



Agenda

Jefferson County Planning Commission

Tuesday, October 10, 2023 at 7:00 PM

**By order of the President of the Jefferson County Planning Commission,
Public Participation is available in-person only.
The meeting will be broadcast live via ZOOM for viewing purposes only.**

In-Person Meeting Location: County Commission Meeting Room located in the lower level of the Charles Town Library (side entrance on Samuel Street)
200 East Washington Street, Charles Town, WV 25414

ZOOM Broadcast Information*: Meeting ID: 893 1505 5108
Meeting Link: <https://us02web.zoom.us/j/89315055108>

**If watching live broadcast, please ensure your microphone is muted and be mindful that your video is streaming to others.*

1. **Approval of Meeting Minutes:** September 12, 2023 and September 26, 2023
2. **Request for postponement.**
3. **POSTPONED until 11/14/23 by request of the Applicant: Public Workshop:** Concept Plan for Bakerton Monopole (fka Harvest Ct) Telecommunications Tower consisting of a 100' Monopole Telecommunications Tower with a 50' x 50' fenced compound. Applicant: Smartlink Group, LLC / Attn: Scott Nichols; Property Owner: Timothy R & Marla B Landis; Property Location: 248 Harvest Court, Harpers Ferry, WV; Parcel ID: 04000300750000; Size: 13.678 ac; Zoning District: Rural (File #23-5-SP).
4. **Public Hearing:** Waiver request from Section 21.402 to allow a six (6) foot tall privacy fence to remain within a platted drainage easement. Applicant/Property Owner: Jack & Helen Payne; Property Location: 247 Saber Drive, Charles Town, WV; Parcel ID: 02010F00570000; Size: 0.1768 ac.; Zoning District: Residential Growth (File #23-22-PCW).

There is no public comment for the following items.

5. **Review and Approval:** Planning Commission Calendar Year 2024 Meeting and Submission Dates
6. **Discussion/Possible Action:** Ordinance Rewrite Committee Report on Waiver Process
7. **Reports from Legal Counsel**
 - a. Discuss and review Jefferson County Circuit Court Civil Action No. 2021-C-109 (RE: PC File #21-2-Z – Jefferson Orchards Rezoning).
 - b. Review and discuss 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 and Jefferson County Circuit Court Civil Action No. 2023-C-112 (RE: PC File #ZTA19-03 Solar Energy Facilities text amendment).
 - c. Jefferson County Circuit Court Case #CC-19-2022-C-81 (RE: PC File #ZTA22-01 Solar Energy Facilities text amendment).
 - d. Discuss and review for possible action Jefferson County Circuit Court Civil Action No. 2023-C-48 (RE: PC File #21-8-SP Berryville Pike Telecommunications Tower).

- e. Discuss and review of VB BTS, LLC v. Jefferson County, WV and the Jefferson County Planning Commission, U.S. N.D. W. Va. Case No. 3:23-CV-171 (RE: PC File #23-3-SP – Shannondale Lake Telecommunication Tower).

8. Planner's Memo

9. President's Report

10. Actionable Correspondence

11. Non-Actionable Correspondence

