



Agenda

Jefferson County Planning Commission

Tuesday, November 12, 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: 830 0882 1278
Meeting Link: <https://us02web.zoom.us/j/83008821278>

**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:** October 8, 2024 meeting
2. **Request for postponement**

The following items are open for public comment

3. **Public Workshop:** Mountain Pure Concept Plan for a Major Site Development. The proposal consists of the following: Phase 1: a 304,000 square foot water bottling facility with associated parking on a proposed 30-acre parcel; and, Phase 2: a 696,000 square foot water bottling facility with associated parking on a proposed 66-acre parcel. The proposal will include the required stormwater management facilities. Property Owners: Sidewinder Enterprises, LLC; 1 Grace St, Kearneysville, WV; Parcel ID: 07002200090000; Size: ~260 acres; Zoning District: Industrial Commercial (File #24-6-SP).
4. **Public Hearing:** Waiver Request from Section 24.112C of the Subdivision Regulations to extend the two year vesting period for approved Major Subdivision Concept Plans, which requires that a preliminary plat must be submitted and approved within the two year period of time for which the concept plan direction is in effect, extending to November 15, 2026 for the Sunnyside Major Subdivision. Property Owners: Sunnyside Investment, LLC; Sunnyside Industrial Park Lots 1-5 & 8-11 (9 existing lots) located on Kanawha Lane, south of Wheatland Road, Charles Town, WV; Tax District: Kabletown (06); Map: 12; Parcels: 12, 12.2, 12.3, 12.4, 12.5, 12.8, 12.9, 12.10, 12.11; Size: ~53 acres (combined acreage); Zoning District: Residential-Light Industrial-Commercial (File # 24-27-PCW).
5. **Public Hearing:** Waiver Request from Section 20.203B of the Subdivision Regulations to allow the opening of the park property prior to processing a Concept Plan and Site Plan and prior to initiating any improvements on the property. Property Owners: Jefferson County Parks and Recreation Commission / Contact: Jennifer Myers; 1123 Bloomery Road, Charles Town, WV; Parcel ID: 02002000020000; Size: 82 acres; Zoning District: Rural (File # 24-28-PCW).

There is no public comment for the following items.

- 6. Discussion and Action on the Harvest Homes, LLC Zoning Map Amendment Request:** Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone three Media Farm properties totaling 127+/- acres from Rural to Residential Growth is consistent with the *2035 Comprehensive Plan*. Owner/Applicant: Harvest Homes, LLC. Property Location: 261 Media Farm Lane, Ranson, WV (Parcel ID: 02000400110000), 391 Media Farm Lane, Ranson, WV (Parcel ID: 02000400110001); and, 278 Media Farm Lane, Ranson, WV (Parcel ID: 02000400130000). Combined acreage: approximately 127 acres; Zoning District: Rural (File #24-2-Z).
 - 7. Discussion and Recommendation:**

Staff report back on recommendations related to possible changes to the Solar Energy Facility Ordinance requirements.
 - 8. Discussion and Recommendation:**

Draft FY 26 Planning and Zoning Budget recommendation for use by the Department of Engineering, Planning, and Zoning.
 - 9. Discussion and Recommendation:**

FY 25 1st Quarter Quarterly Report to County Commission
 - 10. Reports from Legal Counsel**
 - 11. Planner's Memo**
 - a. Planning Commissioner Self Evaluation Review
 - b. 2025 Planning Commission Schedule and Deadlines
 - 12. President's Report**
 - 13. Actionable Correspondence**
 - 14. Non-Actionable Correspondence**
-

Draft Meeting Minutes

Jefferson County Planning Commission

October 8, 2024

The Jefferson County Planning Commission met on October 8, 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, Tim Smith, and Donnie Fisher were present in person. Steve Stolipher; County Commission Liaison, and J Ware was present via ZOOM.

Staff members present included Jennifer Brockman, Chief County Planner, Luke Seigfried, County Planner; Jonathan Saunders, County Engineer; Nathan Cochran, Prosecuting Attorney (via ZOOM); Jennilee Hartman, Zoning Clerk; and Colin Uhry, Planning & Zoning Clerk.

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

1. **Approval of Meeting Minutes:** September 10, September 17, and October 1, 2024 Meetings

Mr. Seigfried provided the Planning Commission with a transcript regarding the portion of the September 17 meeting that the Commission had questioned at the last meeting. Mr. Shepp stated the minutes stand approved as presented.

2. **Request for postponement.** None.

The following items are open for public comment.

3. **Public Hearing:** Final Plat Amendment to lift the single family restriction for a detached accessory dwelling unit for a family member. See Note #9 on Final Plat PB 25 PG 85A for restriction.

Applicant/ Property Owners: Steve Lana & Maureen Smolke. Property Location: Potomac Ridge Subdivision, Lot 9, 415 Potomac Ridge Ln, Shepherdstown, WV. Parcel ID: 09001000090019; Size: 3 ac; Zoning District: Rural (File#24-5-FPA).

Ms. Brockman provided an overview of the staff report.

Mr. Steve Lana, property owner, explained the nature of the request.

The Planning Commission had no 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. Howell moved to approve the request as presented. Mr. Fisher seconded the motion, which carried unanimously.

4. **Public Hearing:** Waiver request from Section 20.201B of the Subdivision Regulations to reduce the required access easement width of Doe Walk Lane from 50' to 40' and to allow more than five lots to access Doe Walk Lane for a proposed two lot minor subdivision. Applicant: Adam Crum. Property Owners: William Crum. Property Location: Vacant Lot on the eastern side of Doe Walk Lane, Kearneysville, WV. Parcel ID: 07002200210000; Size: 6.5 acres; Zoning District: Rural (File #24-26-PCW).

Ms. Brockman provided an overview of the staff report.

Mr. Adam Crum, relative to the property owner, explained the nature of the request.

The Planning Commission had no 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. Louthan moved to approve the request as presented. Mr. Howell seconded the motion, which carried unanimously.

- 5. Public Hearing:** Variance request from Section 2.1B of the 1979 Subdivision Ordinance (parent to child exemption) to lift the single family restriction to allow for a detached Accessory Dwelling Unit (In-Law Suite) pursuant to Section 8.15A of the Zoning Ordinance. See Page #2 in DB 821 / PG 156 for restriction. Applicant/Property Owners: Dawn White. Property Location: 49 Boyer Lane, Summit Point, WV. Parcel ID: 06001900030001; Size: 2.95 acres; Zoning District: Rural (File#24-3-PCV).

Mr. Shepp recused himself from this Item due to a connection with the property.

Ms. Brockman provided an overview of the staff report.

Ms. Dawn White, property owner, explained the nature of the request.

Mr. Louthan made note the property crosses the West Virginia/ Virginia border and Ms. White may need approval from Clarke County, VA. The Planning Commission had no clarifying questions.

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

Mr. Shepp returned to the meeting room for the duration of the meeting.

There is no public comment for the following items.

- 6. Discussion and Possible Action Related to the Comprehensive Plan Update:** Review of the draft 2045 Comprehensive Plan

Mr. Seigfried explained edits to the 2045 Comprehensive Plan that the Planning Commission requested during the October 1, 2024 meeting. Mr. Fisher requested that a legend be added to the Future Land Use map in the 2045 Comprehensive Plan, Mr. Seigfried said he would discuss the addition with GIS.

Mr. Hefestay expressed concern over Objective 1.4, less emphasis on beauty in Jefferson County, concern over lack of compare and contrast between 2035 and 2045 Comprehensive Plans, and concern regarding the upcoming election season and members voted onto the County Commission.

Mr. Seigfried addressed the concerns made by Mr. Hefestay. Mr. Hefestay moved to strike Objective 1.4 from the 2045 Comprehensive Plan. Mr. Shepp called for a second, no second was found, and the motion died.

Mr. Howell moved to recommend the 2045 Comprehensive Plan to the County Commission, Mr. Louthan seconded the motion, which carried seven (7) in support and two (2) in opposition, Mr. Hefestay and Ms. Keys.

Ms. Keys moved to rescind the vote, allowing for more discussion regarding Objective 1.4. Mr. Cochran joins the meeting in person to discuss the legality of returning to the motion later in the meeting.

[The motion to rescind and related discussion occurred after the Planning Commission moved to Agenda Item 9. Additional detail can be found in Agenda Item 9 below.]

7. Review and Approval: Planning Commission Calendar Year 2025 Meeting and Submission Dates

Staff provided meeting and application deadline dates for the 2025 Planning Commission Calendar and pointed out specific dates requiring Planning Commission approval.

Mr. Shepp moved to establish Monday, December 23rd as the waiver application deadline for the Tuesday, January 14 2025 meeting. Mr. Louthan seconded, unanimous approval.

Mr. Louthan moved to hold the November Planning Commission meeting on Tuesday, November 4, due to the Veteran's Day holiday. Mr. Shepp seconded the motion, which carried unanimously.

8. Reports from Legal Counsel. None.

9. Planner's Memo.

Mr. Seigfried asked Planning Commission to fillout self-evaluation forms. Mr. Uhry passed out the forms to Planning Commission members attending in person.

Mr. Hefestay requested further discussion on Objective 1.4 and Mr. Cochran explained the process through Roberts Rules of Order to rescind a motion. Mr. Fisher moved to rescind the motion to send the Comprehensive Plan to the County Commission and Mr. Smith seconded.

Ms. Keys moved to remove "...by principal permitted use and by conditional use" from the Comprehensive Plan. Mr. Louthan seconded the motion, which carried eight (8) in favor and one (1) in opposition, Mr. Hefestay.

Mr. Fisher moved to send the 2045 Comprehensive Plan to the County Commission. Mr. Howell seconded the motion, which carried eight (8) in support and one (1) in opposition, Mr. Hefestay.

Mr. Seigfried explained issues adding cellular assets to the Future Land Use map.

10. President's Report.

Mr. Shepp requested presentation on ministerial vs adjudicatory authority from Mr. Cochran, after New Year's.

11. Actionable Correspondence.

None

12. Non-Actionable Correspondence.

- a. 09/16/24: Elizabeth Shockley
- b. 09/26/24: Jean Zigler
- c. 10/1/24: James Gatz

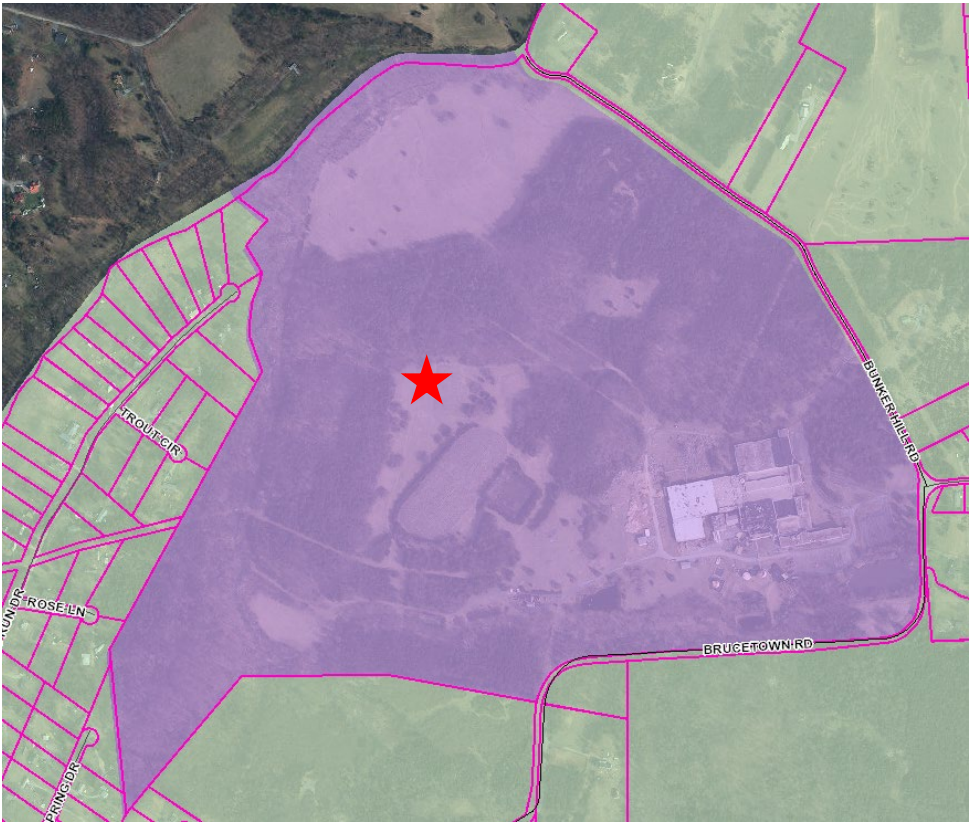
Mr. Howell motioned to adjourn the meeting at 7:54 pm. Mr. Louthan seconded the motion, which carried unanimously.

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

Staff Report
 Jefferson County Planning Commission
 November 12, 2024

Sidewinder Enterprises, LLC Concept Plan Public Workshop (PC File: 24-6-SP)

Item # 3: Concept Plan Public Workshop: The proposal consists of constructing two water-bottling facilities in two phases with a total of 1,000,000 square foot in new building area. The project will include internal access roads with two commercial entrances, a water treatment facility for use by a local utility company, and stormwater management.

Owners/Applicant:	Sidewinder Enterprises, LLC
Consultant:	Brooke Perry, Integrity Federal Services
Property Location & Legal Description	<p style="text-align: center;">1 Grace Street, Kearneysville, WV; Parcel ID: 07002200090000; Size: ~260 ac; Zoning District: Industrial-Commercial</p> 
Adjacent Zoning:	<i>North, South, East, & West: Rural</i>
Proposed Activity:	Water Bottling Factory
History:	<p>08/08/2023 – Planning Commission Waiver for 4-lot Subdivision Approved The site of the previous the 3M Plant (opened in 1961 and closed in 2005) and Eastman Kodak Co (2005 - 2006) S91-01 3M Plat Addition Site Plan S91-09 3M Plant Boiler Room Addition S95-11 3M Plant Oil Containment 2015 Commercial Liability Partners worked with the WV DEP on a voluntary remediation program to prepare for resale for industrial uses</p>
Concept Plan Status:	<p>Submitted: 09/27/2024 Sufficiency Letter, with minor comments: 10/01/2024</p>

Staff Report
Jefferson County Planning Commission
November 12, 2024
Sidewinder Enterprises, LLC Concept Plan Public Workshop (PC File: 24-6-SP)

Introduction and Summary of Request

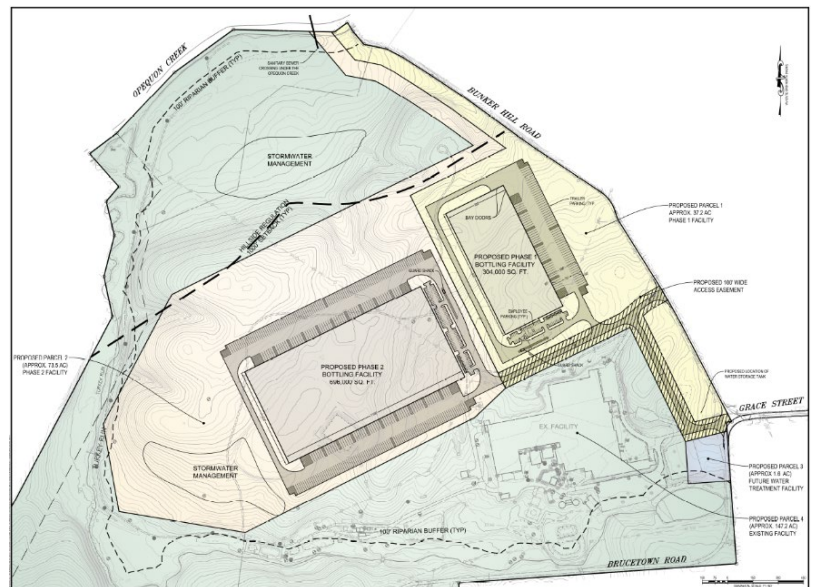
The Concept Plan for Sidewinder Enterprises, LLC consists of the following:

- The phased development of two Bottling Facility buildings on two separate parcels with a total of 1,000,000 square foot in building area
 - 304,000 square foot for proposed phase 1 Bottling Facility
 - 696,000 square foot for proposed phase 2 Bottling Facility
- A non-residential minor subdivision to create four parcels
 - Two parcels for two bottling facilities
 - One parcel for the existing facility (former 3M Plant)
 - One parcel for water treatment facility
- 569 paved parking spaces
- Two proposed access easements
- Stormwater management facilities

Site Plan Category

Section 20.204 Subdivision Regulations identifies a project as a *Major Site Development* if the proposal “require the development of new infrastructure or the extension of off-tract infrastructure or where the proposal does not meet the definition of a minor site development.” A major site development shall adhere to Full Site Plan requirements in all proposals.

Therefore, a Major Site Plan, with a Concept Plan, will need to meet all the requirements of the Subdivision regulations. The first step in processing this Site Plan is this Concept Plan and the required Public Workshop. The graphic above depicts the proposed project.



Staff Determination of Application Sufficiency and Concept Plan Completeness Review

In accordance with the current Subdivision Regulations, the Major Site Plan Concept Plan process incorporates a sufficiency and completeness review in a single step. Upon submission and review of the applicant’s Concept Plan, Staff found the submitted plan “sufficient” (i.e. meeting all requirements of Section 24.119 of the Jefferson County Subdivision and Land Use Regulations). These requirements, as well as the current review status for each requirement for the proposed Mountain Pure project, are provided below:

Staff Report
 Jefferson County Planning Commission
 November 12, 2024
Sidewinder Enterprises, LLC Concept Plan Public Workshop (PC File: 24-6-SP)

	Description	Status
1. General Location	A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.	Provided on the Concept Plan
2. Concept Plan	In accordance with the content and formatting guidelines provided in Appendix A, <i>Plan & Plat Standards</i> .	Provided
3. Zoning Information	a) Zoning District in which the proposed development is located. b) Density calculations. c) Site resource map d) Use designation for all adjoin and confronting parcels	Provided
4. Proposal Description	A written description of the proposal with general identification of the number of dwelling units or floor area proposed, commentary, zoning, and development option selected if the development is residential.	Provided on the Concept Plan
5. Traffic Impact Data	a) Average Daily Trip (ADT) figures for the adjoining or accessible State road. b) Trip generation figures c) Nearest key intersection that will serve the proposed project as classified by the current Comprehensive Plan. d) "Highway Problem Areas" according to the current Comprehensive Plan that falls within a one-mile radius of the project.	<u>ADT</u> is 29 for Bunker Hill Rd; 812 for Grace St; and 3,055 for Leetown Rd; <u>Trip Generation</u> : Peak Hour Trips est. to be 800 trips; <u>Key intersection</u> : Leetown Rd and Middleway Pk; Highway Problem Area #36
6. Traffic Study	A traffic study may be required only at the request and direction of the West Virginia Division of Highways. Any required traffic study or a letter from the West Virginia Division of Highways outlining the proposed improvements shall be received with the first submission of the Site Plan.	Jefferson County defers to the WV DOH regarding whether a Traffic Impact Study is required
7. Agency Reviews	The applicant shall distribute the concept plan to all reviewing agencies found in Section 23.203 and 23.204 no later than 7 days after the review.	Letters to required agencies provided. Responses received are below.
D. Department	The Department review shall include the following: 1. Whether the density, use, and plan meet the requirements of the Zoning Ordinance and any other zoning issues that can be identified at the Concept Plan submission and any zoning issues the developer shall address in a Site Plan submittal. 2. Staff opinion as to whether the plan meets the Site Plan criteria of these Regulations. The Department shall review the Concept Plan for modifications that would improve the plan.	Staff determined that the proposed Concept Plan meets the requirements of the Zoning Ordinance and the Subdivision Regulations as a Major Site Development with a Concept Plan.

Staff Report
 Jefferson County Planning Commission
 November 12, 2024

Sidewinder Enterprises, LLC Concept Plan Public Workshop (PC File: 24-6-SP)

E./F. WVDOH	WVDOH shall submit a letter to the Office of Planning and Zoning indicating issues and data requirements or notice that there are no issues or data requirements. If WVDOH determines that a traffic study is needed, parameters shall be provided. The review shall indicate whether a traffic impact study will be required based on analysis required in Section 24.119.B.5.	No response has been received from WV DOH at this time.
G. Public Service	The review shall indicate whether there are existing water and sewer systems in place that can handle the development. If not, the review shall indicate the type or extent of a system that shall be proposed by the developer to best meet the County’s needs in that area of the County.	This project is proposed to be served public water and sewer by Berkeley County Public Service Water and Sewer Districts.
H. Recommended Conditions	All reviews shall contain recommended conditions for moving forward to a site plan or reasons why the plan should be denied.	See below

Concept Plan Review

1. External Agency Reviews (attached)

Comments have been received from the following agencies (see attached):

- a. The applicant has provided “Intent to Serve” letter from Berkeley County Public Service Sewer District stating that domestic sewer service will be provided (but not for process water).
- b. The applicant has provided “Intent to Serve” letter from Berkeley County Public Service Water District stating that a mainline extension is required and that water service up to 10,000 gallons per day can be provided.
- c. Historic Landmarks Commission provided a letter objecting to the proposed project based on the anticipated negative impact on historic Middleway caused by the increased truck traffic required by the proposed project.

As of this date, no other agency review comments have been received.

2. Staff Recommendation related to Concept Plan

The Subdivision Regulations state that unless there are reviews indicating that the development cannot conform to the Zoning Ordinance, be serviced by public services, or provide its own utilities, or other factors that make the development impossible, Planning staff is required to accept or deny the concept plan as complete. Upon accepting the application as complete, Planning staff is required to place it on the next possible Planning Commission agenda as a public workshop, which is advertised at least fourteen (14) days in advance of the meeting and posted on the property.

The Office of Planning and Zoning Staff finds the Concept Plan for the proposed Mountain Pure phased development plan, located along Brucetown Rd and Bunker Hill Rd at the intersection with Grace Street, to be “complete” based on the information provided related to the criteria above; however, the following standards will need to be addressed prior to approval of the Site Plan, which is expected to be submitted in phases:

- a. WV DOH approval for the proposed entrances, and any Traffic Impact Study recommendations, if required, will be required in conjunction with the Site Plan.

Staff Report
Jefferson County Planning Commission
November 12, 2024

Sidewinder Enterprises, LLC Concept Plan Public Workshop (PC File: 24-6-SP)

- b. Water and sewer utility permits from Berkeley County Public Service Water and Sewer Districts will be required in conjunction with the Site Plan.

Prior to Site Plan approval, any state permits related to wells and groundwater extraction will be required to be submitted to the County for our files.

3. Planning Commission Direction

The Concept Plan Public Workshop allows for the Planning Commission and the general public to comment on the proposed plan before complete engineering design and cost are incurred. The Subdivision and Land Development Regulations outline the procedure:

1. The applicant makes a short presentation.
2. Staff explains outside agency comments and whether the plan can meet the standards of the Zoning Ordinance.
3. Public comment is solicited.

Following the applicant’s presentation, staff’s explanation, and the solicitation of public comment, the Planning Commission shall provide direction to the applicant as required under Concept Plan Direction outlined in the Subdivision Regulations. The Planning Commission has the option of providing this direction at the same meeting during which the Concept Plan public workshop takes place, or at a subsequent meeting that occurs within 14 days of the meeting at which the Concept Plan public workshop is closed.

Section 24.121 of the Subdivision and Land Development Regulations outlines the direction to be provided to the applicant during a Minor Site Plan Concept Plan review:

“The Planning Commission shall direct the preparation of a Site Plan subject to conditions to be addressed in the site plan application. The purpose of this review is to guide the developer so that when the site plan application is formally reviewed by the staff, there should not be a whole range of issues being raised for the first time. The developer shall cite conditions and demonstrate that they have been met or otherwise addressed.”

It should be noted that the direction provided to the applicant in the Major Site Plan Concept Plan Public Workshop shall be applicable for a period of two years, with the provision that any amendments to the Subdivision and Land Development Regulations or the Zoning and Land Development Ordinance in the second year shall be applicable.

ATTACHMENTS:

- Jefferson County Historic Landmarks Commission e-mail (11-5-24)
- Berkeley County Public Service Sewer District (8-18-21)
- Berkeley County Public Service Water District (5-28-24)



November 5, 2024

To: Jefferson County Planning Commission Members

Project Name: Integrity Federal Services
Mountain Pure
Project/Phase: 3138-0102 – Concept Plan

The Jefferson County Historic Landmarks Commission (JCHLC) reviewed the concept plan for the Mountain Pure project and objects based on the traffic impact study alone. Increased truck traffic in the village of Middleway, which is listed on the National Register of Historic Places as a Historic District, would destroy the village's charm. As an advocate for the preservation of the village's unique character, I believe allowing heavy truck traffic through its historic streets not only threatens the integrity of the village's architectural heritage but also poses a serious risk to the safety and well-being of the community.

Middleway dates to the 18th and 19th centuries, and is home to many significant historical structures, each carefully preserved to reflect the rich cultural legacy of the area. The narrow streets and historic buildings are integral to the village's charm and historical value both for residents and visitors. Heavy truck traffic will lead to further erosion of the historic infrastructure. The vibrations and heavy loads risk damaging delicate structures and eroding the village's historic fabric in ways that may be irreversible.

In addition to the physical damage to our heritage, the presence of large trucks disrupts the pedestrian-friendly atmosphere that defines the village. The increased noise, air-pollution, and safety hazards associated with such traffic would affect the quality of life for residents. The streets were never designed to accommodate such traffic volumes and access by large trucks presents a threat to public safety and the integrity of the village's heritage

In conclusion, JCHLC objects to this plan based on the traffic impacts on the village of Middleway. JCHLC urges the JC Planning Commission to require an alternate route that bypasses the historic core of the village.

Thank you for your attention to this matter,

Martin Burke

Martin Burke
Chair, JCHLC

cc: Jennie Brockman

BERKELEY COUNTY
PUBLIC SERVICE SEWER DISTRICT

P.O. Box 944
Martinsburg, WV 25402
Phone: (304) 263-8566
Fax: (304) 267-7478

Curtis B. Keller
General Manager

Board of Directors:
John Kunkle, Chairman
John E. Myers, Secretary
Greg Rhoe, Treasurer



August 18, 2021

Mr. Jason Gerhart
Gordon
148 S Queen Street, Suite 201
Martinsburg, WV 25401

Re: Intent to Serve – Middleway Property – Map 2, Parcel 9

Dear Mr. Gerhart

This letter is to provide notice of the Berkeley County Public Service Sewer District's intention to serve the proposed Middleway Property, located in Jefferson County, Map 2, Parcel 9. The sewer service for this property is for domestic purposes only and not for any process water with an estimated 10,000 gpd maximum. All design and construction of on-site and off-site line extensions including the Opequon Creek crossing will be the responsibility of the contractor.

The District will provide sanitary sewer service to the project and may enter into a COVA Agreement with the developer for construction of the necessary improvements, which may include both on-site and off-site improvements along with an on-site pump station. Individual applications will need to be completed and payment of the tap fee may be required before construction of the project on the lot(s) will be permitted.

If you have any questions, please feel free to call my office at 304-263-8566.

Sincerely,

A handwritten signature in blue ink that reads "Rodney Hanes".

Rodney Hanes
Assistant General Manager



Berkeley County Public Service Sewer District
PO Box 944, Martinsburg, WV 25402
Telephone Direct 304-263-8566

BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT

251 Caperton Blvd.
Martinsburg, WV 25403
Telephone: 304.267.4600 & FAX: 304.267.3864

To Whom It May Concern:

INTENT TO SERVE PUBLIC WATER FOR SUBDIVISIONS AND/OR LAND DEVELOPMENTS

Property Owner: Sidewinder Enterprises, LLC
4340 Von Karmen
Ste 380
Newport Beach, CA 92660

Phone: (310)365-5183

Property Location: Jefferson Co Tax Map 22 Parcels 3.01, 9, 32, 34 and Map 22B Parcel 19.02
Property Address: TBD

Description of Proposed Project: Commercial/Industrial (2 lot subdivision with 2 services)

Has public water service. Water main of adequate size exists in the public right-of-way adjoining the property. All lots must have frontage on public main in order to have water service. All lots of proposed subdivision/land development that do not have frontage on an existing water main will require a mainline extension for water service. As the details of the project are reviewed and hydraulic model evaluations are determined, additional infrastructure provisions, onsite and offsite, may be required to ensure adequate service to existing customers as well as the proposed development.

Requires a mainline extension for public water service to and/or within the proposed subdivision/land development. Interior of proposed subdivision/land development will require a mainline extension for water service. The Developer shall execute an alternate mainline extension agreement with the District for the above noted project which must be approved by the Public Service Commission of West Virginia. Pursuant to the agreement not to exceed 10,000 gallons of water per day. Proposed mainline extension is from the District's existing main on Specks Run Road. All mainline extensions shall be completed in accordance with the Berkeley County Public Service District Developer Policy, Procedures and Standards for Water Systems.

This Intent to Serve Public Water is only an intent to serve water. Water service is not guaranteed until a tap application (i.e., a formal request for immediate and continuous service) is approved for an individual lot(s). This Intent to Serve Public Water does not convey District acceptance or approval of the proposed project for permitting by State or other regulatory agencies.

This Intent to Serve Public Water expires one year from date of issue.

BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT

By: Robin Shade

Date: May 28, 2024

Its: District Representative

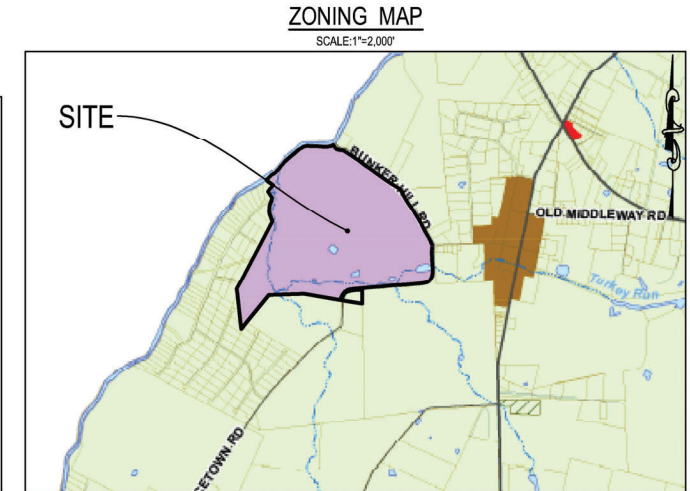
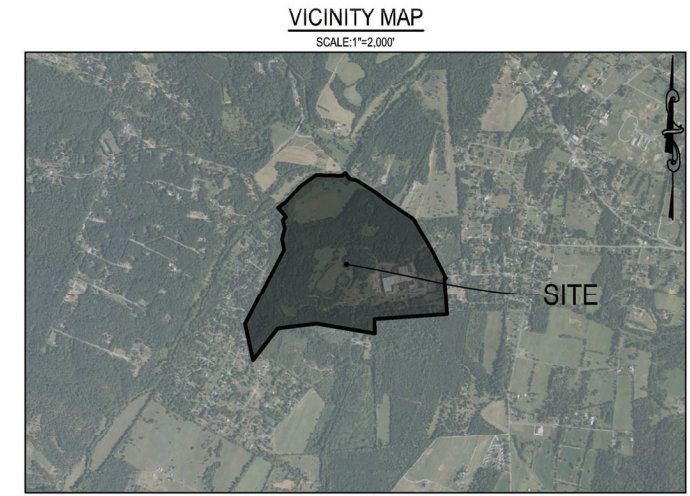
FOR PLAN REVIEW PURPOSES ONLY. NOT TO BE USED TO OBTAIN BUILDING PERMIT.

CONCEPT PLAN MOUNTAIN PURE MAJOR SITE PLAN

JEFFERSON COUNTY FILE NUMBER: 24-6-SP
MIDDLEWAY TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA
TAX MAP 22, PARCEL 9; D.B. 1256, PG. 360
PROPOSED USE: INDUSTRIAL (MANUFACTURING, LIMITED)

OWNER:
SIDEWINDER ENTERPRISES, LLC
4340 VON KARMAN AVENUE, SUITE 380
NEWPORT BEACH, CA 92660
(949)-697-9993

APPLICANT:
SIDEWINDER ENTERPRISES, LLC
4340 VON KARMAN AVENUE, SUITE 380
NEWPORT BEACH, CA 92660
(949)-697-9993



Zoning District

- Major Industrial
- Light Industrial
- Industrial/Commercial
- Office/Commercial Mixed-Use
- General Commercial
- Highway Commercial
- Neighborhood Commercial
- Residential/Light Industrial/Commercial
- Residential Growth
- Planned Neighborhood Development
- Rural
- Village
- Incorporated Town

PROJECT DESCRIPTION:

THE DEVELOPER PROPOSES TO 1,600,000 SQUARE FEET OF BUILDING AREA FOR THIS FACILITY. THE PROPOSED MANUFACTURING LIMITED USE (M-L) AND CLUSTERED INDUSTRIAL (C-I) ARE ZONED IN THE INDUSTRIAL COMMERCIAL ZONING DISTRICT. THE PARCEL IS PROPOSED AS A NON-RESIDENTIAL SUBDIVISION UNDER THE SUBDIVISION PROCESS PER THE WAIVER OBTAINED ON 06/08/2023. JO. FILE #23-26-PCW. THE PARCEL LIES PER THE LINDEN SUBDIVISION ARE DEPICED ON SHEET 3 OF THE CONCEPT PLAN. THE PARCEL IS PROPOSED TO BE ACCESSIBLE TO THE SITE FROM LEETOWN ROAD AND BUNKER HILL ROAD. THE SITE DEVELOPMENT IS PROPOSED TO BE PHASED.

