

Meeting Minutes
Jefferson County Planning Commission
September 17, 2024

The Jefferson County Planning Commission met on September 17, 2024 at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Wade Louthan, Secretary; Steve Stolipher, County Commission Liaison; Jack Hefestay; Cara Keys; Tim Smith; and Donnie Fisher were present in person. Aaron Howell, Vice President; was present over conference call.

J Ware was absent without notice.

Staff members present included Jennifer Brockman, Chief County Planner; Luke Seigfried, County Planner; Jennilee Hartman, Zoning Clerk; Colin Uhry, Planning & Zoning Clerk.

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

1. Discussion of Written Comprehensive Plan Comments:

Comments received pertaining to the 2045 Comprehensive Plan:

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| 1) 2024-07-11 Mary Gee | 31) 2024-08-27 Anna Cook |
| 2) 2024-07-15 Elizabeth Ricketts | 32) 2024-08-27 Charlotte Baker-Shenk |
| 3) 2024-07-16 Briar Run Estates HOA | 33) 2024-08-27 Christine Palank |
| 4) 2024-07-16 Jacquelyn Milliron | 34) 2024-08-27 Diana Mullis |
| 5) 2024-07-16 Jacquelyn Milliron (2) | 35) 2024-08-27 E Temple |
| 6) 2024-07-16 Wade Louthan | 36) 2024-08-27 Elizabeth Goins |
| 7) 2024-07-22 Christine Wimer | 37) 2024-08-27 Gay Henderson |
| 8) 2024-07-26 Jean Kotch | 38) 2024-08-27 George Rutherford |
| 9) 2024-08-05 Briar Run HOA | 39) 2024-08-27 Jeffery Hertrick |
| 10) 2024-08-18 Ali Printz | 40) 2024-08-27 Joanne Bario |
| 11) 2024-08-18 Doreen Voigt | 41) 2024-08-27 K Temple |
| 12) 2024-08-18 E Temple | 42) 2024-08-27 Kathleen Lloyd |
| 13) 2024-08-18 Laurie Allen | 43) 2024-08-27 Kit McGinnis |
| 14) 2024-08-18 Linda Roberts | 44) 2024-08-27 L Temple |
| 15) 2024-08-18 Stephen Berzinskask | 45) 2024-08-27 Mark Muse |
| 16) 2024-08-19 B Temple | 46) 2024-08-27 Rebecca Phipps |
| 17) 2024-08-19 David Barrett | 47) 2024-08-27 Robert Barrat |
| 18) 2024-08-19 E Temple | 48) 2024-08-27 Robin Huyett |
| 19) 2024-08-19 L Temple | 49) 2024-08-27 Steven Hula |
| 20) 2024-08-19 Ruth Pritchard | 50) 2024-08-27 Susan Lewis |
| 21) 2024-08-19 Toby Degenhardt | 51) 2024-08-27 Tristin Olsen |
| 22) 2024-08-20 Tom Clark | 52) 2024-08-27 Elisabeth Staro |
| 23) 2024-08-21 Heather Kahsay | 53) 2024-08-27 Danielle Staro |
| 24) 2024-08-21 Laura Degenhardt | 54) 2024-08-27 Troy Miller |
| 25) 2024-08-25 Dennis Hatcher | 55) 2024-08-27 Charlotte Fremaux |
| 26) 2024-08-25 Ruth Hatcher | 56) 2024-08-27 Lisa Payne |
| 27) 2024-08-26 Christina Melocik | 57) 2024-08-27 Anna Mary Walsh |
| 28) 2024-08-26 Kristen Lee | 58) 2024-08-27 Doug Rockwell |
| 29) 2024-08-26 Louise McDonald | 59) 2024-08-27 Mary Gee |
| 30) 2024-08-27 A Temple | 60) 2024-08-27 Maura Ross |

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| 61) 2024-08-27 Sullen Myers | 72) 2024-09-03 Christine Marshall |
| 62) 2024-08-27 Victor Rushizky | 73) 2024-09-05 Joe Bosco |
| 63) 2024-08-27 Windsong Bergman | 74) 2024-09-06 Adam Roob |
| 64) 2024-08-28 Beverly Ryan | 75) 2024-09-06 John Cline & Krista Edwards |
| 65) 2024-08-28 Elizabeth Shockley | 76) 2024-09-06 Kay Schultz |
| 66) 2024-08-28 Elizabeth Wheeler | 77) 2024-09-06 Martin Burke |
| 67) 2024-08-29 Olivia Welch | 78) 2024-09-06 Jacquelyn Milliron |
| 68) 2024-08-30 Liz Temple | 79) 2024-09-06 Mary T. Sell |
| 69) 2024-08-30 Renny T Smith | 80) 2024-09-06 Phil Bakershenk |
| 70) 2024-08-31 Murat Mayor | 81) 2024-09-06 John Maxey |
| 71) 2024-09-02 Theresa Rush | |

2. Discussion of Public Hearing Comments:

Copies of the 2045 Comprehensive Plan were distributed to members of the Commission and copies of the agenda and public comments were made available to both the Commission and members of the public, as well as a matrix summarizing the comments received and staff's comments on the input received. Mr. Seigfried introduced the updated Comprehensive Plan document and briefly explained the structure and formatting changes since the July 23, 2024 meeting, and current state of the document.

Planning Commissioners and Staff reviewed the public comment matrix and attached comments received. The Planning Commission then provided staff with the following direction related to changes that need to be made the draft 2045 Comprehensive Plan based on the public comment received.

