

MINUTES
Jefferson County Planning Commission
September 11, 2018

The Jefferson County Planning Commission met on September 11, 2018 with the following Commission members present: Donnie Fisher, President; Steve Stolipher, Vice President; Wade Louthan, Secretary; Peter Onoszko, County Commission Liaison; Jack Hefestay, Mike Shepp and Ron Thomas. Staff members present included Jennifer Brockman, County Planner; Nathan Cochran, Legal Counsel; Rhonda Greenholtz, Planning Clerk, and Rachael Burke, Planning Clerk

Mr. Ray Bruning was absent with prior notification.

Mr. J Ware was late to the meeting, arriving at 7:37PM.

Mr. Donnie Fisher called the meeting to order at 7:02 PM.

1. The meeting minutes from the August 14, 2018 and the August 28, 2018 meetings were approved with no objections.
2. Citizen Communications. None
3. Request for postponement. None
4. A Public Hearing was held proposing a text amendment to the Jefferson County Zoning and Land Development Ordinance, File #ZTA18-01. The text amendment, in accordance with WV Code §8A-7-8 proposes revisions to Article 2 Definitions; Article 8 Supplemental Use Regulations; and Appendix C to develop provisions for the approval of Livestock Crematoriums and Pet Crematoriums in the Rural and Commercial Zoning Districts.

Ms. Brockman provided an overview, explaining there was limited time to create the language used for the amendment. This was due to the ad due date, which was the Friday after the August 28, 2018 meeting. Research was done on how other communities handle the Pet Crematoriums and she explained that they are typically allowed in Industrial or Commercial Zones, but as part of other businesses. If they are in the Rural Zone, a conditional use permit is required through a public hearing. She provided the following suggested language to Article 2: Definitions:

Section 2.2 Terms Defined

Crematorium, Livestock

An establishment where deceased livestock are consumed by incineration and the ashes of the deceased may be collected for disposal. The use shall comply with all local, state and federal requirements, including, but not limited to, Health Department requirements and Department of Environmental Protection standards for air quality emissions.

Crematorium, Pet

An establishment where deceased household pets are consumed by incineration and the ashes of the deceased may be collected for storage in urns or burial. The use shall comply with all local, state and federal requirements, including, but not limited to, Health Department requirements and Department of Environmental Protection standards for air quality emissions.

Section 8.19 Crematorium

A. Crematorium, Livestock

A Livestock Crematorium shall process as a Conditional Use Permit in all zoning district other than Rural, unless such use is determined by the Zoning Administrator to be accessory to an active agricultural use.

B. Crematorium, Pet

A Pet Crematorium shall process as a Conditional Use Permit in zones designated in Appendix C. If a CUP is approved in the Rural Zoning District, a Pet Crematorium may process utilizing the Site Plan Exemption for the Rural District.

Mr. Louthan talked about the benefits to the farm community.

Mr. Onoszko discussed personal experience with veterinary cremation.

Mr. Shepp asked to clarify about being permitted in Rural district.

Mr. Fisher asked if could be changed to a permitted use in the Rural district.

Ms. Brockman addressed setbacks, since there would not be a public hearing.

Mr. Stolipher suggested using the setbacks in Appendix B, which is 50'.

Mr. Shepp discussed the market for this business in our area and asked about length of time to be in operation.

Mr. Stolipher expressed the idea of eliminating the middle man and if you can cremate a horse, why not a house cat?

Mr. Hefestay discussed possibility of use for other deceased animals.

Ms. Brockman mentioned possibility of changing definition to include "Wildlife".

Mr Fisher opened the floor for Public Comment.

No Public Comment was made.

Mr. Fisher closed the floor to Public Comment.

Mr. Stolipher made a motion to send to County Commission to approve the following changes:

Crematorium, Livestock

An establishment where deceased livestock and or wildlife are consumed by incineration and the ashes of the deceased may be collected for disposal. The use shall comply with all local, state and federal requirements, including, but not limited to, Health Department requirements and Department of Environmental Protection standards for air quality emissions.

B. Crematorium, Pet

A Pet Crematorium shall process as a Conditional or a Principle Use in zones designated in Appendix C. In the Rural Zoning District, a Pet Crematorium may process utilizing the Site Plan Exemption for the Rural District.

Appendix C will also be updated to reflect: Permitted in Highway Commercial and Rural.

Mr. Hefestay seconded the motion.

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

Nathan asked if the Improvement Location Permit amendment could be revisited at a future meeting. Nathan believes it should be included under the subdivision ordinance and not independent.

6. Planners Memo

Ms. Brockman stated that the US 340 Mixed Use Development Concept Plan is on the upcoming October 9, 2018 meeting.

7. President's Report. None

8. Actionable Correspondence. None.

9. Non-Actionable Correspondence

Ms. Brockman pointed out the letter provided to the Planning and Zoning Office from Jennifer Bean, re: Rockwool.

Mr. Fisher motioned to adjourn the meeting at 7:45PM with no objections.

Based on legal advice, Mr. Fisher called the meeting back to order to clarify a motion. Mr. Stolipher made a motion to amend his previous motion recommending the text amendment to the County Commission, to include the finding that the amendment is in conformance with the Envision Jefferson 2035 Comprehensive Plan. Mr. Hefestay seconded the motion and it was unanimously approved.

Mr. Fisher adjourned the meeting for the second time at 7:52PM.