ZONING ORDINANCE SUMMARY:

- ZONING REQUIREMENTS: CURRENT ZONE: INDUSTRIAL COMMERCIAL DISTRICT. PROPOSED USE: INDUSTRIAL (MANUFACTURING LIMITED).
- ENVIRONMENTAL: ENVIRONMENTAL STANDARDS CONTAINED IN SECTIONS 20.6 A THROUGH 20.6 G OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE WILL APPLY.
- LANDSCAPING: IT WILL BE THE RESPONSIBILITY OF THE LANDOWNER TO REPLACE ANY TREES HAVING ALL BUFFER YARDS SHALL BE MAINTAINED BY THE PROPERTY OWNER.
- STREET LIGHTING: STREET LIGHTS PROPOSED FOR THIS SITE IN THE FORM OF POLE MOUNTED STREET LIGHTS AND BUILDING MOUNTED LIGHTS. FINAL DESIGN AND LOCATION TO BE DETERMINED BY A QUALIFIED LIGHTING ENGINEER. THE DEVELOPER RESERVES THE RIGHT TO REVISE LOCATION AND NUMBER OF LIGHTS PROVIDED AT A LATER DATE AS NECESSARY.

USE REQUIREMENTS	REQUIRED	PROVIDED
LOT SIZE	3 AC	37 AC (33 AC)
LOT WIDTH	N/A	N/A
BUILDING HEIGHT	75' MAX.	±30'
PREVIOUS AREA USE	50% MAX.	45%
BUILDING SETBACKS:		
FRONT:	20' (MIN.)	50' (MIN.)
SIDE:	20' (MIN.)	50' (MIN.)
REAR:	20' (MIN.)	50' (MIN.)
*20' (MIN.) IF ADJACENT TO AN INDUSTRIAL USE		
DISTANCE REQUIREMENT:		
FRONT, SIDE, REAR:	200' (MIN.)	200' (MIN.)
BUFFERS (SCREENED / UNSCREENED):		
FRONT:	25'(S)	25'(S)
*N/A IF ADJACENT TO AN INDUSTRIAL USE		
SIDE & REAR:	20'(S)	20'(S)
*Wide Buffer Detail M-52		

PARKING TABULATIONS:

- REQUIRED: (MANUFACTURING PLANT)
1 SPACE PER EMPLOYEE ON MAXIMUM WORKING SHIFT
TOTAL PARKING SPACES REQUIRED = 550 SPACES
- PROVIDED:
TOTAL PARKING SPACES PROVIDED = 569 SPACES (INCLUDES ADA ACCESSIBLE SPACES)

CIVIL LEGEND:	
EXISTING	PROPOSED
BOUNDARY/RIGHT-OF-WAY LINE	BOUNDARY/RIGHT-OF-WAY LINE
ADJACENT BOUNDARY LINE	ADJACENT BOUNDARY LINE
CONCRETE MONUMENT/IRON REBAR	CONCRETE MONUMENT/IRON REBAR
EASEMENT LINE	EASEMENT LINE
ROAD CENTERLINE	ROAD CENTERLINE
HEADER CURB	HEADER CURB
CURB & GUTTER	CURB TRANS. REVERSE CURB
EDGE OF PAVEMENT	EDGE OF PAVEMENT
EDGE OF CONCRETE	EDGE OF CONCRETE
EDGE OF GRAVEL	EDGE OF GRAVEL
SIDEWALK	SIDEWALK
GUARDRAIL	GUARDRAIL
BOARD FENCE	BOARD FENCE
CHAIN LINK FENCE	CHAIN LINK FENCE
WIRE FENCE	WIRE FENCE
BUILDINGS	BUILDINGS
RETAINING WALL	RETAINING WALL
MISCELLANEOUS SIGNS	MISCELLANEOUS SIGNS
MAIL BOX	MAIL BOX
SITE LIGHT WITH POLE	SITE LIGHT WITH POLE
BUILDING MOUNTED LIGHT	BUILDING MOUNTED LIGHT
UTILITY POLE	UTILITY POLE
UTILITY POLE GUY WIRE	UTILITY POLE GUY WIRE
OVERHEAD UTILITY LINE	OVERHEAD UTILITY LINE
UNDERGROUND UTILITY LINE	UNDERGROUND UTILITY LINE
OVERHEAD COMMUNICATIONS LINE	OVERHEAD COMMUNICATIONS LINE
UNDERGROUND COMMUNICATIONS LINE	UNDERGROUND COMMUNICATIONS LINE
UNDERGROUND GAS LINE	UNDERGROUND GAS LINE
8" PVC SAN. SEW.	8" PVC SAN. SEW.
SANITARY SEWER MAIN	SANITARY SEWER MAIN
SANITARY SEWER FORCE MAIN	SANITARY SEWER FORCE MAIN
SANITARY SEWER MANHOLE	SANITARY SEWER MANHOLE
SANITARY SEWER CLEAN-OUT	SANITARY SEWER CLEAN-OUT
STORM SEWER LINE	STORM SEWER LINE
STORM SEWER MANHOLE	STORM SEWER MANHOLE
STORM SEWER DROP INLET	STORM SEWER DROP INLET
STORM SEWER CURB INLET	STORM SEWER CURB INLET
STORM SEWER RIPRAP	STORM SEWER RIPRAP
STORM SEWER END SECTION	STORM SEWER END SECTION
WATER MAIN	WATER MAIN
FIRE HYDRANT	FIRE HYDRANT
WATER VALVE	WATER VALVE
WATER TIE-IN	WATER TIE-IN
INDEX CONTOUR LINE	INDEX CONTOUR LINE
INTEREDIATE CONTOUR LINE	INTEREDIATE CONTOUR LINE
SPOT ELEVATIONS	SPOT ELEVATIONS
TREES/SHRUBS	TREES/SHRUBS
DRIP LINE OF TREES	DRIP LINE OF TREES
LETTERS OF CONSTRUCTION	LETTERS OF CONSTRUCTION
SOIL BOUNDARY	SOIL BOUNDARY

CONCEPT PLAN REVIEW CHECKLIST NOTES:

- SEE GENERAL LOCATION MAP THIS SHEET FOR ZONING DISTRICTS WITHIN 500' OF THE SUBJECT PROPERTY.
- A CONCEPT PLAN ON 24x36 WHITE PAPER CAN BE FOUND ON SHEET 3.
 - SEE SHEET 3 FOR THE LAYOUT OF LOTS, PARKING AREAS, RECREATION AREAS, ROADS, AND BUILDING AREAS.
 - BUILDING AREAS WILL BE CONFINED TO 1,000,000 SF TOTAL.
 - ACTUAL BUILDING FOOTPRINTS WILL VARY WITH FURTHER DESIGN.
- ZONING INFORMATION:
 - THE SUBJECT PROPERTY IS LOCATED IN THE INDUSTRIAL COMMERCIAL ZONING DISTRICT.
 - DENSITY CALCULATIONS: N/A.
 - PARKING CALCULATIONS:
 - 569 TOTAL PARKING SPACES PER 1,000,000 SF OF BUILDING AREA.
 - SEE SHEET 2 FOR THE PROPERTY'S "SITE RESOURCES":
 - TOPOGRAPHIC INFORMATION PROVIDED PURSUANT TO USGS TOPOGRAPHICAL QUAD-ANGLE MAP INFORMATION.
 - CONTOURS SHOWN AT 2' INTERVALS.
 - WOODED AREAS, HILLSIDES AND WATER COURSES ARE INCLUDED ON SHEET 2. LIMITED AREAS OF ROCK OUTCROPPINGS ARE LOCATED THROUGHOUT THE PROPERTY. THERE ARE NO KNOWN SINK HOLES OR CLARRIES LOCATED IN THE AREA OF DEVELOPMENT. IT IS POSSIBLE THAT SOME OF THESE FEATURES MAY EXIST AND ARE CONCEALED BY EXISTING VEGETATION OR ARE OUTSIDE THE AREA PROPOSED FOR DEVELOPMENT. ALL STATE, FEDERAL AND LOCAL REGULATIONS WILL BE OBSERVED IF ANY UNKNOWN SITE RESOURCES ARE DISCOVERED DURING CONSTRUCTION.
 - THE 100' HILLSIDE REGULATION SETBACK IS DEPICTED ON SHEET 3 OF THE PLAN SET. THE HILLSIDE REGULATIONS ARE FOUND UNDER SECTION 22.504.A OF THE JEFFERSON COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS.
 - FEMA MAP 540370311SE IDENTIFIES FLOOD ZONE A AND FLOODWAY AC ON THE SUBJECT PROPERTY.
 - ADJOINING PROPERTY USES CAN BE FOUND ON SHEET 2.
- PROPOSAL DESCRIPTION: THE SUBJECT PROPERTY IS ZONED INDUSTRIAL COMMERCIAL. THE PRESENTED CONCEPT PLAN IS PART OF THE LINDEN SITE PLAN PROCESS FOR THE DEVELOPMENT OF TRSO FACILITIES THAT INCLUDE 1,600,000 SF OF TOTAL BUILDING AREA FOR A MANUFACTURING LIMITED USE. THE SITE DEVELOPMENT INCLUDES DEVELOPMENT OF TWO PARCELS OPEN SPACE, STORM WATER MANAGEMENT AREAS, AND THE CONSTRUCTION OF ASSOCIATED UTILITIES. NO RESTRICTIVE COVENANTS, CONDITIONS, RESTRICTIONS ARE PROPOSED AT THIS TIME BUT MAY BE PROVIDED AT TIME OF FINAL PLAN.
- TRAFFIC IMPACT DATA:
 - BUNKER HILL ROAD (CO. RT. 1):
 - WVDOH ROUTE ID - 194803-090603
 - AVERAGE DAILY TRIPS - 26
 - GRADE STREET (CO. RT. 1):
 - WVDOH ROUTE ID - 194803-090603
 - AVERAGE DAILY TRIPS - 872
 - LEETOWN ROAD (CO. RT. 1):
 - WVDOH ROUTE ID - 194803-090603
 - AVERAGE DAILY TRIPS - 3,355
 - DATA SOURCE - WVDOH DIVISION OF HIGHWAYS, PERFORMANCE MANAGEMENT DIVISION, TRAFFIC COUNTING UNIT
 - DATA SOURCE YEAR - 2023
 - TRIP GENERATION FOR THIS SITE IS BASED ON THE TRIP GENERATION TABLE.
 - MANUFACTURING (LAND USE CODE 140): 1,000,000 SF.
 - PEAK HOUR TRIPS: 1,000,000 SF X (0.8 PER 1000 SF) = 800 TRIPS
 - AVERAGE DAILY TRIPS: 1,000,000 SF X (4.75 PER 1,000 SF) = 4,750 TRIPS
 - THE NEAREST KEY INTERSECTION AS DEFINED IN THE CONCEPT PLAN CHECKLIST IS THE INTERSECTION OF LEETOWN ROAD (RT. 1) AND MIDDLEWAY PIKE (WV RT 51).
 - HIGHWAY PROBLEM AREA #36 IS ONE MILE FROM THE SITE.
 - PURSUANT TO SECTION 24.119.B.6. OF THE SUBDIVISION REGULATIONS, THE PROPOSED DEVELOPER WILL PROVIDE A TRAFFIC IMPACT STUDY IN ACCORDANCE WITH WVDOH CRITERIA.
- AGENCY REVIEWS: LETTERS WILL BE SENT TO THE REQUIRED REVIEW AGENCIES AS REQUIRED BY THE CONCEPT PLAN REVIEW CHECKLIST. A COPY OF THE LETTERS WILL BE PROVIDED TO COUNTY STAFF.
- A LIST OF ALL ADJOINING PROPERTIES AND OWNERS ADDRESS'S ARE INCLUDED AS PART OF THIS SUBMISSION. PROPERTY OWNERS INFORMATION IS PROVIDED PURSUANT TO JEFFERSON COUNTY ASSESSOR'S RECORDS SEE TABLE LOCATED ON SHEET 2 FOR ADJACENT PROPERTY OWNER INFORMATION.
- A LETTER TO WVDOH HAS BEEN SENT REQUESTING THE IDENTIFICATION OF ANY ISSUES, DATA REQUIREMENTS OR NOTICE THAT THERE ARE NONE.
- PURSUANT TO SECTION 24.119.B.6. OF THE SUBDIVISION REGULATIONS, THE PROPOSED DEVELOPER WILL PROVIDE A TRAFFIC IMPACT STUDY IN ACCORDANCE WITH WVDOH CRITERIA.
- WATER SERVICE WILL BE PROVIDED BY BERKELEY COUNTY PUBLIC SERVICE WATER DISTRICT (BCPSWD). PRELIMINARY DISCUSSION INDICATES THERE IS CAPACITY TO SERVE THE PROPOSED DEVELOPMENT. AN INTENT TO SERVE LETTER HAS BEEN OBTAINED AND WILL BE PROVIDED TO COUNTY STAFF.
- SEWER SERVICE WILL BE PROVIDED BY BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT (BCPSSD). PRELIMINARY DISCUSSION INDICATES THERE IS CAPACITY TO SERVE THE PROPOSED DEVELOPMENT. AN INTENT TO SERVE LETTER HAS BEEN OBTAINED AND WILL BE PROVIDED TO COUNTY STAFF.

JEFFERSON COUNTY - COMPLETE LIST OF WAIVERS/VARIANCES
(TABLE 12-2)

ORDINANCE	SECTION OF ORDINANCE	DESCRIPTION OF WAIVER OR VARIANCE	DATE GRANTED
SUBDIVISION	20.201C & 20.202	TO ALLOW A NON-RESIDENTIAL SUBDIVISION TO PROCEED AS A MINOR SUBDIVISION	08/08/2023

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SEAL:

REVISIONS
REVISED PER COUNTY COMMENTS RECEIVED 10/7/2024
REVISED PER MEETING WITH COUNTY STAFF 10/7/2024

COVER SHEET
1 MIL. SQ. FT. BOTTLING FACILITY
MOUNTAIN PURE
TAX MAP 22, PARCEL 9, D.B. 1256, PG. 360
MIDDLEWAY TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

SCALE:	HORIZ: AS NOTED
	VERT: 1"=20'
DATE:	SEPTEMBER 24, 2024
JOB:	3138-0102
DRAWN:	ABP
CHECK:	JPG
CADD:	3138-0102-CONCEPT PLAN REV 10.8.DWG
NCS:	N/A
SHEET:	1 OF 3



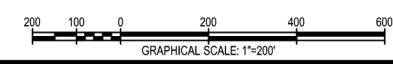
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	156.73	215.00	41.48 00°	N 35°38'02" W	153.28'
C2	52.83	215.00	14.04 46°	N 21°47'27" W	52.79'

LINE	BEARING	DISTANCE
L1	S 86°04'32" W	32.00'
L2	N 40°32'03" E	114.52'
L3	N 53°37'45" E	95.14'
L4	S 31°37'12" E	59.82'
L5	S 40°09'50" E	102.79'
L6	E 79°05'12" E	136.41'
L7	S 62°21'51" E	105.70'
L8	S 54°53'37" E	113.39'



ADJACENT PROPERTY OWNER INFORMATION

ID	NAME	ADDRESS	CITY	STATE	ZIP	PARCEL ID	DEED BOOK PAGE	USE
1	JAMES ALLEN LISKEY	584 BUNKER HILL RD	KEARNEYSVILLE	WV	25430	0722001100020000	1225 / 46	RESIDENTIAL
2	JEFF JONES ET AL	4374 MIDDLEWAY PIKE	KEARNEYSVILLE	WV	25430	0722001100000000	WB32 / 456	FARM
3	CHARLOTTE B WEANING	332 BUNKER HILL RD	KEARNEYSVILLE	WV	25430	0722001100010000	540 / 556	RESIDENTIAL
4	KAY B LISKEY LISKEY FAMILY - TR	4302 MIDDLEWAY PIKE	KEARNEYSVILLE	WV	25430	0719000700000000	1279 / 189	FARM
5	SUZIE HAGGERTY	130 BUNKER HILL RD	KEARNEYSVILLE	WV	25430	072200120000	717 / 394	FARM
6	PAUL JOSEPH HAGGERTY	130 BUNKER HILL RD	KEARNEYSVILLE	WV	25430	0722001200150000	952 / 133	RESIDENTIAL
7	THOMAS J & DONNA M GEYER	49 GRACE ST	KEARNEYSVILLE	WV	25430	0722001200020000	588 / 579	RESIDENTIAL
8	ROBERT L & BEVERLY L PETERSEN	2788 BRUCETOWN RD	KEARNEYSVILLE	WV	25430	0722000800000000	788 / 330	RESIDENTIAL
9	WILLIAM S & C ELAINE FRIEND	2716 BRUCETOWN RD	KEARNEYSVILLE	WV	25430	0722000800050000	298 / 227	RESIDENTIAL
10	HAROLD HAYWARD BUCHANAN	40 BURTON HILLS BLVD STE 300	NASHVILLE	TN	37215	0722000500000000	WB28 / 282	FARM
11	JESSE R & AMANDA D MILLER	847 LOGAN'S RUN RD	KEARNEYSVILLE	WV	25430	0722000400000000	1185 / 362	FARM
12	SIDWINDER ENTERPRISES LLC	4340 VON KARMAN AVE STE 380	NEWPORT BEACH	CA	92660	0722000300010000	1256 / 360	FARM
13	CINTYA P & GARY A CRAWFORD	279 PICKETT AVE	INWOOD	WV	25428	0723007600000000	1177 / 50	RESIDENTIAL
14	DANIEL B & BRIANNA M GALLOP	337 CEDAR DR	KEARNEYSVILLE	WV	25430	0723007500000000	1225 / 378	RESIDENTIAL
15	RONALD & ALICE HOLTZMAN	338 BIG SPRING DR	KEARNEYSVILLE	WV	25430	0723007800000000	1144 / 568	RESIDENTIAL
16	TIMOTHY D & KATHY M WRIGHT	287 HAPPY CREEK DR	KEARNEYSVILLE	WV	25430	0723008200000000	841 / 575	RESIDENTIAL
17	TERRY SEMAN	80 ROSE LN	KEARNEYSVILLE	WV	25430	0723014300000000	1140 / 626	RESIDENTIAL
18	PAUL RYAN TASSONE	216 CLOSE DR	MARTINSBURG	WV	25404	072301420000	1151 / 354	RESIDENTIAL
19	MARGARET L & SAMUEL YOKLEY	78 TROUT CIR	KEARNEYSVILLE	WV	25430	0722000100200000	967 / 46	RESIDENTIAL
20	MARGARET L & SAMUEL YOKLEY	78 TROUT CIR	KEARNEYSVILLE	WV	25430	0722000100250000	967 / 46	RESIDENTIAL
21	JOSEPH WAYNE GAYNOR	796 LOGAN'S RUN DR	KEARNEYSVILLE	WV	25430	0722000100220000	1191 / 325	RESIDENTIAL
22	DEL R DEHAVEN	875 LOGAN'S RUN DR	KEARNEYSVILLE	WV	25430	0722000100210000	1149 / 579	RESIDENTIAL
23	CHARLES C WOLF ET AL	2626 ARTHUR AVE	SYKESVILLE	MD	21784	072200010020	685 / 744	RESIDENTIAL



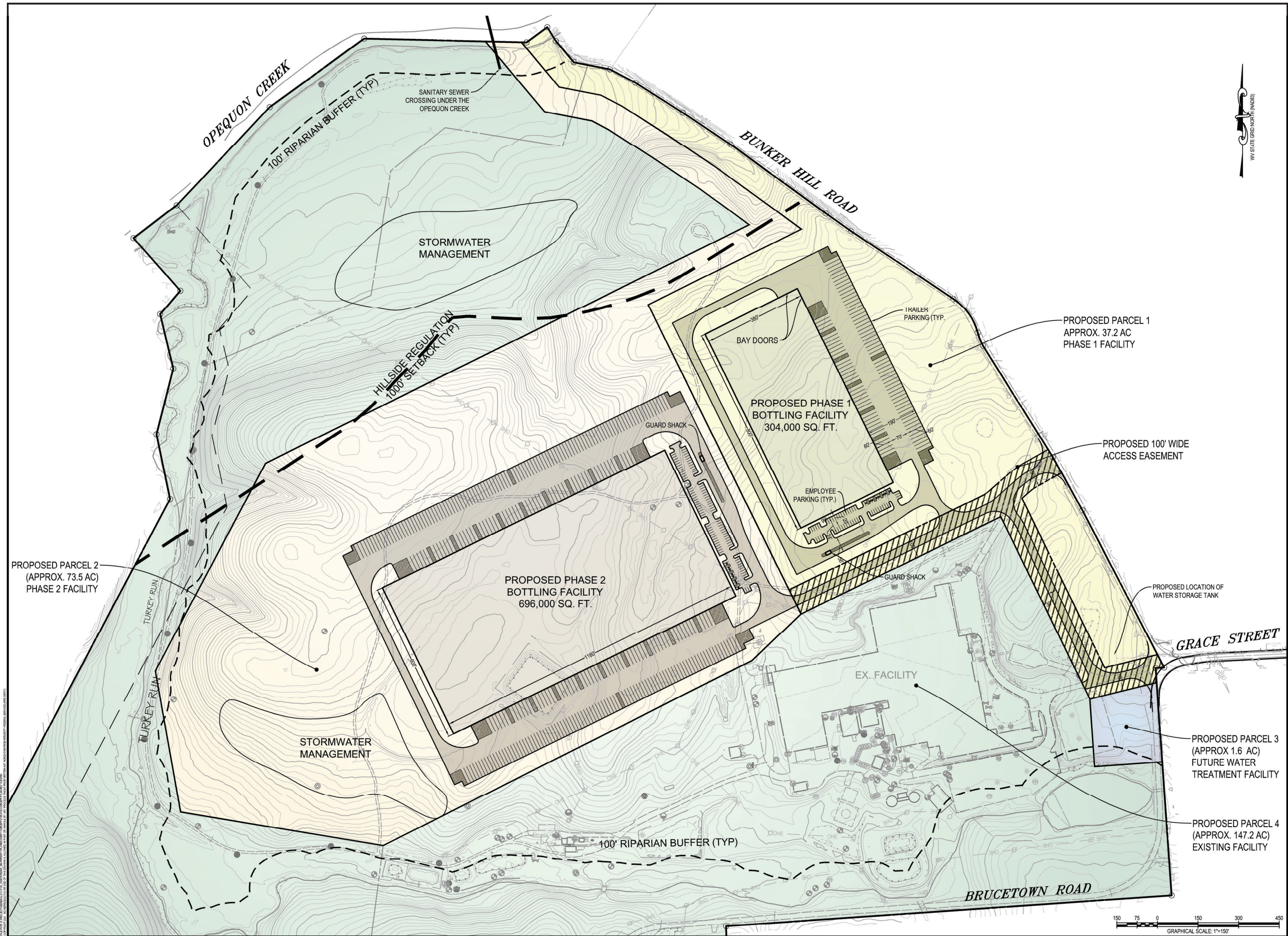
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SCALE: _____

REVISED PER COUNTY COMMENTS RECEIVED 10/7/2024
 REVISED PER MEETING WITH COUNTY STAFF 10/7/2024

EXISTING CONDITIONS
 1 MIL. SQ. FT. BOTTLING FACILITY
MOUNTAIN PURE
 TAX MAP 22, PARCEL 9, D.B. 1236, PG. 360
 MIDDLEWAY TAX DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA

SCALE: HORIZ: 1"=200'
 VERT: _____
 DATE: SEPTEMBER 24, 2024
 JOB: 3138-0102
 DRAWN: ABP CHECK: JFG
 CADD: 3138-0102-CONCEPT PLAN REV 10.8.DWG
 NCS: N/A
 SHEET: _____
2 OF 3



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SEAL:

REVISIONS

REVISED PER COUNTY COMMENTS RECEIVED 10/7/2024
REVISED PER MEETING WITH COUNTY STAFF 10/7/2024

CONCEPT PLAN

1 MIL. SQ. FT. BOTTLING FACILITY

MOUNTAIN PURE

TAX MAP 22, PARCEL 9, D.B. 1256, PG. 360
MIDDLEWAY TAX DISTRICT
JEFFERSON COUNTY, WEST VIRGINIA

SCALE:	HORIZ: 1"=150'
	VERT:
DATE:	SEPTEMBER 24, 2024
JOB:	3138-0102
DRAWN:	ABP CHECK: JPG
CADD:	3138-0102-CONCEPT PLAN-REV 10.8.DWG
NCS:	N/A
SHEET:	

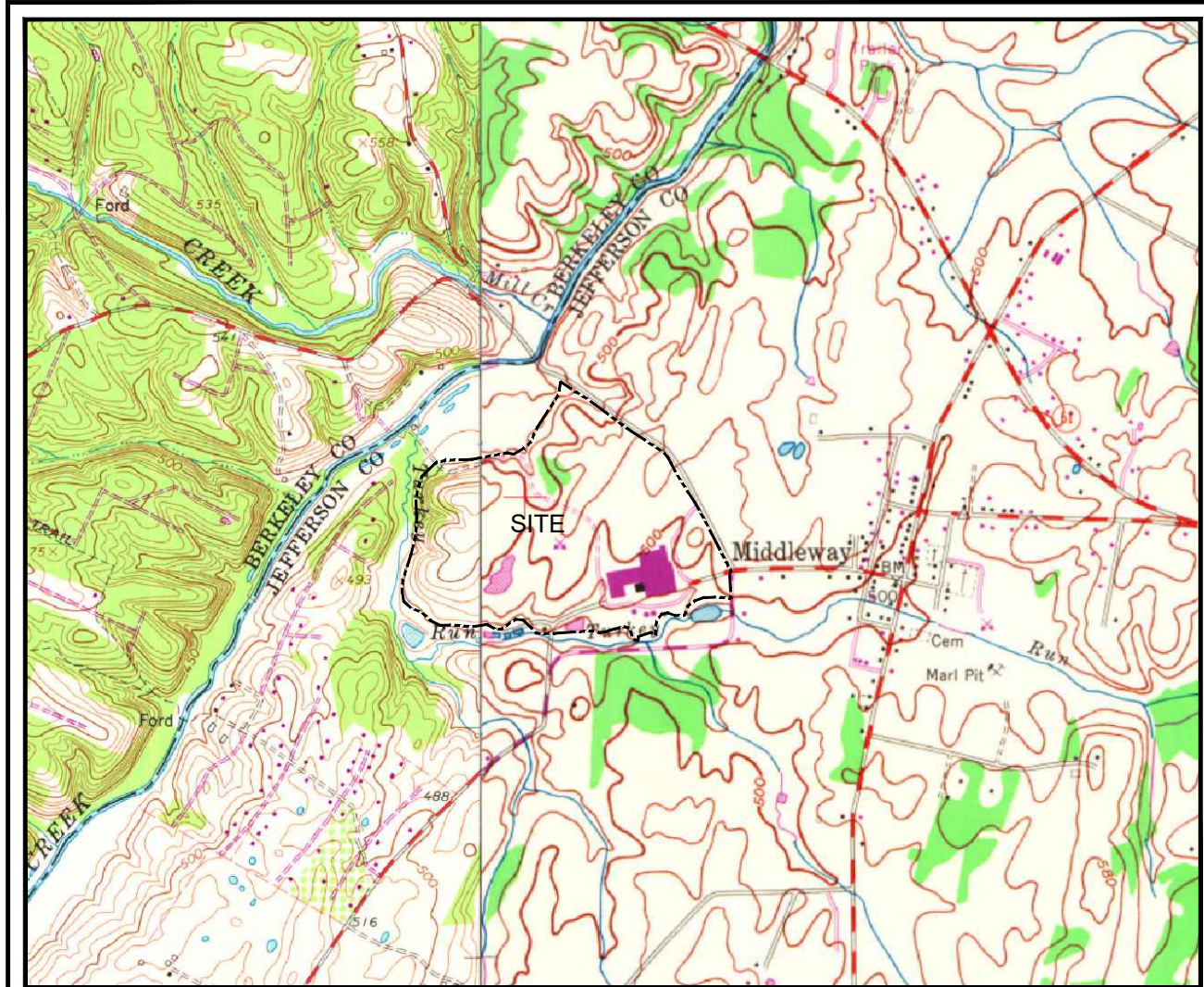
Prepared by:

TRIAD ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Timothy J. Kellerman". The signature is fluid and cursive, with the first name being the most prominent.

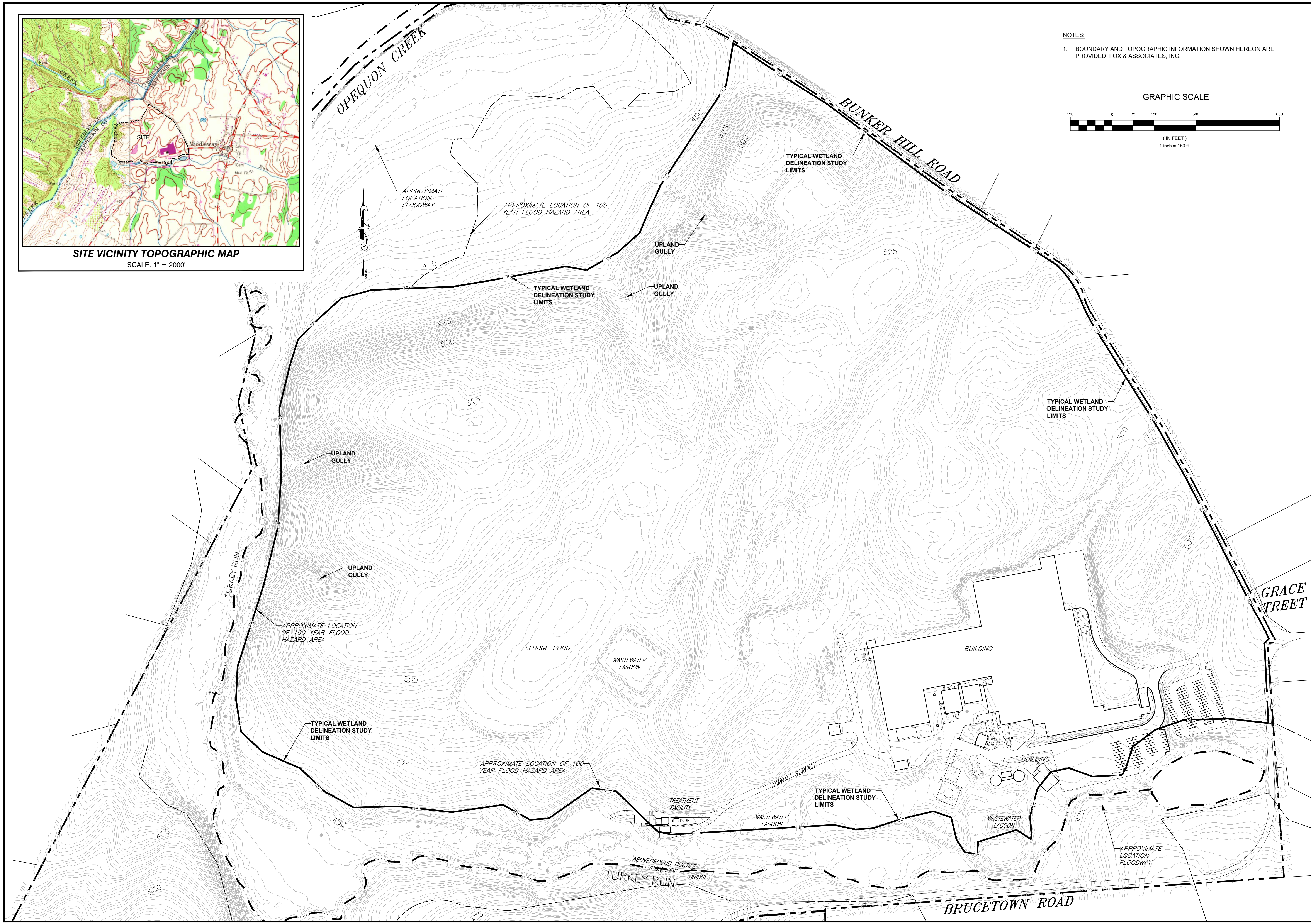
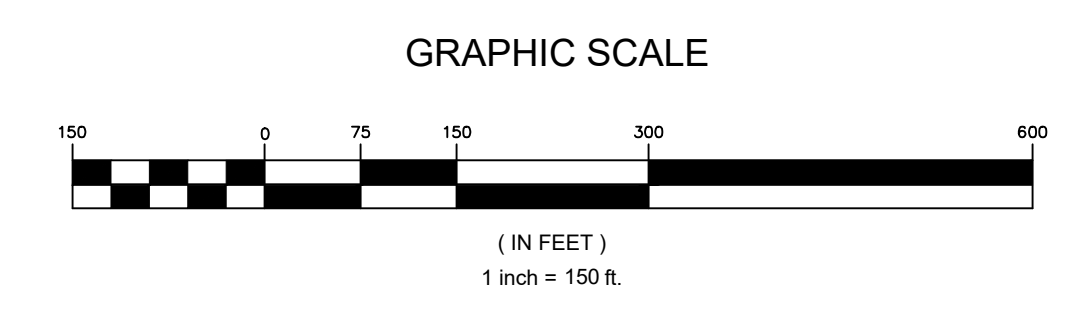
Timothy J. Kellerman
Senior Environmental Scientist

Attachment: Study Area Exhibit



SITE VICINITY TOPOGRAPHIC MAP
SCALE: 1" = 2000'

NOTES:
1. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON ARE PROVIDED FOX & ASSOCIATES, INC.