- Mike Shepp made a motion to leave the non-conforming parcels identified as Industrial Commercial in Summit Point and along Box Factory Road as shown on the draft map; Donnie Fisher seconded. Motion carried seven (7) in favor and one (1) opposed (J. Hefestay).
- Cara Keys made a motion to amend Goal 1 of the 2045 Comprehensive Plan to add the following language: "...support and balance the land rights of all landowners of all property types"; Mr. Hefestay seconded the motion. The motion carried with seven (7) in favor and one (1) in opposition (Mr. Shepp).
- Mike Shepp made a motion to add a portion of Flowing Springs Road to the Highway Problem Area Map and incorporate text regarding a connector road between Flowing Springs Road and Potomac Marketplace that alleviates traffic through residential neighborhoods; Jack Hefestay seconded the motion. The motion carried unanimously.
- Steve Stolipher made a motion to expand the US 340 South Preferred Growth area east of the new US 340 widened lanes and to change the Future Land Use designation of two parcels near the intersection with Smith Road (near the West Virginia/ Virginia state border) to Residential Commercial; Donnie Fisher seconded the motion. Ms. Keys proposed an amendment to the motion's proposed boundary to extend to a neighboring property line. The motion was approved unanimously.

- Mr. Shepp proposed changing from a formal vote to a commission consensus for the remainder of the night, with contentious topics being the only instance of motions being discussed. Members of the Planning Commission agreed to this change.
- The Commissioners discussed the meaning and implications of Objectives 1.3, 1.4, and 1.5 of the Comprehensive Plan. After deliberation, Planning Commission, by consensus, directed staff to reword aspects of Objectives 1.3 (change “streamline” to “make the land development processes consistent with the local ordinances”) and 1.5 (change “by right” to “principle permitted uses or conditional uses” and “commercial uses” to “land uses”). The Planning Commission directed staff to remove Objective 1.4 with an unanimous vote.
- Staff was also directed to add a greater explanation on the Zoning Map Amendment process.
- Discussions ensued regarding the comments that were most commonly brought up during the Public Input phase, with the Planning Commission primarily agreeing with the staff comments regarding action required.
- Staff was directed to add text to the solar energy facilities discussion under Goal 2 to include recommending revisiting all the requirements of the zoning ordinance related to approving solar energy projects to include improving the process, expanding the vegetative buffers and setbacks and adding discussion of the use of agrovoltatics with proposed solar energy facilities.
- Staff was directed to include recommending a 50’ buffer with planting/screening within a 10’ buffer and/or fence along adjoining farmland and properties with conservation easements as a part of all major subdivisions with the goal of moving the lot lines away from the rural properties.

Mr. Shepp proposed to pause the meeting at 8:40, carried with unanimous approval. Meeting resumed at 8:46.

- Staff was directed to modify Objective 8.1 to include reference to **local** land use regulations.
- The Planning Commission discussed the numerous requests for an updated groundwater study and staff reported that the County Commission has taken this recommendation under consideration and is collaborating with a groundwater study being undertaken by the USGS office. The County Commission will be determining funding needed for such a study.
- Staff was directed to change Objective 11.2 to include “and all residents” as it relates to park and recreational programming options.
- Planning Commission directed staff to add an item “3” under Objective 13.3 stating: “Encourage the JCDA to engage the public in creating an economic development strategy”.
- After describing a request to change the designation of a property east of the Shepherdstown border from Rural/Agricultural to Rural Residential and to expand the Shepherdstown Preferred Growth Area to include it, staff advised that a portion of the property remain Rural/Agricultural due to the surrounding historic significance. Mr. Stolipher made a motion to change the future land use designation of the full parcel from Rural/Agricultural to Rural Residential as requested but not to change the PGA boundary. After discussion the motion was amended to change a portion of the parcel located west of Teague’s Run from Rural/Agricultural to Rural Residential

but not to change the PGA boundary; Mr. Hefestay seconded the motion. The motion carried with seven (7) in favor and one (1) in opposition (Ms. Keys).

- The Commission directed staff to add the intersection of US 340 and Chestnut Hill Road to the Highway Problem Area Map.
- Alternative wording for Objective 11.3 related to park expansion and Master Plans was discussed.
- The Commission discussed the balance between broad nature of the long term goals for the County and identifying specific businesses and for that reason the Commissions recommended remove item “1” under Objective 2.1 related to the Hill Top House Hotel site.
- Staff was directed to add an additional action item to Objective 4.1 related to encouraging the documentation of Category 1 and 2 historic sited in the County.
- Staff was directed to add the Jefferson County Health Department to the list of Key Players and add them as a responsible party in relevant Action Items within Goal 9 and Goal 15 and add an action item to “support the Health Department efforts to provide health services to County residents”.
- Staff was asked to discuss the possibility of updating the Cellular Assets Map with the GIS staff as a resource on the county web site.
- Staff was directed to add an action item to Objective 3.2 related to encouraging on-going horse breeding and raising in Jefferson County.
- Staff was directed to correct the provisions related to cluster development on page 18 the reflect the language in the Zoning Ordinance: 1 lot per 5 acres requirement with 50% or more of the land as green space or preserving more than 50% of the land as green space by following the sliding scale.
- Staff was directed to add the proposed trail along Augustine Ave between Evitt’s Run Park and Washington High school and the proposed trail between Shepherdstown Middle School and Morgan Grove Park to the Parks and Trails Maps.

3. Discussion and Possible Action Related to the Comprehensive Plan Update:

Mr. Seigfried and Ms. Brockman recommended calling a Special Meeting on October 1, 2024 for the purpose of reviewing the edits made to the text and maps and determining whether the Plan is ready to recommend to the County Commission for their consideration. Mr. Shepp made the motion to call the special meeting and the motion was carried unanimously.

Mr. Shepp motioned to adjourn the meeting at 10:19 pm. Mr. Stolipher seconded the motion, which carried unanimously.

These minutes were prepared by Colin Uhry, Planning & Zoning Clerk.