gates at the intersection of Bakerton Road / Broken Rock Road and at the beginning of Cherry Run Road. We the undersigned are against the waivers to Section 21.401 and Section 22.207B of the Jefferson County Subdivision and Land Development Regulations concerning the installation of gates. Listed below are a few of the reasons for our concern.

1. **Gates will block access to emergency vehicles and increase response time.**
2. **Will create major issues for delivery, mail, garbage, and fuel trucks.**
3. **Becomes a contingent liability, if a gate is locked or inoperable during an emergency.**
4. **Traffic wishing to avoid gates will be unfairly pushed entirely upon Peace Ridge Road.**
5. **Will increase littering, loitering, and in general mischievous conduct along Peace Ridge Road.**
6. **Will push violators to park at property owners near gates or other properties in the community.**
7. **The type of gate, estimates, operation, construction costs, and maintenance has not been discussed with members of the home owner's association.**
8. **Does not represent money well spent for our neighborhood.**
9. **Has the potential to force problems throughout the community.**
10. **Creates potential for assault/robbery at dark gated locations, if person must exit vehicle.**
11. **Property owner's as of August 3rd, 2018 have not received notification by the CPLOA HOA as directed by the Jefferson County Planning Commission (see below).**
12. **As of August 3rd, 2018, a public notice sign has not been posted at Peace Ridge Road.**

With due diligence, we the undersigned, request that the aforementioned regulations not be waived for the installation of gates at the intersection of Bakerton Road / Broken Rock Road and at the beginning of Cherry Run Road.

Printed Name	Signature	Address
RICHARD MAGNAN	Richard A Magnan	18 BAKER ROCK ROAD LOT 14
TC MAGNAN	TC Magnan	18 Baker Rock Rd
MICHAEL ROBERTS	Michael Roberts	471 PEACE RIDGE RD
Dean VanBellinghem	Dean VanBellinghem	807 Cherry Run Rd
Jason Young	J. Young	896 Cherry Run Rd
ANTONIO LEHMANN	Antonio Lehmann	887 Cherry Rd
Lawrence Gladstone	Lawrence Gladstone	961 Cherry Run
Alisa Gladstone	Alisa Gladstone	961 Cherry Run
Nancy McKittrick	Nancy McKittrick	245 Timber Ln.
SALLY ROVENBURGH	Sally Rivenburgh	765 Cherry Run Rd
Marc Sharp	Marc Sharp	518 Cherry Run Rd
Joe Sharp	Joe Sharp	518 ⁺ Cherry Run Rd
Jim Weller	James Weller	
CAROL MINER	Carol Miner	379 Cherry Run Rd
Aimee In Kask	Aimee In Kask	384 Peace Ridge Rd
Bernard C Boswell	Bernard C Boswell	4771 BAKERTON RD
Cheryl Bennett	Cheryl Bennett	4775 BAKERTON RD
WAYNE BENNETT	Wayne Bennett	4775 BAKERTON RD
Tommy LeBlanc	Tommy LeBlanc	322 Peace Ridge Rd

Jefferson County Subdivision and Land Development Regulations

Section 21.401 and Section 22.207B

Copied from: Subdivision and Land Development Regulations Jefferson County, West Virginia

Entire document can be viewed at: <http://70.88.132.180/home/showdocument?id=15056>

Sec. 21.401 Private Restrictions and Easements

Design, signage, use, management, maintenance, and **cost sharing** may be prescribed or limited by private covenants, conditions, or restrictions, provided that such restrictions are not in violation of County law. For any subdivision or development that involves a shared access easement, no obstruction of the full use of the easement shall be permitted. A note to this effect shall be placed on the plat or plan.

Sec. 22.207 Private Roads

Private roads shall be permitted in accordance with this Section.

A. Private Roads. Private roads may be developed if all of the following are demonstrated: 1. A homeowner's association is created that will be responsible for the ownership and maintenance of the road. 2. The plat and all lot plans in the subdivision contain a note that indicates that the County shall not take ownership or be responsible for maintenance of private roads.

B. Gated Communities. No gated communities shall be permitted.

Letter Received on August 2nd, 2018 from Secretary of CLPOA

This email was received from the Secretary of the CLPOA and dated August 2nd, 2018. The public notice sign is not being displayed at the entrance to Peace Ridge Road as the email suggests.

Good Morning Valley View Residents.