TRIAD ENGINEERING, INC.
1075-D SHERMAN AVENUE
HAGERSTOWN, MD 21740
PH: 301.797.6400 FAX: 301.797.2424
OFFICE LOCATIONS
MARYLAND • PENNSYLVANIA • VIRGINIA • WEST VIRGINIA

REV.#	DATE	DESCRIPTION

CADD FILE: 03-23-0484-WetStudy.dwg	CHECKED BY: T.J.K.	SCALE: 1" = 150'
DRAWN BY: P.M.U.	DATE: 6-7-2023	

STUDY LIMIT EXHIBIT

P/O SIDEWINDER ENTERPRISES LLC PROPERTY
BRUCETOWN ROAD
KEARNEYVILLE, WEST VIRGINIA 25430

TRIAD
TRIAD ENGINEERING, INC.
www.triadeng.com
SHEET NUMBER:
SLE
JOB NO.: 03-23-0484



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 Charles Town, West Virginia 25414

File #: 24-29-SD
 Fees Paid: 300
 Staff Int.: jth
 Date Received: 09/27/24

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Subdivision or Site Development Application

Application Type Concept Plan Final Plat (major/minor) Redline Revision
 Preliminary Plat Site Plan

Project Name: _____
 Description: _____ **& 6-lots Nonresidential Subdivision**

Primary Contact Phone Number (must be a direct line number) _____

Property Owner Information

Owner Name: _____
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Applicant Information Same as Owner:

Applicant Name: _____
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Registered WV Engineer or Surveyor or Consultant Information

Contact Name: _____
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Physical Property Details Vacant Lot:

Physical Address: _____
 Tax District: _____ Map No: _____ Parcel No: _____
 Parcel Size: _____ Deed Book: _____ Page No: _____
 Zoning District: _____

Additional Parcels (if any)

Physical Property Details Vacant Lot:

Physical Address: _____
 Tax District: _____ Map No: _____ Parcel No: _____
 Parcel Size: _____ Deed Book: _____ Page No: _____
 Zoning District: _____

Physical Property Details Vacant Lot:

Physical Address: _____
 Tax District: _____ Map No: _____ Parcel No: _____
 Parcel Size: _____ Deed Book: _____ Page No: _____
 Zoning District: _____

24-6-SP - Mountain Pure Concept Plan Public Comment Index

- 1) Mountain Pure CP Public Comment_10-22-24 - Supplee
- 2) Mountain Pure CP Public Comment_10-23-24 - Covello
- 3) Mountain Pure CP Public Comment_10-23-24 - Shives Letter
- 4) Mountain Pure CP Public Comment_10-28-24 - White
- 5) Mountain Pure CP Public Comment_10-30-24 - Aldis
- 6) Mountain Pure CP Public Comment_10-30-24 - Bario
- 7) Mountain Pure CP Public Comment_10-30-24 - Barrett
- 8) Mountain Pure CP Public Comment_10-30-24 - Bergman
- 9) Mountain Pure CP Public Comment_10-30-24 - Biggs
- 10) Mountain Pure CP Public Comment_10-30-24 - Brogna
- 11) Mountain Pure CP Public Comment_10-30-24 - Cisar
- 12) Mountain Pure CP Public Comment_10-30-24 - Conant
- 13) Mountain Pure CP Public Comment_10-30-24 - Degenhardt
- 14) Mountain Pure CP Public Comment_10-30-24 - Del Re
- 15) Mountain Pure CP Public Comment_10-30-24 - Discini
- 16) Mountain Pure CP Public Comment_10-30-24 - Flynn
- 17) Mountain Pure CP Public Comment_10-30-24 - Fraser
- 18) Mountain Pure CP Public Comment_10-30-24 - Fulmer
- 19) Mountain Pure CP Public Comment_10-30-24 - Gee
- 20) Mountain Pure CP Public Comment_10-30-24 - Hatcher, D.
- 21) Mountain Pure CP Public Comment_10-30-24 - Hatcher, R.
- 22) Mountain Pure CP Public Comment_10-30-24 - Henderson
- 23) Mountain Pure CP Public Comment_10-30-24 - Henry Letter
- 24) Mountain Pure CP Public Comment_10-30-24 - King
- 25) Mountain Pure CP Public Comment_10-30-24 - Melocik
- 26) Mountain Pure CP Public Comment_10-30-24 - Milcetic
- 27) Mountain Pure CP Public Comment_10-30-24 - Newsome
- 28) Mountain Pure CP Public Comment_10-30-24 - Pania
- 29) Mountain Pure CP Public Comment_10-30-24 - Piedrahita
- 30) Mountain Pure CP Public Comment_10-30-24 - Rodis
- 31) Mountain Pure CP Public Comment_10-30-24 - Rutherford
- 32) Mountain Pure CP Public Comment_10-30-24 - Stegall
- 33) Mountain Pure CP Public Comment_10-30-24 - Stogner
- 34) Mountain Pure CP Public Comment_10-30-24 – Super
- 35) Mountain Pure CP Public Comment_10-30-24 - Sutfenfield
- 36) Mountain Pure CP Public Comment_10-30-24 - Temple, E.
- 37) Mountain Pure CP Public Comment_10-30-24 - Tremba
- 38) Mountain Pure CP Public Comment_10-30-24 - Turner
- 39) Mountain Pure CP Public Comment_10-30-24 - Voigt
- 40) Mountain Pure CP Public Comment_10-30-24 - Ward
- 41) Mountain Pure CP Public Comment_10-31-24 - Bea rd
- 42) Mountain Pure CP Public Comment_10-31-24 - Gulden
- 43) Mountain Pure CP Public Comment_10-31-24 - Lauren

24-6-SP - Mountain Pure Concept Plan Public Comment Index

- 44) Mountain Pure CP Public Comment_10-31-24 - Mason
- 45) Mountain Pure CP Public Comment_10-31-24 - Poston
- 46) Mountain Pure CP Public Comment_10-31-24 - Schwartz
- 47) Mountain Pure CP Public Comment_10-31-24 - Welsh
- 48) Mountain Pure CP Public Comment_11-1-24 - Kuntz
- 49) Mountain Pure CP Public Comment_11-1-24 - Lloyd
- 50) Mountain Pure CP Public Comment_11-1-24 - Marrone-Reese
- 51) Mountain Pure CP Public Comment_11-1-24 - Sisler
- 52) Mountain Pure CP Public Comment_11-2-24 - Mendez
- 53) Mountain Pure CP Public Comment_11-2-24 - Ridenour
- 54) Mountain Pure CP Public Comment_11-2-24 - Webster
- 55) Mountain Pure CP Public Comment_11-3-24 - Glover
- 56) Mountain Pure CP Public Comment_11-3-24 - Ackert
- 57) Mountain Pure CP Public Comment_11-3-24 - Ballantine
- 58) Mountain Pure CP Public Comment_11-3-24 - Barrow
- 59) Mountain Pure CP Public Comment_11-3-24 - Byron
- 60) Mountain Pure CP Public Comment_11-3-24 - Dodson
- 61) Mountain Pure CP Public Comment_11-3-24 - Donlon
- 62) Mountain Pure CP Public Comment_11-3-24 - Gruber
- 63) Mountain Pure CP Public Comment_11-3-24 - Toborg
- 64) Mountain Pure CP Public Comment_11-4-24 - Adams
- 65) Mountain Pure CP Public Comment_11-4-24 - Baker-Shenk
- 66) Mountain Pure CP Public Comment_11-4-24 - Berzinskas
- 67) Mountain Pure CP Public Comment_11-4-24 - Bowers
- 68) Mountain Pure CP Public Comment_11-4-24 - Chapman
- 69) Mountain Pure CP Public Comment_11-4-24 - Chatham
- 70) Mountain Pure CP Public Comment_11-4-24 - Cunningham
- 71) Mountain Pure CP Public Comment_11-4-24 - Degenhardt
- 72) Mountain Pure CP Public Comment_11-4-24 - Ford
- 73) Mountain Pure CP Public Comment_11-4-24 - Grantham, P.
- 74) Mountain Pure CP Public Comment_11-4-24 - Grantham
- 75) Mountain Pure CP Public Comment_11-4-24 - Gruber
- 76) Mountain Pure CP Public Comment_11-4-24 - Hazel
- 77) Mountain Pure CP Public Comment_11-4-24 - Hertrick
- 78) Mountain Pure CP Public Comment_11-4-24 - Holloway, S.
- 79) Mountain Pure CP Public Comment_11-4-24 - Holloway
- 80) Mountain Pure CP Public Comment_11-4-24 - Hovatter
- 81) Mountain Pure CP Public Comment_11-4-24 - Humes
- 82) Mountain Pure CP Public Comment_11-4-24 - Johnston
- 83) Mountain Pure CP Public Comment_11-4-24 - Langer, E.
- 84) Mountain Pure CP Public Comment_11-4-24 - Langer, M.
- 85) Mountain Pure CP Public Comment_11-4-24 - Lo
- 86) Mountain Pure CP Public Comment_11-4-24 - Masemer

24-6-SP - Mountain Pure Concept Plan Public Comment Index

- 87) Mountain Pure CP Public Comment_11-4-24 - Murphy, E.
- 88) Mountain Pure CP Public Comment_11-4-24 - Murphy, K.
- 89) Mountain Pure CP Public Comment_11-4-24 - Myers
- 90) Mountain Pure CP Public Comment_11-4-24 - Newman
- 91) Mountain Pure CP Public Comment_11-4-24 - Olivares
- 92) Mountain Pure CP Public Comment_11-4-24 - Phipps
- 93) Mountain Pure CP Public Comment_11-4-24 - Printz
- 94) Mountain Pure CP Public Comment_11-4-24 - Rice
- 95) Mountain Pure CP Public Comment_11-4-24 - Richmond
- 96) Mountain Pure CP Public Comment_11-4-24 - Ridenour
- 97) Mountain Pure CP Public Comment_11-4-24 - Roberts
- 98) Mountain Pure CP Public Comment_11-4-24 - Robey
- 99) Mountain Pure CP Public Comment_11-4-24 - Roth, J.
- 100) Mountain Pure CP Public Comment_11-4-24 - Roth, P.
- 101) Mountain Pure CP Public Comment_11-4-24 - Snyder
- 102) Mountain Pure CP Public Comment_11-4-24 - Sullivan
- 103) Mountain Pure CP Public Comment_11-4-24 - Temple, B.
- 104) Mountain Pure CP Public Comment_11-4-24 - Temple, E.
- 105) Mountain Pure CP Public Comment_11-4-24 - Temple, L.
- 106) Mountain Pure CP Public Comment_11-4-24 - Ward
- 107) Mountain Pure CP Public Comment_11-4-24 - Wheeler
- 108) Mountain Pure CP Public Comment_11-4-24 - Wilson
- 109) Mountain Pure CP Public Comment_11-4-24 - Yuhasz
- 110) Mountain Pure CP Public Comment_11-5-24 - Bachner
- 111) Mountain Pure CP Public Comment_11-5-24 - Bastian
- 112) Mountain Pure CP Public Comment_11-5-24 - Blessing
- 113) Mountain Pure CP Public Comment_11-5-24 - Boyd
- 114) Mountain Pure CP Public Comment_11-5-24 - Buchanan
- 115) Mountain Pure CP Public Comment_11-5-24 - Cabell
- 116) Mountain Pure CP Public Comment_11-5-24 - Canal
- 117) Mountain Pure CP Public Comment_11-5-24 - Chapman
- 118) Mountain Pure CP Public Comment_11-5-24 - Davis
- 119) Mountain Pure CP Public Comment_11-5-24 - Delles
- 120) Mountain Pure CP Public Comment_11-5-24 - Dillow
- 121) Mountain Pure CP Public Comment_11-5-24 - Evanisko
- 122) Mountain Pure CP Public Comment_11-5-24 - Ford
- 123) Mountain Pure CP Public Comment_11-5-24 - Franklin
- 124) Mountain Pure CP Public Comment_11-5-24 - Grantham
- 125) Mountain Pure CP Public Comment_11-5-24 - Harper
- 126) Mountain Pure CP Public Comment_11-5-24 - Hatcher
- 127) Mountain Pure CP Public Comment_11-5-24 - Haydt
- 128) Mountain Pure CP Public Comment_11-5-24 - Helman-Harman
- 129) Mountain Pure CP Public Comment_11-5-24 - Iglesias

24-6-SP - Mountain Pure Concept Plan Public Comment Index

- 130) Mountain Pure CP Public Comment_11-5-24 - Johnsonbaugh
- 131) Mountain Pure CP Public Comment_11-5-24 - Kubic
- 132) Mountain Pure CP Public Comment_11-5-24 - Lydon
- 133) Mountain Pure CP Public Comment_11-5-24 - Marshall, C.
- 134) Mountain Pure CP Public Comment_11-5-24 - Marshall
- 135) Mountain Pure CP Public Comment_11-5-24 - Mason
- 136) Mountain Pure CP Public Comment_11-5-24 - McDonald
- 137) Mountain Pure CP Public Comment_11-5-24 - Middleton
- 138) Mountain Pure CP Public Comment_11-5-24 - Middleway Conservancy
- 139) Mountain Pure CP Public Comment_11-5-24 - Morgan
- 140) Mountain Pure CP Public Comment_11-5-24 - Mullis
- 141) Mountain Pure CP Public Comment_11-5-24 - Muse
- 142) Mountain Pure CP Public Comment_11-5-24 - Myers
- 143) Mountain Pure CP Public Comment_11-5-24 - Nibert
- 144) Mountain Pure CP Public Comment_11-5-24 - Noland
- 145) Mountain Pure CP Public Comment_11-5-24 - Norris Child Letter
- 146) Mountain Pure CP Public Comment_11-5-24 - Norris Traffic
- 147) Mountain Pure CP Public Comment_11-5-24 - Norris
- 148) Mountain Pure CP Public Comment_11-5-24 - Oliver
- 149) Mountain Pure CP Public Comment_11-5-24 - Printz, D.
- 150) Mountain Pure CP Public Comment_11-5-24 - Printz
- 151) Mountain Pure CP Public Comment_11-5-24 - Rawlings
- 152) Mountain Pure CP Public Comment_11-5-24 - Reese
- 153) Mountain Pure CP Public Comment_11-5-24 - Reifer
- 154) Mountain Pure CP Public Comment_11-5-24 - Roche
- 155) Mountain Pure CP Public Comment_11-5-24 - Rochefort
- 156) Mountain Pure CP Public Comment_11-5-24 - Semler
- 157) Mountain Pure CP Public Comment_11-5-24 - Shelton
- 158) Mountain Pure CP Public Comment_11-5-24 - Smith
- 159) Mountain Pure CP Public Comment_11-5-24 - Spicher
- 160) Mountain Pure CP Public Comment_11-5-24 - Teresa
- 161) Mountain Pure CP Public Comment_11-5-24 - Thompson
- 162) Mountain Pure CP Public Comment_11-5-24 - Trainor
- 163) Mountain Pure CP Public Comment_11-5-24 - Truslow
- 164) Mountain Pure CP Public Comment_11-5-24 - Wiles
- 165) Mountain Pure CP Public Comment_11-5-24 - Wilson
- 166) Mountain Pure CP Public Comment_11-5-24 - Wimer
- 167) Mountain Pure CP Public Comment_11-5-24 - Womeldorf
- 168) Mountain Pure CP Public Comment_11-5-24 - WVRC
- 169) Mountain Pure CP Public Comment_11-5-24 - York
- 170) Mountain Pure CP Public Comment_11-5-24 - Yuhasz

Frank and Mary Supplee
6880 Leetown Rd
Kearneysville WV 25430

October 22, 2024

Jefferson County Planning Commission
Attn: Michael Shepp, President
116 E Washington St
Charles Town WV 25414

RE: Notice of Mountain Pure Concept Plan, File # 24-6-SP

Dear Mr. Shepp:

This letter is in response to the Mountain Pure Concept Plan notification and request for written comments.

We are residents of Middleway district near the proposed water source called Lake Louise. Our farm borders Turkey Run for over one-half mile. Turkey Run is fed by Lake Louise. We strongly oppose the use of this precious water supply for a bottled water facility as the residents of this area rely on the very water table the source supplies. The drought this year proves how critical the water resource is to those already in residence and any future proposed growth. Our well is 80 feet deep and our home elevation is 80 feet above Turkey Run. A drop in the water table will jeopardize our water supply. Many Middleway residents' wells are already compromised with water quality issues. The use of this critical water resource for commercial gain would cause a drop in the water table, similar to or worse than a drought period.

You may wish to contact the Freshwater Institute (formerly Spring and Ground Water Institute) in Shepherdstown, WV as they have done many studies on springs of West Virginia and held conferences with experts on our Karst topography.

Sincerely,

Frank and Mary Supplee

28 October 2024

Jefferson County Planning Commission
116 E. Washington Street
Charles Town, WV 25414

RE: File Number 24-6-SP

To Whom It May Concern:

I have read with dread information about the proposed water bottling plant for Middleway, WV at the site of the former 3M facility - File Number 24-6-SP. Although it does not say specifically that the water will come from Lake Louise/Turkey Run, it is the most plausible source for the "mountain pure water".

Have any studies been conducted on the effects it will have on the water table on which this entire area relies? What does the company plan to do if our wells go dry? Will they dig deeper wells for affected residents at the company's expense, in a timely manner, and provide water to us during the process? Will they ensure that residents do not incur any adverse effects or personal expense because of their operations?

This area continues to experience drought conditions, and Turkey Run beside my house is low. As a resident of Middleway, I am extremely concerned for the welfare of the Village's water supply should this plant be allowed to operate here.

Please do not sacrifice our well-being and natural resources for business profit, and do not proceed with this venture unless there are strong, science-backed assurances that no well will go dry, no sink holes will form from a depleted water table, and no land or water will become polluted. These conditions must be legally binding without financial burden or negative consequences being incurred by residents.

I am extremely dismayed that this proposal is even being considered.

I plan to attend the public meeting on 12 November, and hope that this project will not go forward.

Respectfully,

SL Covello

Suzanne Covello
7124 Queen Street
Middleway, WV 25430

The Very Rev. Robert & Kimberly Shives
154 East Street
Kearneysville WV 25430

RECEIVED

OCT 25 2024

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

October 23, 2024

Jefferson County Planning Commission
Attn: Michael Shepp, President
116 E Washington Street
Charles Town WV 25414

RE: Notice of Mountain Pure Concept Plan, File # 24-6-SP

Dear Mr. Shepp,

This letter is in response to the Mountain Pure Concept Plan notification for written comments.

As a resident of the Middleway Historic District and living in close proximity to the water source known as Lake Louise and Turkey Run, which is fed by the lake, I have several concerns about the potential impact of this proposal on the local water table. Given the reliance of our community on these water sources for both environmental and personal needs, I am particularly concerned that any alterations to the land or increased water extraction could significantly affect the water levels and quality in the area.

Lake Louise and Turkey Run are integral to the ecosystem, and changes to their flow or levels could disrupt local wildlife, vegetation, and the overall health of the watershed. Additionally, as a homeowner, I am worried that the proposal could lower the water table, potentially affecting wells in the area, including my own. A decrease in the water table could lead to costly issues for residents, such as reduced water availability or the need for deeper drilling.

Furthermore, I am concerned that many residents may not have been adequately informed about this proposal. It is critical that all those potentially affected by this plan are given the opportunity to voice their concerns and participate in the decision-making process. A lack of awareness could prevent important feedback from being heard, leaving residents vulnerable to unforeseen consequences.

In addition, the proposed development may lead to increased traffic flow through our neighborhood, which already struggles with speed enforcement. Not only will there be more vehicle traffic, but also commercial vehicles passing through the historic district. This raises significant concerns for pedestrians and road safety. Additionally, there is a major intersection at Route 51 and Leetown Road that has already proven to be deadly, with no attempt so far to improve safety measures beyond a flashing light. It is essential that these traffic and safety concerns be addressed alongside the environmental issues, ensuring that the infrastructure can handle the potential increase in both regular and commercial traffic while keeping our community safe.

I urge the planning commission to carefully consider these concerns, including conducting a thorough environmental impact study to assess the risks to our water table and surrounding areas. Additionally, I encourage efforts to improve communication with the community to ensure all residents are aware of and

can contribute to the discussion, as well as implementing proper traffic management and enforcement plans to address any increase in traffic flow.

Thank you for your attention to these important matters.

Robert Shives + Kimberly Shives
The Very Rev. Robert & Kimberly Shives

R. Shives
154 East St
Kearneysville WV
25430

HARRISBURG PA 171
23 OCT 2024 PM 2:11



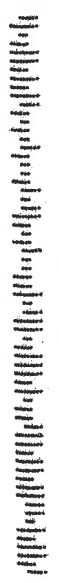
RECEIVED

OCT 23 2024

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

Jefferson County Planning Commission
116 E Washington St
Charles Town WV 25414

25414-100499



Jefferson County Planning Commission
200 E Washington Street, Charles Town, WV 25414

10/28/24

RE: Proposed bottling facility at the old 3M site in Middleway

We want to express our opposition to the proposed bottling facility at the old 3m site in Middleway. We own a property located in Middleway and have lived there for almost 6 years. Our house is on a well. We are concerned that that any pull of water from Turkey Run or Lake Louise could affect aquifers and wells for all the property owners in Middleway. The bottled water industry adds pressure on our already depleting water sources. This past summer WV faced one of the worst droughts in decades. As temperatures continue to increase, we believe that WV will continue to have issues with rainfall deficits

Though packaging of bottled water may have a small environmental impact, manufacturing and transporting bottled water produces air pollution that contributes to global warming. Any groundwater extracted for this bottling facility is a potential threat to our drinking water resources on top of feeding our already troubling plastic pollution problems. Bottled water is not a key to safe drinking water in this country. We should be promoting the use of reusable drinking bottles. While some water bottles may be recyclable, many people do not choose do so. How many places do we see water bottles laying on the ground, left behind? Bottled water can get contaminated with chemicals during processing. What is being done to make sure that the old 3M site, which is a brownfield site, is 100 % clean and safe to use to bottle water. This site was used for many years for manufacturing for the printing industry. Will citizens receive an EPA report that shows what was required to clean it up and how that was done?

Additionally, we have concerns about increased traffic and congestion to our roads. The speed limit on Queen St is 30 mph and we have trucks and cars moving at high speeds down this 2-lane road. There is no 4-way stop light at the intersection of Leetown Road and 51 which already causes traffic to back-up and is a dangerous intersection. The trucks likely used for transportation at the bottling company will also increase the noise pollution in our small, quaint, and historic town.

As your constituents we ask you to not support this proposed facility.

Thank you

Shawn and Lisa White
164 Old Middleway Rd
Kearneysville WV 25430

A handwritten signature in blue ink, appearing to read "Shawn & Lisa White", is written over the typed name and address.

Lisa White
164 Old Middleway Rd
Kearneysville, WV 25430

HARRISBURG PA 171

2 NOV 2024 PM 3 L



RECEIVED

NOV 04 2024

JEFFERSON COUNTY
ENGINEERING, PLANNING & ZONING

Jefferson County Planning Commission
116 E Washington St
Charles Town WV 25414

25414-100401



From: [Planning Department](#)
To: "John Aldis"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:45:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: John Aldis <jwaldis@gmail.com>
Sent: Wednesday, October 30, 2024 7:40 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- What method is being used to treat the water before it is bottled and sold? For example, "reverse osmosis" (a commonly used method by bottled-water companies) uses a LOT of water to produce a much smaller amount of treated water.

The primary environmental concern with reverse osmosis (RO) water treatment is the large amount of wastewater produced during the process, often referred to as "brine," which can harm aquatic ecosystems if not properly managed, alongside the significant energy consumption needed to operate the system, contributing to carbon emissions; essentially, for every gallon of purified water, several gallons of wastewater are generated.

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.

- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

John Aldis
jwaldis@gmail.com

From: [Planning Department](#)
To: ["Joanne Bario"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 12:01:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Joanne Bario <joannebario@gmail.com>
Sent: Wednesday, October 30, 2024 11:17 AM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Most importantly, we have to protect our water table, which is already threatened by the sudden growth in our county. Our water belongs to the people of West Virginia, not a company who plans to drain our resource in order to make money off it.

Sincerely,

Joanne Bario

--

Joanne Bario
joannebario@gmail.com

From: [Planning Department](#)
To: "David Barrett"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 1:05:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: David Barrett <barrett20099@comcast.net>
Sent: Wednesday, October 30, 2024 12:07 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From draw

--

David Barrett
barrett20099@comcast.net

From: [Planning Department](#)
To: ["Windsong Bergman"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Thursday, October 31, 2024 9:06:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Windsong Bergman <bergmanwindsong@yahoo.com>
Sent: Wednesday, October 30, 2024 7:44 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

I was born in Jefferson County and continue to live and vote here. Now is the time to take our concerns about the Bottling Facility seriously and prevent problems later on. Planning wisely is very important!

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
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- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Windsong Bergman
bergmanwindsong@yahoo.com

From: [Planning Department](#)
To: ["Susan Biggs"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:49:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Susan Biggs <Susanbiggs@aol.com>
Sent: Wednesday, October 30, 2024 8:12 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Susan Biggs
Susanbiggs@aol.com

From: [Planning Department](#)
To: "[Giuliana Brogna](#)"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 11:59:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Giuliana Brogna <brogna.giuliana@gmail.com>
Sent: Wednesday, October 30, 2024 10:47 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this

Concept Plan.

Sincerely,

--

Giuliana Brogna
brogna.giuliana@gmail.com

From: [Planning Department](#)
To: "John Cisar"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:44:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: John Cisar <jocisarwv@gmail.com>
Sent: Wednesday, October 30, 2024 7:38 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

John Cisar
jocisarwv@gmail.com

From: [Planning Department](#)
To: "[Chad Conant](#)"; michaelshepp@me.com
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:24:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Chad Conant <chadseyconant@gmail.com>
Sent: Tuesday, October 29, 2024 10:42 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please REJECT the concept plan for the Mountain Pure Water Bottling Facility because:

- We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.

Our water is a natural resource that should be for the use of Jefferson County, not taken to be sold elsewhere.

Groundwater from any location in Jefferson County should not be taken for bottling because groundwater should be used for farming, livestock, and rural residential use.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,
Chad Conant
Rural Resident of Jefferson County

--
Chad Conant
chadseyconant@gmail.com

From: [Planning Department](#)
To: "[Toby Degenhardt](#)"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 10:13:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Toby Degenhardt <tobydegenhardt@hotmail.com>
Sent: Wednesday, October 30, 2024 10:12 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Toby Degenhardt
tobydegenhardt@hotmail.com

From: [Planning Department](#)
To: ["leyland Del re"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 3:11:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: leyland Del re <leyland.delre@gmail.com>
Sent: Wednesday, October 30, 2024 3:11 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

leyland Del re
leyland.delre@gmail.com

From: [Planning Department](#)
To: ["Sonny Discini"; michaelshpepp@me.com](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:36:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sonny Discini <thehorse13@gmail.com>
Sent: Wednesday, October 30, 2024 5:29 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Sonny Discini
thehorse13@gmail.com

From: [Planning Department](#)
To: "Alana Flynn"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 1:43:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Alana Flynn <flynn126@yahoo.com>
Sent: Wednesday, October 30, 2024 1:43 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Alana Flynn
flynn126@yahoo.com

From: [Planning Department](#)
To: ["David Fraser"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:50:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: David Fraser <retiredhoc1@yahoo.com>
Sent: Wednesday, October 30, 2024 9:32 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

David Fraser
retiredhoel@yahoo.com

From: [Planning Department](#)
To: ["Callie Fulmer"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 10:08:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Callie Fulmer <callie@calliefulmer.com>
Sent: Wednesday, October 30, 2024 9:53 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please say no to stealing the rural economy.

Groundwater is what makes the rural way of life possible. Farmers, horsemen, everyone who lives in a rural area relies on groundwater to take care of animals, water crops, and use in their homes.

However, we have very little idea how much is under there, and technically we have no legal rights to it. This loophole is exploited by bottled water companies who come in and take the water, and then sell it for mostly profit.

It is high time the elected officials started protecting the people who already live here, and their limited water resources from people who want to drain the aquifers for profit, leaving the farmers with no way to sustain. Don't put profit over people. Don't let them steal our limited groundwater resources.

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Callie Fulmer
callie@calliefulmer.com

From: [Planning Department](#)
To: ["Mary Gee"](#); michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; hefestay@yahoo.com; donniefisher@yahoo.com; stolipherjcc@gmail.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; carolineakeys@gmail.com
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:20:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Mary Gee <Mgeeturtle@gmail.com>
Sent: Tuesday, October 29, 2024 9:46 PM
To: michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; hefestay@yahoo.com; donniefisher@yahoo.com; stolipherjcc@gmail.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>; carolineakeys@gmail.com
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Jefferson County needs a water study before the commission allows a water bottling facility to operate in our county. Residents repeatedly ask for a water study before any further water intensive projects are allowed.

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,
Mary Gee

--

Mary Gee
Mgeeturtle@gmail.com

From: [Planning Department](#)
To: ["Dennis Hatcher"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:42:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Dennis Hatcher <dgeraldh@frontiernet.net>
Sent: Wednesday, October 30, 2024 6:31 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Dennis Hatcher
dgeraldh@frontiernet.net

From: [Planning Department](#)
To: ["Ruth Hatcher"; michaelshpep@me.com](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:40:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Ruth Hatcher <ruthhatcher756@hotmail.com>
Sent: Wednesday, October 30, 2024 6:29 AM
To: michaelshpep@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

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Dear Planning Commissioners,

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Ruth Hatcher
ruthhatcher756@hotmail.com

From: [Planning Department](#)
To: ["Gay Henderson"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 12:03:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Gay Henderson <Tinsleyshepherd@gmail.com>
Sent: Wednesday, October 30, 2024 11:39 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Gay Henderson
Tinsleyshepherd@gmail.com

Debora Henry
6876 Leetown Rd.
Kearneysville, WV 25430

Jefferson County Planning Commission
Attn: Michael Shepp, President
116 E. Washington St.
Charles Town, WV 25414

October 23, 2024

RE: Notice of Mountain Pure Concept Plan, File # 24-6-SP

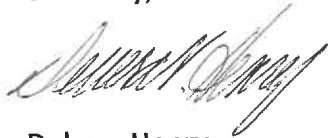
Dear Mr. Shepp:

This letter is in response to the Mountain Pure Concept Plan notification and request for written comments.

I am a resident of the Middleway district and near the proposed water source called Lake Louise. I am strongly opposed to the use of this water source for a bottled water facility due to the catastrophic effect of reducing the water table and drying up private wells.

The Jefferson County Planning Commission must protect life sustenance for its residents today and tomorrow. The water table and water supply must not be compromised or reduced for commercial gain. For this reason, the project must be denied.

Sincerely,



Debora Henry

RECEIVED
OCT 28 2024
JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

From: [Planning Department](#)
To: "JENNIFER KING"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:34:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: JENNIFER KING <jenxyking@comcast.net>
Sent: Wednesday, October 30, 2024 3:20 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

JENNIFER KING
jenxyking@comcast.net

From: [Planning Department](#)
To: ["Christina Melocik"](#); michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; hefestay@yahoo.com; donniefisher@yahoo.com; stolipherjcc@gmail.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; carolineakeys@gmail.com
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:23:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Christina Melocik <chris.tiny@comcast.net>
Sent: Tuesday, October 29, 2024 10:16 PM
To: michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; hefestay@yahoo.com; donniefisher@yahoo.com; stolipherjcc@gmail.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>; carolineakeys@gmail.com
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Christina Melocik
chris.tiny@comcast.net

From: [Planning Department](#)
To: "Sarah Milcetic"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:38:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sarah Milcetic <sarah.milcetic@me.com>
Sent: Wednesday, October 30, 2024 5:56 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

I ask that you please consider the following concerns when evaluating the concept plan of the Mountain Pure Water Bottling Facility and how it will likely affect the residents, small business owners and farmers (like myself) in Jefferson County. I ask that you please REJECT the concept plan for this project, based on the following concerns:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this

Concept Plan.

