

Meeting Minutes
Jefferson County Planning Commission
December 7, 2021

The Jefferson County Planning Commission met on December 7, 2021 at 7:00 p.m. with the following Planning Commission members present via ZOOM: Mike Shepp, President; Wade Louthan, Secretary; Ron Thomas; Jack Hefestay; and J. Ware.

Steve Stolipher, Matt Knott, and Shane Roper were absent with notice. Donnie Fisher was absent without notice.

Staff members present included Jennifer Brockman, County Planner; Alexandra Beaulieu, Zoning Administrator; Nathan Cochran, County Attorney; and Will Rohrbaugh, County's legal representative.

The Planning Commission meeting was held as a virtual meeting via ZOOM. The information to participate in the ZOOM meeting was made available on the agenda and packet, which were posted to the County website.

Mr. Shepp called the meeting to order at 7:03 pm. Ms. Brockman conducted a roll call. A quorum was not present until 7:13 p.m. when Mr. Ware joined the meeting and Mr. Thomas resolved technical difficulties.

1. **Public Hearing:** A proposed text amendment to the Jefferson County *Envision Jefferson 2035 Comprehensive Plan* (approved 01/14/15) to clarify and/or state that solar facilities are principal permitted uses in the rural and residential zoning districts, in accordance with WV Code 8A-3-11, 8A-3-6, and related statutes.

Ms. Brockman provided an overview of the proposed amendment.

Mr. Shepp provided an overview of the meeting format, noting that each participant would be granted three (3) minutes to speak during the public hearing. Mr. Shepp opened the public hearing. The following members of the public spoke during the public comment period:

- 1) Robert Aitcheson, Charles Town, WV, spoke in opposition to the proposed amendment.
- 2) Doug Rockwell, Charles Town, WV, provided recommendations for the Planning Commission to consider for inclusion in the amendment process.
- 3) Rodney Rice, Martinsburg, WV, spoke in support of the proposed amendment.
- 4) Delegate Wayne Clark spoke in support of the proposed amendment.
- 5) Stanley Dunn, Charles Town, WV, spoke in support of the proposed amendment.
- 6) Lucia Valentine, Shepherdstown, WV, spoke in support of the proposed amendment.
- 7) Ann Smith, Harpers Ferry, WV, spoke in support of the proposed amendment.
- 8) Rob Reckart, Cumberland, Maryland, representative for Eastern Atlantic Regional Council of Carpenters, spoke in support of the proposed amendment.
- 9) Aiman Jalil, Charles Town, WV, spoke in opposition to the proposed amendment.
- 10) Sam Gulland, Charlottesville, VA, spoke in support of the proposed amendment.
- 11) Stacy Tabb, Shepherdstown, WV, spoke in opposition to the proposed amendment and recommended that the Conditional Use Permit process be required for solar facility projects.

- 12) Mark Dyck, Integrity Federal Services, Martinsburg, WV, stated that the Planning Commission had already reviewed the proposed zoning ordinance text amendment for solar and found that it was consistent with the current Comprehensive Plan. He requested that the Planning Commission forward a recommendation to the County Commission that the current zoning text amendment related to solar is supported by the current Comprehensive Plan. He also requested that the Planning Commission recommend to the County Commission that the proposed changes to the Comprehensive Plan currently under consideration be included as an overall update to the Comprehensive Plan pursuant to state code.
- 13) Tim Sheehy, Charles Town, WV, spoke in opposition to the proposed amendment.
- 14) Ty Lawson, White Post, VA, stated he was representing a company that's looking to install solar in Jefferson County, WV. Mr. Lawson stated that the Planning Commission already found that under the existing Comprehensive Plan, solar facilities are principal permitted uses in the rural and residential zoning districts. He requested that the Planning Commission determine that solar facilities are principal permitted uses under the existing Comprehensive Plan and requested that the Planning Commission make that recommendation to the County Commission with a request to adopt the zoning text amendment again.

Ms. Beaulieu confirmed that there were no additional members of the public signed up to speak. Mr. Shepp closed the public hearing at 7:54 pm.

2. **Discussion and Possible Action:** Proposed *Envision Jefferson 2035 Comprehensive Plan* (approved 01/14/15) Text Amendment regarding solar facilities in the rural and residential zoning districts.

Mr. Shepp made a motion to continue this item until their next meeting on December 14, 2021. Mr. Hefestay seconded the motion, which carried unanimously.

Ms. Brockman inquired as to whether additional comments could be submitted until December 14, 2021. Mr. Shepp confirmed that written comments could be submitted through December 14, 2021 for the Planning Commission's consideration.

Mr. Hefestay motioned to adjourn the meeting at 7:59 p.m. Mr. Louthan seconded the motion, which carried unanimously.

These minutes were prepared by Alexandra Beaulieu, Zoning Administrator.