There are signs at each of the entrances to our development for a public Hearing with zoning. These signs are for the waiver required to have gates installed.

The board hasn't decided on what gates will be used. The waiver is simply permission to install gates at the start of Cherry run and broken rock roads.

As previously discussed at the annual meeting, no gate will be placed on peace ridge road.

Nick Bajada
Secretary
Crystal Lake Property Owners Association
P.O. Box 22
Bakerton, WV 25410

Public Notice Sign For Planning Commission Public Hearing

This public notice is only being displayed at the intersection of Bakerton Road/Broken Rock and at the beginning of Cherry Run Road. It is **NOT** displayed at Peace Ridge Road as of August 2, 2018.

It states the purpose of the meeting as:

“Waiver request from Sections 22.207B and Section 21.401 of the Subdivision and Land Development Regulations.”

The meeting is to take place on:

August 14th, 2018 at 7pm – at Charles Town Library Conference Room located on East Washington Street at the side entrance on Samuel Street in the city of Charles Town, West Virginia.

Planning commission contact / phone number is:

Jennifer Brockman, 304-728-3228



Public Notice at Cherry Run Road

Letter From Jefferson County Planning Commission (August 3rd, 2018)

This email was received from the Jefferson County Planning Commission on August 3rd, 2018. Ms. Rhonda Greenholtz, the Jefferson County Planning Clerk, was contacted concerning the use of the word 'adjoining'. Ms. Greenholtz responded that the word 'adjoining' referred to all the residents in the home owners association and not just property near the proposed gates.

Good morning,

Attached is the letter that was mailed to the Property Owners Association on July 30, 2018. This letter was to be shared with the adjoining Property Owners informing them of a waiver request being made to the Planning Commission at a meeting that is scheduled for August 14, 2018 at 7:00 PM. The file is available for viewing in the Office of Planning and Zoning during normal business hours 9:00 AM to 5:00 PM.

Any correspondence you wish to submit must be received in this office no later than Tuesday, August 7, 2018 to be included in the packet to be considered by the Planning Commission members. Alternatively, the item is open for public comment.

Please feel free to contact this Office with any questions or additional information you may require.

Thank you,

**Rhonda Greenholtz
Jefferson County Planning Clerk
116 E. Washington Street
Charles Town, WV 25414
304-728-3228**



JEFFERSON COUNTY, WEST VIRGINIA
Department of Engineering, Planning & Zoning
Office of Planning and Zoning
116 East Washington Street, 2nd Floor
P.O. Box 716
Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Fax: (304) 728-8126

NOTICE OF PUBLIC HEARING

Date: July 30, 2018
To: Crystal Lake Property Owners Association
From: Jefferson County Office of Planning & Zoning
Subject: Crystal Lake Property

Please be advised that the Jefferson County Planning Commission will be considering the following application during a Public Hearing which will be held in the Charles Town Library Conference Room located at 200 East Washington Street in Charles Town (side entrance on Samuel Street).