Sincerely,

Sarah Milcetic

--

Sarah Milcetic
sarah.milcetic@me.com

From: [Planning Department](#)
To: ["Jennifer Newsome"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:35:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jennifer Newsome <jennanewsome@yahoo.com>
Sent: Wednesday, October 30, 2024 5:09 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Jennifer Newsome
jennanewsome@yahoo.com

From: [Planning Department](#)
To: "[Stephanie Pania](#)"; michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; hefestay@yahoo.com; donniefisher@yahoo.com; stolipherjcc@gmail.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; carolineakeys@gmail.com
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:22:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Stephanie Pania <plaidacid@yahoo.com>
Sent: Tuesday, October 29, 2024 9:58 PM
To: michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; hefestay@yahoo.com; donniefisher@yahoo.com; stolipherjcc@gmail.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>; carolineakeys@gmail.com
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility.

Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used

for farming, livestock, and rural residential use.

- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Stephanie Pania
plaidacid@yahoo.com

Planning Department

From: Planning Department
Sent: Thursday, October 31, 2024 9:12 AM
To: Amy Piedrahita
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Amy Piedrahita <Piedrahita@frontiernet.net>
Sent: Thursday, October 31, 2024 8:30 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

How many ways can we ruin Jefferson County? Here is a big one! I wholeheartedly adopt and endorse the opinions that follow:

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.

- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.

- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Amy Piedrahita

Piedrahitaa@frontiernet.net

From: [Planning Department](#)
To: ["Carolyn Rodis"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:43:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Carolyn Rodis <Cjrodis@yahoo.com>
Sent: Wednesday, October 30, 2024 7:24 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Carolyn Rodis
Cjrodis@yahoo.com

From: [Planning Department](#)
To: ["George Rutherford"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 2:31:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: George Rutherford <Gruther1@msn.com>
Sent: Wednesday, October 30, 2024 2:05 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

George Rutherford
Gruther1@msn.com

From: [Planning Department](#)
To: ["Keith Stegall"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 10:10:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Keith Stegall <69trailgrass@gmail.com>
Sent: Wednesday, October 30, 2024 9:55 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Keith Stegall
69trailgrass@gmail.com

From: [Planning Department](#)
To: "Theresa Stogner"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:47:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Theresa Stogner <theresastogner@gmail.com>
Sent: Wednesday, October 30, 2024 7:55 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan. There is not enough information at this point to reasonably accept this Concept Plan. It is perfectly

reasonable to expect these concerns to be addressed before accepting any plan.

Sincerely,
Theresa Stogner

--
Theresa Stogner
theresastogner@gmail.com

From: [Planning Department](#)
To: "Kathryn Super"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 10:09:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Kathryn Super <Ksuper@udel.edu>
Sent: Wednesday, October 30, 2024 9:54 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Kathryn Super
Ksuper@udel.edu

From: [Planning Department](#)
To: ["Diana Sutzenfield"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Thursday, October 31, 2024 3:38:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Diana Sutzenfield <sutzenfield@aol.com>
Sent: Thursday, October 31, 2024 3:21 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Diana Sutfenfield
sutfenfield@aol.com

From: [Planning Department](#)
To: "E Temple"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:48:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: E Temple <ltemple030711@icloud.com>
Sent: Wednesday, October 30, 2024 8:05 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan. Please keep Jefferson County rural, go somewhere else

Sincerely,

--

E Temple
ltemple030711@icloud.com

From: [Planning Department](#)
To: ["Paula Tremba"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 3:01:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Paula Tremba <p.tremba@icloud.com>
Sent: Wednesday, October 30, 2024 3:00 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
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- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Paula Tremba
p.tremba@icloud.com

From: [Planning Department](#)
To: ["Gary Turner"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Thursday, October 31, 2024 9:08:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Gary Turner <gary_turner@comcast.net>
Sent: Wednesday, October 30, 2024 9:54 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Gary Turner
gary_turner@comcast.net

From: [Planning Department](#)
To: ["Doreen Voigt"; michaelshepp@me.com](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:27:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Doreen Voigt <piebald-rough0v@icloud.com>
Sent: Tuesday, October 29, 2024 11:06 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Doreen Voigt
piebald-rough0v@icloud.com

From: [Planning Department](#)
To: "[David Ward](#)"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, October 30, 2024 9:39:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: David Ward <dward@earthwardconsulting.com>
Sent: Wednesday, October 30, 2024 6:08 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.

- * Groundwater production from karst area is extremely risky with the potential to exacerbate the formation of sinkhole.

- * A fully detail dye tracing study is critical to understanding the overall dynamics of flow in karst groundwater system,

David Ward
Earthward Consulting
Lovettsville, VA

--

David Ward
dward@earthwardconsulting.com

From: [Planning Department](#)
To: "[Lisa Beard](#)"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Friday, November 1, 2024 9:29:00 AM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Lisa Beard <lisaerinbeard@gmail.com>
Sent: Thursday, October 31, 2024 7:50 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- 1) The concept plan does not indicate from where the water will be sourced. I am concerned that the water extraction could impact local groundwater/surface water levels.
- 2) Traffic impacts have not been investigated. I am concerned that heavy trucks will be utilizing the rural roads, causing deterioration of the roads.

I support new business in Jefferson County, but we need to ensure that this business is not going to jeopardize our natural resources and that the current infrastructure is able to support it. Thank you for your consideration.

Sincerely,
Lisa

--
Lisa Beard
lisaerinbeard@gmail.com

From: [Planning Department](#)
To: ["Ken Gulden"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Thursday, October 31, 2024 4:31:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Ken Gulden <kengulden@yahoo.com>
Sent: Thursday, October 31, 2024 4:31 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

Ken Gulden
500 Steamboat Run Road
Shepherdstown

--

Ken Gulden
kengulden@yahoo.com

From: [Planning Department](#)
To: ["LaDonna Lauren"](#)
Subject: RE: Water Bottling Facility
Date: Thursday, October 31, 2024 3:43:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: LaDonna Lauren <kklauren@hotmail.com>
Sent: Thursday, October 31, 2024 3:43 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Water Bottling Facility

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

I am here to encourage your objection to this facility because of too many unknowns with the biggest concern is where are they going to get the water. We have been under a serious drought on top of this. Please do the right thing for our community.

LaDonna Lauren
Shepherdstown, WV

- Reject the concept plan because it ***does not have enough information to determine if it is a permitted use in this zone.*** We don't know where the water will be sourced.
- Reject the concept plan because ***water extraction is not a permitted use in the Industrial Commercial zone or the Rural zone.***

From: [Planning Department](#)
To: ["L. Hardy Mason"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Friday, November 1, 2024 9:28:00 AM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: L. Hardy Mason <hardymason@yahoo.com>
Sent: Thursday, October 31, 2024 6:26 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

L. Hardy Mason
hardymason@yahoo.com

RE: Middleway Bottling Facility

I would like to make comment and raise questions that the people of Middleway have no doubt already said or asked.

The proposed bottling facility planned for Middleway is very concerning. FIRST of all what engineering studies if any have been done to even support the idea? Have Aquifers been professionally evaluated?

The people of Middleway are on well water. We have conserved water all summer to prevent wells running dry. Now this! We have not yet really seen or read exactly where this water is coming from - Lake Louise? Turkey Run? Both?

Has the environmental concerns been addressed professionally? There was a frog found at Lake Louise many years that WVU came and studied since the frog was not found anywhere else. I am not a tree hugger or extreme but I do NOT trust the County to put the residents or the environment above the money. My understanding is that Sidewinder has already paid substantial fines for not having proper permits. They already have a shell about them.

We live in Middleway — Sidewinder (what a name) do NOT. Are they willing to pay for well sitting on our property when they exploit us more. Doubtful to will they pay us for our homes when it becomes a used

hostage? I expect that we should hear some facts and not be subject to a dog and pony show telling us how great this will be. The jobs this facility will offer will be jobs no one here even wants. We contribute to higher paying, more skilled labor type jobs.

The people have a right to be very concerned, and should be. Our property value is potentially impacted here.

Looking forward to concrete, factual information West VA may be open for business but NOT open to being railroaded.

Respectfully
Chia Boston

RECEIVED

OCT 31 2024

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

69 Old Madison Ln
Keeningsville, WV
25430

HARRISBURG PA 171

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29 OCT 2024 PM 4 L

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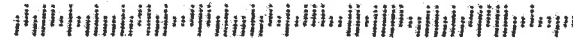
RECEIVED

OCT 31 2024

**JEFFERSON COUNTY
ENGINEERING, PLANNING AND ZONING**

Planning Commission
116 E. Washington St
Charles Town, WV 25414

25414-100496



From: [Planning Department](#)
To: "[Laura Schwartz](#)"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Thursday, October 31, 2024 2:04:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Laura Schwartz <Laurfpaulus@gmail.com>
Sent: Thursday, October 31, 2024 2:02 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please REJECT the concept plan for this project because this area is growing too rapidly to take a resource each person NEEDS and bottle it and send it elsewhere for profit for a private company. Please don't take the resources away from our growing community.

Sincerely,
Laura Schwartz

--
Laura Schwartz
Laurfpaulus@gmail.com

From: [Planning Department](#)
To: ["rosalind welsh"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Thursday, October 31, 2024 9:10:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: rosalind welsh <welsharch@yahoo.com>
Sent: Thursday, October 31, 2024 1:09 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

I have lived here 44 years. The lack of investigation to allow a company to probably deplete our water table is unacceptable. The rumor is that the water is coming from Lake Louise? This lake is a large spring fed pond. No way this should be approved without further investigation!!! When I first moved here Coors wanted to bottle here & was deemed unacceptable for using too much water. This bottling plant will use much, much more water. We need business that will not hurt our natural resources. The water table here has dropped noticeably from the large increase in population. Many springs have disappeared.

PLEASE REJECT THIS BOTTLING COMPANY!!!

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

rosalind welsh
welsharch@yahoo.com

From: [Planning Department](#)
To: "Kuntz Michelle"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:14:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Kuntz Michelle <michelle.kuntz91@gmail.com>
Sent: Friday, November 1, 2024 8:23 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Kuntz Michelle
michelle.kuntz91@gmail.com

From: [Planning Department](#)
To: "[Kathleen Lloyd](#)"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Friday, November 1, 2024 11:00:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Kathleen Lloyd <Sweens1205@gmail.com>
Sent: Friday, November 1, 2024 10:54 AM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

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Dear Planning Commissioners,

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Kathleen Lloyd
Sweens1205@gmail.com

From: [Planning Department](#)
To: ["Paula Marrone-Reese"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:15:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Paula Marrone-Reese <pmarrone@pc-everything.com>
Sent: Friday, November 1, 2024 10:17 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

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Dear Planning Commissioners,

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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Paula Marrone-Reese
pmarrone@pc-everything.com

From: [Planning Department](#)
To: ["Carolyn Sisler"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Friday, November 1, 2024 9:31:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Carolyn Sisler <Lynsisler@frontiernet.net>
Sent: Friday, November 1, 2024 9:14 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

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- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Carolyn Sisler
Lynsisler@frontiernet.net

From: [Planning Department](#)
To: ["Roselyn Mendez"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:17:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Roselyn Mendez <rosehsm@gmail.com>
Sent: Saturday, November 2, 2024 11:24 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Roselyn Mendez
rosehsm@gmail.com

From: [Planning Department](#)
To: ["Ross Ridenour"](#)
Subject: RE: Bottled Water Plant
Date: Monday, November 4, 2024 9:22:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Ross Ridenour <rossridenour1@yahoo.com>
Sent: Saturday, November 2, 2024 10:37 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Bottled Water Plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Jefferson County Planning Department,

I hope this letter finds you well. I am writing to express my concerns regarding the proposed bottled water plant in Middleway, West Virginia. This project poses significant risks to our community, our environment, and our precious natural resources.

First and foremost, the extraction of water for bottling purposes raises serious issues related to sustainability. The increased demand on our local water supply could deplete essential groundwater resources, especially in times of drought or low precipitation. Jefferson County is home to a rich ecosystem, and it's essential that we prioritize the preservation of our natural resources for future generations. Turning our water supply into a commercial product for profit runs counter to the needs of our community and the environment.

Additionally, the construction and operation of a bottling plant could lead to increased truck traffic on our roads, resulting in congestion, noise pollution, and potential safety hazards. Our rural roads may not be equipped to handle the volume of large trucks that a facility of this nature would generate. The potential for accidents and infrastructure wear raises valid concerns for the safety of our

residents and the integrity of our roadways.

The environmental impact of such a facility also warrants serious consideration. The extraction and bottling process could have detrimental effects on local wildlife and habitats. Pollution from the plant's operations could compromise the quality of air and water in the surrounding area, ultimately affecting the health of our community members and our local ecosystems.

Lastly, we must consider the economic implications of this project. While jobs may be promised, they may not be sufficient to counterbalance the negative consequences associated with the plant. We should be focusing on sustainable job creation that bolsters our local economy without jeopardizing our natural resources or quality of life.

In conclusion, I urge the Jefferson County Planning Department to reconsider the approval of the bottled water plant in Middleway. This decision will have lasting effects on our community, our environment, and our families. Let us prioritize sustainable and responsible development that protects our natural heritage and promotes the well-being of Jefferson County residents.

Thank you for your attention to this matter.

Sincerely,
-Ross Ridenour

From: [Planning Department](#)
To: ["Taylor Webster"](#)
Subject: RE: Middleway Water Bottling Plant
Date: Monday, November 4, 2024 9:20:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Taylor Webster <taylor.calandrelle@gmail.com>
Sent: Saturday, November 2, 2024 7:38 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Middleway Water Bottling Plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Good evening,

My name is Taylor Webster and I have livestock in Middleway. This livestock would be impacted if the plant plans to extract water from Lake Louise/Turkey Run or directly from the water table. Due to the historic nature of the town, the fence to the livestock is also close to the road and increased traffic could mean increased chances of accidents, therefore increasing the chance of damage to the fencing or more tragically, injury or death of my livestock. People's homes and fences are less than 5 feet from the roads.

I'm sure I don't have to tell you how much livestock impacts our lives as people, and as the state of West Virginia as a whole. Livestock is part of a huge culture in Jefferson County. We cannot have a plant this large and at this magnitude situated in the small, historic town of Middleway. I ask you as a livestock owner that loves her livestock more than life, to please consider voting against the water bottling plants. The safety of livestock, the people, and conservation of Middleway depends on it.

Thank you,

Taylor Webster

From: [Planning Department](#)
To: ["Matthew Glover"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:33:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Matthew Glover <4glovers@comcast.net>
Sent: Sunday, November 3, 2024 4:56 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Matthew Glover
4glovers@comcast.net

From: [Planning Department](#)
To: "Joy Ackert"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:43:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Joy Ackert <joy0626@gmail.com>
Sent: Sunday, November 3, 2024 7:14 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Hello commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility.

Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
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- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan and create a healthier WV!

Sincerely,
Joy Ackert

--

Joy Ackert
joy0626@gmail.com

From: [Planning Department](#)
To: ["Kaitlan Ballantine"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:34:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Kaitlan Ballantine <Kaitlan.ballantine@gmail.com>
Sent: Sunday, November 3, 2024 5:50 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

My husband's family all reside in Middleway and have for 5 generations. This area needs to be protected against water misuse and contamination. Local farmers and residents need their water protected. This historic town needs to be protected and preserved. There is simply not enough information or clarity to make an educated decision on something that would have lasting impacts on the community.

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
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- The traffic impacts have not been appropriately assessed or addressed.

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- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.

- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Kaitlan Ballantine
Kaitlan.ballantine@gmail.com

From: [Planning Department](#)
To: ["Erin Barrow"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:43:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Erin Barrow <Erinmarion98@icloud.com>
Sent: Sunday, November 3, 2024 8:14 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
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- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely, Erin Barrow

--

Erin Barrow

Erinmarion98@icloud.com

From: [Planning Department](#)
To: ["Jamie Byron"](#)
Subject: RE: Citizen Concerned with Bottling Plant
Date: Monday, November 4, 2024 9:31:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Jamie Byron <jebyron3@gmail.com>
Sent: Sunday, November 3, 2024 4:31 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Citizen Concerned with Bottling Plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commission,

I am a Jefferson county citizen, taxpayer and business owner, an engineer by training, and ecological land manager and consultant by trade.

Like most citizens I know, on all sides of the political spectrum, I've been disappointed by how the planning commission and county officials have handled industrial and residential development in our beautiful rural county.

I'm especially concerned at the moment with the ~Million square foot bottling facility. The information on how much water is planned to be drawn from the aquifer, Turkey run, or public water system is not transparent. But for a facility that large, it is likely to be enourmous! There is no doubt that it will have a significant impact on the quality and volume of water in our aquifer, which impacts all the neighboring wells, the groundwater levels, local streams and ponds, farmland soil saturation, and septic field efficacy.

If you few responsibility to your fellow citizens, neighbors and grandchildren, please ensure that the effect of this groundwater withdrawal is fully understood and strict limits are set in place before even considering a bottling facility in our county. I would love to see a small local bottled spring water producer in our county (like Berkeley springs water) but a massive facility is not appropriate here.

Thank you for hearing my concerns. Please do the right thing for our county.

Jamie Byron

From: [Planning Department](#)
To: ["Tammy"](#)
Subject: RE: Middleway
Date: Monday, November 4, 2024 9:23:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Tammy <tammydodson@comcast.net>
Sent: Sunday, November 3, 2024 6:19 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Middleway

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

> I have concerns about a Water bottle factory coming to Middleway. This is a small historic town. Our roads are not made for the traffic that this will bring. The blinking light at the intersection of Rt 51 is already an accident happening at least once a day. Added traffic will make that worse. Our children and pets play in Turkey Run. We do not need a plant adding anything to this Run. We need to protect this small historic town as it is. Please do not allow a business that will do harm come to our small town.

A concerned landowner in Middleway

Thank you

Tammy Dodson

Sent from my iPhone

From: [Planning Department](#)
To: "[Meredith Donlon](#)"
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:41:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Meredith Donlon <Ladybugmcd@aol.com>
Sent: Sunday, November 3, 2024 7:01 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

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- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Meredith Donlon
Ladybugmcd@aol.com

From: [Planning Department](#)
To: ["Sandra Gruber"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:40:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sandra Gruber <sandygruber667@gmail.com>
Sent: Sunday, November 3, 2024 6:05 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

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- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
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- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Sandra Gruber
sandygruber667@gmail.com

From: [Planning Department](#)
To: ["Mary Toborg"](#)
Subject: RE: Proposed Water Bottling Plant in Middleway
Date: Monday, November 4, 2024 9:29:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Mary Toborg <toborgmd@yahoo.com>
Sent: Sunday, November 3, 2024 1:10 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Proposed Water Bottling Plant in Middleway

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Department Members:

As a long-time owner of a house on Queen Street in Middleway's Historic District, I am very concerned about the lack of information we residents have been given about this proposal, especially with regard to (1) increased traffic through the historic village and (2) the source of the water the facility will use.

Traffic: How much will traffic through Middleway increase, especially traffic by heavy trucks? Heavy trucks cause strong vibrations in the ground which can damage historic homes by causing cracks in walls and foundations, soil shifting, and other problems. This issue is particularly important in Middleway, where its 18th- and 19th-century structures are built right next to the road.

Middleway already experiences a high volume of traffic, which became notably worse when a bridge on the outskirts of the village was removed some years ago. Speeding also is a problem, with its concomitant effect on safety. It can be difficult now to cross Queen Street, given the volume of traffic and its speed; additional traffic will only make this situation worse,

Of course, these traffic issues could be avoided if a bypass road were built around Middleway, so that traffic from the bottling plant could access Route 51 without the need to drive through the historic village. Such a bypass also would alleviate existing traffic problems in the village. I urge the Planning Department to give serious consideration to this possibility.

Source of Water: Where will the water come from? What impact will there be on the wells of Middleway's residents? Answers to these questions are vital to consideration of the efficacy of the proposed facility, and I urge you to insist on answers.

Sincerely,

Mary Toborg

[Sent from Yahoo Mail for iPad](#)

From: [Planning Department](#)
To: "Sarah Adams"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 4:59:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sarah Adams <sarahadams85@gmail.com>
Sent: Monday, November 4, 2024 4:59 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

The Panhandle is in a drought! Why would we allow a private corporation to sell our water?

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Sarah Adams
sarahadams85@gmail.com

From: [Planning Department](#)
To: ["Charlotte Baker-Shenk"](#)
Subject: RE: Comment on "Mountain Pure" water bottling facility
Date: Wednesday, November 6, 2024 10:34:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Charlotte Baker-Shenk <bakershenk@aol.com>
Sent: Monday, November 4, 2024 9:53 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Comment on "Mountain Pure" water bottling facility

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear planners and planning commission officers

It has become obvious that Jefferson County badly needs ASAP to do a thorough study and then update its information about ground water in the County and surrounding areas. Massive new developments have been approved and are in construction based on very old information – without knowing potential impacts on the water upon which so many people depend.

So why would the County approve yet another huge drain on our water supply without knowing how much is actually available? And without knowing how this new "Mountain Pure" water bottling facility might affect that supply? That makes no sense to me.

Looking even bigger picture: as we all have been learning -- carcinogenic chemicals found in plastic products can leach into tap water leading to developmental, reproductive, neurological, and immune disorders. Plastics are now everywhere, found in our bodies, in the water, in the air, in the soil and subsequently in the food we eat. Anyone who reads the research knows we need to turn away from the production and use of plastics – not bring in more local enterprises that create them!

I sincerely hope the Planning Commission will choose to protect our citizenry by looking at the long-haul big picture.

(And at the very least, stop approving such projects until more is known about our water supply and the water impacts of any proposed projects.)

Sincerely,
Charlotte Baker-Shenk

From: [Planning Department](#)
To: ["Stephen Berzinskas"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:49:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Stephen Berzinskas <sberzinskas@comcast.net>
Sent: Monday, November 4, 2024 2:22 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Stephen Berzinskas
sberzinskas@comcast.net

From: [Planning Department](#)
To: ["dansgen@frontiernet.net"](mailto:dansgen@frontiernet.net)
Subject: RE: Jefferson County Planning Commission Meeting - Nov 12
Date: Wednesday, November 6, 2024 10:26:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: dansgen@frontiernet.net <dansgen@frontiernet.net>
Sent: Monday, November 4, 2024 8:16 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Jefferson County Planning Commission Meeting - Nov 12

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

To Whom it May Concern...

We would like to place a comment to your attention concerning the Mountain Pure Water Bottling Facility in Middleway. Instead of taking time at the meeting, we thought it would be best to address our concerns to you via email.

My husband and I, Dan and Anne Bowers, live very close to the old 3M plant. Our address is 272 Mason Farm Dr., and we live in the old farmhouse that sits on the remainder of the old Mason farm. We have lived here for 40 years. We love Middleway, its residents, the historical aspect of our area. We grew up in both Berkeley and Jefferson Counties, so our roots are deep in the Eastern Panhandle.

When we first learned of the possibility of a water bottling facility being established so close to us, it was alarming. We have two wells on our property - one is at 110 feet; the other is at 325 feet. This past summer was very, very dry. As we are sure that you know, we were in a severe drought zone. Early in the summer, the 110 foot well went dry. Sometimes we would get a bit of water, and that was the well that we would water our vegetable garden with. The garden languished until we finally did get significant rainfall, howbeit, months later. Our other, deeper well, occasionally got low. In fact, we had never had a sulfur smell in the water until this summer. That smell continues. We would assume that the water table was very low and part of the well that was uncased started to collapse. The water was muddy a few times.

Our concern is that if the water bottling facility does open in Middleway, what will that do to our water table? We depend, as does everyone, on getting water for our personal use out of the ground. Wouldn't the heavy use of water by this facility affect the water table? We are very concerned about this issue, and we hope and pray that the County Planning Commission does not allow this facility to take up residence for this reason. The people of Middleway want to continue having access to clean, useable ground water.

Thank you for thinking about our concerns.

Dan and Anne Bowers
272 Mason Farm Drive,
Kearneysville (Middleway), WV

304-725-0567

From: [Planning Department](#)
To: "STACY CHAPMAN"
Subject: RE: Public Comment on proposed bottling plant in Middleway
Date: Wednesday, November 6, 2024 10:37:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: STACY CHAPMAN <tron1217@aol.com>
Sent: Monday, November 4, 2024 11:03 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment on proposed bottling plant in Middleway

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

I am writing to strongly urge the Commision to reject the concept plan for a proposed Mountain Pure water bottling plant in the village of Middleway.

Middleway is on the National Register of Historic Places. It is federally protected because of its unique historical significance. The surrounding waterways have always been the life force of the village. Please protect our village so that future generations can continue to appreciate and enjoy its rich heritage. Bringing jobs to the county is important. Increasing our tax revenue is important. I implore you to bring corporations that will respect those of us that have called Jefferson County home. Mountain Pure is not one of those corporations as evidenced by their lack of transparency and information. They will take our resources, make a profit and leave us with the negative consequences that they have created. They have done it before and will do it again.

In 1734, the flowing water of Turkey Run was what brought John Smith to build hemp and grist mills along its edge. The area grew to be a thriving village of shops, trades and homes. Much of what is now seen has remained the same for 290 years. Our community depends on the water flowing beneath our homes and gardens to flow to our wells and the surrounding farms and ranches. We are in a declared drought and it is only projected to get worse. The traffic is already damaging the fragile historic homes that are virtually touching the streets just as they were when horses and carriages were using them. Increased traffic from the heavy trucks certainly would not protect the historical resources. School children have no sidewalks to protect them from the traffic and would only be more endangered.

There is simply not enough information and transparency in the concept plan to determine the impact and future sustainability of the water supply for Middleway and the surrounding area. As you contemplate approving or denying this concept plan, I ask you to carefully consider the many unanswered questions.

Where are they planning to source the water?

How much water are they planning to pump?

Is there a regulatory cap on how much water can be drilled?

In a designated drought, will pumping be paused?

Are there water studies in place for the area of Lake Louise and upper Turkey Run?

What is the recharge rate of the water source?

Is Lake Louise zoned rural?

Are the wells that Sidewinder drilled commercial?

What is the impact on the wells in Middleway and surrounding communities?

How will the quality of water be affected in Middleway's wells?

How will it affect the water supply to the area farms and ranches that have spring fed ponds?

How will the removal of water from the watershed affect the Opequin and Potomac?

Is water as a natural resource allowed to be pumped commercially

in areas zoned as rural?

How will they transport the water to the bottling plant? Trucks?
Pipes?

Are easements possible along the privately owned portions of
Turkey Run?

Is the sediment pond on the old 3M site lined? Is it held to drinking
water standards?

Where will the industrial waste water be dumped? And how will it
affect the ecology?

What is the proposed bottling capacity once completely built out?

**Please protect us. Please do not sacrifice us for the
profit of a few. We envision a village that will thrive
for another 290 years. Please help make that a
possibility.**

Stacy Chapman Middleway, WV

From: [Planning Department](#)
To: ["Walter Chatham"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:30:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Walter Chatham <walter@wfchatham.com>
Sent: Monday, November 4, 2024 9:23 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Walter Chatham
walter@wfchatham.com

From: [Planning Department](#)
To: "Marilee Cunningham"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 4:47:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Marilee Cunningham <modonnell05@comcast.net>
Sent: Monday, November 4, 2024 4:46 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Marilee Cunningham
modonnell05@comcast.net

From: [Planning Department](#)
To: "[Laura Degenhardt](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:34:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Laura Degenhardt <lmeadva@yahoo.com>
Sent: Monday, November 4, 2024 1:35 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Laura Degenhardt
lmeadv@yahoo.com

From: [Planning Department](#)
To: "[Susan Ford](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:53:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Susan Ford <Susan.rae.ford@gmail.com>
Sent: Monday, November 4, 2024 2:31 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Susan Ford

Susan.rae.ford@gmail.com

From: [Planning Department](#)
To: "Peggy Grantham"
Subject: RE: Mountain Pure Water Bottling Facility
Date: Monday, November 4, 2024 3:13:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Peggy Grantham <grantham1@frontiernet.net>
Sent: Sunday, November 3, 2024 5:12 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>;
grantham1@frontiernet.com
Subject: Mountain Pure Water Bottling Facility

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

To whom it may concern:

I do have questions and concerns about the purpose of Mountain Pure Water Bottling Facility.

What is the source of the water? Will it affect the water flow of Turkey Run and local well? We own property along Turkey Run. Not only do we need water for household need, we also water livestock as much as 50 cows and 50 calves at one time. We also have 30 sheep and 30-50 lamb, seven goats, cats and chickens.

Also I have heard that #M has had contamination concerns in the past of soil and/or water/ Has this been determined to be false or true?

Traffic has increased as commuters take Summit Point - Middleway road as a short cut to Berkeley County. Won't this new facility impact traffic that much more?

Middleway is a historic district and lately seven or eight properties have been renovated. These efforts improved the appearance and history of the town. Will this facility affect this as well?

Have the Mountain Pure Water bottling Facility filed the proper paperwork and followed all the proper procedures? If not, what will they do when they are not closely watched?

Thank you for addressing our concerns. We would like decisions to be made based on all the true facts.

Sincerely,

Amon and Peggy Grantham
2517 South Childs Road
Kearneysville, WV 25430

phone 304-725-8903 (H) leave a message here

304-268-3063 (c) Amon

304-268-3708 (c) Peggy

grantham1@frontiernet.net

From: [Planning Department](#)
To: ["Phyllis Grantham"](#)
Subject: RE: Water bottling plant
Date: Monday, November 4, 2024 10:53:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Phyllis Grantham <phyllisgrantham@gmail.com>
Sent: Monday, November 4, 2024 10:34 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Water bottling plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

As a landowner approximately 1 mile from historic Middleway, I am concerned about our underground water source if the Mountain Pure Water Bottling Facility is approved without further study. Additional traffic and possible pipelines will affect the historical homes in Middleway.

I urge you to conduct more research and to provide citizens with information before a final decision is made.

Phyllis Banks Grantham
Tudor Hall Farm

From: [Planning Department](#)
To: ["George Gruber"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:30:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: George Gruber <georgegruber667@gmail.com>
Sent: Monday, November 4, 2024 11:46 AM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

George Gruber
georgegruber667@gmail.com

From: [Planning Department](#)
To: "Alix Hazel"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:38:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Alix Hazel <alixhazel@gmail.com>
Sent: Monday, November 4, 2024 1:43 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject this concept plan as it is grossly lacking in information. My home is on a well. The eastern panhandle is currently listed as being in a moderate drought.

(<https://droughtmonitor.unl.edu/CurrentMap/StateDroughtMonitor.aspx?WV>).

WHERE IS THE WATER GOING TO COME FROM?!? You already approved one major industrial corporation in Rockwool (don't let anyone try to fool you into saying it's moderate industry as that term doesn't exist). Rockwool uses 125,000 gallons of water/day (<https://wvmetronews.com/2019/11/21/state-eda-steps-in-to-finish-financing-for-rockwool-plant-water-line/>). There are thousands of homes approved or already in construction.

WHERE IS THE WATER COMING FROM?!? And when it runs out, who is going to get priority? People? Or businesses?

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will

reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

Alix Hazel

--

Alix Hazel
alixhazel@gmail.com

From: [Planning Department](#)
To: ["Jeffrey Hertrick"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:56:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jeffrey Hertrick <jeffhert@gmail.com>
Sent: Monday, November 4, 2024 2:38 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

I am extremely concerned about the proposal for a water bottling plant in Jefferson County.

There is no indication for WHERE the water will come from.

As a well water user in Jefferson County, I strongly OPPOSE any commercial use of OUR Ground water for commercial uses to be extracted for profit (other than farm use).

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Jeffrey Hertrick
jeffhert@gmail.com

From: [Planning Department](#)
To: ["Saundra Holloway"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 3:57:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Saundra Holloway <Email4saunie@gmail.com>
Sent: Monday, November 4, 2024 3:36 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Sandra Holloway
Email4saunie@gmail.com

From: [Planning Department](#)
To: "imageneric"
Subject: RE: Bottled water plant
Date: Wednesday, November 6, 2024 10:21:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: imageneric <imageneric@gmail.com>
Sent: Monday, November 4, 2024 7:37 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Bottled water plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

I am opposed to this project.

Groundwater extraction for commercial or industrial use in Jefferson County is not a principal permitted use in ANY zone. If groundwater extraction will be the source for bottling at this facility, then this concept plan should not be allowed to continue to the site plan stage without conditions placed on the project that preclude it from using our groundwater for bottling.

Saunie Holloway

From: [Planning Department](#)
To: ["Andrea Garza Hovatter"](#)
Subject: RE: Bottle water plant
Date: Monday, November 4, 2024 2:27:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Andrea Garza Hovatter <andrea.hovatter@icloud.com>
Sent: Monday, November 4, 2024 11:06 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Bottle water plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

To whom it may concern,

I am a business owner in the community of middleway downstream of the new proposed water bottle plant., I strongly oppose this decision. It will have a negative impact on our already stressed community and Roads. Not to mention the impact it will have on our water source, many farms and communities depend on this water downstream. Want to deal with the negative ramifications of using up all of our local water sources. We already have a water bottle plant close enough to Jefferson County. That does not need to be added to our county other things that could be beneficial to our community rather than a bottle water manufacturer, please do not push our community into using this water and And stealing all of our natural resources. Thank you. Andrea

Sent from my iPhone

From: [Planning Department](#)
To: ["Barbara Humes"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 3:30:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Barbara Humes <bhumes1@comcast.net>
Sent: Monday, November 4, 2024 3:06 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

I do not support approval of the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

First of all, the concept plan does not have enough information to determine if it is a permitted use in this zone.

