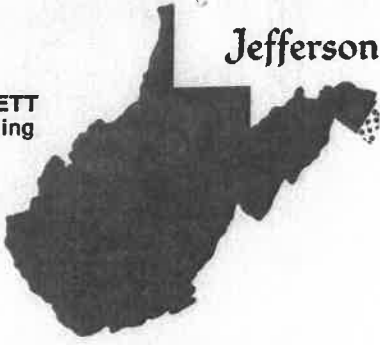


**ROBERT BECKETT**  
Director of Planning



## Jefferson County Planning Commission

Charles Town, West Virginia 25414

COURT HOUSE ANNEX  
104 E. Washington Street

TEL: (304) 725-9761

November 12, 1981

TO: ALL PLANNING COMMISSION MEMBERS

FROM: ROBERT BECKETT, COUNTY PLANNER

SUBJECT: ANNUAL REPORT - July 1, 1980 through June 30, 1981

Please find enclosed a copy of our Annual Report for the last fiscal year. It will be presented to the County Commission as required by State law. If you see any changes that should be made, please contact the office.

FOURTEENTH ANNUAL REPORT  
Jefferson County Planning Commission  
July 1, 1980 through June 30, 1981

I. OPERATION OF THE PLANNING COMMISSION

A. Planning Commission Membership

1. H. Richard Flaherty, President
2. James L. Louthan, Vice President
3. Donald T. Phillips, Secretary
4. Gary L. Phalen (Designated member from the County Commission)
5. R. Gail Dudash\*
6. Robert A. Hockensmith
7. Albert G. Hooper, Jr.
8. John B. Schley
9. George E. Tabb
10. William E. Walker
11. Robert N. Warren\*\*

\* Appointed in April, 1981, to replace James L. Taylor

\*\* Appointed in May, 1981, to replace George R. Heidrich

B. Planning Commission Staff

Robert L. Beckett, Director of Planning  
Christina D. Jarrett, Permit Officer  
Gary A. Laptosh, County Engineer\*  
Natalie G. Parks, Executive Secretary

\* Removed from Planning Commission Staff in August, 1980, and placed under the direct control of the County Commission.

C. Schedule of Regular Meetings

Regular meetings are held on the second and fourth Tuesday of each month at 7:30 P.M. in the Planning Commission office located on the second floor of the Court House Annex, 104 East Washington Street, Charles Town, West Virginia.

Minutes and tapes of Regular Meetings are on record in the Planning Commission office and are available for public review during normal business hours, Monday through Friday, 9:00 a.m. to 5:00 p.m.

The Staff and Subdivision Review Panel conduct subdivision review sessions, as necessary, on the first and third Friday of the month at 10:00 a.m. in the Planning Commission office.

D. 1980-81 Budget

	<u>Budgeted</u>	<u>Paid Out</u>	<u>Balance</u>
Director, Salary	\$22,752.00	\$22,752.00	-0-
County Engineer, Salary	21,600.00	21,600.00	-0-

Jefferson County Planning Commission  
 Annual Report  
 July 1, 1980 through June 30, 1981  
 Page Two

1980-81 Budget (Continued)

	<u>Budgeted</u>	<u>Paid Out</u>	<u>Balance</u>
Executive Secretary, Salary	\$ 9,802.00	\$10,149.84	\$ -347.84
Permit Officer/Planner, Salary	9,547.00	5,594.62	3,952.38
FICA	4,070.00	3,976.23	93.77
Insurance	2,400.00	1,951.12	448.88
Retirement	6,689.00	6,544.02	144.98
	<u>\$76,860.00</u>	<u>\$72,567.83</u>	<u>\$4,292.17</u>

E. Revenues

Aerial Prints	383.75
Base Map Prints	138.00
Improvement Location Permits	1,875.00
Subdivision Plat Fees	3,005.01
Subdivision Regulations	105.00
Postage for mailing Aerial Prints	2.11
Xeroxing	3.00
	<u>\$5,511.87</u>

