

Meeting Minutes
Jefferson County Planning Commission
March 28, 2023

The Jefferson County Planning Commission met on March 28, 2023 at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Wade Louthan, Secretary; Steve Stolipher, County Commission Liaison; Matt Knott were present in person. Jack Hefestay and Shane Roper were present via ZOOM.

Ron Thomas, J. Ware, and Donnie Fisher were absent without notice.

Staff members present included Jennifer Brockman, Chief County Planner; Luke Seigfried, County Planner; Jonathan Saunders, County Engineer; Nathan Cochran, Prosecuting Attorney; Jennilee Hartman, Zoning Clerk; and Michelle Evers, Planning Clerk.

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

- 1. Public Hearing:** Preliminary Plat for the Stonecrest Subdivision, which consists of 177 single family detached and 227 single family attached (townhouses) residential lots totaling 404 lots. Applicant: DR Horton. Property Owner: Flowing Springs Road LLC. Property Location: Parcel ID: 02000300090000; Project Size: 102 acres; Zone: Residential Growth. File: 22-11-SD.

Ms. Brockman provided an overview of the staff report.

Mr. Jason Gerhart, a representative with Integrity Federal Services, further discussed design plans.

Mr. Shepp opened the public hearing.

Dr. Pat Masters, who resides in the nearby Breckenridge North Subdivision, expressed concerns related to interconnectivity, traffic safety on Flowing Springs Road and infrastructure. Dr. Masters suggested providing pedestrian connection from the proposed Stonecrest Subdivision through adjoining developments via trails to Driswood Elementary school.

Mr. Shepp closed the public hearing.

In rebuttal, Mr. Gerhart confirmed that the proposed development included proposed vehicular and pedestrian connections to both Aspen Green to the south and a potential future subdivision to the north. Driswood Elementary school does not directly adjoin the proposed Stonecrest Subdivision. He further stated that the applicants would complete any state road improvements required by WV Division of Highways (WVDOH).

Mr. Gerhart addressed the Planning Commission's concerns regarding water run off to the east of the development.

Mr. Stolipher moved to approve the preliminary plat with the following conditions:

- a. WV DOH approval of the issuance of the Highway Entrance Permit; and
- b. Charles Town Utility Board (CTUB) for sanitary sewer services and Jefferson Utility Inc. (JUI) for public water utility design and connections.
- c. Finalize addressing all outstanding technical comments for staff's approval.

Mr. Shepp clarified that item B was intended to include the WV Health Department permit approval. Mr. Stolipher agreed.

Mr. Shepp seconded the motion as modified, which carried unanimously.

2. Reports from Legal Counsel

- 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. Jefferson County Circuit Court Case #CC-19-2022-C-81 (RE: ZTA22-01 Solar Energy Facilities).
- d. Discuss and review for possible action Jefferson County Circuit Court Civil Action No. 2022-C-85.

Mr. Cochran requested to go into executive session to discuss items A and D.

Mr. Shepp moved to go into executive session for the purpose of receiving legal advice on items A and D under 'Reports from Legal Counsel' at 7:15 pm. Mr. Stolipher seconded the motion, which carried unanimously.

Mr. Louthan moved to go back into regular session at 7:30 pm. Mr. Stolipher seconded the motion, which carried unanimously.

3. President's Report. None.

Mr. Stolipher motioned to adjourn the meeting at 7:31 pm. Mr. Shepp seconded the motion, which carried unanimously.

These minutes were prepared by Michelle Evers, Planning Clerk.