Even more frightening is that the concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and for good reason. Our natural water is precious. Groundwater resources should be reserved for farming, agriculture, horsemen, and rural residential use, not bottling and sale outside of the county.

Historic Middleway is threatened by the truck traffic that such a development would bring. While the developer would make a lot of money, the taxpayers of Jefferson County would be left with a degraded environment, and loss of the bucolic nature of historic Middleway.

Quality of life must be considered. Quality of life means much more than the profiteering of a bunch of principal investors in a commercial enterprise.

Sincerely,

--

Barbara Humes
bhumes1@comcast.net

From: [Planning Department](#)
To: "[Victoria Johnston](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:35:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Victoria Johnston <Danavickij@comcast.net>
Sent: Monday, November 4, 2024 1:38 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Victoria Johnston
Danavickij@comcast.net

From: [Planning Department](#)
To: ["Elise Langer"](#)
Subject: RE: Mountain Pine Bottled Water
Date: Wednesday, November 6, 2024 10:35:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Elise Langer <elangercpa@gmail.com>
Sent: Monday, November 4, 2024 10:07 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pine Bottled Water

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Elise Langer
10805 Mtn. Dulcimer Ct.
Fairfax Station, VA 22039
elanger@cvccpa.com
703-795-5922

11/4/2024

To whom it may concern,

I am writing to express my concerns regarding the proposal for Mountain Pure Bottled Water to operate in or near Middleway. While economic development is important for any community, we must carefully consider the long-term consequences of such ventures, especially when it comes to vital resources like water. The detriments of this project would likely outweigh any potential short-term benefits.

First, the extraction of water from our local aquifers raises significant environmental concerns. Water is a limited resource, and in a region where rainfall can be unpredictable, over-extraction for commercial purposes could severely deplete our water supply. This is especially problematic given the vital role clean, accessible water plays in the local ecosystem and for residents' everyday needs. If Mountain Pure's operation leads to the depletion of these water sources, it could threaten agriculture, disrupt local wildlife, and ultimately reduce the quality of life for Middleway's residents.

Second, there is the matter of traffic. The roads leading into Middleway are already stretched to capacity. The addition of large trucks and heavy machinery needed to extract, package, and distribute bottled water would place an undue burden on our infrastructure. These roads are not designed to handle the increased volume of commercial traffic, leading to potential safety hazards, more frequent road repairs, and increased congestion. Middleway's charming rural character could be irrevocably altered by this influx of heavy vehicles.

Additionally, the environmental impact of the bottling process itself cannot be ignored. Bottled water operations often contribute to plastic pollution, even if recycling efforts are made. The increased demand for bottled water would likely result in more plastic waste, which may not be adequately managed in our community. The pollution from the trucks transporting the water and the environmental costs of plastic production further burden the local area, detracting from the natural beauty and quality of life Middleway offers.

Lastly, the economic benefits touted by proponents of the project fail to account for the hidden costs borne by the community—decreased property values, strained infrastructure, and environmental degradation. It is critical that Middleway considers not just the immediate financial gains from this venture, but the long-term costs to the environment, the local economy, and the overall well-being of our residents.

In conclusion, while economic development is crucial, Middleway must prioritize its long-term sustainability and quality of life. The proposal for Mountain Pure Bottled Water would undoubtedly harm our water resources, our infrastructure, and our environment. I strongly urge the decision-makers to carefully weigh these factors before allowing such a project to proceed.

Sincerely,
Elise Langer

From: [Planning Department](#)
To: "Mette Langer"
Subject: RE: Middleway WATER November 12 Planning Proposal
Date: Wednesday, November 6, 2024 10:31:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Mette Langer <mettelanger@gmail.com>
Sent: Monday, November 4, 2024 9:41 PM
To: planningdepartment@jeffersoncountywv.gov; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Middleway WATER November 12 Planning Proposal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Mette Ridenour

Mette.ridenour@gmail.com

703-595-7254

11/04/2024

Dear Jefferson County Proposal Team,

I am writing to express my concerns regarding the proposal for Mountain Pure Bottled Water to operate in Middleway. While economic development is important for any community, we must carefully consider the long-term consequences of such ventures, especially when it comes to vital resources like water. The detriments of this project would likely outweigh any potential short-term benefits.

First, the extraction of water from our local aquifers raises significant environmental concerns. Water is a limited resource, and in a region where rainfall can be unpredictable, over-extraction for commercial purposes could severely deplete our water supply. This is especially problematic given the vital role clean, accessible water plays in the local ecosystem and for residents' everyday needs. If Mountain Pure's operation leads to the depletion of these

water sources, it could threaten agriculture, disrupt local wildlife, and ultimately reduce the quality of life for Middleway's residents.

Second, there is the matter of traffic. The roads leading into Middleway are already stretched to capacity. The addition of large trucks and heavy machinery needed to extract, package, and distribute bottled water would place an undue burden on our infrastructure. These roads are not designed to handle the increased volume of commercial traffic, leading to potential safety hazards, more frequent road repairs, and increased congestion. Middleway's charming rural character could be irrevocably altered by this influx of heavy vehicles.

Additionally, the environmental impact of the bottling process itself cannot be ignored. Bottled water operations often contribute to plastic pollution, even if recycling efforts are made. The increased demand for bottled water would likely result in more plastic waste, which may not be adequately managed in our community. The pollution from the trucks transporting the water and the environmental costs of plastic production further burden the local area, detracting from the natural beauty and quality of life Middleway offers.

Lastly, the economic benefits touted by proponents of the project fail to account for the hidden costs borne by the community—decreased property values, strained infrastructure, and environmental degradation. It is critical that Middleway considers not just the immediate financial gains from this venture, but the long-term costs to the environment, the local economy, and the overall well-being of our residents.

In conclusion, while economic development is crucial, Middleway must prioritize its long-term sustainability and quality of life. The proposal for Mountain Pure Bottled Water would undoubtedly harm our water resources, our infrastructure, and our environment. I strongly urge the decision-makers to carefully weigh these factors before allowing such a project to proceed.

Sincerely,

Mette Ridenour

Sent from my iPhone

Typos: Mea Culpa

From: [Planning Department](#)
To: "Hilary Lo"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 4:32:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Hilary Lo <lo.family.wv@gmail.com>
Sent: Monday, November 4, 2024 4:29 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Hilary Lo
lo.family.wv@gmail.com

From: [Planning Department](#)
To: "Joanne Masemer"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:10:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Joanne Masemer <joanneherrington@gmail.com>
Sent: Monday, November 4, 2024 6:02 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Joanne Masemer
joanherrington@gmail.com

From: [Planning Department](#)
To: "Ellen Murphy"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:47:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Ellen Murphy <Ellen.L.Murphy@comcast.net>
Sent: Monday, November 4, 2024 1:58 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.

Our groundwater is already under threat because of the numerous housing developments that have sprung up in the county in the last few months! (I won't go into infrastructure and school overcrowding/lack of teachers here.)

- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.

- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,
Ellen Murphy

--

Ellen Murphy
Ellen.L.Murphy@comcast.net

From: [Planning Department](#)
To: "KEVIN MURPHY"
Subject: RE: water bottling plant
Date: Monday, November 4, 2024 3:18:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: KEVIN MURPHY <kevin.d.murphy@comcast.net>
Sent: Monday, November 4, 2024 3:05 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: water bottling plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

I'm not adverse to a new water bottling plant in Jefferson County, but I would like to know from where the source water for this plant is coming.

With the explosive growth in the county in recent years and uncertainty about the capacity of the water supply, I'd really prefer some good research on these issues before deciding whether the new plant would be good for the county.

Thank you..

Kevin D Murphy
31 Chestnutwood Way
Harpers Ferry WV 25425
304-676-8774

From: [Planning Department](#)
To: ["Jennifer Myers"](#)
Subject: RE: Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 9:49:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jennifer Myers <Jmyers1813@gmail.com>
Sent: Monday, November 4, 2024 7:27 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please consider the following comments when evaluating the concept plan of the Mountain Pure Water Bottling Facility. Please REJECT the concept plan for this project because:

- The concept plan does not have enough information to determine if it is a permitted use in this zone. We don't know where the water will be sourced. If the water is extracted from the ground this is not a permitted use in the Rural zone and should be a conditional use in the Industrial/Commercial zone.
- Water extraction is not a water permitted use in the Industrial Commercial zone or the Rural zone.
- The concept plan is incomplete and does not provide the elements required by (Sec. 24.119 B.3.c.) on the Site Resource Map.
- The traffic impacts have not been appropriately assessed or addressed.

If in the alternative the Planning Commission gives direction to the company for the site plan, please place the following conditions on your direction. As a condition of continuing to the site plan PROHIBIT the company:

- From drawing from surface water that is off of the property referred to in the concept plan for bottling because the company should draw from surface water on the subject property.
- From using groundwater from any location in Jefferson County for bottling because groundwater should be used for farming, livestock, and rural residential use.
- From using water from Lake Louise for bottling because this is zoned rural.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this Concept Plan.

Sincerely,

--

Jennifer Myers
Jmyers1813@gmail.com

From: [Planning Department](#)
To: ["Keryn Newman"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:42:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Keryn Newman <keryn@stoppathwv.com>
Sent: Monday, November 4, 2024 1:52 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

I am on a well and depend on the aquifer in Jefferson County. I oppose having it drawn down to bottle and sell water outside the county. Once we've lost our aquifer, nothing else we do here in Jefferson would matter. Water is essential.

Besides, who wants to have a bottle of water from the site of a former chemical plant? I think that tops the list of stupid ideas for Jefferson County.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will

reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Keryn Newman
keryn@stoppathwv.com

From: [Planning Department](#)
To: ["Carlo Olivares"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:52:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Carlo Olivares <Cboli0100@gmail.com>
Sent: Monday, November 4, 2024 2:30 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Carlo Olivares
Cboli0100@gmail.com

From: [Planning Department](#)
To: ["Rebecca Phipps"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:46:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Rebecca Phipps <beckyhipps502@gmail.com>
Sent: Monday, November 4, 2024 1:55 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

What is the positive outcome of this bottling plant for Jefferson County? Jobs? Likely another Rockwool situation, maybe 50 jobs, insignificant for the disruption and destruction of the Middleway area. As usual, it would appear that you have not thought this through. You should consider the rural beauty of the Middleway area and work to preserve that. And, you don't say where the water will come from that will be bottled, did you think that no one would notice? And never mind the impact on quality of life for the beautiful village of Middleway. Vote no on this monstrosity, thank you.

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility

to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Rebecca Phipps
beckyhipps502@gmail.com

From: [Planning Department](#)
To: "Ali Printz"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 4:33:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Ali Printz <aliprintz@gmail.com>
Sent: Monday, November 4, 2024 4:30 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Ali Printz
aliprintz@gmail.com

From: [Planning Department](#)
To: ["George M Rice"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:20:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: George M Rice <mrice21@frontiernet.net>
Sent: Monday, November 4, 2024 7:32 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

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Dear Planning Commissioners,

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

George M Rice
mrice21@frontiernet.net

From: [Planning Department](#)
To: ["Mark Richmond"](#)
Subject: RE: Mountain Pure - File # 24-6-SP
Date: Monday, November 4, 2024 2:24:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Mark Richmond <markrichmond123123@gmail.com>
Sent: Monday, November 4, 2024 1:34 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure - File # 24-6-SP

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Jefferson County Planning Commission,

My understanding is you folks want to give permission to some California company to build a water bottling facility here in Middleway? As officers and stewards of the county resources, you feel it merits reasonable consideration?

Absolutely appalling. That you would consider the proposal to allow a California-based company to exploit our water resources in Middleway. Approving this facility is a blatant betrayal of Jefferson County's residents and a reckless invitation to deplete our groundwater for profit. This project threatens to drain our precious aquifers, damage our local ecosystem, and bring pollution and traffic that will forever scar our rural landscape. Our community is not a cash cow for outsiders to milk dry, and this proposal shows a disturbing lack of respect for the people you are entrusted to serve.

Allowing this facility is a deeply corrupt move that prioritizes corporate profits over the well-being of Jefferson County's residents. Is the Commission so willing to sell out our natural resources, pollute our land, and contribute to the plastic crisis for a quick payout? We demand a rejection of this disastrous proposal.

This proposal is a direct threat to our way of life, a threat to the health of our community. You think folks will just allow harm to come to their animals or their community, be they coyotes or corporate polluters? The only thing that's stopping folks from actually protesting this is access to information.

Right now, not too many folks know about it, and I know folks that do are writing in. If this passes, you can be assured you'll have the entire county outraged, and then it will be too late to do the right thing.

Do the right thing. Don't allow these Sidewinder Enterprises folks to irreparably destroy our lands.

Mark Richmond
Middleway Stakeholder

From: [Planning Department](#)
To: "[Mette Ridenour](#)"
Subject: RE: Middleway WATER Planning Proposal 11/12
Date: Wednesday, November 6, 2024 10:36:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Mette Ridenour <metteridenour@gmail.com>
Sent: Monday, November 4, 2024 10:47 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Middleway WATER Planning Proposal 11/12

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Mette Ridenour

Mette.ridenour@gmail.com

703-595-7254

11/04/2024

Dear Jefferson County Proposal Team,

I am writing to express my concerns regarding the proposal for Mountain Pure Bottled Water to operate in Middleway. While economic development is important for any community, we must carefully consider the long-term consequences of such ventures, especially when it comes to vital resources like water. The detriments of this project would likely outweigh any potential short-term benefits.

First, the extraction of water from our local aquifers raises significant environmental concerns. Water is a limited resource, and in a region where rainfall can be unpredictable, over-extraction for commercial purposes could severely deplete our water supply. This is especially problematic given the vital role clean, accessible water plays in the local ecosystem and for residents' everyday needs. If Mountain Pure's operation leads to the depletion of these water sources, it could threaten agriculture, disrupt local wildlife, and ultimately reduce the quality of life for

Middleway's residents.

Second, there is the matter of traffic. The roads leading into Middleway are already stretched to capacity. The addition of large trucks and heavy machinery needed to extract, package, and distribute bottled water would place an undue burden on our infrastructure. These roads are not designed to handle the increased volume of commercial traffic, leading to potential safety hazards, more frequent road repairs, and increased congestion. Middleway's charming rural character could be irrevocably altered by this influx of heavy vehicles.

Additionally, the environmental impact of the bottling process itself cannot be ignored. Bottled water operations often contribute to plastic pollution, even if recycling efforts are made. The increased demand for bottled water would likely result in more plastic waste, which may not be adequately managed in our community. The pollution from the trucks transporting the water and the environmental costs of plastic production further burden the local area, detracting from the natural beauty and quality of life Middleway offers.

Lastly, the economic benefits touted by proponents of the project fail to account for the hidden costs borne by the community—decreased property values, strained infrastructure, and environmental degradation. It is critical that Middleway considers not just the immediate financial gains from this venture, but the long-term costs to the environment, the local economy, and the overall well-being of our residents.

In conclusion, while economic development is crucial, Middleway must prioritize its long-term sustainability and quality of life. The proposal for Mountain Pure Bottled Water would undoubtedly harm our water resources, our infrastructure, and our environment. I strongly urge the decision-makers to carefully weigh these factors before allowing such a project to proceed.

Sincerely,

Mette Ridenour

Sent from my iPhone

Typos: Mea Culpa

From: [Planning Department](#)
To: "[Linda Roberts](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:50:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Linda Roberts <llr5504@gmail.com>
Sent: Monday, November 4, 2024 2:23 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Linda Roberts
llr5504@gmail.com

From: [Planning Department](#)
To: "[Dawn Robey](#)"
Subject: RE: Proposal for water bottling facility in Middleway
Date: Wednesday, November 6, 2024 10:19:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Dawn Robey <dawnrobey5@gmail.com>
Sent: Monday, November 4, 2024 7:13 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Proposal for water bottling facility in Middleway

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

I am a long time resident in the Historic Village of Middleway and I strongly oppose a water bottling plant that is proposed for Middleway. After reading the concept plan, there is clearly not enough information or transparency for our county officials to vote on November 12th for this proposal.

Where is the water being sourced from exactly? Lake Louise? Turkey Run? Is it going to be brought in by large trucks? Will it affect our wells? How will they divert traffic as to not impact our village, which is recognized by the National Historic Society? How many jobs will be created and will they be filled by local workers or trained outsiders?

While I understand we were able to manage with the former MP3 plant, that was years ago and the growth and traffic have surpassed what limited infrastructure we have. Our roads are very narrow with many houses only a few feet from the road. We already have a problem with vehicles speeding through the village, damaging our properties and killing our pets. We have recently experienced congestion from the light on 51 halfway through Middleway during rush hour. I don't see how we can possibly handle more traffic.

I hope you will consider blocking this proposal on the 12th until our community is provided with a more detailed plan.

Thank You,

Dawn Robey

From: [Planning Department](#)
To: "Jeff Roth"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:06:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Jeff Roth <jeffroth@citlink.net>
Sent: Monday, November 4, 2024 5:07 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Jeff Roth
jeffroth@citlink.net

From: [Planning Department](#)
To: "Phil Roth"
Subject: RE: Opposition to Middleway water bottling plant
Date: Monday, November 4, 2024 9:48:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Phil Roth <philroth@gmail.com>
Sent: Sunday, November 3, 2024 9:38 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Opposition to Middleway water bottling plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Members of the Jefferson County Planning Commission,

I am writing to express my opposition to the proposed water bottling plant near Middleway. While I understand the potential economic benefits of such a facility, I believe that the long-term impacts on our community and quality of life should be carefully considered.

The introduction of a bottling plant in our area raises significant concerns. Many residents value the character and tranquility of Middleway, and increased industrial activity could disrupt this environment. Furthermore, there are potential risks associated with water extraction that may affect our local resources.

I urge the Planning Commission to take these concerns into account and reconsider this proposal. It is essential that we prioritize the well-being of our community and seek development that aligns with our values and needs.

Thank you for your attention to this important issue.

Sincerely,

Phil Roth

From: [Planning Department](#)
To: "Susan Snyder"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:32:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Susan Snyder <Susan@snyders.us>
Sent: Monday, November 4, 2024 1:13 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Susan Snyder
Susan@snyders.us

From: [Planning Department](#)
To: ["Martha Sullivan"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:14:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Martha Sullivan <sullivanmartha1@gmail.com>
Sent: Monday, November 4, 2024 6:14 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

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Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,
Martha Sullivan

Shepherdstown homeowner

--

Martha Sullivan
sullivanmartha1@gmail.com

From: [Planning Department](#)
To: "B Temple"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:39:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: B Temple <btemple030711@icloud.com>
Sent: Monday, November 4, 2024 1:43 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

B Temple
btemple030711@icloud.com

From: [Planning Department](#)
To: "E Temple"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:40:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: E Temple <elizabeth temple111@icloud.com>
Sent: Monday, November 4, 2024 1:43 PM
To: michael shepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan. Please stop this!!

Sincerely,

--

E Temple
elizabethtemple111@icloud.com

From: [Planning Department](#)
To: "L Temple"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:37:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: L Temple <lizettelobner@hotmail.com>
Sent: Monday, November 4, 2024 1:42 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan. PLEASE reconsider this, we want our county the way it is, not more growth!!!!!!!!!!!!!!

Sincerely,

--

L Temple
lizettelobner@hotmail.com

From: [Planning Department](#)
To: "[David Ward](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:44:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: David Ward <dward@earthwardconsulting.com>
Sent: Monday, November 4, 2024 1:54 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

* Groundwater production from karst area is extremely risky with the potential to exacerbate the formation of sinkhole. An assessment of sinkhole potential must be added.

* A fully detail dye tracing study is critical to understanding the overall dynamics of flow in karst groundwater system.

--

David Ward
dward@earthwardconsulting.com

From: [Planning Department](#)
To: "Elizabeth Wheeler"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:16:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Elizabeth Wheeler <ewheelerwv@yahoo.com>
Sent: Monday, November 4, 2024 6:44 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely, Elizabeth Wheeler

--

Elizabeth Wheeler
ewheelerwv@yahoo.com

From: [Planning Department](#)
To: "Mark Wilson"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 2:54:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Mark Wilson <mountaineer33@gmail.com>
Sent: Monday, November 4, 2024 2:35 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Hello,

I have many concerns because I am in the Kearneysville, WV area and close proximity to this proposed water bottling plant. My neighborhood has documented issues with our well water. For example, our Gallons per minute output is very insufficient and a concern without additions to the underground aquifer. I know neighbors who have had to truck portable water in for home use. This proposed plan should not jeopardize current residents and their well water systems.

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this

concept plan.

Sincerely,
Mark Wilson

--

Mark Wilson
mountaineer33@gmail.com

From: [Planning Department](#)
To: ["Julia Yuhasz"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Monday, November 4, 2024 4:00:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Julia Yuhasz <juliyuhasz@gmail.com>
Sent: Monday, November 4, 2024 4:00 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my following comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

I request that you reject the concept plan for this project due to insufficient information to ascertain whether it constitutes a permitted use in this zone. The plan fails to specify the source of the water intended for bottling. If the water is drawn from groundwater in Jefferson County, this use is not permitted in any zone and may either be prohibited or require a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from using groundwater extracted in Jefferson County for any purpose, including bottling. These vital groundwater resources should be reserved for farming, agriculture, equestrian activities, and rural residential use, rather than being bottled and sold outside the county.
- Restrict the development and its related uses to the area outlined in the concept plan. Although the property owner possesses additional properties near Turkey Run and Lake Louise, these have not been incorporated into the concept plan and should not be considered for development.
- Mandate that the developer construct, at their own expense, a bypass road around Middleway to facilitate access to the facility, thereby protecting the historic district from potential damage caused by truck traffic. The anticipated 4,750 additional vehicle trips to and from the facility pose safety risks to surrounding residents and threaten the integrity of historical resources.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Julia Yuhasz
juliayuhasz@gmail.com

From: [Planning Department](#)
To: ["Patty Bain Bachner"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:52:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Patty Bain Bachner <impattyb@gmail.com>
Sent: Tuesday, November 5, 2024 9:16 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Patty Bain Bachner
impattyb@gmail.com

From: [Planning Department](#)
To: "nicola bastian"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:31:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: nicola bastian <nicolashandy@aol.com>
Sent: Tuesday, November 5, 2024 4:56 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.

- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.

commission members,

this proposal is unacceptable to us as the stress to our county environment is indeterminable .

This needs a thorough examination by the public !!!

Please don t bring in another monster like Rockwool .

Has a general study been done as proposed about our county water supply given the grande housing developments taking place?

More trucks on road? More air pollution?

Please slow this process down and do right by your Jefferson County neighbors. Give greed a break • Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent

damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

nicola bastian
nicolashandy@aol.com

From: [Planning Department](#)
To: ["Carrie Blessing"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:08:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Carrie Blessing <carriejaneblessing@gmail.com>
Sent: Tuesday, November 5, 2024 4:23 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

I am writing to request that you reject the concept plan submitted by Sidewinder Enterprises for the water bottling facility in Middleway, WV. This proposed development raises serious concerns regarding its compliance with local land-use regulations, environmental safety, and infrastructure impact.

Lack of Water Source Disclosure: The concept plan does not specify the source of water for bottling, which is critical information for determining compliance with zoning regulations. Without knowing where the water will be drawn from, we cannot confirm whether this use is even permitted in the designated zones.

Missing Statutory Requirements: According to Section 24.119 B.3.c. of the Jefferson County Subdivision and Land Development Regulations, the concept plan must include details on significant features such as sinkholes and rock outcroppings, especially given the karst geology of this area. This omission neglects the critical assessment of potential groundwater availability and karst hydrogeology impacts, which are essential to protect the aquifers and the structural stability of the area.

Zoning and Permitted Uses: The site of the proposed facility is zoned for Industrial Commercial use, and nearby areas are zoned as Rural. Water extraction, however, is not a permitted use in either the Industrial Commercial or Rural zones. The concept plan does not justify an exception to this zoning restriction, and mineral extraction—closely related to water extraction—is explicitly prohibited in the Rural zone.

Traffic Impact Concerns: A facility of this magnitude will undoubtedly increase heavy truck traffic, potentially overburdening local roadways, and impacting residents. However, the concept plan lacks sufficient information on how this increased traffic will be managed and mitigated.

Groundwater Contamination: The groundwater at this location is reportedly contaminated with Trichloroethylene (TCE), a harmful industrial solvent. Without a clear indication of how this contamination will be addressed, it is unclear whether the facility plans to bottle water from this contaminated source, posing a potential public health risk.

Discrepancy in Application and Land Ownership: While Sidewinder Enterprises owns Lake Louise and surrounding land near Turkey Run, these areas are excluded from the application. Reports suggest there have been attempts to drill wells in this excluded area. Since the application does not cover the land around Lake Louise and Turkey Run—zoned as Rural and thereby restricting water extraction activities—these areas should not be part of the project.

Additional Questions:

What specific measures are in consideration to monitor and contain any mobilization of residual contaminants from previous industrial activity?

What considerations/measures would be in place to ensure local residents' water needs remain unaffected? Mind you, wells have already gone dry in nearby areas.

What are the projected economic benefits of the facility for the community? Does this outweigh the environmental and health risks?

Why was this site chosen?

Given these issues, I urge the Planning Commission to reject the concept plan in its current form. Approving a plan that lacks critical statutory information and poses significant environmental and zoning compliance risks would set a troubling precedent for future developments. This project demands a more thorough evaluation and clarity to ensure it aligns with the county's land-use regulations and protects public resources.

Thank you for your attention to these concerns.

Carrie Blessing, Lifelong Jefferson County Resident

--

Carrie Blessing
carriejaneblessing@gmail.com

From: [Planning Department](#)
To: "[Leslie Boyd](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:33:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Leslie Boyd <lesford75@hotmail.com>
Sent: Tuesday, November 5, 2024 6:49 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Leslie Boyd
lesford75@hotmail.com

From: [Planning Department](#)
To: "Kathy Buchanan"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:43:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Kathy Buchanan <Kathrine.buchanan@gmail.com>
Sent: Tuesday, November 5, 2024 7:24 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

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Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

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If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Kathy Buchanan

Kathrine.buchanan@gmail.com

From: [Planning Department](#)
To: "Paul Cabell"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:43:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Paul Cabell <pcabel01@gmail.com>
Sent: Tuesday, November 5, 2024 7:21 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

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If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Paul Cabell

pcabel01@gmail.com

From: [Planning Department](#)
To: ["Angelika Canal"](#)
Subject: RE: Middleway Water Bottling Plant
Date: Wednesday, November 6, 2024 12:37:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Angelika Canal <Angelika.Canal@outlook.com>
Sent: Tuesday, November 5, 2024 9:54 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Middleway Water Bottling Plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Several questions arise from the surrounding neighbors of Middleway.
Why is this a California Company and not a WV Company?
Where is the water coming from?
How much water will be pumped out of the source?
How does this affect the wells to surrounding farms, residents and our general aquifer?
How will this water resource managed under a drought condition.? Who gets priorities over the water resource?
What is the contingency plan if surrounding wells run dry?
How will this impact the local traffic in Middleway and the 51/480 intersection?
Who will clean up the so to say "Brown Zone" of this particular parcel?
We Vote NO until we have all the answers!
Thank you
Angelika

Sent from [Outlook](#)

From: [Planning Department](#)
To: "[Nichole Chapman](#)"
Subject: RE: Public Comment for Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:21:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Nichole Chapman <nichole.chapman@icloud.com>
Sent: Tuesday, November 5, 2024 1:24 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment for Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Jefferson County Planning Commission,

I am writing to ask you to reject the concept plan for the Mountain Pure Water Bottling Facility. I have been a resident of Jefferson County for 33 years. I lived in Middleway for four years, and I want to tell you about that very special community. In the summer, barred owls call from the old trees along the stream, and luna moths fly under the full moon. In the fall, the old trees near the graveyards shine in golds and rubies. In the winter, the town is filled with the sweet smell of oak burning in eighteenth-century hearths. And on the first warm days of the year, spring peepers call from Turkey Run. That stream is the lifeblood of Middleway. This watershed ensures folks for miles around have ample clean water to drink, that farmers can feed us, that hunters can subsist, and gardeners and small business owners can sustain themselves. This concept plan puts all of this at risk.

While there is simply not enough information nor transparency in the concept plan to help community members fully respond to it, the purchase of upper Turkey Run and Lake Louise by a bottling company - without any information on the exact water source, its hydrogeology, and current recharge rate - signals that there will likely be immense impacts on the future sustainability of the water supply for Middleway and surrounding areas. And this comes at a time when our region is facing a prolonged drought. This past summer, our region saw the second worst drought in 130 years [according to the Agricultural Commissioner of West Virginia](#). [According to the 2023 Annual Report](#) from the West Virginia Department of Environmental Protection, the groundwater in the Eastern Panhandle is "much below normal according to 47 years of data." Groundwater recharge is typically 15-18% of annual precipitation, according to that same report. [NOAA projects](#) our

current drought will continue through at least 2025, but [the US EPA predicts](#) rising temperatures and shifting rainfall patterns are likely to increase the intensity of winter and spring flooding while exacerbating summer and fall droughts. Groundwater and surface water are incredibly transmissive due to the leaky nature of limestone karst underlying our region - what impacts one water source like an aquifer or a mountain spring or stream can impact the entire watershed. Any industrial impacts on our county water supply - especially with an increased risk of extreme drought in coming years - ensures a future where our farmers and communities are bled dry when they are at their most vulnerable.

I understand the need for jobs in our community. I understand how urgent our economic prosperity is to local families. Just as the streams and rivers are our lifeblood, so the people are our strength. But I want to ask the planning commission: is this really the only future you can imagine for us? A future where we trade short-term tax benefits for resource extraction that will quake through the generations? A future where we are a Sacrifice Zone where outside corporations can dump the social and environmental costs of their industries while they export the benefits?

Folks move to our county for the mountain vistas, clean air, and healthy rivers. Visitors flock here for eco-tourism and agro-tourism. They come to Middleway and other historic sites for ghost tours and living history. Why can't we imagine a future where we protect and uplift the natural resources and Appalachian heritage that folks value us for? I imagine a future for Jefferson County where we celebrate small businesses producing handcrafted goods. Where we celebrate farmers and the seasons. Where local art galleries and living history museums are the talk of the country. Where farmer's markets and co-ops feed us all. Where folks come from around the country for our kind spirits and local breweries. Where we have world-class outdoor recreational facilities. Where AmeriCorps members tend our parks and Shepherd University graduates design our clean energy future. Where our hospitals become an enviable medical training ground. Where there's enough clean water for locals and tourists alike to fish and boat past the owls and peepers that call our waterways home.

This is the future I imagine for Jefferson County. You can start right now imagining a better future for our shared home. I urge you to reject this concept plan due to the dearth of required information on water sourcing and the exclusion of Lake Louise and Turkey Run from the Site Resource Map. I urge you to reject this concept plan without a comprehensive water study to determine if groundwater will be impacted by commercial extraction. I urge you to reject this concept plan because there isn't enough information to determine permitted uses in this zone. I urge you to reject this concept plan because there isn't any information on traffic hazards and traffic impacts to the local community. And I strongly urge you to reject a Sacrifice Zone mentality and start imagining a future where our communities and natural resources can thrive for the benefit of all.

Thank you,

Nichole Chapman
Resident of Shepherdstown, WV
Former Resident of Middleway, WV

Outstanding questions after reviewing the concept plan:

- Exactly what is the water source being extracted from and what are the most recent water and/or hydrogeological maps available for it?
- How is the water being extracted? What is the rate of extraction and what is the recharge rate of the water source?
- What environmental assessments have been conducted on the water source and its surrounding environment? Has a comprehensive water study been conducted on the water source site? Are there any federally protected wetlands on the water source site?
- What climate risks or projections have been conducted for the area encompassing the water sources? How will the local groundwater be affected by both climactic changes and industrial pressures?
- How is the water getting from the source to the facility? What is the flow rate or traffic rate for this transportation mechanism?
- Who is the parent company of the bottling facility? What commitments of sustainability have they made to communities they extract from? What is their annual profit?
- What commitments will the company make to slow their extraction rate during moderate and extreme drought conditions?
- What commitments will the company make to local communities and farmers to protect their water security and health?
- What commitments will the company make to improving infrastructure to ensure traffic safety and the historic integrity of homes, roadways, and other village features?

From: [Planning Department](#)
To: "Traci Davis"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:33:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Traci Davis <tracidavis1@gmail.com>
Sent: Tuesday, November 5, 2024 2:27 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Traci Davis
tracidavis1@gmail.com

From: [Planning Department](#)
To: "[Lynn Delles](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:10:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Lynn Delles <LBDelles@gmail.com>
Sent: Tuesday, November 5, 2024 4:35 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources.

Groundwater extraction is a prohibited use in all Zones in Jefferson County. Section 1.3 D. of the Jefferson County Zoning and Land Development Ordinance states, "If a proposed use is not one in the list of the principal permitted or conditional uses in each zoning district, it shall be prohibited as though it was included in the list of prohibitions." Groundwater extraction is not contemplated by the comprehensive plan and therefore based on Section 1.3 D. is a prohibited use in all zones. Therefore, the applicant should be prohibited from using groundwater extraction to

source the water used for bottling. If this is the source the applicant plans to use this is a prohibited use and the concept plan should be rejected.