F. Improvement Location Permits

Single Family Homes	150 *
Duplex Homes	1
Mobile Homes	38 **
Relocated Home	1
Garages/Carports/Workshops	37
Additions to existing structures (Residential)	29
Additions to existing structures (Commercial and other)	9
Storage Buildings	30
Swimming Pools	7
Farm Buildings	8
Signs	2
Industrial Plants	2
Commercial Buildings	2
Greenhouses & Cold Frames	4
Churches	2
Water Storage Tank	1
Pavilions	1
Carriage House	1
Rest Rooms (Jefferson County Fair Assn.)	1
Snack Bar & Bath House (Shannondale)	1
	<u>347</u>

\* Shows a 8.5% decrease in the number of permits issued for new homes as compared to 1979/80 fiscal year:

\$47,066.62 - Mean (Average cost of a new home constructed in Jefferson County during 1980/81)

\$45,000.00 - Median (The middle point. Half of the houses constructed in Jefferson County during 1980/81 cost more than \$45,000.00 and half cost less)

\$30,000.00 - Mode

(The number that occurs most frequently in a series. More new houses were constructed for \$30,000.00 than any other amount)

\*\* Shows a 24% decrease in the number of permits issued for mobiles homes as compared to 1979/80 fiscal year.

	<u>Number of ILP's Issued 1979/80</u>	<u>Number of ILP's Issued 1980/81</u>	<u>% Change</u>
New Homes	164	150	- 8.5%
Mobile Homes	50	38	- 24%

## II. STATUS OF PLANNING

### A. Subdivision Review

1. Six (6) subdivisions were approved by the Planning Commission in Fiscal Year 1980/81:

<u>Subdivision</u>	<u>District</u>	<u>Acres</u>	<u>No. of Lots</u>
Pembroke Grove, Resubdivision	Kabletown	411	40
Tuscawilla Hills, Lots 254-261	Charles Town	3.4	8
Wooded Acres	Harpers Ferry	4	2
Joe Walper, Jr., One Lot Subdivision	Shepherdstown	2.7	1
Capriotti/Perry One Lot Subdivision	Kabletown	7.2	1
Sandy Ridge Acres	Shepherdstown	7.3	2

2. Three (3) subdivisions were processed through the final plat stage and are under Construction Agreements to construct required improvements, or have posted secured construction bonds:

Bavarian Inn Resort (PUD)	Shepherdstown	10.7	**
Cabin Run Farm	Harpers Ferry	59	26
West Blakeley	Kabletown	200	69

3. Two (2) subdivisions have not reached the final plat stage, but have submitted acceptable Community Impact Statements to the Planning Commission:

Cavaland South	Shepherdstown	25.5	22 Lots and 5 townhouses
Tuscawilla Hills, Lots 262-274	Charles Town	7.4	13

B. Newsletter

In an effort to better communicate with the people of Jefferson County, the Planning Commission publishes a quarterly newsletter entitled, PROFILE. Copies are mailed directly to municipalities, government offices and public agencies, real estate offices, law offices, taxpayer groups, planning/engineering/surveying firms, Chamber of Commerce, radio/TV/newspaper concerns, and other interested parties. Copies of PROFILE are freely distributed at public places throughout the County.

Each issue covers the Planning Commission's activities for a three month period. Highlights of all meetings are reviewed and a summary of building permits and subdivision activity is presented. Other subjects frequently presented in PROFILE include information about county planning, a review of noteworthy Federal programs, and notices of upcoming events.

C. Oil and Gas Exploration

Jefferson County sits atop a geological formation known as the Eastern Overthrust Belt. The Belt, extending north and south for a distance of approximately 900 miles, has been found to contain oil and gas bearing strata, thus stirring the interest of several oil companies.

One such company, Texas based Home Petroleum, Inc., entered the County in mid-1980 for the purpose of acquiring leases to 10,000-15,000 acres of land. The standard lease arrangement offered a property owner a nominal sum of \$1-3 per acre for the lease plus a 1/8 royalty on the value of any gas or oil produced on the property.

