

Meeting Minutes  
Jefferson County Planning Commission  
February 8, 2022

The Jefferson County Planning Commission met on February 08, 2022 at 7:00 pm with the following Planning Commission members present via ZOOM: Mike Shepp, President; Matt Knott, Vice President; Wade Louthan, Secretary; Steve Stolipher, County Commission Liaison; Jack Hefestay, Donnie Fisher, Ron Thomas, Shane Roper, and J. Ware.

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

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

Mr. Shepp called the meeting to order at 7:00 pm. and confirmed that a quorum was present.

**1. Approval of the following meeting minutes:**

Hearing no objection, Mr. Shepp approved the January 11, 2022 minutes as presented.

**2. Request for postponement. None.**

**3. Public Hearing: WITHDRAWN** Request for a waiver from Section 20.203B of the Subdivision Regulations, which requires a Site Plan when the footprint of any addition or a new structure (building and/or parking lot) is greater than 1,200 square feet. The applicant is requesting to waive the requirement of a site plan to build a 1500 square foot workshop. Property Owner: Ray and Kerry Muth. Property Location: 21 Southpaw Lane Shepherdstown WV Parcel ID: 09014BWAT10000; Combined Size: 1.2 ac; Zoning District: Rural. File #22-1-PCW.

Mike Shepp asked if this agenda item should be postponed and Jennifer Brockman stated that the waiver was withdrawn.

**4. Reports from Legal Counsel**

Mike Shepp made a motion to go into Executive Session to receive legal advice from the Planning Commission attorneys for Items a, b and c listed on the agenda. Jack Hefestay second the motion; which carried unanimously. The Planning Commission members were reminded to turn off their sound /video in ZOOM and to phone into the Executive Session.

a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109.

b. Review of Zoning Text Amendment File #ZTA19-03 related to solar energy facilities, including discussion of Jefferson County Circuit Court Civil Action No.'s 2021-C- 33 through 37 and Jefferson County Circuit Court Civil Action No.'s 2021- C-46 through 50, and WV Supreme Court No.'s 21- 0727, 21-0728, and 21-0731.

c. Discussion regarding Comprehensive Plan Amendment, related issues and Jefferson County Circuit Court Civil Action No. 2022-C-6.

d. Discuss possible Solar Text Amendment under the existing Comprehensive Plan and related issues.

Mr. Jack Hefestay moved to come out of executive session; Donnie Fisher seconded the motion, which was approved unanimously.

Mr. Shepp made a statement for the record that during the executive session, legal issues related to Items a, b and c on the agenda were discussed. Item d was not discussed because the Planning Commission has not received any direction from the County Commission about the Solar Text amendment to the *Envision Jefferson 2035 Comprehensive Plan*.

**5. Planner's Memo.**

Jennifer Brockman reported that on January 20, 2022, the County Commission held the required Public Hearings on the two Zoning Map Amendments reviewed by the Planning Commission (John Morris (21-4-Z) and Arnold Holden (21-5-Z)). They were both approved at the conclusion of the Public Hearings.

She also reported that the County Commission held a Public Hearing on the *Envision Jefferson 2035 Comprehensive Plan* text amendment related to solar facilities and the Public Hearing was left open for 2 weeks for additional comments.

The next regular Planning Commission meeting is March 8. There are currently 2 zoning map amendments and 4 waivers on that agenda.

**6. President's Report.** None.

**7. Actionable Correspondence.** None.

**8. Non-Actionable Correspondence**

Wade Louthan motioned to adjourn the meeting; Matt Knott seconded the motion, which carried unanimously. The meeting was adjourned at 7:54 pm.

These minutes were prepared by Tanya Lyons, Planning Clerk.