It has been almost 30 days since this area had any significant amount of rainfall. This is after a severe drought over the summer that also lasted weeks. It is absurd to even consider a concept plan for a company to come in and extract water from an already parched aquifer for profit. It is not reasonable to expect farmers to have to PAY for water (either by trucking it in or paying to drill deeper wells) to feed horses and livestock just so a company can start a business in the county. No amount of promised jobs or tax base is worth the cost of the depletion of this valuable resource. Please use your common sense and reject this concept plan.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Lynn Delles
LBDelles@gmail.com

From: [Planning Department](#)
To: "Sheila Dillow"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:20:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sheila Dillow <Sdillow@frontiernet.net>
Sent: Tuesday, November 5, 2024 4:54 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Sheila Dillow
Sdillow@frontiernet.net

From: [Planning Department](#)
To: ["Sonya Evanisko"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:45:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sonya Evanisko <Sevanisk@shepherd.edu>
Sent: Tuesday, November 5, 2024 7:32 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely, Sonya Evanisko

--

Sonya Evanisko
Sevanisk@shepherd.edu

From: [Planning Department](#)
To: "[Danielle Ford](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:57:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Danielle Ford <daniellefford@gmail.com>
Sent: Tuesday, November 5, 2024 10:11 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. Where will the water be sourced from? The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Additionally, we also know PFAs and Microplastics are a hazard to our health and environment which the public is just learning about. Jefferson county does not need a water bottle facility.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

Danielle Ford

--

Danielle Ford
danielleford@gmail.com

From: [Planning Department](#)
To: ["Shawn Franklin"](#)
Subject: RE: Concept Proposal 24-6-SP - Mountain Pure Water Bottling Plant
Date: Wednesday, November 6, 2024 12:04:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Shawn Franklin <sfrankl22@gmail.com>
Sent: Tuesday, November 5, 2024 4:16 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Concept Proposal 24-6-SP - Mountain Pure Water Bottling Plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Members of the Planning Commission,

My name is Shawn Franklin, and I am a resident of Middleway, WV. Currently, there is a proposal before the board for a water bottling plant to be built on the property of the old 3M plant in Middleway WV.

As a father and a resident in our beautiful historic village, these plans are very concerning to me. I worry for the increased amount of traffic, and the water being drained from our Lake Louise or other local aquifers. I want to keep this area alive and beautiful for my 9 year old daughter. A place that she can call home (except for at least 4 years, where she will be attending WVU).

I did some quick research on the impact to the community of other water bottling plants, and it is not positive. Currently, there are cities from California to Maine battling to cap the amount of water that the plants are allowed to pull. These communities saw unchecked water usage and were heavily impacted by drought conditions, as well as an increased burden on their water infrastructure. I saw no caps in the amount of water that this plant was allowed to pull, or even any mention of where they were pulling water from.

We know next to nothing about the Mountain Pure Company mentioned, but I was able to find a Mountain Pure that had a water bottling facility in Arkansas and Texas. I'm hoping that these companies are not one in the same. The one that I found was owned by a man named John Stacks, who as been convicted of wire fraud, sued by Counties for pulling water un-metered, as well as disputes with vendors regarding non-payment. The vendors were not able to recoup

a lot of the monies owed, because Stacks would file a court case against the vendors before the vendors could file for collections. If these companies are found to be the same, is that the type of business we want in our great state?

I won't go on too long, but I will leave with this. I have worked as the Procurement Buyer for Rockwool since March of 2021. I know what kind of resistance you guys have when welcoming business. I did my research on Rockwool before starting and found a lot of the claims in the public as having no basis, much like the Commission. I am not against business in Jefferson County, but we are looking at a concept plan that doesn't have enough information in it for anyone to make an educated decision. I ask you to please vote against this concept until we can either get more transparency from Sidewinder Enterprises and Mountain Pure, or we at least have enough information to put rules and regulations in place to safeguard our communities future. I know some of you are farmers, and crops need water to live. I know some of you are in real estate, but dried up land doesn't sell for much. And I know some of you are in banking, but a company that doesn't pay their debts doesn't put money into the community.

Thank you for your time.

Sincerely,
Shawn Franklin

From: [Planning Department](#)
To: ["James Grantham"](#)
Subject: RE: Middleway Mountain Pure Concept Plan
Date: Wednesday, November 6, 2024 11:32:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: James Grantham <james.e.g.grantham@gmail.com>
Sent: Tuesday, November 5, 2024 2:02 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Middleway Mountain Pure Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.
Planning Department,

I have attached a letter related to the concept plan for the Mountain Pure Water Bottling Facility in Middleway. Please include it in the packet for the Nov. 12 planning commission meeting.

The text below is a copy of what is already found in the attached pdf.

Thank you.
James

November 5, 2024

Subject: Mountain Pure Water Bottling Facility Concept Plan

Planning Commissioners,

I grew up on a farm near Middleway, and my family and I have lived in the historic village for 20 years. I remember the pride that locals had in their roles at the 3M plant, and I welcome jobs on the western side of Jefferson County. However, approving this project when it is only half designed would be irresponsible.

The Mountain Pure concept plan - proposed for the former manufacturing site - leaves too many questions unanswered. Sidewinder Enterprises needs to show the details that prove the sustainability of placing their plant in our community.

If the source of the bottled water is directly from Lake Louise or a well next to it, what protections will residents have if the bottled water extraction process decreases the flow on Turkey Run or lowers the level of the water table for local wells? We all depend on well water.

Additionally, how will the water get from the source to the bottling plant? Are they planning to cross the hill with a nonstop convoy of trucks while frustrating drivers on Rt. 51, Old Middleway Road, and throughout the village?

Alternatively, will a pipeline stretch along those same roads and under the porches of the historic homes ... including my current Queen Street home? The people who surveyed those roads in 2022 left us very concerned about that possible scenario. In addition, when this pipeline bursts, what support will a resident have as the water gushes through their compromised stone foundation?

My first house in Middleway was five feet from Grace Street, the main access to this site. I was familiar with the large trucks that would rumble by on that narrow road with no center line. The windowpanes shook as trucks braked down the hill to the stop sign. And that intersection with Queen Street is particularly tricky because of obstructed sight lines and a tight turn due to the brick building that was once a Civil War hospital.

Decades ago, the 3M plant was a fixture in this community, and I'm sure Middleway could support new opportunities at that location. However, this facility will be multiple times larger than anything Middleway has ever known, and significant planning is needed for it to coexist with a historic village that is still alive and thriving.

Thank you for your time and consideration.

James Grantham
Middleway, WV

From: [Planning Department](#)
To: ["August Harper"](#)
Subject: RE: Water Bottle Facility Concerns
Date: Wednesday, November 6, 2024 11:39:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: August Harper <augustharper92@gmail.com>
Sent: Tuesday, November 5, 2024 2:46 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Water Bottle Facility Concerns

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

To whom it may concern,

I am a citizen who would like to voice concerns about Jefferson County's plans to build a water bottle facility. Where the water is coming from could negatively impact those with wells as well as local rivers. Additionally, I am worried about how this facility will impact traffic and if it will cause damage to historic areas.

From: [Planning Department](#)
To: ["Hatcher, Anita"](#)
Subject: RE: Proposed Water Bottling Plant
Date: Wednesday, November 6, 2024 11:54:00 AM
Attachments: [image001.png](#)

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Hatcher, Anita <Hatchera@leonschools.net>
Sent: Tuesday, November 5, 2024 3:24 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Proposed Water Bottling Plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

To the Jefferson County Planning Commission,

It is with great concern that I send this email in regard to the proposed water bottling facility for Middleway, West Virginia. Although I currently reside in Florida, I plan to move to this beautiful historic area and make it my forever home in the near future. I visit several times a year and have dear family in the area. My son is a graduate of Jefferson High (Class of 2023). My daughter lives on Queen Street in Middleway and is active in the Conservancy to promote and protect this beautiful area.

Upon review, there are many unaddressed planning issues that make this facility inappropriate for the area. And even if the most obvious noted areas of concern were adequately addressed, it would still be detrimental to the area. The impact on local traffic, road conditions, water flow to homes, impact on well water sources, health risks from water interference, and the unforgivable altering of a major historical area are absolutely not worth whatever the proposed generated financial income might be. And those proposed financial gains are always subject to change. Or disappear. And while I ask that these concerns be fully addressed publicly with complete transparent disclosure, it is still my personal and political viewpoint that this would create pernicious injury to the land and people of the area that I intend to be my forever home. Please vote in a manner that keeps my "Wild and Wonderful West Virginia" shirt wearable as I wait to become a full-time resident of the most beautiful place on Earth.

Respectfully submitted,
Anita Hatcher

The man who does not read has no advantage over the man who can't. -Mark Twain



FortifyFL is a suspicious activity reporting tool that allows you to instantly relay information to appropriate law enforcement agencies and school officials.

For an Immediate, Life-Threatening Emergency, Please Dial 911.

*SUNSHINE LAW AND PUBLIC RECORDS CAUTION: Florida has a very broad Public Records Law. Virtually all written communications to or from School Board of Leon County, Florida Personnel are public records available to the public and media upon request. E-mail sent or received on the LCSB system will be considered public and will only be withheld from disclosure if deemed confidential pursuant to State Law. Individual student records are deemed confidential.

From: [Planning Department](#)
To: "Bruni Haydl"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:42:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Bruni Haydl <bruni@citlink.net>
Sent: Tuesday, November 5, 2024 6:18 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Bruni Haydl
bruni@citlink.net

From: [Planning Department](#)
To: ["Sharon and Michael Helman-Harman"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:31:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Sharon and Michael Helman-Harman <Nharmanshelman@gmail.com>
Sent: Tuesday, November 5, 2024 1:32 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources.

Residents are once again called to make their voices heard, knowing the decisions of the planning commission have often been detrimental to their interests and that of our environment. Water is life, water in our karst geography is particularly vulnerable to environmental threats, so we urge you to make the health and welfare of your constituents a priority above any commercial interests.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Sharon and Michael Helman-Harman
Nharmanshelman@gmail.com

From: [Planning Department](#)
To: ["Anna Iglesias"](#)
Subject: RE: Jefferson County Planning Commission Water Bottle Facility Concerns
Date: Wednesday, November 6, 2024 10:58:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Anna Iglesias <aiglesias94@gmail.com>
Sent: Tuesday, November 5, 2024 11:14 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Jefferson County Planning Commission Water Bottle Facility Concerns

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

To whom it may concern,

I am writing as a concerned citizen for the historic town of Middleway, West Virginia. It has come to my attention that you are planning to establish a water bottling plant in the area. While we appreciate the potential economic benefits this could bring, there are several concerns that need to be addressed comprehensively before any further steps are taken.

1. Impact on Water Supply:

There is considerable anxiety regarding the potential impact of water extraction on local wells and the broader water flow in Turkey Run. Many residents rely on these wells for their daily water needs, and any significant drawdown could jeopardize their access to water. We request a detailed study or report that evaluates the potential effects on our water supply and the flow of Turkey Run and outlines mitigation strategies to ensure our community's water security.

2. Traffic and Infrastructure:

The proposed increase in traffic, particularly heavy trucks, could double the current traffic levels, which raises concerns about road safety, noise pollution, and wear and tear on infrastructure, especially within the historic district. Heavy trucks and machinery could also result in more damage to historic homes if they are driving through the historic district on a regular basis. Could you provide an assessment of the expected traffic changes and any planned measures to manage these impacts responsibly?

3. Environmental and Historical Preservation:

Our town's historical character is a source of pride and a key attraction for visitors. We are

worried about how increased industrial activity might affect both the environment and the preservation of our historical sites. We would appreciate information on how your operations will protect the local environment and historic landmarks.

4. Community Engagement and Benefits:

Understanding that your corporation may bring jobs and economic activity, we seek assurance that these benefits will be balanced with the needs and values of our community. Could you outline your plans for engaging with local residents and businesses to ensure the development is beneficial for all parties involved?

We believe that open and transparent communication is vital as we navigate this potential development together. Thank you for considering our concerns. We look forward to your response and hope to work collaboratively to find solutions that respect both the development needs and preserving our historic town.

Sincerely,

Anna Iglesias

From: [Planning Department](#)
To: ["Logann Johnsonbaugh"](#)
Subject: RE: Middleway Bottling Plant Comments
Date: Wednesday, November 6, 2024 10:55:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Logann Johnsonbaugh <logannjohnsonbaugh@gmail.com>
Sent: Tuesday, November 5, 2024 9:23 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Middleway Bottling Plant Comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Good morning,

I am emailing today with a public comment regarding the proposed bottling plant in Middleway.

My name is Logann Johnsonbaugh and I am a full time Jefferson County resident. I am a Registered Nurse, who spends my working time serving the residents of the community. I am commenting as my aging parents are residents of Middleway at this time. I am kindly asking you read and consider these comments when making your decision.

While the idea of a bottling plant opening in the community may excite some, due to the financial gains it may bring, it terrifies me. The infrastructure of the Middleway community simply cannot support an influx of trucks, cars, and human traffic. Just in a week on 51 at Leetown road, there is a traffic accident due to the high volume of traffic and the intersection itself. Many changes have been made in the past to this intersection to fix this, but unfortunately the sheer number of car accidents seen in Jefferson County only seems to rise everyday.

In a 2023 article, Jefferson County was ranked #7 in West Virginia for the county with the most MVA with fatalities: 26.1 per 100K people (#539 nationally, 15 deaths). (*Stacker, 2023*)

Adding a bottling plant will only increase these numbers. As we know, Jefferson Medical Center is not only too small, but it is ill-equipped to handle the types of injuries and medical

needs of a community any larger than it is now.

With a large plant, comes a need for increased medical care and housing for those who work there. In addition, this will again lead to an increase of truck traffic.

Instead of making decisions in the interest of our wallets, we should consider the massive impact to the quality of life, accessibility to health care and housing of those who live and work in this county and community.

Please consider these conditions if the plan is approved:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build (at its own expense) a bypass road around historic Middleway to serve the facility, to prevent damage to the historic district by truck traffic. The estimated 4,750 additional vehicle trips to and from the plant will reduce safety and harm historical resources.

Thank you for accepting my comments. I respectfully request that the above comments and impacts on the community be considered in the evaluation of this concept plan.

Sincerely,

Logann M. Johnsonbaugh

Source for article referenced above:

Stacker. "Counties with the Most Motor Vehicle Accident Fatalities in West Virginia." *WBOY.Com*, WBOY.com, 5 Jan. 2023, www.wboy.com/only-on-wboy-com/wboy-com-lists-and-rankings/counties-with-the-most-motor-vehicle-accident-fatalities-in-west-virginia/amp/.

From: [Planning Department](#)
To: "Rachel Kubic"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:56:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Rachel Kubic <rachelkubic4@gmail.com>
Sent: Tuesday, November 5, 2024 10:09 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,
Rachel Kubic

--

Rachel Kubic
rachelkubic4@gmail.com

From: [Planning Department](#)
To: ["Emily Lydon"](#)
Subject: RE: Water Bottling Plant Concerns
Date: Wednesday, November 6, 2024 11:37:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Emily Lydon <emilyrcl92@gmail.com>
Sent: Tuesday, November 5, 2024 2:32 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Water Bottling Plant Concerns

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Good afternoon,

I am writing as a concerned citizen about the plans Jefferson County has to build a water bottling plant. Some concerns I have are where the water is coming from that the plant will be bottling and what effect if any will it have on local rivers and residential areas including citizen's wells. Another concern I have is what if any impact this development will have on Jefferson County's historic area. I would like to have the historic area remain intact and for pipeline construction to not take place there. And finally I also have a concern for increased traffic on Queen's Street and also the toll that will take on the roads.

Thank you for your time and consideration.

Emily Lydon

From: [Planning Department](#)
To: "[Christine Marshall](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:53:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Christine Marshall <Balmertmarshall@icloud.com>
Sent: Tuesday, November 5, 2024 3:05 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

Christine Marshall
Jefferson County, WV

--

Christine Marshall
Balmertmarshall@icloud.com

From: [Planning Department](#)
To: ["Christine Marshall"](#)
Subject: RE: Planning Commission Public Comment for Mountain Pure Water Bottling Facility
Date: Wednesday, November 6, 2024 12:18:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Christine Marshall <balmertmarshall@icloud.com>
Sent: Tuesday, November 5, 2024 4:51 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Planning Commission Public Comment for Mountain Pure Water Bottling Facility

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Good Day Planning Commissioners,

Thank you for allowing the public to make comment on the proposed Concept Plan for the Mountain Pure Water Bottling Facility.

- The Concept Plan proposed for the 259.5 acre site, which includes 4 parcels. However, these 4 individual parcels are different than the parcels approved at the August 8, 2023 Planning Commission meeting. Is this Concept Plan in keeping with the prior approvals?

- Please require the Concept Plan to identify the location where the water will be sourced.

- Is "Lake Louise" and/or Turkey Run part of the project? If so, please include these areas in the Concept Plan.

- If "Lake Louise" and/or Turkey Run is part of the project, did Triad Engineering perform an evaluation to determine the presence or absence of suspect jurisdictional waters of the United States? Please include this information in the Concept Plan.

- Is the location of water extraction included in Phase 1 and Phase 2 of the project? Please identify on the map the location of water extraction.

- Are there any site restrictions that would prohibit the extraction of groundwater or using surface water?

- Will water extraction disturb any contaminated groundwater on the site?

- Who will own the water treatment plant? (At the 8/8/23 meeting it was proposed that CTUB maybe developing a water treatment facility).

- Will water processing cause any wastewater and if so, where will the waste product be disposed? (Contaminates or if water softening occurs in large amounts chloride backwash can be produced and may be regulated and processing at a wastewater treatment facility).

- Is construction allowed on Site 1 and Site 2, the location of remediated landfills, sludge ponds and waste lagoons? If so, how will the developer ensure any contaminates remain undisturbed?

- Please include in the Concept Plan the amount of water proposed to be extracted from the aquifer.

- Please require a groundwater availability study to be provided to ensure that there is adequate water in the county for other uses such as residents, farming, and wildlife.

Thank you,

Christine Marshall

Jefferson County, WV

From: [Planning Department](#)
To: "Taylor Mason"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:45:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Taylor Mason <twear1991@gmail.com>
Sent: Tuesday, November 5, 2024 7:27 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway. It would be absolutely absurd to approve a concept plan for a WATER BOTTLING PLANT that does not indicate where the WATER will be sourced from.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

Taylor Mason

--

Taylor Mason
twear1991@gmail.com

From: [Planning Department](#)
To: "Siri McDonald"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:49:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Siri McDonald <vitalearth@gmail.com>
Sent: Wednesday, November 6, 2024 1:47 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Siri McDonald
vitalearth@gmail.com

From: [Planning Department](#)
To: "[Cheryl Middleton](#)"
Subject: RE: Input on concept plan for Water Bottling Facility/Sidewinder Enterprises-November 12th Planning Commission Meeting
Date: Wednesday, November 6, 2024 11:43:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Cheryl Middleton <cmiddl01@yahoo.com>
Sent: Tuesday, November 5, 2024 2:50 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Input on concept plan for Water Bottling Facility/Sidewinder Enterprises-November 12th Planning Commission Meeting

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Hello:

I'm submitting this input for the Planning Commission meeting scheduled for November 12, 2024, specifically related to the water bottling plant proposed by Sidewinder Enterprises, LLC.

I not only live in the Middleway District, but I am also part of a farming family in the same district. We rely on water not only to support our personal well but also to support irrigation for crops and to provide water to livestock. I have significant concerns regarding the concept plan for the Mountain Pure Bottling facility as it leaves out a lot of key information that both the Planning Commission as well as the public need in order to make an informed decision. Even the information included in the concept plan is alarming as well as some of the activities to date.

The concept plan does not specifically address where the water is coming from that they plan to bottle. Given owners activities to date, it leads most to believe that they plan to monopolize not only Turkey Run but also Lake Louise using adjacent parcels not included as part of the concept plan. If I also understand correctly, those other parcels are not zoned for this type of activity and the parcels on the concept plan may not even be zoned appropriately. Even if somehow the developer is able to get a special exception/variance to use the adjacent parcels to tap into their water supply, this causes me and other grave concerns. The amount of water that is imagined to be processed at this facility would like significantly alter not only Turkey Run and Lake Louise, it is likely to have an adverse affect on the neighboring and other parcels in the district as we all believe that our wells and water supplies are all connected to those two main water sources. With the lack of snow in the winters and the ongoing drought we are in now, I am petrified that our water source will be further impacted, not only personally but for our farms. We are losing more and more farms every year, because as most know, farming isn't easy to begin with and rarely is it profitable. Not being able to irrigate our crops or provide sufficient water

supply to our livestock would be detrimental, likely causing irreparable harm.

In addition to my concerns related to the water source, the traffic to and from the facility will be monumental. The concept plans shows almost parking spaces, which is required based upon having 1 space for every worker for all shifts. Even if the plant plans to run 3 shifts, that's almost additional cars at one time, not to mention truck/distribution traffic. The current road infrastructure cannot handle it. Even if the concept plan accounts for a turn lane on Route and additional paving, it is not enough. This will cause a significant traffic and noise impact to those living nearby.

I also have concerns regarding the developers activities to date and their lack of ties to the community and concern for our environment. The appropriate County agencies should likely take a look at the activities on site to date, like some of the test wells that have been dug, way too close to other property lines and not in conformance with regulations and policies. If this developer is already showing this lack of regard already, what are they going to do if they actually have a manufacturing plant approved? As an aside, the amount of test wells dug to date on adjoining parcels furthers my concern that they plan to use Lake Louise and Turkey Run to bottle and sell (at our community's expense).

Please don't take this input as anti-business, because I am in support of responsible and sustainable business in Jefferson County. We need more to support our economy and residents. However, I cannot support this concept plan as it is incomplete for various reasons, will very likely have detrimental impacts to our water supply, and a larger impact on our community and environment.

The Planning Commission needs to reject the concept plan as this concept is not appropriate based upon our zoning requirements, increased traffic, degradation of our district's water supply, or the applicant's disregard for our environment. The applicant is being intentionally deceptive with this application and believe they will attempt to submit for special exceptions on all parcels to push this project through.

Please think long and hard before even considering approving this concept plan. Some of the Planning Commission may need a reminder that real farming, not solar farming, requires access to a consistent and safe water supply. I'd also like to not have to worry about if I'll have drinking water available in a few months.

Sidewinder's concept plan should be denied.

Cheryl Middleton
2253 S Childs Road
Kearneysville, WV 25430



P 304-207-0888
E middlewayconservancy@gmail.com
W www.middlewayconservancy.org

Dear Jefferson County Planning Commissioners,

The Middleway Conservancy requests further information on the proposed Mountain Pure Water Bottling facility and its potential impacts on the historic village of Middleway. Given the lack of specific details in the concept plan, the board is unable to evaluate how this project may affect our mission to, “preserve and restore our historic district and nearby areas through education, advocacy, and community support.

Middleway, initially known as Smithfield, was founded nearly 300 years ago due to its proximity to the water sources of Turkey Run and Lake Louise. Both are historically and ecologically significant. This importance is recognized at the national level, as Middleway is listed on the National Register of Historic Places. Turkey Run and Lake Louise are essential to the town’s identity and conservation of Middleway as a “living history museum.” Any impact on these resources would not only affect current residents but also alter the historical landscape that defines Middleway.

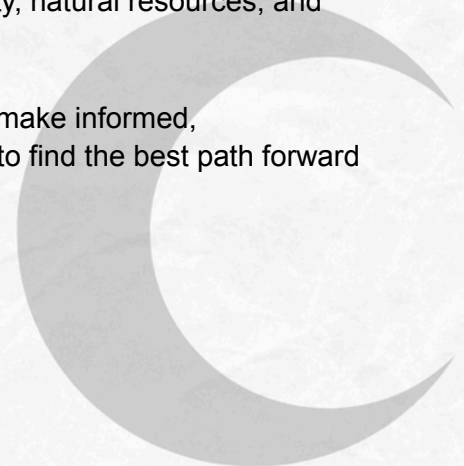
Additionally, traffic in Middleway is already a significant concern. Our narrow roads, designed in a pre-modern era, were not meant to accommodate high volumes of large vehicles. Studies in other historic districts have shown that heavy truck traffic can accelerate structural wear and create vibrations that may lead to gradual damage in historic structures, including foundation issues and cracking walls.

To protect both our residents and our historical assets, we respectfully request that the planning commission consider specific traffic mitigation measures if the project proceeds. These could include a bypass road to direct facility traffic away from the historic district and alleviate existing truck congestion. Additionally, installing four-way stop signs at critical intersections, such as Old Middleway Road and Queen Street, as well as Grace Street and Queen Street, could help manage speeding and reduce risks for pedestrians.

In the absence of more detailed plans regarding both traffic and environmental impacts, the Conservancy cannot take a definitive stance on this proposal. We remain open to collaboration and encourage solutions that will protect the town’s historical integrity, natural resources, and community safety.

Thank you for considering these suggestions and for your efforts to make informed, community-focused decisions. We look forward to working together to find the best path forward for Middleway.

Sincerely,
The Middleway Conservancy Board



From: [Planning Department](#)
To: "Otis Morgan"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:13:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Otis Morgan <morgan_3@frontiernet.net>
Sent: Tuesday, November 5, 2024 12:41 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

The water bottling plant is wrong for the Middleway property. Jefferson County karst topography cannot handle this water extraction & plus with all the proposed housing developments.

Sincerely, Otis Morgan

--

Otis Morgan
morgan_3@frontiernet.net

From: [Planning Department](#)
To: "Diana Mullis"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:03:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Diana Mullis <dianamullis7@gmail.com>
Sent: Tuesday, November 5, 2024 11:18 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Diana Mullis
dianamullis7@gmail.com

From: [Planning Department](#)
To: "Mark Muse"
Subject: RE: Proposed water bottling plant
Date: Wednesday, November 6, 2024 11:15:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Mark Muse <1xmmuse@gmail.com>
Sent: Tuesday, November 5, 2024 12:52 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Proposed water bottling plant

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When you consider the changing rainfall patterns courtesy of climate change, the fact that most residents of Jefferson County rely on groundwater as their source, and the amount of water this company will extract from the aquifer, it seems grossly irresponsible to permit this to go forward.

Sincerely,
Mark Muse

From: [Planning Department](#)
To: "Suellen Myers"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:17:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Suellen Myers <Willowsp@earthlink.net>
Sent: Tuesday, November 5, 2024 12:56 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
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Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Suellen Myers
Willowsp@earthlink.net

From: [Planning Department](#)
To: "Emily Nibert"
Subject: RE: [Possible Spam] Sunnyside Residential Major Subdivision Waiver Request
Date: Wednesday, November 6, 2024 12:35:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Emily Nibert <etrebin85@gmail.com>
Sent: Tuesday, November 5, 2024 7:03 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: [Possible Spam] Sunnyside Residential Major Subdivision Waiver Request
Importance: Low

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Good evening,

As a property owner along Wheatland Road in Charles Town, West Virginia, I respectfully request that the Jefferson County Planning Commission DENY the waiver request to extend the two year vesting period for the Sunnyside Residential Major Subdivision located on Wheatland Road.

Please confirm receipt of this email when able and feel free to contact me with any questions.

Thank you,

Emily Nibert

November 5, 2024

Jefferson County Planning Commission
116 E Washington St.
Charles Town, WV 25414
Sent By Electronic Mail

Regarding: Public Workshop: Mountain Pure Concept Plan for a Major Site Development.

Dear Planning Commissioners,

The undersigned are a group of property owners, residents, and business owners who stand to be impacted by this development at the old 3M/Eastman Kodak Facility, extraction of groundwater for bottling, and various methods of moving the water from wells the applicant owns at Lake Louise situated East of the Middleway historic district to the proposed bottling facility west of the Middleway historical district. We ask that you give the following comments significant consideration as you contemplate how to address the submitted concept plan.

We believe there is not enough information in this concept plan regarding the land use to determine if the development is a permitted use, requires a conditional use permit, or is a non-permitted use. This concept plan is for a water bottling facility, but the submittal does not contain any information regarding where the water for treating and bottling will be sourced. Groundwater extraction is not a principal permitted use in any zone. Without knowing the source of the water, it cannot be determined if this use is a permitted use. Therefore, the concept plan should be rejected and the developer instructed to resubmit a complete concept plan.

If the water for bottling is sourced through groundwater extraction, we believe this is a non-permitted use and the concept plan should be denied. We are concerned that if groundwater extraction is employed to source the water for bottling that there will be a negative impact on the groundwater availability in this area of the county. All farms and residents in this area rely on groundwater. Water availability for agriculture, livestock, and rural residential use should not be jeopardized in favor of extraction, and sale outside of the county. Farmers, horseman, and other rural property owners should not incur the cost of drilling new ever deeper wells to access water. We believe these are the reasons that water extraction as a land use was left a non-permitted use in all zones by the Zoning Ordinance.

Through review of the tax map and other public documents we understand the applicant owns several properties upstream from the subject property on Tukey Run and Lake Louise and has developed one or more groundwater wells on the Lake Louise property. If it is the intent of the applicant to use these wells for groundwater extraction to source the water for bottling, then this water will also need to be moved from the wells to the proposed bottling plant. While we are confident this would be a non-permitted use on this rurally zoned property, we are also concerned about the impact of moving water from the wells to the proposed bottling plant and why this property was not included in the Concept Plan.

If groundwater extraction through these wells is in fact the source of water for bottling for the proposed water bottling plant, this property should have been included in the concept plan. This property was not included and therefore at very least the concept plan should be rejected as it is incomplete.

There is currently no direct bypass around the village of Middleway for vehicles from the Lake Louise property (east of the Middleway historical district) to the proposed facility (west of Middleway historical district). If the water were moved from the wells at Lake Louise to the subject facility by truck or via underground pipeline through historical Middleway to the facility, this could have an outsized negative impact on safety, character, and preservation of the Middleway historical district.

Finally, we are concerned about the traffic impacts the development would bring to the Middleway historic district and the surrounding rural area. Currently, vehicular access to the facility requires either navigating through the Middleway historical district or many miles of small rural roads. We are concerned that the increased volume of traffic and the size and weight of the trucks traveling to and from the plant will negatively impact safety, damage the roads, and lead to damage of the historical resources we are dedicated to preserving.

We ask that the concept plan be rejected because not enough information was provided to determine if the land use is permitted, conditionally permitted, or not permitted. If you choose to accept the concept plan and give the developer direction to continue to the Site Plan stage, we ask that you place the following conditions on your direction:

1. Groundwater shall not be used for any use related to this development including but not limited to for bottling.
2. All current and future activity related to this development shall be contained on the subject property described in the current application with the exception of the activity related to building a road for vehicle access.
3. A road should be built at the cost of the developer that provides direct access from the facility to route 51 that is capable of accommodating all traffic to and from the subject facility.

The first two conditions simply assume that the Concept Plan is complete as submitted, that the developer indeed does not intend to source water locally for the purpose of bottling, and that the only property associated with this development is the one identified in the application. The third condition is based in the zoning ordinance as required by section 24.118 of the Jefferson County Subdivision and Land Development Regulations.

Thank you for considering these comments.