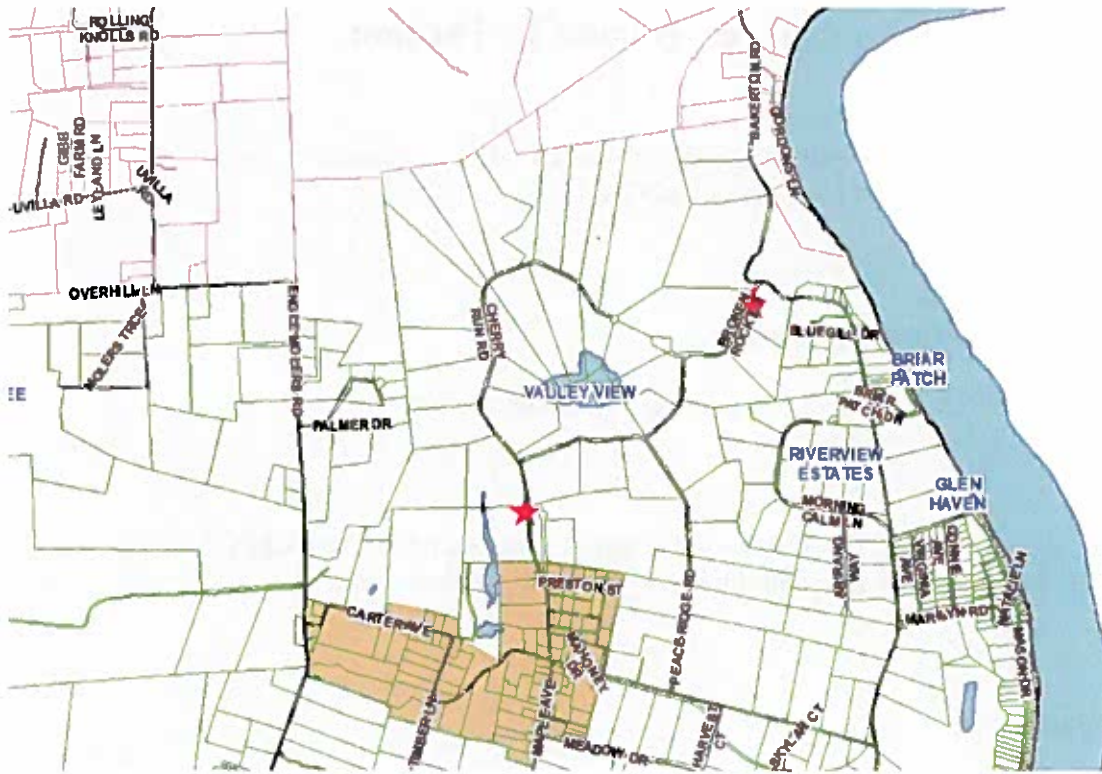
Meeting Date: August 14, 2018
Meeting Time: 7:00 p.m.
Applicant Name: Crystal Lake Property Owners Association
Property Owner: Same as above
Property Location: Broken Rock Road at intersection with Bakerton Road, and Cherry Run Road at intersection with Benson Road; Harpers Ferry (04); Tax Map: 2; in the vicinity of and accesses to Parcel: 89; Zone: Rural.
Nature of Request: Request by applicant Crystal Lake Property Owners Association for waiver from Sections 22.207B (No gated communities permitted) and 21.401 (Obstruction of easements) of the Subdivision Regulations. The applicant is requesting to install entrance gates at the above locations to assist in the regulation of trespassers thereby reducing vandalism and public disturbances. No gate is proposed for the Peace Ridge Road entrance. (File: PCW#18-10)

This file is available for review during normal business hours. The online packet will be made available www.jeffersoncountywv.org on the Friday prior to the scheduled meeting date.

Written comments pertaining to the request must be received no later than one week prior to the meeting, for inclusion in the Commission's mailed packet. Comments may be directed to: 116 E. Washington St., P.O. Box 716, Charles Town, WV 25414; or, planningdepartment@jeffersoncountywv.org. For additional submission options please contact Staff at 304-728-3228.

The site will be posted with a green and white placard. Additionally, all adjoining property owners have been notified of this meeting by mail.

Crystal Lake Property Owners Association
(File# PCW18-10)



Permission To Add Jim Horton To Petition

Yes please and if anybody has any questions , have them. To call 304-xxx-xxxx
Thanks for your help in this matter (or mess) should I say
Jim Horton

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

On Sunday, August 5, 2018, xxxxxxxxx <xxxxxxx@aol.com> wrote:

Mr. Horton,

I could add your name to the list. I won't sign it, but attach your email to the package, if that's ok. I need to have this package submitted before Tuesday of this week.

Thanks,
Michael

Sent from my iPhone

On Aug 5, 2018, at 8:07 AM, xxxxxxxxxxxx <xxxxxxxxxxx@aol.com> wrote:

Good Morning,

Thanks for the update, out of the area for awhile but just getting up speed on this gate thing and NO NO gates foe me. I will sign it as soon as I can get to them but will be soon
Thanks Jim Horton

No Public Notice Sign Displayed On Peace Ridge Road



August 6, 2018

Bruce D. Strathearn
4838 Bakerton Road
Harpers Ferry WV 25425

Jefferson County Planning Commission
116 East Washington Street
Charles Town WV 25414

Dear Members of the Commission:

I wish to express concern over the Crystal Lake Property Owners Association's (CLPOA) request that it be allowed to erect "gates" at two of the three lanes entering the Valley View Subdivision. Through a family trust, my wife, sons and I own lot 18 in Valley View.

