



Advanced Agenda  
Jefferson County Planning Commission  
Tuesday, June 11, 2024 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: 889 8262 4828  
Meeting Link: <https://us02web.zoom.us/j/88982624828>

*\*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:** May 7, 2024
2. **Request for postponement.**
3. **Presentation from the West Virginia Division of Highways**

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

4. **Waiver Request** from Section 20.201A of the Subdivision Regulations to reduce the required access width from 50' to 20' for a proposed two lot minor subdivision. Property Owner / Applicant: Samuel J Donley Jr. Property Location: 4368 Engle Molers Rd, Harpers Ferry, WV. Parcel ID: 09001900040000; Size: 97.3 acres; Zoning District: Rural (File: 24-17-PCW).
5. **Waiver Request** from Section 20.201A of the Subdivision Regulations to reduce the required access width from 50' to 40' for a proposed three lot minor subdivision. Property Owner / Applicant: Michael Nick. Property Location: 1195 Summit Point Rd, Summit Point, WV. Parcel ID: 07002800090004; Size: 15 acres; Zoning District: Rural (File: 24-18-PCW).
6. **Waiver Request** from Section 20.203 of the Subdivision Regulations that requires the proposed project to process as a Minor Site Development. The project consists of operating a food truck on the subject property. Applicant: Haulin Butts BBQ / Attn: Paul Wesner. Property Owner: CLG Enterprises, LLC / (dba Dead Rock Contracting / Attn: Chris Livingston). Property Location: 465 Shipley School Rd, Harpers Ferry, WV. Parcel ID: 04000900270000; Size: .88 acres; Zoning District: General Commercial (File: 24-19-PCW).
7. **Waiver Request** from Section 20.203B.2 of the Subdivision Regulations that requires the proposed project to process as a Minor Site Development. The project consists of the removal and replacement of two existing dams on the subject property. Applicant/Property Owner: Izaak Walton League of America / Attn: James Butler. Property Location: 10435 Leetown Rd, Kearneysville, WV. Parcel ID: 07001400050000; Size: 56.2 acres; Zoning District: Rural (File: 24-20-PCW).
8. **Discussion and Possible Action:** Draft amendments to the Bylaws of the Jefferson County Planning Commission for discussion and possible action:
  - a. Section 2.4 "Committees" related to public notice and records for Planning Commission Committee and Subcommittee meetings.

- b. Section 5.1 “Voting” related to the use of a video conferencing program for regular and special meetings.

## **9. 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. Update from Legal Counsel regarding County Commission actions on December 21, 2023 including obtaining ethics opinion regarding committee.

## **10. Planner’s Memo**

## **11. President’s Report**

## **12. Actionable Correspondence**

## **13. Comprehensive Plan Update Actionable Correspondence**

### **Continued from the May 7, 2024 meeting**

- a) Email from Noah Mehrkam dated 2024-02-25
- b) Email from Karen Twigg Sagisi dated 2024-03-01
- c) Email from Roberta N. Meade Curry dated 2024-03-02
- d) Email from Jean C Zigler-Kotch dated 2024-03-18
- e) Email from Mary Gee dated 2024-04-02
- f) Email from Gillian Vickers dated 2024-04-02
- g) Email from Dave Lutman dated 2024-04-10
- h) Email from Kay Shultz dated 2024-04-10

### **New correspondence received after May 7, 2024**

- 1. Email from Potomac Valley Audubon Society (PVAS) dated 2024-05-13
  - 2. Email from Lizette Temple dated 2024-05-13
  - 3. Email from Lori Simmons dated 2024-05-13
  - 4. Email from Mark Muse dated 2024-05-13
  - 5. Email from Philip Post dated 2024-05-13
  - 6. Email from Rebecca Phipps dated 2024-05-13
  - 7. Email from Susan Ford dated 2024-05-13
  - 8. Email from Suzanne Patrick dated 2024-05-13
  - 9. Email from Tracy Riordan dated 2024-05-13
  - 10. Email from Jena Meredith dated 2024-05-16
  - 11. Email from Marcy Bartlett dated 2024-05-16
  - 12. Email from Martha Sullivan dated 2024-05-16
  - 13. Email from Ralph Scorza dated 2024-05-16
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14. Email from Cindy Powers dated 2024-05-23
15. Email from David Lutman dated 2024-05-16
16. Email from Jeff Hornbeck dated 2024-05-16
17. Email from Jim Surkamp dated 2024-05-16
18. Email from Michael Chalmers dated 2024-05-16
19. Email from Rose Marie dated 2024-05-16
20. Petition from Russo-Shepherdstown dated 2024-05-16
21. Email from Doug Rockwell dated 2024-05-17
22. Email from James Cain dated 2024-05-17
23. Email from D.W. Gregory dated 2024-05-18
24. Email from David Duh dated 2024-05-18
25. Email from Judy York dated 2024-05-18
26. Email from Cynthia Feeser dated 2024-05-19
27. Email from Elizabeth McGowen dated 2024-05-19
28. Email from Lois Butcher dated 2024-05-19
29. Email from Bill Rule dated 2024-05-20
30. Email from Evelyn Getty dated 2024-05-20
31. Email from Jane Tabb dated 2024-05-20
32. Email from Mary Beth Kilmer dated 2024-05-20
33. Email from Nancy Craun dated 2024-05-20
34. Email from Paul Kradel dated 2024-05-20
35. Email from Randall Tremba dated 2024-05-20
36. Email from Carrie Singer dated 2024-05-22
37. Email from Bobbi Blok dated 2024-05-24
38. Email from Bob Aitcheson dated 2024-05-26
39. Email from Charlotte Fremaux dated 2024-05-26
40. Email from Deborah Rochefort dated 2024-05-27
41. Email from Philip Baker-Shenk dated 2024-05-27
42. Email from Billy McLaughlin dated 2024-05-28
43. Email from Charlotte Fremaux dated 2024-05-28
44. Email from Sharon & Michael Helman dated 2024-05-28
45. Email from Teresa Purcell-Diehl dated 2024-05-29
46. Emails re: "Public Comment on Future Land Use Map and Comprehensive Plan Action Items" received between 05/19/2024 – 05/31/2024 from the following citizens:  
Ali Printz, Amanda Wolfe, AnnaMary Walsh, B Temple, Barbara Humes, Beth-Rosenberg, Carolyn Rodis, Cecile Claude, Cheryl Pullen, Christina Melocik, Conrad Lotze, David Miljour, Dennis G Hatcher, Donna Wolfe, Dwight Wolfe, Eliza Temple, Elizabeth Shockley, Erin Reiney, EVE Lobner, Hilary Lo, Jeffrey Bannon, Jeffrey Feaga, Jennifer Jones, Jennifer King, Jessy Printz, Julia Yuhasz, Kate Temple, Kelly Campbell, Kirsten Martin, Kit McGinnis, Laura Levesque & Russell Fry, Linda Layne, Lindsay McLaughlin, Linus Bicker, Lisa Paynes, Liz Temple, Lizette Temple, Lizz Temple, Marie Tyler, Marie Uehling, Mary Fortuna, Nancy Knight, Nicole Gonzalez-Knowlton, Pamela Rowley, Paula Tremba, Rebecca Phipps, Ruth Hatcher, Sara Howle, Sarah Adams, Sharon Buck, Sherry Sturman, Sonny Lobner, Stephanie Pania, Stephen Berzinskas, Terry Thorson, Toby Degenhardt, and Tracy Lesky

#### **14. Non-Actionable Correspondence**

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