Few leases were signed with Home Petroleum and, in fact, an atmosphere of misunderstanding and distrust developed among local property owners. This condition prompted the scheduling of a one time public information meeting in October. The meeting included representatives from the oil and gas industry, attorneys, petroleum geologists, State oil and gas regulatory officials, and citizens with experience from other parts of the State. After considerable discussion, debate, and fact finding, the meeting adjourned without leaving a clear message. Perhaps the most worthy part of the meeting was advice from a local attorney who urged local land owners to protect their property and themselves before signing any lease agreement.

Home Petroleum, after discussions with county officials, agreed to several lease amendments that would benefit the property owner. Significant among these were:

1. Specify that the lease was not for the purpose of oil and gas storage.
2. Permit the lessor to examine well logs.
3. Compensate the lessor for damage to his property resulting from the drilling operation.

4. Limit the lease to oil and gas only as produced from the bore hole of a well and not other minerals that might be extracted by other methods.
5. Prohibit the lessee from marketing the oil or gas to itself or a subsidiary company to avoid any appearance of price control that would affect royalty payments.

In spite of Home Petroleum's willingness to add lease amendments, property owners remained skeptical and would not sign leases. Home Petroleum abandoned efforts in Jefferson County soon after the public information hearing.

D. Subdivision Law Suit - Jefferson County Planning Commission versus Louis B. Athey and Frederick E. Roughton

In an opinion and order, handed down in March, 1980, the Circuit Court ordered the defendants, Athey and Roughton, to post the required road maintenance bond by June 23, 1980. However, on June 16, 1980, a \$3,500 appeal bond was posted by them in order to appeal the case to the West Virginia Supreme Court of Appeals.

In October, 1980, it was learned that the State Highway Department was considering receiving Southerly Lane into the State Highway System and in November a petition was received signed by nearly all the property owners in the subdivision requesting the Planning Commission to drop its suit against Messrs. Athey and Roughton. The petition resulted from an understanding that the Department of Highways would not accept Southerly Lane into the State System until all litigation had been resolved.

On December 9, 1980, the Planning Commission voted to abide by the wishes of the property owners and released the developers from the requirement to post a maintenance bond under these circumstances. Upon presentation to the West Virginia Supreme Court of Appeals of a joint motion by both counsels, the action was dismissed.

E. 701 Projects

For the 1980/81 year, the Planning Commission was awarded a \$10,000.00 HUD 701 Grant for Comprehensive Planning Assistance. With a portion of this money, the firm of Fox & Associates, Inc. of Hagerstown, Maryland, was hired as consultants to assist in updating the Transportation, Education and Community Services and Utilities elements of the 1970 Comprehensive Plan, and in preparing a draft Economic Development Plan for Jefferson County. Throughout the year, the following have been achieved:

ECONOMY: 701 funding enabled the County, for the first time, to prepare a comprehensive plan for economic growth and development (Draft Economic Development Plan). Specifically, the grant was utilized in the following:

- An inventory showing the location, product or service and employment figures of existing industries within Jefferson County was completed.
- Prime properties for commercial and industrial development were targeted.
- Efforts to insure the stability of the agricultural segment of the County's economy through the establishment of farmland preservation measures continued. The Planning Commission staff was actively involved in the drafting of Farmland Preservation Legislation scheduled for presentation to the West Virginia legislature during the 1982 session.
- Policies and guidelines for the balanced and controlled growth of the economy consistent with the other elements of the Comprehensive Plan were established.

TRANSPORTATION: Under the 701 Program a revised Transportation Plan (Draft) was prepared. The following were addressed:

- A comprehensive inventory of the existing roads in the County was completed. This inventory identified hazardous/problem areas in the highway system which are in need of correction.
- The problems associated with the presence of numerous at-grade railroad crossings were identified. An inventory of the locations of all at-grade crossings within the County was completed, and recommendations for increased safety measures were made.
- Recommendations to upgrade existing transportation deficiencies and to provide adequate highway, rail, mass transit, and air services to all segments of the future county population were made.