The subdivision, along with a sister development (Potomac Farms), was platted and built out in the 1970s. Deeds required Valley View lot owners served by the subdivision's roads to assume management and financial responsibility for road maintenance. There was no provision in any of the deeds calling for the establishment of a homeowners association or setting forth the powers of any association that might be established. When the developers had disposed of the buildable lots they deeded the land underlying the roads and common areas to their accountant, who in turn deeded the same to CLPOA. The deeds (Deed Book 454, page 746 and DB 539, page 546) granted lot owners in Valley View and Potomac Farms the right "to use" the roads.

I believe the Commission should address three questions:

- 1) Does the Planning Commission have the authority to set aside subdivision regulation sections 21.401 "No obstruction of the full use of the easement shall be permitted", and 22.207B "No gated communities shall be permitted." Both are unequivocal and have stood the test of time. If these provisions are no longer valid they should be addressed by the County Commission after public hearings and debate. Obstruction of an easement, regardless of its magnitude, involves a "taking" of property. Moreover, documents provided by "gate" proponents mention "cost-sharing." Imposing costs not addressed in the original purchase agreements would amount to the Commission rewriting those deeds/covenants. Both are constitutional issues well beyond the authority of either the Planning or County Commissions and ultimately would have to be addressed by the Courts.
- 2) Is it wise to erect "gates" at two of three lanes entering Valley View? CLPOA simply does not have the human or financial resources to install, operate and maintain any sort of controlled entry. Who will respond when mechanical failure, power outages or vandalism disable the gates? Can CLPOA obtain liability insurance to address potential claims arising from system failures? How will it address access by emergency vehicles, service vendors, visitors? Why two gates for three entrances? What evidence is there to support a need for the "gates"?

RECEIVED

AUG 06 2018

JEFFERSON COUNTY
PLANNING, ZONING AND ENGINEERING

- 3) Have the petitioners met the legal and basic decency standards of due process in bringing their request? Approval of "gates" will result in a diminution of property rights and imposition of significant and continuing costs. Due process and mutual respect demand that parties impacted be informed in a timely manner of the specifics of the proposal. Cryptic signboards posted at the lanes leading into Valley View less than two weeks before the Commission hearing do not meet the legal or decency test.

When CLPOA sought to control access to development roads in the 1980s, the Commission denied the request. It was a bad idea then, it is a bad idea now.

Sincerely,

A handwritten signature in blue ink that reads "Bruce P. Strathearn". The signature is written in a cursive style with a large initial 'B'.

Bruce and Maral Strathearn

Correspondance
received from
Bakerton Volunteer
Fire Department



Bakerton Fire Department
891 Carter Avenue
Harpers Ferry, WV 25425

Telephone 304.876.0007
Fax 304.876.0282

To the CLPOA community,

The Bakerton Fire Department (BFD) has become aware that the Crystal Lake Property Owners Association (CLPOA) has applied to Jefferson County Zoning to install two gates on private roads owned by the CLPOA. One gate to be at Broken Rock Rd/ Bakerton Rd and one at the beginning of Cherry Run Rd.

This letter is not an approval or denial by the BFD of the proposed gates. The purpose of this letter is to inform the CLPOA and the community of the BFD's recommendations when it comes to gate features, should the CLPOA choose to install gates. This letter will also explain why the BFD has these recommendations.

Recommended gate features for access limiting vehicular gates:

- Self opening, a gate that does not require the driver of a vehicle to exit the vehicle to open it.
- Automatic exit, self opening gates should have a feature that opens the gate upon the approach of any vehicle exiting the gate.
- Siren activated, a gate that will open upon detection of an emergency vehicles siren.
- Back-up power, electrically powered gates should have an emergency power back-up to operate the gate in the event of a primary power failure.
- Manual operation, motorized gates should have a means of overriding the motor so that the gate may be opened if the motor or mechanics of the gate fail.
- Minimum of 14 feet horizontal and vertical clearance, this is to allow for easy maneuvering of large apparatus and emergency vehicles pulling trailers through the gate.

The above recommendations are meant to help reduce the increase in response time that gates will cause. If the gate can open on its own at the approach of an emergency vehicle with siren activated it could save minutes of response time to an emergency or for an ambulance transporting a patient to the hospital. Back-ups and manual overrides will prevent damage to gates should power or mechanics fail.



The BFD has the right by law to force through any obstacle that prevents or significantly delays access to an emergency incident. The above recommendations will greatly reduce the chance of emergency crews having to force through your gate. However, crews will force any gate/obstacle with or without these recommendations if there is a need to. Be aware, if a gate malfunctions or does not open properly, as per the above recommendations, there is a chance that the gate and/or other gate equipment may be damaged, with no liability to the BFD or other responding agencies, in order to gain access to the emergency in a timely manner.

