



## Agenda

Jefferson County Planning Commission

Tuesday, January 16, 2024 at 7:00 PM

**PC Meeting Rescheduled from 01/09/2024**

**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: 859 8999 7792  
Meeting Link: <https://us02web.zoom.us/j/85989997792>

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

1. **Election of Planning Commission Officers.**
2. **Approval of Meeting Minutes:** December 12, 2023
3. **Request for postponement.**

**There is no public comment for the following items.**

4. **Waiver Request** from Section 20.203A.2a of the Subdivision Regulations to waive the requirement of a Concept Plan for a proposed Asphalt Plant. Applicant: W-L Construction and Paving, Inc. / Mike Thomas; Property Owner: Millville Quarry, Inc; Property Location: 165 Bradstone Lane, Harpers Ferry, WV 25425; Parcel ID: 04001100220000; Size: 272.16 acres; Zoning District: Industrial Commercial (File #24-1-PCW).
5. **POSTPONED until further notice: Discussion and Action:** Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the subject parcels from Rural to Residential Growth (RG) is consistent with the *Envision Jefferson 2035 Comprehensive Plan*. Property Owner: Arcadia Land Inc.; Property Location: Vacant parcels, which are a part of the Harvest Hills Subdivision, located east of the intersection of Flowing Springs Rd and Brass Harness Drive. Tax District: Shepherdstown (09), Tax Map: 24; Parcels: 12 & 13; comprised of 94.63 acres (P12) and 257.62 acres (P13). Zoning District: Rural (File: 23-5-Z).
6. **Discussion and Recommendation:** FY 24 1<sup>st</sup> and 2<sup>nd</sup> Quarter Quarterly Report to County Commission (to be distributed at meeting).
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).
- f. Discuss and review Jefferson County Circuit Court Civil Action No. 2023-C-266 - Notice of Filing: Adam McDowell v. The Jefferson County Planning Commission (RE: PC File #23-3-SP – Shannondale Lake Telecommunication Tower).
- g. Update from Legal Counsel regarding County Commission actions on December 21, 2023 including obtaining ethics opinion regarding committee meetings and County Commission action regarding solar text amendment.

**8. Planner's Memo**

**9. President's Report**

**10. Actionable Correspondence**

**11. Non-Actionable Correspondence**