Sincerely,



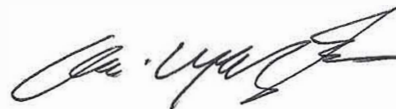
Joslyn Noland
Property owner and farmer within 1 mile



Phyllis Grantham
Property owner and farmer within 1 mile



Natalie Grantham Friend
Property owner and farmer within 1 mile



Andrew Upwright
Adjoining landowner to Lake Louise property
and farmer

Dorothy Stickles
Property owner within 1 mile

Dawn Robly
Property owner within Middleway Historic District

April Weaning
Property owner within 1 mile

Carol Pitts
Property owner within Middleway Historic District

Buck Buchanan
Property owner within 1 mile

Mary E. Lind
Property owner within Middleway Historic District

Lawrence Ring Jr.
Property owner within Middleway Historic District

Raymond R. Lind, Jr.
Property owner within Middleway Historic District

Carlynn DeSantis-Smith
Property owner within Middleway Historic District

David Lease
Property owner within 1 mile

Debra J. Baird
Property owner within 0.5 mile of Lake Louise

Barbara A. Smith
Property owner within Middleway Historic District

Rebecca L. Dunn
Property owner within Middleway Historic District

Timothy D. Smith
Property owner within Middleway Historic District

Melissa Carder
Property owner within Middleway Historic District

Paul Haggerty
Property owner within 1 mile



James Liskey
Adjoining Property owner



Harold Poston
Property owner near Lake Louise



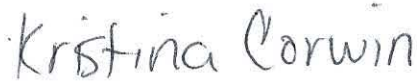
Charlotte Weaning
Adjoining Property owner



Brenda Poston
Property owner near Lake Louise




Dale Comstock Jr.
Adjoining Property owner



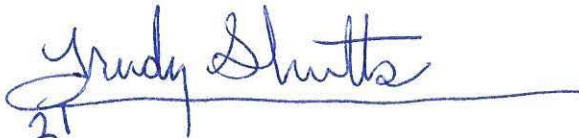
Kristina Corwin
Property owner near Lake Louise



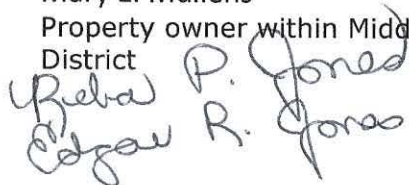
20
Mike O'Brien
Adjoining Property owner



Mary E. Mullens
Property owner within Middleway Historic District



21
Trudy Shutts
Adjoining Property owner



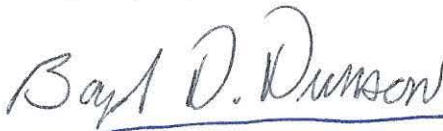
Reba P. Jones
Edgar R. Jones
Property owner within Middleway Historic District



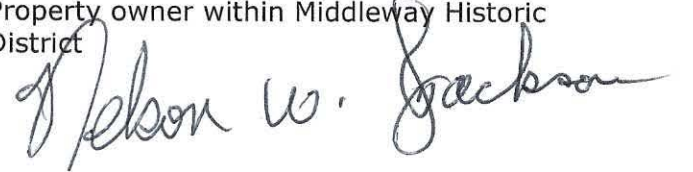
22
David Liskey
Adjoining Property owner



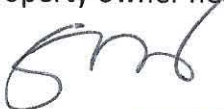
Franklin E. Ring Jr.
Property owner within Middleway Historic District



23
Boyd D. Dunson
Property owner near Lake Louise



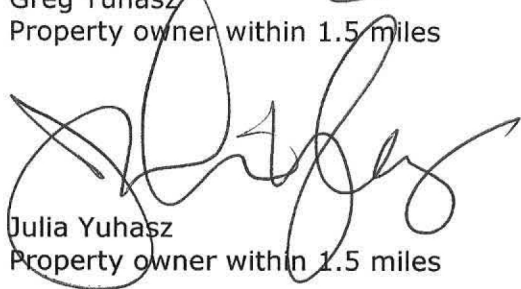
Nelson W. Jackson
Property owner within Middleway Historic District



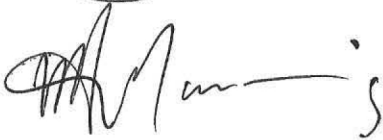
24
Gail Poston
Property owner near Lake Louise



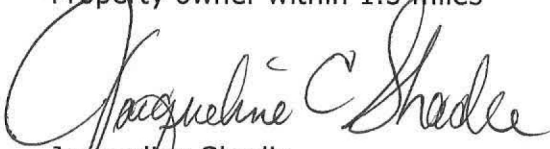
Greg Yuhasz
Property owner within 1.5 miles



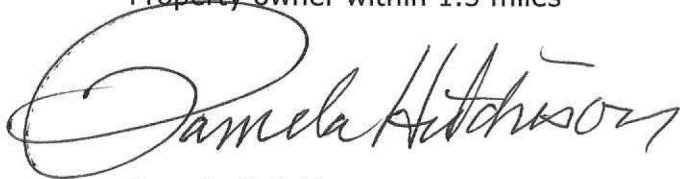
Julia Yuhasz
Property owner within 1.5 miles



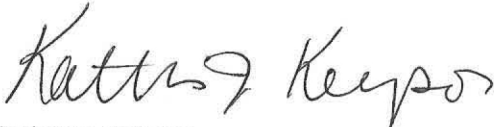
Anthony Mawing
Horseman
Property owner within 1.5 miles



Jacqueline Shadle
Property owner within 1.5 miles



Pamela Hutchison
Property owner within 1.5 miles



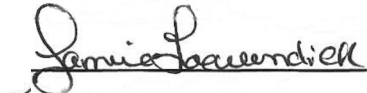
Kathryn Keysor
Property owner within 1.5 miles



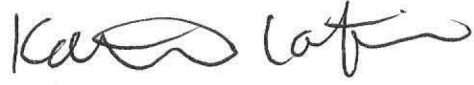
Kelly Bennett
Property owner within 1.5 miles



Joyce Smith
Property owner within 1.5 miles



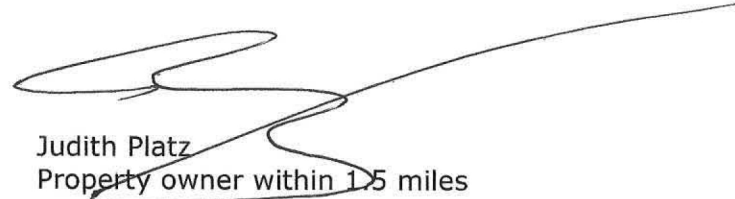
Jamie Loewendick
Property owner within 1.5 miles



Kathy Loftin
Property owner within 1.5 miles



Dionte Johnson
Property owner within 1.5 miles



Judith Platz
Property owner within 1.5 miles



Pat Phillips
Property owner within 1.5 miles



Greg Phillips
Property owner within 1.5 miles



Danielle Patterson
Impacted Jefferson County property owner



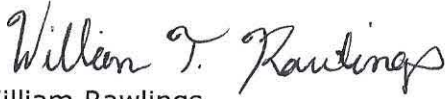
Kaitlan Ballantine
Impacted Jefferson County property owner



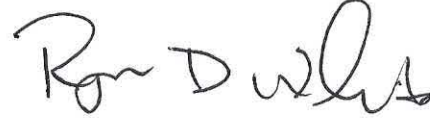
Stacey E.G. Rawlings
Property owner within 3 miles



Lesley D. Fraley Sr.
Property owner within 1 mile



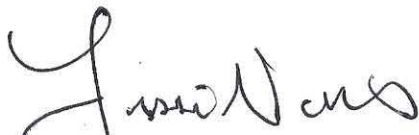
William Rawlings
Property owner within 3 miles



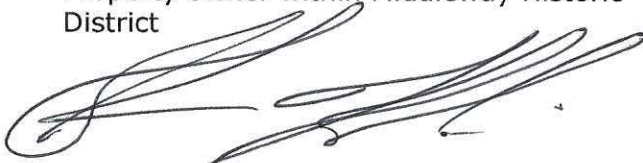
Ryan White
Property owner within 1 mile



Kathy Jo T. Blue
Impacted Jefferson County property owner



Jessica Norris
Property owner within Middleway Historic District



Shawn Franklin
Property owner within Middleway Historic District



Sherry White
Property owner within 1 mile



Cheryl Middleton
Impacted farmer within 1 mile



Lisa Fraley
Property owner within 1 mile

Jessie Norris

Submitted: 11/5/24, 4:24 PM

Dear planning commission,

I want to walk to the
bus stop myself, but ~~my~~ my parents say
I can't because of all the cars mostly
because the trucks.

Thank you

Jefferson County Planning Commission

200 E. Washington Street

Charles Town, WV 25414

Dear Members of the Jefferson County Planning Commission,

As President of the Middleway Conservancy, I am reaching out to convey my concerns about the potential effects of increased truck traffic on our historic village. I joined the Conservancy to help preserve this unique community, which holds significant potential for enhancing tourism in the county. Although I am speaking as an individual and not on behalf of the Conservancy, I believe it is essential to highlight the risks that heavy traffic poses to the preservation of our historic architecture.

Studies show that vibrations from heavy vehicles, particularly trucks, can cause substantial structural damage to historic buildings. A report from the National Park Service (NPS) indicates that vehicle vibrations can create cracks in walls and foundations and loosen older mortar joints, which are costly and challenging to repair. These effects are especially concerning for historic buildings, as they often use lime-based mortar and unreinforced masonry that weren't designed for modern mechanical stresses.

Additionally, a study by the European Federation of National Cultural Institutions (EUNIC) found that prolonged exposure to heavy traffic vibrations can exacerbate microfractures in historic materials, accelerating structural decay. Middleway's narrow roads are close to many of our oldest buildings, increasing their vulnerability to vibrations. Increased truck traffic could make it even harder to preserve these irreplaceable structures.

Given these concerns, I believe it is crucial to reject Mountain Pure LLC as a potential business in Middleway. There is simply too much at stake. A business worthy of joining our community will come along, but this is not it. If the County nonetheless allows this project to proceed, it is essential to require more than typical studies and permits. We need not only a general traffic impact study but also a study specifically addressing effects on historic homes. Additionally, any approval should require traffic mitigations like stop signs, speed cushions that allow emergency vehicles to pass easily, or ideally, a bypass road. The company should also source all water from municipal systems rather than from our limited spring resources.

While these mitigations are necessary, it is unlikely that any company would be willing to commit to such measures. Without them, Mountain Pure LLC is not right for Middleway.

Thank you for considering this critical aspect of Middleway's preservation.

Sincerely,

Jessie Norris

Jefferson County Planning Commission

200 E. Washington Street

Charles Town, WV 25414

Subject: Concerns Regarding Business Practices of Mountain Pure LLC

Dear Members of the Jefferson County Planning Commission,

I am writing to share serious concerns about a potential arrangement involving Mountain Pure LLC, facilitated by Sidewinder Enterprises. It appears Sidewinder is attempting to gain approvals from the Planning Commission to then sell or lease land to Mountain Pure LLC. If this is indeed the same company, Middleway is in for a significant issue, but Jefferson County may face even larger challenges.

Mountain Pure LLC's operational history includes numerous financial, legal, and environmental controversies. Notable examples include:

1. **Legal Issues with Groundwater Usage:** Mountain Pure LLC previously faced legal challenges in Texas, where they accessed water from a spring with minimal oversight. When local water conservation districts raised concerns, Mountain Pure successfully argued that water metering should have been required from the start of their permit, not imposed retroactively. This precedent indicates potential difficulties in establishing accountability if the company were to operate in Middleway. It would be prudent for the County to implement metering and caps on water usage, especially during droughts, to avoid a situation where no recourse is available. (*Reference: Neches & Trinity Valley Groundwater Conservation District v. Mountain Pure TX LLC*)
2. **Owner's History of Financial Misconduct:** The company's owner, John Stacks, has been convicted of wire fraud and money laundering, raising serious concerns about the enterprise's ethical and legal integrity. His financial dealings—including disputed loans and unpaid debts—have repeatedly created complications for vendors, banks, and local economies where Mountain Pure operates. (*Reference: Mountain Pure Wire Fraud Case*)
3. **Controversial Bottling Practices:** Mountain Pure's production model requires significant water volumes and generates considerable wastewater. At their Arkansas facilities, Mountain Pure produces approximately 200,000 gallons of bottled water daily, combining tap and spring water, with about a third of the intake becoming wastewater. Middleway lacks robust wastewater infrastructure, making this facility a potential unsustainable burden on our community's resources. The waste would likely be discharged into Turkey Run, where, despite sediment ponds, topography would lead it to the Opequon Creek, impacting the Potomac River and Chesapeake Bay watershed. (*Reference: Arkansas Bottling Operation Article*)

These documented practices suggest that Mountain Pure could bring a problematic track record to Middleway and Jefferson County, posing risks to local water resources, economic stability,

and community well-being. Allowing Mountain Pure to operate without robust regulatory oversight could lead to the same adverse impacts seen in other regions.

I urge the Commission to consider the long-term risks associated with approving this facility and to apply stringent conditions and reviews if any bottling operation is considered. Middleway's historic heritage and environmental resources deserve protection from potentially exploitative operations with histories of regulatory evasion.

Thank you for considering these concerns. I am happy to provide additional information or documentation on Mountain Pure's history if needed.

Sincerely,
Jessie Norris
Middleway Resident

From: [Planning Department](#)
To: "Elaine Oliver"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:47:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Elaine Oliver <Elaine.oliver@nist.gov>
Sent: Tuesday, November 5, 2024 8:59 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Elaine Oliver
Elaine.oliver@nist.gov

From: [Planning Department](#)
To: "Donna Printz"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:48:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Donna Printz <Wvbiker98@aol.com>
Sent: Tuesday, November 5, 2024 9:57 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

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Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Donna Printz
Wvbiker98@aol.com

From: [Planning Department](#)
To: ["Charles Printz"](#)
Subject: RE: Proposed Water Bottling Plant in Middleway
Date: Wednesday, November 6, 2024 12:36:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Charles Printz <chazzdog47@aol.com>
Sent: Tuesday, November 5, 2024 9:12 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Proposed Water Bottling Plant in Middleway

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

I have serious concerns regarding a proposed water bottling plant at the former 3M plant in Middleway and have a unique perspective. As a practicing attorney, about 10-12 years ago, I was involved in civil litigation over alleged contamination of privately owned unimproved real property adjacent to the 3M plant. The factual development revealed that there were multiple areas of soil and groundwater contamination, specifically at Turkey Run and the springs feeding it. The contamination was mostly from hazardous wastes, which included TCE. The geology in the area is karst and fractured limestone, making it difficult to track the location and movement of contaminants.

I request that this proposed project be reviewed with vigor, with strict adherence to the applicable regulations and with deference to public reaction and comments.

Charles "Chazz" Printz

304-671-0309

Sent from my iPad

From: [Planning Department](#)
To: ["Rawlings Farm"](#)
Subject: RE: Middleway Proposed Water Bottling Facility
Date: Wednesday, November 6, 2024 12:28:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Rawlings Farm <rawlingsfarmwv@gmail.com>
Sent: Tuesday, November 5, 2024 6:33 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Middleway Proposed Water Bottling Facility

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

To Whom It May Concern,

We are lifetime, and long-time, residents; landowners; business owners; and farmers in the Middleway area and we would like to voice our concerns over the inadequate and incomplete Concept Plan submitted for a proposed Water Bottling Plant to be located near the old 3M facility.

The largest concern we have is the lack of information provided as to the SOURCE of the water. Especially after a year with a terrible drought, our water table is at an all time low. Wells are potentially threatened not only for many homes in the area, but also for livestock farms, horticultural agriculture, businesses, churches, and organizations ALL relying on the same aquafir. What will the SOURCE be, and will there with REASONABLE LIMITS applied to the water bottling plant limiting them to only pump so many gallons a day? I'm flabbergasted that these topics are not fully disclosed BEFORE a Concept Plan would even be considered.

Our second concern is the additional traffic to inundate the village of Middleway and/or rural backroads. The Concept Plan does not acknowledge the amount of traffic they intend to add to our small county roads.

Having this information is CRUCIAL. We urge you to deny this Concept Plan and demand additional, in-depth information on how this potential facility would TRULY impact the local residents, landowners, businesses, farms, and organizations in the Middleway area.

Sincerely,
Stacey and Bill Rawlings
Landowners, residents, farmers

From: [Planning Department](#)
To: ["Addison Reese"](#)
Subject: RE: Mountain Pure Water Bottling Facility (File #24-6-SP)
Date: Wednesday, November 6, 2024 11:01:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Addison Reese <addisonreese@gmail.com>
Sent: Tuesday, November 5, 2024 11:16 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Mountain Pure Water Bottling Facility (File #24-6-SP)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

I am writing to express my concerns about the Mountain Pure Water Bottling Facility proposed for Middleway. Water bottling plants can harm local communities by depleting precious water resources, especially in drought-prone areas. They often extract large amounts of water, leaving less available for residents, agriculture, and natural ecosystems. Turning a shared resource into a for-profit product raises concerns about fair access to water. Why should we allow a company to extract our clean water as we pay the price with reduced water availability, higher costs, and environmental degradation? Will any water study be conducted before the facility is approved? Will there be continued water monitoring? Will the amount of water extracted be adjusted when we are under drought conditions? I urge you to look at case studies in other communities and the negative impact of these types of facilities. I hope that the board will carefully consider all information and public input on this very consequential decision.

Thank you,

Addison Reese
Shepherdstown, WV

From: [Planning Department](#)
To: "James Reifer"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:41:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: James Reifer <James.reifer@yahoo.com>
Sent: Tuesday, November 5, 2024 3:37 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept our comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting our comments. We respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely, James and Catherine Reifer

--

James Reifer
James.reifer@yahoo.com

From: [Planning Department](#)
To: "Brianna Roche"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:25:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Brianna Roche <briannaroche7921@gmail.com>
Sent: Tuesday, November 5, 2024 4:57 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Brianna Roche
briannaroche7921@gmail.com

From: [Planning Department](#)
To: "[Deborah Rochefort](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:40:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Deborah Rochefort <ballata@comcast.net>
Sent: Tuesday, November 5, 2024 12:23 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject this project because this vague concept plan seems to indicate that groundwater will be used for the source of the bottling facility. With drought years becoming more frequent, and increasing housing within Jefferson county, groundwater resources are being stressed already. Groundwater is a critical water source all over the country, and scientists are warning that we are depleting this resource faster than it can be renewed. This is especially true of Jefferson County, which has little surface water (streams, ponds, etc.). The very last thing we want to do is permit a bottling company to come in and pull out for its own profit water resources badly needed for the residents of Jefferson County, needed for homes, agriculture, schools, and present businesses. I might add that not only would depleting ground water be bad for the residents of Jefferson County - humans, animals, plants, and microbes - it would also destabilize the very land on which we live, the karst foundation of our patch of earth. Development of sinkholes would not be good for anyone, and hazardous withal.

Making a rule prohibiting the use of groundwater for bottling water for profit would be an excellent idea, actually. And, any development and resultant expected traffic in Middleway needs to consider how it will impact this small, historic (and frankly charming) town.

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this

concept plan.

Sincerely,

Dr. Deborah Rochefort

--

Deborah Rochefort

ballata@comcast.net

From: [Planning Department](#)
To: "Wilhelmina Semler"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:50:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Wilhelmina Semler <minagmyers@gmail.com>
Sent: Tuesday, November 5, 2024 9:03 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

We really need to see what impact the huge amount recent development in the County will have on the infrastructure before jumping into another project with so many unanswered questions.

Sincerely,

Wilhelmina Semler

--

Wilhelmina Semler
minagmyers@gmail.com

From: [Planning Department](#)
To: "Dan Shelton"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:44:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Dan Shelton <Dan.roland.shelton@gmail.com>
Sent: Tuesday, November 5, 2024 7:27 AM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Dan Shelton

Dan.roland.shelton@gmail.com

From: [Planning Department](#)
To: ["Renny Smith"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:26:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Renny Smith <rennyts@aol.com>
Sent: Tuesday, November 5, 2024 6:05 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

I am deeply concerned about the amount of water the people occupying current planned housing will need even without a water bottling plant!

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,
Renny Smith

--

Renny Smith
rennyts@aol.com

From: [Planning Department](#)
To: "[Barbara Spicher](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 10:53:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Barbara Spicher <bspicher@frontiernet.net>
Sent: Tuesday, November 5, 2024 9:18 AM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

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If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,
Barbara Spicher

--

Barbara Spicher
bspicher@frontiernet.net

From: [Planning Department](#)
To: "Anne Teresa"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:15:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Anne Teresa <ateresa@comcast.net>
Sent: Tuesday, November 5, 2024 4:49 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

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If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Anne Teresa

ateresa@comcast.net

From: [Planning Department](#)
To: ["Rebecca Thompson"](#)
Subject: RE: Comments on the Concept Plan for Mountain Pure Water Bottling Facility
Date: Wednesday, November 6, 2024 11:14:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Rebecca Thompson <beccatmail@gmail.com>
Sent: Tuesday, November 5, 2024 12:45 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Comments on the Concept Plan for Mountain Pure Water Bottling Facility

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Jefferson County Planning Department,

I am against the building of the Mountain Pure Water Bottling Facility in Middleway, WV. Please reject the Concept Plan for it.

Groundwater extraction for commercial or industrial use in Jefferson County is not a principal permitted use in ANY zone!

If groundwater will be the source for the water being bottled, then conditions should be placed on the project that require the facility to get the water to be bottled from somewhere other than the groundwater or Lake Louise.

Farms cannot rely on water being brought in from outside the area. Without ample accessible groundwater in this area, farming will not be able to continue!

Also, excessive water extraction can cause hazards in Karst hydrogeology, which is exactly what all of Jefferson County contains. In karst hydrogeology, there can be large spaces below the ground that are filled with water. The water supports the walls and roofs of the caves. When groundwater is drawn down significantly, the support is removed and the walls and roof of the large spaces can collapse, creating sinkholes. Sometimes the sinkhole only partially occurs, leaving a fairly thin layer of ground surface intact. If this occurs, you wouldn't even know a sinkhole exists right below the surface. It might be safe to walk on, but as soon as any heavy farming equipment or heavy truck drives over the unexposed sinkhole, it could cause a sudden, catastrophic collapse! It would certainly make farming more dangerous.

At least three sinkholes have occurred in my neighborhood over the past 15 years, indicating that karst areas are prone to them even without excessive groundwater extraction. Extracting large amounts of groundwater would make the chances of large sinkholes SO MUCH MORE LIKELY!

Also, everyone in my neighborhood (Quail Run) is on well water, as are most of the people living in this part of the county, including MANY farmers. The water bottling facility could seriously impact our wells and put them in jeopardy!

I urge you to please reject the Concept Plan!

Please place conditions on the project that would require the facility to obtain the water to be bottled from somewhere other than groundwater or Lake Louise.

Sincerely,
Rebecca Thompson
Summit Point, WV

From: [Planning Department](#)
To: ["Theresa Trainor"](#)
Subject: RE: Comments on water bottling plant
Date: Wednesday, November 6, 2024 11:26:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Theresa Trainor <theresatrainor@comcast.net>
Sent: Tuesday, November 5, 2024 1:29 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Comments on water bottling plant

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Hi,

We don't support the proposed water bottling plant.

Jefferson County is known for its beautiful farmland and natural resources. Adding a huge facility such as this does not support this vision.

What is the environmental impact of drawing water from Turkey Run? How will it impact the Opequen, a popular fishing place? What measures are in place to protect the aquifer/water source from failing/running dry? We don't want you to disrupt the ecosystem in this way.

How will traffic be handled? The county is exploding with uncontrolled housing growth that is going to bring an overwhelming amount of traffic. We don't want to add industrial traffic to our country roads also.

Why does Jefferson County want to support the use of plastic bottles? Plastic is BAD for us, it's very slow to breakdown, recycling efforts are overwhelmed, and plastic bottles generally end up on the side of the road as trash. Look around, people are using reusable water bottles. Our drinking water is clean. Why not install water bottling filling stations throughout the County instead? We don't want more plastic bottled water!

Look around your county and please make decisions that are supportive of a healthy and beautiful vision for Jefferson County. If you don't, Jefferson County, WV is going to become the armpit of the eastern panhandle.

Thank you.

Theresa Trainor and Eddie Landrum

Sent from my iPhone

From: [Planning Department](#)
To: ["Brown Truslow"](#)
Subject: RE: Water Bottling Facility Middleway
Date: Wednesday, November 6, 2024 12:37:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Brown Truslow <btruslow@gmail.com>
Sent: Tuesday, November 5, 2024 11:08 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Water Bottling Facility Middleway

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

I oppose this. Our groundwater in this county needs to be protected for families that live here. Not for some company to make money.

Thanks,
Brown

From: [Planning Department](#)
To: "steve wiles"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:02:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: steve wiles <steve@fixitmail.com>
Sent: Tuesday, November 5, 2024 3:43 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

steve wiles

steve@fixitmail.com

From: [Planning Department](#)
To: ["Rie Wilson"](#)
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:24:00 PM

Good afternoon,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Rie Wilson <Rmw@me.com>
Sent: Tuesday, November 5, 2024 4:56 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Rie Wilson
Rmw@me.com

From: [Planning Department](#)
To: "Susie Wimer"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:14:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Susie Wimer <Susiewimer@yahoo.com>
Sent: Tuesday, November 5, 2024 4:44 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

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Dear Planning Commissioners,

This would set a dangerous precedent in Jefferson County where yet another extractive industry taking advantage of WV. We need to keep our water for use here in Jefferson County for farming and residential living.

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater extraction is a prohibited use based Section 1.3 D. of the Jefferson County Zoning Ordinance. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this

concept plan.

Sincerely,

--

Susie Wimer
Susiewimer@yahoo.com

From: [Planning Department](#)
To: "[Susan Womeldorf](#)"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:38:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Susan Womeldorf <smwwatergirl@hotmail.com>
Sent: Tuesday, November 5, 2024 2:40 PM
To: michaelshepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project due to the impact it would have on middle way, and water for rural, domestic, agricultural and livestock. There is not enough information and I know you information we have is concerning both Ford conservation of water and resources as well as for area impact.

Thank you,

Susan Womeldorf, MD

--

Susan Womeldorf
smwwatergirl@hotmail.com



WEST VIRGINIA RIVERS

5 November 2024

Dear Jefferson County Planning Commission members and staff,

We appreciate the opportunity to comment on the proposed Mountain Pure Water Bottling Facility (file #24-6-SP) in preparation for the public meeting on November 12. Here we provide a series of questions that we believe must be addressed before approval of the proposed project. We focus on issues of water quantity, water quality, domestic water supply for the facility, and wetland conservation.

Regarding water quantity:

1. How much water per day will be withdrawn from groundwater or surface water sources? Please note that groundwater extraction is not a permitted use under zoning ordinances in Jefferson County¹.
2. Will the extracted water volume vary based on environmental conditions such as drought? We note that drought conditions in 2023 required water managers in Jefferson County to resort to backup water supplies² and that groundwater generally flows from south to north in Jefferson County³, indicating the potential for regional effects of groundwater extraction.
3. How will the proposed water withdrawals affect other water uses in Jefferson County? Please consider agricultural uses as well as private well water and municipal water supplies.

Regarding water quality:

4. The former 3M factory discharged significant quantities of toxic materials into Turkey Run and Opequon Creek⁴. Do such contaminants remain in the water or soil which could affect the bottled water product? For instance, do groundwater samples show the presence of trichloroethylene⁵ or other volatile organic compounds?

¹ <https://www.jeffersoncountywv.org/home/showpublisheddocument/22048/637921840861370000>

² <https://www.choosecleanwater.org/blog/member-highlight-elks-run-watershed-group>

³ <https://pubs.usgs.gov/publication/wri904118>

⁴ https://static.ewg.org/files/DD_PDF/WV_Table9.pdf

⁵ <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-trichloroethylene-tce>

5. Will the proposal increase the concentration of contaminants in Opequon Creek or elsewhere in the County by reducing flow volume and dilution? Please note that Opequon Creek is currently recognized as an “impaired waterbody” by state and federal agencies due to contaminant concentrations, and the stream shows some of highest nitrogen and phosphorous concentrations in the region⁶.
6. Will the proposal affect on-going or planned restoration activities for Opequon Creek by state or federal agencies?

Regarding domestic water supply for the facility:

7. The concept plan indicates that the Berkeley County Public Service Water District intends to supply water and sewer connections to the proposed site. The mainline connection is specified from Specks Run Road, located west of Opequon Creek and requiring a stream crossing to reach the site. How will the proposed water/sewer lines affect Opequon Creek?
8. Will the proposed project affect costs for municipal ratepayers in Jefferson County or Berkeley County?

Regarding wetland conservation:

9. The project area includes unique marl wetland habitats⁷, and developers associated with the proposal have been cited for illegally damaging the wetland by discharging fill materials⁸. What steps will be taken to prevent such illegal activities moving forward?
10. Will proposed water withdrawals affect wetlands in the project area or adjacent wetlands associated with in-lieu fee agreements?
11. What monitoring plans are being developed to ensure compliance with the issues listed above?

Thank you for considering our comments and questions.

Sincerely,

Jennie Smith
Executive Director
WV Rivers Coalition

cc.
Nathaniel Hitt, PhD
nhitt@wvrivers.org

⁶ https://www.wvca.us/bay/files/data/Potomac_Headwaters_WQR_Synopsis.pdf

⁷ <https://wvdnr.gov/wp-content/uploads/2021/05/Greater-Shenandoah-Valley-CFA-Action-Plan.pdf>

⁸ Notice of violation CELRP-RG-S 2022-00083 from US Corps of Engineers to Sidewinder LLC on 4 April 2022

From: [Planning Department](#)
To: "Judy York"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 12:17:00 PM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Judy York <judy.york.wv@gmail.com>
Sent: Tuesday, November 5, 2024 4:51 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

- Prohibit the development from utilizing groundwater extracted in Jefferson County for any use including bottling. Groundwater resources should be reserved for farming, agriculture, horseman, and rural residential use, not bottling and sale outside of the county.
- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

--

Judy York
judy.york.wv@gmail.com

From: [Planning Department](#)
To: "Greg Yuhasz"
Subject: RE: Public Comment Mountain Pure Water Bottling Facility Concept Plan
Date: Wednesday, November 6, 2024 11:12:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

-----Original Message-----

From: Greg Yuhasz <gregyuhasz@gmail.com>
Sent: Tuesday, November 5, 2024 12:11 PM
To: michaelshpepp@me.com; Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public Comment Mountain Pure Water Bottling Facility Concept Plan

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commissioners,

Please accept my comments on the concept plan for the Mountain Pure Water Bottling Facility in Middleway.

Please reject the concept plan for this project because the concept plan does not have enough information to determine if it is a permitted use in this zone. The concept plan does not indicate where the water for bottling will be sourced. If the water for bottling is extracted from groundwater in Jefferson County, this is not a principal permitted use in any zone, and the use is either not allowed or requires a conditional use permit.

If the Planning Commission gives direction to the company for the site plan, then please add the following conditions to your direction:

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- Limit the development and any associated uses to the property described in the concept plan. While the property owner has several other properties around Turkey Run and Lake Louise, these have not been included in the concept plan and should not be utilized in the development.
- Require that the developer build at its own expense a bypass road around historic Middleway to serve the facility to prevent damage to the historic district by truck traffic. The 4,750 additional vehicle trips to and from the will reduce safety and harm historical resources

Thank you for accepting my comments. I respectfully request that you consider these comments as you evaluate this concept plan.

Sincerely,

Greg Yuhasz
Abelow Farms Resident

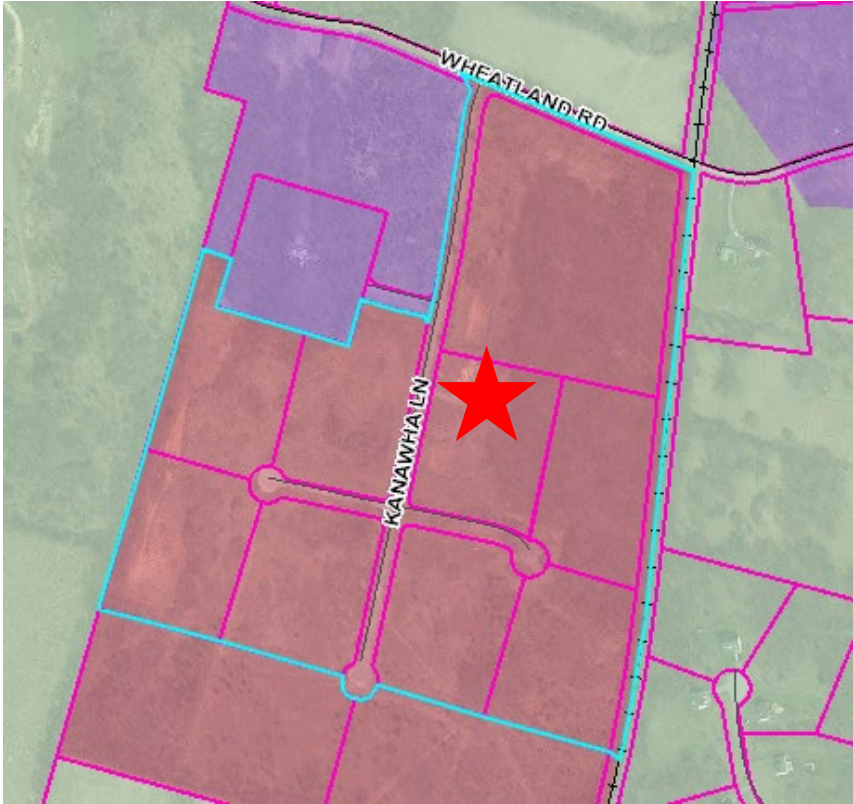
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Greg Yuhasz
gregyuhasz@gmail.com

Staff Report
 Jefferson County Planning Commission Meeting
 November 12, 2024

Sunnyside Residential Extension Waiver (File: 24-27-PCW)

Item #4: Waiver request from Section 24.112C of the Subdivision Regulations to extend the two year vesting period for approved Major Subdivision Concept Plans which requires that a Preliminary Plat must be submitted and approved within the two year period of time for which the concept plan direction is in effect, extending to November 15, 2026, for the Sunnyside Major Subdivision.

Owner:	John J. Thomas Jr.
Applicant:	Sunnyside Investment LLC
Property Location & Information:	<p style="text-align: center;">Sunnyside Industrial Park Lots 1-5 & 8-11 (existing), Kanawha Lane; Kabletown District (06); Map: 12; Parcels: 12, 12.2, 12.3, 12.4, 12.5, 12.8, 12.9, 12.10, 12.11; Lot size: ~53 acres (combined acreage) Zoning District: Residential/Light Industrial/ Commercial</p> 
Surrounding Zoning:	<i>North, East, and West:</i> Rural, <i>South:</i> Residential/Light Industrial/Commercial
Proposed Activity:	Establish a residential subdivision in the former Sunnyside Industrial Park
History:	<p>2007/04/23: Sunnyside Industrial Park, Recorded in PB24/PG11 (File #04-39) 2021/12/02: Property Rezoned from Industrial Commercial to Residential-Light Industrial-Commercial (File #21-3-Z) 2022/11/15: Planning Commission approval of the Sunnyside Residential Concept Plan (File #22-27-SD)</p>

Staff Report
Jefferson County Planning Commission Meeting
November 12, 2024

Sunnyside Residential Extension Waiver (File: 24-27-PCW)

Summary of the Request:

The applicant is requesting a 2-year extension on the Concept Plan direction period to prepare the required Preliminary Plat for the proposed 29 single-family residential development. The original Planning Commission approval of the Sunnyside Residential Concept Plan (File #22-27-SD) was given on November 15th, 2022 and the requested waiver would extend the approval period to November 15th, 2026. Granting of this waiver would allow the Preliminary Plat to proceed through the standard review process rather than beginning over. This would allow the project to proceed and avoid duplication of work by both the County and applicant.