This information is given to help inform the CLPOA and our community, so that they may make an informed decision when choosing to install gates. The BFD is here to serve the community of Bakerton and Jefferson County, the safety of the community is our top priority.

If there are any questions or concerns about this information or any aspect of the BFD please contact us.

Respectfully,
The Office of the Fire Chief,
Bakerton Fire Department

Applicant's response to
petition received prior to
the meeting

From: CLPOA HOA
To: [CLPOA HOA](#)
Cc: [Planning Department](#)
Subject: Re: CLPOA Petition Package
Date: Tuesday, August 7, 2018 3:00:20 PM
Attachments: [BFD CLPOA gate letter.pdf](#)

Hello CLPOA/Valley View Residents,

I am just becoming aware of the petition that was passed around regarding the gates. I would like to address some of the reasons stated in your petition.

1. Gates will block access to emergency vehicles and increase response time.
-Gates installed would have to comply with the Fire Department's requirements as stated by the fire chief in his letter as attached to this e-mail.
2. Will create major issues for delivery, mail, garbage, and fuel trucks.
-Most delivery vehicles enter and exit through Peace Ridge Road, as this is a paved road, and no gate will be placed here.
3. Becomes a contingent liability, if a gate is locked or inoperable during an emergency.
-Gates must comply with Fire Department requirements that prevent this concern from happening. gates will be electronic, hard-wired and connected to the utility line. No solar, battery or chain and lock.
4. Traffic wishing to avoid gates will be unfairly pushed entirely upon Peace Ridge Road.
-all residents with deeded access for the roads will have vehicle sensors.
5. Will increase littering, loitering, and in general mischievous conduct along Peace Ridge Road.
-this already takes place. the purpose of the gates intends to reduce this issue by reducing trespassers.
6. Will push violators to park at property owners near gates or other properties in the community.
-This already happens, again gates are intended to thwart trespassers.
7. The type of gate, estimates, operation, construction costs, and maintenance has not been discussed with members of the home owner's association.
-This information will be researched and discussed if gate waivers are approved, and then brought to a vote during board meetings and annual members meetings.
8. Does not represent money well spent for our neighborhood.
-Annual meeting minutes show that discussions of the gates and costs were addressed and approved 12-1.
9. Has the potential to force problems throughout the community.
-unsubstantiated claim. I cant remark on hypothetical situations.
10. Creates potential for assault/robbery at dark gated locations, if person must exit vehicle.
-our neighborhoods population, geography, and history does not support this prediction.
11. Property owner's as of August 3rd, 2018 have not received notification by the CPLOA HOA as directed by the Jefferson County Planning Commission (see below).
-During the pre-meeting I was informed that we had to hang up signs and notify everyone by mail or email. Signs were posted and pictures were taken at the time they were hung. I have no control over the weather, or if a person decides to take down a sign. Photos of the signs were taken at the time they were hung and e-mailed to the planning department. Everyone was e-mailed at the same time informing you of the signs.
12. As of August 3rd, 2018, a public notice sign has not been posted at Peace Ridge Road.

-This was addressed in #11.

Additionally,

I am by no means interested in pursuing an issue that is not supported by the majority of the landowners. This waiver request was followed through due to the approved motion at the 2018 annual members meeting 12-1. As the secretary, it is my job to proceed with the actions required to fulfill the motion.

Also, our HOA is governed by covenants and by-laws. This is to ensure fairness and consistency. Part of our bylaws states that every property is entitled to 1 vote. Our deeds also state that only properties that require right of way easements are subjected to road maintenance(the quoted text is below). The petition signed includes names of persons who don't reside on the private roads, names of people who are not landowners in Valley View and multiple names of the same household. A petition is not a governing or legal document for the HOA, thus anyone is welcome to sign it. For our HOA, business can only be conducted based on our legally binding voting process which states 1 vote per lot. Thus, the petition signed has only 17 signatures out of 29 that seem to represent landowners served by the private roads (two signatures represent members who are currently involved in a court case with CLPOA where they are arguing against their requirement for road maintenance. The result of this case could then make only 16 signatures valid representation). There are 42 properties that have deeded access to those roads and 35 landowners (some of which own multiple lots). I present this information so that there is clear understanding how the annual meeting and the petition may appear to present a different story based on the number of signatures on the petition compared to the number of recorded votes at the annual meeting.