EDUCATION: 701 Funding enabled the County to prepare a revised Education Plan (Draft). Specifically, the grant was utilized in the following:

- An accurate and thorough analysis of all aspects of the existing educational facilities in Jefferson County was made. This analysis included locational factors, site sizes, building and recreational facilities, numbers of teachers and classrooms, as well as present enrollments and capacities.
- Recommendations for the upgrading of existing facilities and the provision of additional schools were made.

The Education Plan was designed to meet the increasing educational needs of the rapidly growing County population.

RECREATION: Although a finished draft of the Recreation Plan was not completed, 701 funding enabled the following items necessary for the preparation of the Plan to be accomplished:

- An outline for the Recreation Plan was completed.
- A classification system for the parks and recreational areas of Jefferson County was developed.
- A cooperative program was developed between the Jefferson County Planning Commission and the faculty of the Park Administration Program at Shepherd College. Under this program, the Planning Commission Staff acted in an advisory capacity to the "Park Management" class. Lectures were given to the class at the college, and in-house research assistance was provided through the Planning Commission office. In return, as part of their learning experience, the students (who were divided into two groups) collected information and compiled sample comprehensive recreational plans for the area. The best portions of the students reports will be gleaned for inclusion in the Recreation Plan.
- An inventory of the existing recreational facilities in Jefferson County was compiled.

Through the use of the HUD 701 program, the groundwork for the establishment of a comprehensive Recreation Plan was completed.

PUBLIC BUILDINGS AND SERVICES; UTILITIES: Achievements for the Public Buildings and Services Element, and the Utilities Element under the 701 program include the following:

- A comprehensive inventory of all public buildings and services (e.g. police, fire, emergency, medical, etc.) in Jefferson County was completed.
- A revised Public Buildings and Services Element (Draft) was prepared.
- An outline for the utilities element was completed.
- An inventory of the existing public water systems in Jefferson County was completed.
- An inventory of the existing public sewage systems in Jefferson County was completed.
- Maps pertaining to soils and groundwater were prepared.

F. Federal Flood Insurance Program

Through united efforts by the County Commission, the Planning Commission and HUD, Jefferson County left the emergency phase and entered the Regular Phase of the Federal Flood Insurance Program during October, 1980.

Under the Regular Program, the full limits of flood insurance coverage became available locally, with the premiums charged for new construction varying according to its exposure to flood damage. The County's flood plain management efforts became more comprehensive. Accordingly, the Jefferson County Building Code Ordinance was amended to provide for these stricter measures. Requirements for construction, anchoring, fill, placement of structures and utilities, and permit procedures were expanded. Under the Regular Program, new buildings must be elevated or flood-proofed above certain flood levels derived from HUD's detailed on-site engineering surveys. These more detailed surveys resulted in Flood Insurance Rate Maps which show flood elevations, flood plains, and outlines of risk zones used for insurance purposes.

The following chart shows the increases in available flood insurance under the Regular Phase of the Flood Insurance Program:

	TOTAL AMOUNT OF INSURANCE AVAILABLE	
	<u>Emergency Program</u>	<u>Regular Program</u>
Single Family Residential	\$ 35,000	\$185,000
Contents, Residential	10,000	60,000
Small Business	100,000	250,000
Contents, Small Business	100,000	300,000
Other Nonresidential	100,000	200,000
Contents, Other Nonresidential	100,000	200,000

G. Miscellaneous Meetings

A total of approximately 24 evening meetings, hearings and conferences were attended by the Director, in addition to the regular semi-monthly Planning Commission meetings. Subjects discussed included:

- General subdivision activity
- Agricultural preservation methods--local and State
- State Highway Department plans--Industrial Park access road  
Route 340 By-pass
- Sewer facilities study
- Hydrogeologic study
- Farmland inheritance tax
- Oil and gas leases
- West Virginia State Bar Association concerns
- Farm Bureau concerns
- Homeowner's Association matters
- Opequon Watershed
- Homebuilder's Association concerns
- Appalachian Trail concerns
- County planning and zoning