

Meeting Minutes
Jefferson County Planning Commission
August 13, 2024

The Jefferson County Planning Commission met on August 13, 2024, at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Aaron Howell, Vice President; Wade Louthan, Secretary; Jack Hefestay, Cara Keys, and Donnie Fisher were present in person. Steve Stolipher, County Commission Liaison, was present via Zoom.

J Ware and Tim Smith were absent without notification.

Staff members present included Jennifer Brockman, Chief County Planner, Luke Seigfried, County Planner; Jonathan Saunders, County Engineer; Nathan Cochran, Prosecuting Attorney; and Shenandoah Olsen, Planning Staff Intern.

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

- 1. Planning Commissioner Training:** Presentation by Roberta N. Meade-Curry with DarkSky Bolivar-Harpers Ferry regarding DarkSky International.

Roberta N. Meade-Curry, Wayne Bishop, and Carol DiSalvo with DarkSky Bolivar-Harpers Ferry presented an overview of the DarkSky initiative to the Planning Commission. A copy of the presentation is available upon request.

- 2. Approval of Meeting Minutes:** July 23, 2024

Mr. Shepp stated the minutes stand approved as presented.

- 3. Request for postponement.** None.

The following items are open for public comment.

- 4. Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction to allow for a second kitchen to be added onto the existing home to establish a two-family dwelling unit (see Plat Note #6 on Final Plat recorded in DB 633/PG 721). Applicant/Property Owner: Ian and Susan Brownsmith. Property Location: McDonald Minor Subdivision, Lot 2; 1139 Engle Molers Rd., Harpers Ferry, WV. Parcel ID: 04000300010004; Size: 3.55 ac; Zoning District: Rural (File #24-3-FPA).

Ms. Brockman provided an overview of the staff report.

Ms. Susan Brownsmith, property owner, explained the nature of the request.

The Planning Commission members asked clarifying questions.

Mr. Shepp opened the public hearing. No members of the public were signed up to speak. Mr. Shepp closed the public hearing.

Mr. Fisher moved to approve the request as presented. Mr. Howell seconded the motion, which carried unanimously.

- 5. Waiver Request:** Waiver request from Section 21.401 and 21.402.D of the Subdivision Regulations to allow an existing fence within the required 50' access easement of a proposed minor subdivision. Applicant: Dalton Whitaker. Property Owners: Henry & Rachell Duvall and Stanley W Jr & Katherine B Dunn. Property Location: 2648 and 2646 Kabletown Rd, Charles Town, WV. Parcel ID: 06002100050001 and 06002100050000; Sizes: 1.42 acres and 174.64 acres; Zoning District: Rural (File #24-23-PCW).

Ms. Brockman provided an overview of the staff report and recommended that if approved, a condition should be added that if the existing fencing is removed or replaced, the new fencing should be placed outside the 50 ft. easement.

Ms. Kylie Whitaker, applicant's spouse, explained the nature of the request.

The Planning Commission members asked clarifying questions.

Mr. Shepp opened the public hearing. No members of the public were signed up to speak. Mr. Shepp closed the public hearing.

Mr. Hefestay moved to approve the request as presented. Mr. Fisher seconded the motion. Ms. Keys asked if the approval included Staff's recommendation regarding the fence. Mr. Hefestay agreed. The motion carried unanimously.

6. **Waiver Request:** Waiver request from Section 20.203B of the Subdivision Regulations that requires the proposed project to process as a Minor Site Development. The project consists of the installation of a crane/bungee area affixed to a 400 sf slab, a 320 sf storage container, a 1,225 sf registration kiosk, a 75 sf floating dock, and a 216 sf staircase. The proposal will also include various walking paths, gravel drive aisles, grass & gravel parking, and signage. Applicant: Bungee Consultants International (Nick Steers). Property Owner: Standard Land Company LLC. Property Location: Northeast intersection of Peregrine Ln & Millville Rd, Harpers Ferry, WV. Parcel ID: 04001100240001; Size: 404 acres; Zoning District: Residential-Light Industrial-Commercial (File #24-24-PCW).