"Any lot served by private access road, which does not front on West Virginia Route 28 shall have the following covenant for road maintenance purposes:

The area shown as access roadways on recorded plat of the tract shall be for the common use and benefit of the owners of lots fronting on same and not served by West Virginia Route 28, for the purpose of ingress and egress at all times and for utility services. Regular maintenance (that is, maintenance other than for ice or snow removal) of the existing stoned road on said right of way easement shall be fairly shared by the owners of said lots, the annual contribution of each such lot being in accordance with this schedule, which costs shall be a personal debt of the lot owner or owners...(fee assessment schedule omitted)...Notwithstanding the foregoing, any owner or group of owners may at his or their own expense make such additional improvements to the private road system and perform such additional maintenance tasks as will benefit the owners of any of the lots".

Thank you, everyone, for showing your interest on this topic. I will follow through with the Planning Department as is required of me, and let the Zoning Committee assess all information fairly and submit their decision on the waiver.

*Nick Bajada
Secretary, CLPOA*

On Tue, Aug 7, 2018 at 1:39 PM, Nick Bajada <nickbajada@gmail.com> wrote:

----- Forwarded message -----

From: <mroberts3@aol.com>
Date: Tue, Aug 7, 2018 at 1:04 PM
Subject: Fwd: CLPOA Petition Package
To: <akask39@aol.com>, <bf_allen@frontiernet.net>, <tcmagin@citlink.net>, <tommycajun@gmail.com>, <joannehoward203@gmail.com>, <rmagin@telegia.com>, <dvanbell@citlink.net>, <jdy1986@aol.com>, <leg88keys@aol.com>, <nmckeithen@comcast.net>, <jbernazzoli@comcast.net>, <srivenburgh5@gmail.com>, <cherben@aol.com>, <timberc@gmail.com>, <lilyremy1@yahoo.com>, <jameswbrm@aol.com>, <linecoachboswell@gmail.com>, <substation48@aol.com>, <thandley967@gmail.com>, <jcummins3@gmail.com>, <stoneridgewv2010@gmail.com>, <jenny93072@icloud.com>, <lehmanja2@yahoo.com>, <ram62@frontier.com>, <nickbajada@gmail.com>, <abwandler@gmail.com>, <rennyts@aol.com>, <theo@frontier.com>, <peaceridgefarm@gmail.com>, <sheliatimbers@gmail.com>, <sharietamajor@aol.com>, <paulaleb1@yahoo.com>, <huddlenorie@gmail.com>, <alfloors@frontiernet.net>, <spenneger@msn.com>, <ashley.young.lmt@gmail.com>, <cjholcomb@hotmail.com>

Hi all

The Jefferson County Planning Commission has received the petition. Attached is the final copy of the petition.

-Michael Roberts

-----Original Message-----

From: mroberts3 <mroberts3@aol.com>
To: planningdepartment <planningdepartment@jeffersoncountywv.org>
Sent: Mon, Aug 6, 2018 11:36 AM
Subject: CLPOA Petition Package

Good Morning Ms. Greenholtz,

Attached is the petition package in PDF format. Thank you for your time.

Sincerely,

Michael Roberts



Jefferson County, West Virginia

Office of Planning and Zoning
116 East Washington Street, 2nd Floor
Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org
Email: zoning@jeffersoncountywv.org

Phone: (304) 728-3228
Fax: (304) 728-8126

Planner's Memorandum Planning Commission Meeting August 14, 2018

- 1) **Staffing Changes**
- 2) **Zoning Ordinance Text Amendments**
 - a) **Landscape Standards**
 - Stakeholder meeting with staff held – draft amendment to be developed.
 - b) **Parking Standards**
 - c) **WV45 Gateway Design Standards (ZTA17-02)**
 - Shepherdstown Planning Commission input received 4/4/18
 - Staff to initiate effort in Fall 2018
- 3) **Subdivision Regulation Text Amendments**
 - a) **Subdivision and Land Development Regulations Amendments (STA18-01)**
 - Staff initiated effort on larger amendment including reorganization of Sub Reg. sections is underway.
- 4) **Upcoming PC meetings**
 - a) Next "Additional" Regular Meeting: **August 28, 2018** (one agenda item)
 - b) Next Regular Meeting: **September 11, 2018**
 - Concept Plan Workshop for US 340 Mixed Use Development

From: Susan Hough
To: [Planning Department](#)
Subject: Fwd: Zoning Amendment letter - Hough
Date: Thursday, August 2, 2018 1:37:03 PM

-----Original Message-----

From: Susan Hough <farmwife90@aol.com>
To: planningdepartment <planningdepartment@jeffersoncounty.org>
Sent: Wed, Aug 1, 2018 5:43 pm
Subject: Zoning Amendment letter - Hough

Hello Jennifer,

I have attached the letter to be presented to the Planning Commission at the August 14th meeting. I am also sending you a copy of my zoning certificate in case you would like to include it with the letter to the commission.