Ms. Brockman provided an overview of the staff report and an explanation of the location within the larger Old Standard Quarry property.

Mr. Nick Steers and Mr. Matt Lawrence, with Bungee Consultants International, and Mr. Paul Raco with P.J. Raco Consulting explained the nature of the request.

The Planning Commission members asked clarifying questions.

Mr. Shepp opened the public hearing. Ms. Christine Marshall, local resident, spoke in opposition to the request citing concerns regarding stormwater management. Mr. Shepp closed the public hearing.

In response, Mr. Raco and Mr. Steers explained that the proposed parking lot would be too small to make a noticeable impact on the stormwater management systems for the 400+ acre site. They stated that all neighboring property owners had been notified of the proposal and had no issue with it.

Mr. Saunders confirmed that as the parking lot would be under 5,000 square feet that there would be no issues with the request. Mr. Hefestay asked about proffers. Mr. Raco confirmed that everything will be included in the building permit and any other permits or inspections that would be required.

The Planning Commissioner asked further clarifying questions and discussed the request. Mr. Hefestay commented that as the visuals for the project were difficult to read, he would prefer to see a site plan.

Ms. Keys moved to approve the request with proffers as presented. Mr. Louthan seconded the motion, which carried six (6) in support and one (1) in opposition (Mr. Hefestay).

There is no public comment for the following items.

5. **Review and Approval:** Planning Commission's FY 2024 Annual Report to the County Commission per WV Code §8A-2-11. The Planning Commission is required by State Code to make an annual report to the appropriate governing body concerning the operation of the planning commission and the status of planning within its jurisdiction.

Ms. Brockman provided an overview of the draft Annual Report to the Planning Commission.

Mr. Louthan moved to approve the Annual Report as presented. Mr. Fisher seconded the motion, which carried unanimously. Ms. Brockman noted that a copy of the approved Annual Report would be forwarded to the County Commission as required by state law.

6. Reports from Legal Counsel. None.

7. Planner's Memo

- a. Approved Planning Commission Bylaws (as amended July 11, 2024) for signature.

Ms. Brockman presented the final version of the Bylaws to the Planning Commission for their signature. Ms. Brockman noted that a copy of the approved Bylaws would be posted to the County's webpage.

Ms. Brockman provided an overview of the upcoming dates as they relate to the adoption of the 2045 Comprehensive Plan (see the Planner's Memo for more information).

Mr. Seigfried presented the Commission with a sample of text from the 2045 Comprehensive Plan to determine whether a formatting change would be made to the text, reminding the Commission that no change would be made until after the Public Hearing. The Planning Commission reviewed the text sample and confirmed that no formatting change was necessary.

7. President's Report. Mr. Shepp reported that he will be absent from the September 11, 2024 Planning Commission meeting. The Commission confirmed that Mr. Howell will conduct the meeting in his stead.

8. Comprehensive Plan Actionable Correspondence

Comments received pertaining to the 2024 Comprehensive Plan:

- a) 2024-07-11 Mary Gee
- b) 2024-07-15 Elizabeth Ricketts
- c) 2024-07-16 Briar Run Estates HOA
- d) 2024-07-16 Jacquelyn Milliron
- e) 2024-07-16 Jacquelyn Milliron (2)
- f) 2024-07-16 Wade Louthan
- g) 2024-07-22 Christine Wimer
- h) 2024-07-26 Jean Kotch
- i) 2024-08-05 Briar Run HOA

The preceding correspondence will be included in the public comments collected for the Planning Commission Comprehensive Plan review session on September 17, 2024.

8. Actionable Correspondence. None.

9. Non-Actionable Correspondence. None.

Mr. Hefestay moved to adjourn the meeting at 8:32 pm. Mr. Louthan seconded the motion, which carried unanimously.

These minutes were prepared by Jennilee Hartman, Zoning Clerk, and Shenandoah Olsen, Planning Staff Intern.