If you need anything else, please let me know.

If you don't mind, would you please let me know you received this?

Thank you,

Susan Hough

August 2, 2018

RE Zoning Certificate #18-03

To the Planning Commission of Jefferson County

My name is Susan Hough and I am co-owner of Peaceful Valley Animal Crematory, LLC. We are a new, family owned business in Jefferson County providing the service of animal and pet cremations. We will also be offering agricultural services including large animal cremations. Our current zoning certificate limits us to only picking up animals at Veterinarian Clinics. While this is part of what we would like to do, not all pets die in a clinic. We would like to offer our services to the general public to bring in or pickup their pets from residences as well.

We have conformed to all of the county and state permits, regulations and inspections and have constructed our building as a commercial business.

I would like to propose an amendment to the Zoning Ordinance and allow us to be open to the public upon opening, which is planned for October 2018.

Your consideration in this matter would be greatly appreciated.

Respectfully,

Susan Hough
Peaceful Valley Animal Crematory, LLC
219 Ann Lewis Road
Charles Town, WV 25414
304-725-8974

JEFFERSON COUNTY OFFICE OF PLANNING & ZONING
ZONING CERTIFICATE

This is to certify that the use cited on this form is a Permitted Use in the Zone where it is proposed, by virtue of the following justification. This use is subject to the conditions imposed below:

- *Principal Permitted Use in Zone stated below.
- *Nonconforming Grand-fathered Use in Zone stated below.
- *Change in Nonconforming Use approved by Public Hearing in Zone stated below.
- *Change in Nonconforming Use approved by Zoning Administrator in Zone stated below.

This Certificate does not constitute a Certificate of Occupancy and does not exempt the Owner or Applicant from obtaining appropriate approvals from all Local, State and Federal requirements.

PROPERTY DESCRIPTION

APPLICANT NAME: Todd and Susan Hough
MAILING ADDRESS: 219 Ann Lewis Road, Charles Town, WV 25414
CONSULTANT NAME: P.J. Raco Consulting, LLC / Paul J. Raco
MAILING ADDRESS: P.O. Box 548, Charles Town, WV 25414
PHONE NUMBER/EMAIL: 304-876-8256 / pjraco.consulting@gmail.com
PROPERTY OWNER NAME: T. Todd and Susan B. Hough, Trust
MAILING ADDRESS: 219 Ann Lewis Road, Charles Town, WV 25414
PHYSICAL ADDRESS: Old Shennandale Road / 1/2 Mile West of Kabletown Road
Tax District: Kabletown (06) / Tax Map: 5 / Parcel: 1
Deed Book: 1125; Page: 476; Size: 205 ± acres
Zoning District: Rural

APPROVED USE:

Veterinary Services
Pet Crematorium

Veterinary Services is not defined by the Zoning Ordinance; therefore, the Zoning Administrator determined that the proposed pet crematorium is permitted to operate as a Veterinary Service, which is a Principal Permitted Use in the Rural zoning district, and the services shall be limited to established veterinary clinics/hospitals.

RESTRICTIONS/CONDITIONS:

- Shall not be open to the public until such a time that the Zoning Ordinance is amended.
- A Pet Cemetery is not permitted until such a time that the Zoning Ordinance is amended.
- Section 4.6B shall apply: All structures shall be located at least 75 feet from any lot with a dwelling, school, church, or institution for human care; or any parcel or historic structure listed on the West Virginia or the National Register of Historic Places.
- Section 8.9 shall apply.

Any future change in use or expansion will require processing through the Jefferson County Department of Engineering, Planning, and Zoning to update this Certificate and ensure compliance with applicable County Regulations.

Alexandra Beaulieu
Alexandra Beaulieu
Zoning Administrator

February 26, 2018
Date of Issuance