On November 15th, 2022, the Planning Commission approved the Concept Plan for this proposed Major Residential Subdivision. The proposal consists of a resubdivision of nine (9) existing commercial lots within the Sunnyside Industrial Park into twenty-nine (29) single-family lots. This project was proposed following a rezoning of the properties to the Residential-Light Industrial-Commercial (RLIC) zoning district on December 2nd, 2021.

Section 24.112C of the Subdivision Regulations states that approval of a Concept Plan provides the developer with the direction to proceed to prepare a Preliminary Plat/Site Plan. The direction received in the Concept Plan Public Workshop is applicable for a period of two years.

Waiver Requirements:

Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- 1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- 2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- 3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and
- 4) That the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.

In the waiver application, the applicant referenced the existing Concept Plan to address the criteria.

Staff Recommendation:

Staff recommends granting the requested waiver with the provision that any amendments to the Subdivision Regulations or the Zoning Ordinance which occur within the two years that may impact the design of the proposed project be required as a part of the Preliminary Plat/Site Plan submittal. This waiver is for a time extension and not a change to the site layout or a waiver of any Subdivision Regulation standards. Providing an extension of two (2) years for the Sunnyside Residential development submittal would provide for the continuation of this development in accordance with the Concept Plan previously reviewed and approved by the Planning Commission.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 24-27-PCW
 Mtg Date: 11-12-24
 Date Rec'd: 10-21-24
 Fees Paid: 6150
 Staff Int: CAU
 List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: John J. Thomas Jr., Owner and Manager of
 Business Name: Sunnyside Investment LLC
 Mailing Address: 170 John J Thomas Way, Charles Town, WV 25414
 Phone Number: (304)283-2601 Email: johnthomas1602@comcast.net

Applicant Contact Information

Applicant Name: _____ Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Name: Dirk Stansbury
 Business Name: D.A. Stansbury Engineering, PLLC
 Mailing Address: PO Box 1103, Shepherdstown WV 25443
 Phone Number: (304)671-4766 Email: stansbury.pe@gmail.com

Physical Property Details

Physical Address: Wheatland Road (304/2) approx. 1 mile west of intersection with Route 340 Vacant Lot:
 Tax District: Kabletown (06) Map No: 12 Parcel No: 12 +
 Parcel Size: 53 acres Deed Book: 1114 Page No: 53
 Zoning District: Residential-Light Industrial-Commercial (RLIC)

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?
 We are asking for a waiver on the 2 year approval for the concept plan. We would ask for a 2 year extension out to 11-15-26.

Briefly Describe the Nature of Your Waiver Request:

The concept plan for this project of Sunnyside (22-27-SD) was approved 11-15-22. The 2 year approval will expire in November, we are asking for a 2 year extension of that approval. The engineering is near completion, and still finalizing approvals with the WVDEP and the Health Department, but will need more time to finish.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

The plan was a zoning change to residential lots from commercial. Existing approved plan.

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

Existing plan previously approved

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

Existing plan previously approved

Explain how the waiver, if granted, will result in a project of better quality and/or character.

The plan was a zoning change to residential lots from commercial.

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.



Property Owner Signature

10/2/24

Date

Property Owner Signature

Date

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

Public Hearing Date

Date Placard Posted

Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

Date: ___ / ___ / ___

From: [Planning Department](#)
To: ["Maggie Smith"](#)
Subject: RE: "Sunnyside Major Subdivision"
Date: Monday, November 4, 2024 9:53:00 AM

Good morning,

This email is to confirm receipt of your submission. We will include your letter in the packet to the Planning Commission for the November 12, 2024 meeting. This packet will be made available on the County's webpage by close of business on Friday, November 8, 2024.

Thank you and have a nice day.

Colin Uhry, Planning & Zoning Clerk
Office of Planning and Zoning
304-728-3228

From: Maggie Smith <wvusmith@gmail.com>
Sent: Sunday, November 3, 2024 6:38 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: "Sunnyside Major Subdivision"

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

To whom it may concern,

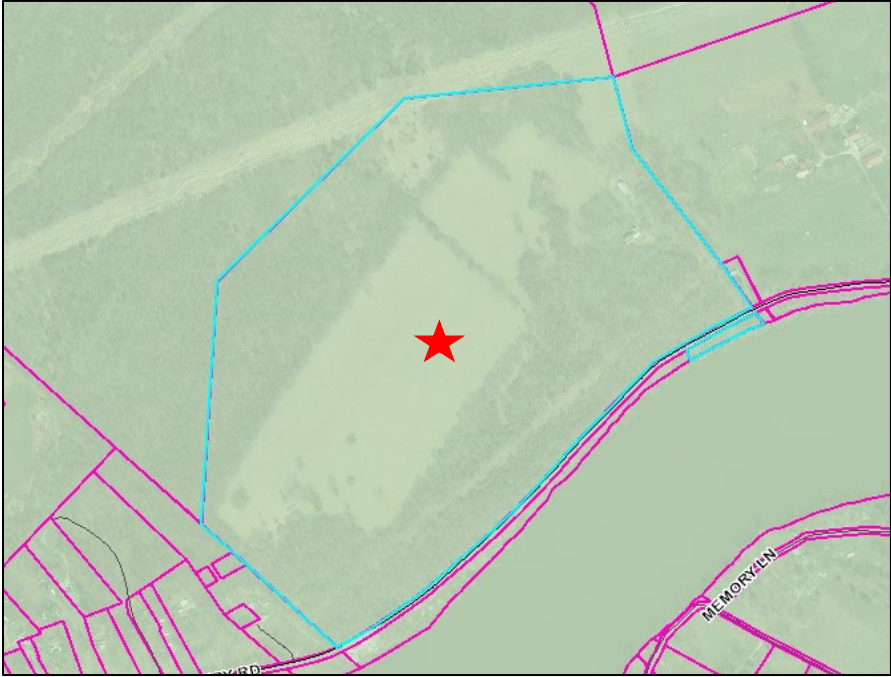
As an adjoining property to the proposed "Sunnyside Major Subdivision" I deny the waiver request from Section 24.112C listed on the Public Notice to extend the two year vesting period to November 15, 2026. I do not support the extension for "Sunnyside Major Subdivision" off of Wheatland Road.

Sincerely, The Nestors

Staff Report
 Jefferson County Planning Commission Meeting
 November 12, 2024

Moulton Park Opening Waiver (File: 24-28-PCW)

Item #5: Waiver request from Section 20.203B of the Subdivision Regulations to allow the opening of the park property prior to processing a Concept Plan and a Site Plan and prior to initiating any improvements on the property.

Owner:	Jefferson County Parks and Recreation Commission
Applicant:	Jennifer Myers
Property Location & Information:	<p>Vacant Farm with preexisting structures on the northern side of Bloomery Road, Charles Town, WV; Parcel ID: 02002000020000; Size: 82 acres; Zoning District: Rural</p> 
Surrounding Zoning:	<i>North, East, South, and West: Rural</i>
Proposed Activity:	Opening of a new county Park property prior to processing a Concept Plan and Site Plan and prior to initiating any improvements on the property
History:	No History

Summary of the Request:

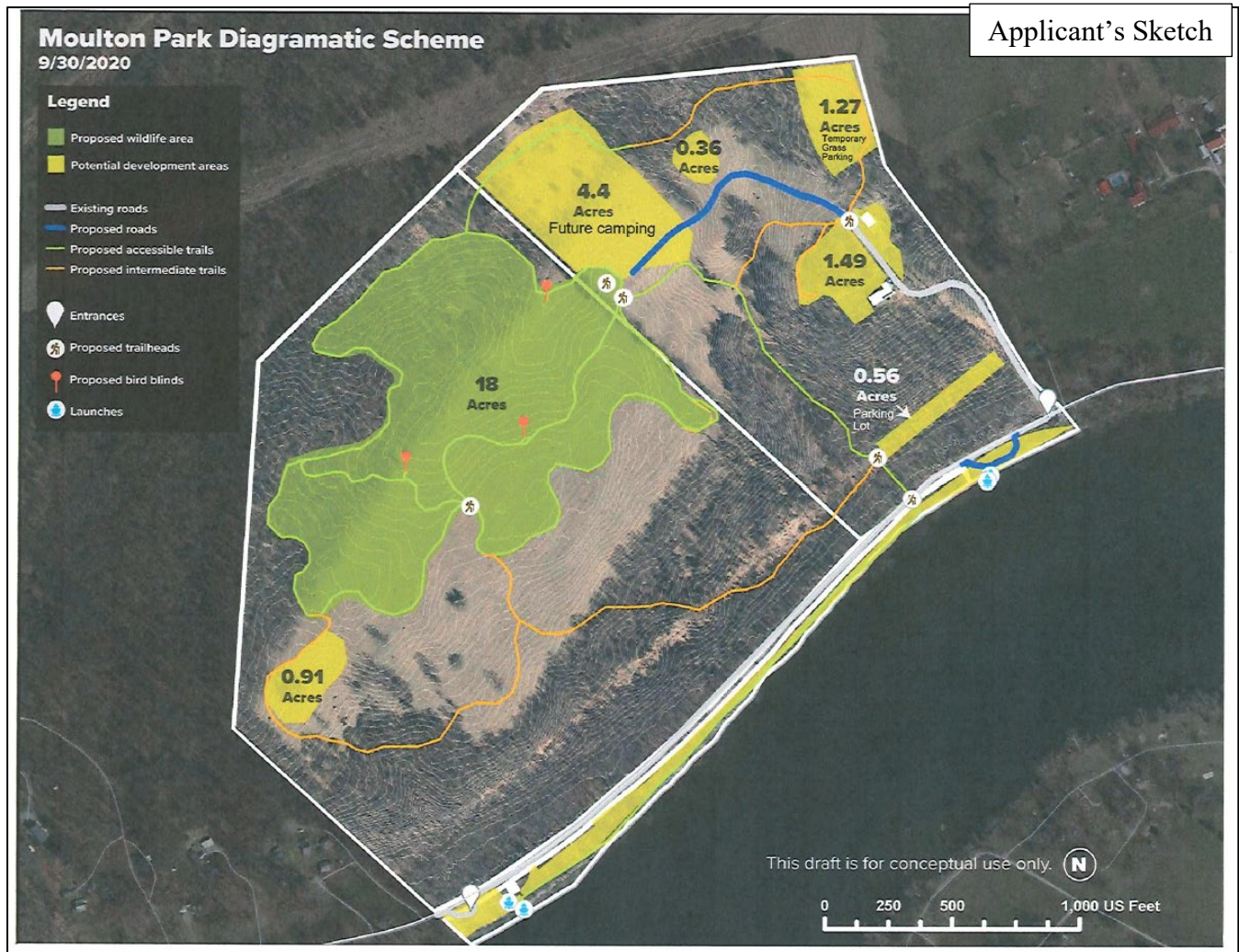
The applicant is requesting a waiver from Section 20.203B of the Subdivision Regulations to allow the opening of the park property prior to processing a Concept Plan and a Site Plan and prior to initiating any improvements on the property. This Site Plan waiver will allow residents of Jefferson County to immediately enjoy passive recreation on a limited basis.

Because the property is zoned Rural and has been purchased by the JCPRC, the subject parcel has the right to create a public park intended for recreation. This waiver request is to expedite the opening of the Park and allow the public to have access to the Park prior to any improvements on the property. No improvements will occur until a Concept Plan and Site Plan have been approved.

Staff Report
Jefferson County Planning Commission Meeting
November 12, 2024

Moulton Park Opening Waiver (File: 24-28-PCW)

The request is to further establish and develop Moulton Park for the citizens and tourists of Jefferson County. While the end goal is to include development as seen in the sketch, this first phase which is the subject of this waiver will only be concerned with passive recreation and birdwatching.



Waiver Requirements:

The applicant provided a response to the requirements found in “Division 24.300 Waivers” of the Subdivision Regulations in the waiver application. Waivers from the minimum standards in these Regulations may be granted by the Planning Commission only when the Planning Commission finds that granting a waiver will be consistent with all of the following criteria:

- 1) that the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County parks plan, or benefits of a similar nature;
- 2) that the waiver, if granted, will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents;
- 3) that the waiver, if granted, will be in keeping with the intent and purpose of these Regulations; and

Staff Report
Jefferson County Planning Commission Meeting
November 12, 2024

Moulton Park Opening Waiver (File: 24-28-PCW)

- 4) That the waiver if granted will result in a project of better quality and/or character. Process and procedural waivers shall be reviewed and found consistent with the above criteria prior to approval.

Staff Recommendation:

Staff believes that it is reasonable to allow the JCPRC to proceed with the opening of the expansion of Moulton Park exclusively for the passive recreation opportunities mentioned by the applicant. This waiver is from requiring a Concept Plan and a Site Plan to develop Phase One only. A Concept Plan and a Site Plan are required for all other Phases and will include Phase One when submitted.



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 24-28-PCW
 Mtg Date: 11/12/2024
 Date Rec'd: 10-21-2024
 Fees Paid: \$0
 Staff Int: CAU
 List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
zoning@jeffersoncountywv.org

Phone: (304) 728-3228
 Fax: (304) 728-8126

Planning Commission Waiver Request

Waivers must comply with Division 24.300 of the 2008 Subdivision Regulations, as amended.

Property Owner Information

Owner Name: Jennifer Myers
 Business Name: Jefferson County Parks and Recreation Commission
 Mailing Address: 235 Sam Michaels Lane, Harpers Ferry, WV 25425
 Phone Number: 304-728-3207 x5105 Email: jmyers@jcprc.org

Applicant Contact Information

Applicant Name: _____ Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Name: Matt Pennington
 Business Name: Downstream Strategies
 Mailing Address: 911 Greenbag Road Morgantown, WV
 Phone Number: 304-707-1920 Email: mpennington@downstreamstrategies.com

Physical Property Details

Physical Address: 1123 Bloomery Road Charles Town, WV Vacant Lot:
 Tax District: Charles Town Map No: 20 Parcel No: 2
 Parcel Size: 82 Acre Deed Book: 1303 Page No: 327
 Zoning District: Rural

On a separate sheet of paper sketch the shape and location of the lot. Show the location of the intended construction or land use and indicate building setbacks, size, and height. Identify existing easements, roads, buildings, structures, or land uses on the property. Sign and date the sketch.

Included Not applicable (include a vicinity map if a sketch is not applicable)

What Section of the Subdivision Regulations and year of the Regulations are you requesting to Waive?

Section 20.203B

Briefly Describe the Nature of Your Waiver Request:

The Jefferson County Parks and Recreation seeks to allow the opening of the park property prior to processing a Concept Plan and Site Plan and prior to initiating any improvements on the property.

The JCPC will follow the required County development approval process when such improvements to the Park are set to commence.

Explain how the design of the project will provide public benefit in the form of reduction in County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of a similar nature.

The design of the project is consistent with Jefferson County Parks Plan by making the park immediately available for hiking and birdwatching. This Phase One site plan waiver will allow Jefferson County residents to immediately enjoy passive recreation on a limited basis.

Explain how the waiver, if granted, will not adversely affect the public health, safety, or welfare or the rights of adjacent property owners or residents.

This waiver will help adjacent property owners, by alleviating parking issues along Bloomery Road. No adverse affects on safety health, welfare, will occur due to no change in the land cover and only limited use of the property for hiking and nature viewing.

Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.

The waiver meets the "No Site Plan Criteria" found in Sec. 20.203B. No additional structures will be needed, disturbed area will not exceed 5,000 SF.

Explain how the waiver, if granted, will result in a project of better quality and/or character.

The waiver will allow Riverside Farm to open to the public more immediately than if required to comply with all aspects of the ordinance. This will allow the public to actively enjoy this public asset during phase one development and add value as they will provide feedback on future phases

By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.



Property Owner Signature

10/21/24

Date

Property Owner Signature

Date

Notification Requirements

The subject parcel shall be posted with a minimum of one 28" x 22" placard at least 14 days prior to the public hearing. The placard(s) will be prepared by the Staff and posted by the applicant. Adjacent property owner name and address information shall be provided by the applicant so that notification letters can be mailed by Staff least 14 days prior to the public hearing.

Public Hearing Date

Date Placard Posted

Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

Date: ___ / ___ / ___

Moulton Park Diagrammatic Scheme

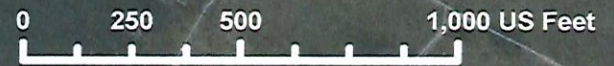
9/30/2020

Legend

- Proposed wildlife area
- Potential development areas
- Existing roads
- Proposed roads
- Proposed accessible trails
- Proposed intermediate trails
- Entrances
- Proposed trailheads
- Proposed bird blinds
- Launches



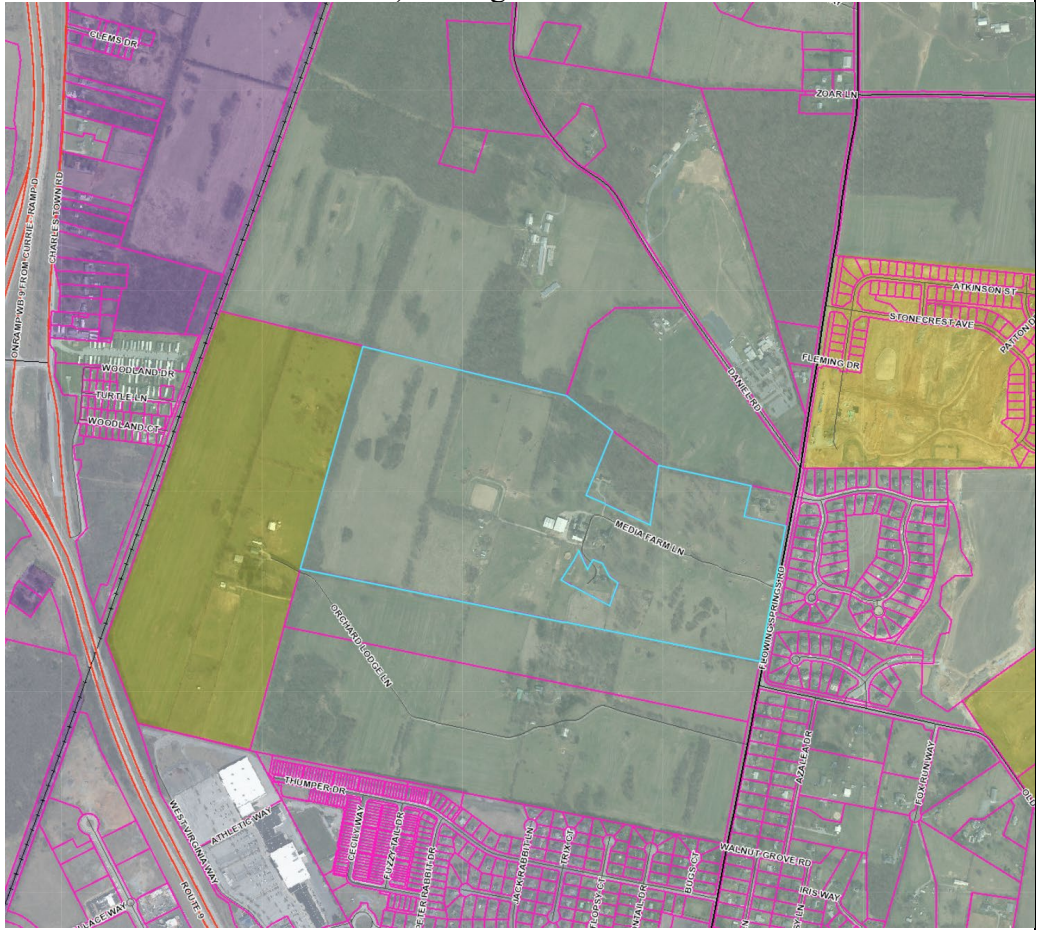
This draft is for conceptual use only.



Staff Report
 Jefferson County Planning Commission Meeting
 November 12, 2024

Harvest Homes, LLC (Media Farms) Rezoning Request (24-2-Z)

Item # 6: Discussion and Action on the Harvest Homes, LLC Zoning Map Request: Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the 127+/- acre Media Farm Property from Rural(R) to Residential Growth (RG) is consistent with the *2035 Comprehensive Plan*.

Property Owner/ Applicant:	Harvest Homes, LLC.
Consultant:	P.J. Raco Consulting, LLC / Attn: Paul J Raco
Parcel Information:	<p>Three properties south of the Flowing Springs Rd. & Daniel Rd. intersection Tax District: Charles Town (02), Map: 4, Parcels: 11, 11.1 & 13 Acreage: 119.05 ac., 5.35 ac. & 2 ac.(126.4 ac. by Tax Map, 127.6 ac. by Deed) Zoning District: Rural</p> 
Surrounding Properties:	North, South, East: Rural(R) West: Residential Growth (RG)
Current Use:	Farm use / Residences
Proposed Request	To rezone the total 127+/- acres from Rural to Residential Growth (RG)
Planning Commission Responsibility:	To advise the County Commission whether the requested Zoning Map Amendment is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan</i>
Staff Finding:	Staff finds that request is consistent with the <i>Envision Jefferson 2035 Comprehensive Plan Future Land Use Guide</i>

Staff Report
Jefferson County Planning Commission Meeting
November 12, 2024

Harvest Homes, LLC (Media Farms) Rezoning Request (24-2-Z)

Applicant’s Request

The applicant is requesting to rezone approximately 127 acres from Rural (R) to Residential Growth (RG).

Neighboring Uses

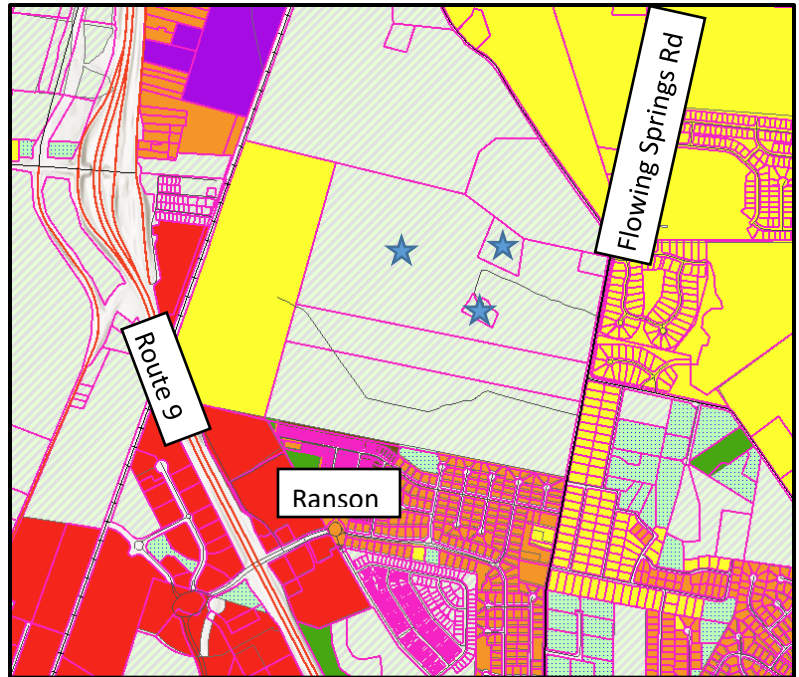
The properties under consideration for this Zoning Map Amendment are adjacent to primarily agricultural uses and one residential subdivision.

- The City of Ranson is located to the south.
- Jefferson High School, Wildwood Middle School, and Shenandoah Junction are all located to the north.

Scope of this Assessment

This report focuses on whether or not the Zoning Map Amendment application is consistent with the *Envision Jefferson 2035 Comprehensive Plan* and provides a staff recommendation for the Planning Commission’s consideration based on relevant sections and elements of the *Plan*.

Staff’s professional recommendation is that the request is **consistent** with the *2035 Plan* because it is shown as future “Rural/Agricultural for Possible Urban Development” on the Future Land Use Guide. All three properties are located in the Ranson Urban Growth Boundary (UGB). The owner-initiated rezoning to Residential Growth (RG) would allow for a variety of residential land uses such as single-family dwellings, two family dwellings, townhome units, and/or multi-family dwellings.



It should be noted that Staff has no statutory authority to make decisions in this regard. The Planning Commission is required to provide the County Commission with their advice as to whether the request is consistent with the Comprehensive Plan prior to the County Commission’s Public Hearing. The County Commission, with the recommendation of the Planning Commission, has the authority to approve or deny a zoning map amendment.

Zoning Map Amendment Public Hearing Process

Article 12 of the Zoning Ordinance requires that the “procedure for amendment [by petition] shall be as dictated in Section 8A-7-9 et seq of the West Virginia State Code as amended.” Regarding amendments by petition, State statute provides that, “Before amending the zoning ordinance, the governing body with the advice of the planning commission must find that the amendment is consistent with the adopted comprehensive plan.” [See WVC 8A-7-9(c)].

Relevant Envision Jefferson 2035 Comprehensive Plan Elements and Commentary

The *Envision Jefferson 2035 Comprehensive Plan* consists of both goals and recommendations in text format, as well as a Future Land Use Guide, both of which are relevant to this analysis. Page number references throughout this report relate to the *Envision Jefferson 2035 Comprehensive Plan*.

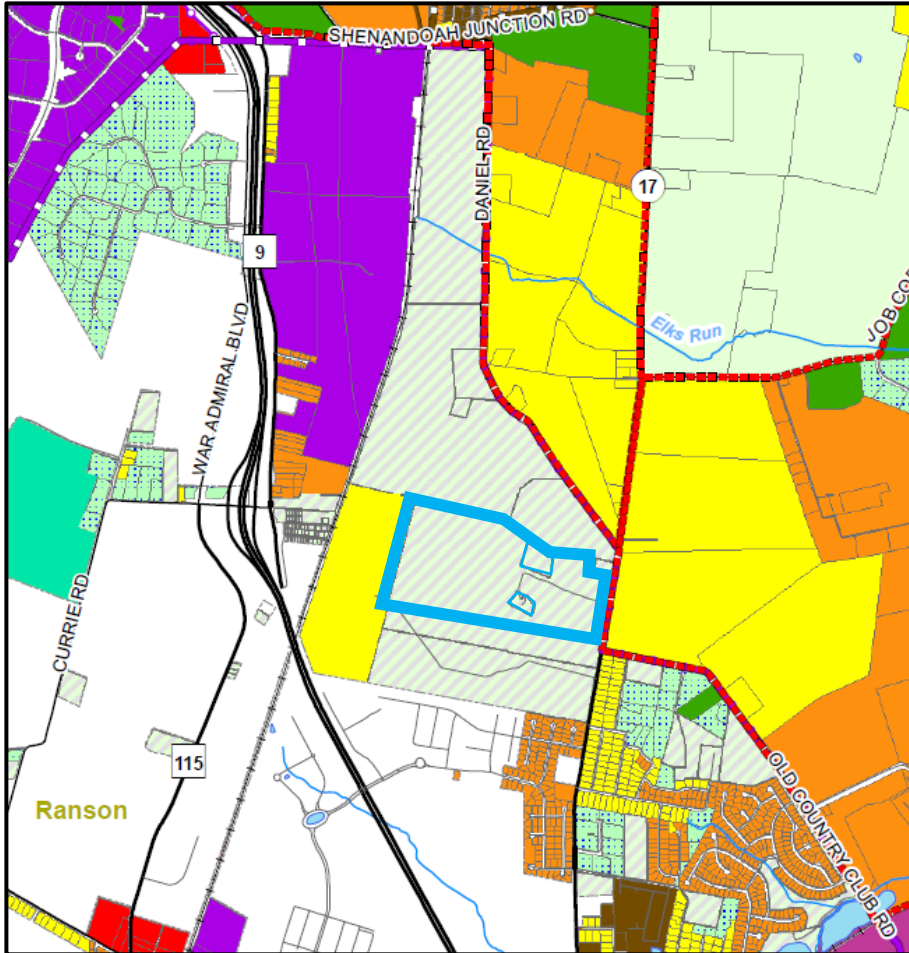
Harvest Homes, LLC (Media Farms) Rezoning Request (24-2-Z)

1. Land Use and Growth Management Element / Future Land Use Guide

One of the key concepts that the Land Use and Growth Management Element of the *2035 Plan* addresses is how to better influence the location of new development within Jefferson County. As the cost of providing services and utilities increases, many communities similar to Jefferson County have come to the realization that it is more sensible to identify specific areas that can handle development and growth, and to focus infrastructure and community service investments in these areas. In Jefferson County, there are four area types that are identified as part of *Envision Jefferson 2035 Plan* (pp.16-17). The land use area types include

Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA), which are the sections of Jefferson County where urban scale development is to be targeted over the planning horizon of the *2035 Plan*; and Rural/Agricultural Areas and Villages, where limited development is possible but is not intended for urban-scale development (p. 17).

The subject parcels are located within the Ranson Urban Growth Boundary (UGB) and are identified as Rural/Agricultural for Possible Urban Development. *The Plan* expects that properties within the UGB may be annexed into the relevant municipality. However, should a developer choose not to annex the property into a municipality the landowner can develop using the County’s land development standards and the UGB acts as a PGA in this



circumstance. Urban level development is still anticipated in the UGB when a landowner decides to develop using County land development standards.

The *2035 Plan* clearly discusses the retention of the existing zoning map classifications and states that no zoning map amendments (rezoning requests) or reductions in existing zoning rights were being proposed by the County.

2. Land Use Map Classifications

The “Rural/Agricultural for Possible Urban Development” classification is meant as a temporary designation for Rural (R) zoned properties within the UGB until a property owner determines if they want to develop in the municipality or the County. It is not the intention of the *Plan* or the Future Land Use Guide for Rural (R) zoned areas with the UGBs to remain rural (p. 19). Because the landowner could choose to annex into a municipality, no other land use classification other than “Rural/Agricultural for

Staff Report
Jefferson County Planning Commission Meeting
November 12, 2024

Harvest Homes, LLC (Media Farms) Rezoning Request (24-2-Z)

Possible Urban Development” was given. Appendix G of the *Plan* does not provide a detailed explanation of the classification.

Since the landowner intends to develop under County standards, the properties are treated as being in a PGA without using a land use classification found in Appendix G of the *Plan*.

3. Proposed Zoning District – Residential Growth (RG)

The purpose of the Residential Growth (RG) District (Section 5.4 of the Zoning Ordinance) is “to provide for a variety of residential uses and densities which can be supported by central or public water and sewer and adequate roadways and services” (complete description attached).

As noted previously, the subject parcel is designated as Rural/Agricultural for Possible Urban Development on the Future Land Use Guide of the *2035 Plan*.

Staff Discussion and Recommendation

This property has been zoned Rural since zoning went into to effect in 1988. Two of the subject parcels were created as separate residences by land grant from the Media Farm property. Media Farm is a Category I historic landmark and has been on the National Register since 1994. When processing any potential developments on the property the developer must comply with the Zoning Ordinance requirements related to historic sites. The *Envision Jefferson 2035 Plan* recommendations focus on balancing accessibility and awareness of such historic sites with the property rights of the landowners of the historic sites. It also promotes the creation and use of voluntary design guidelines to reflect a historic site’s nature and context should development occur (p. 121). As such, staff finds that that the historic nature of Media Farm is not relevant to Planning Commission’s recommendation regarding the proposed zoning map amendment.

The *2035 Plan* was the first Jefferson County Comprehensive Plan to include a Future Land Use Map/Guide, which is intended to be a tool to provide a visual definition of future growth and areas where potential owner initiated zoning map amendments (rezoning requests) might occur within the timeframe of the *Plan*. The *2035 Plan* stated that “by creating a Future Land Use Map/Guide, a community provides clarification for property owners related to their potential development on their site. The review of all zoning map amendment requests shall include consideration of all of the recommendations created as part of this Plan. All zoning map amendments shall be in conformance with the Future Land Use Guide and the recommendations of this Plan.”(pp. 16-17).

The *Plan* does not initiate any zoning map amendments and only provides recommendations to guide development including identifying Preferred Growth Areas.

Based on these recommendations of the *2035 Plan* related to the Future Land Use Map/Guide and text, staff finds that the proposed Residential Growth (RG) zoning category for the 127+/- acres included in this application is **consistent** with the *Envision Jefferson 2035 Comprehensive Plan*.

Planning Commission Action Required

Article 12 of the Zoning Ordinance and the relevant sections of WV State Code requires the County Commission to refer rezoning petitions to the Planning Commission for their review and recommendation as to whether the amendment is consistent with the adopted Comprehensive Plan. Such recommendation is required to be sent to the County Commission prior to the County Commission’s public hearing which shall be held within 60 days of the date the petition is presented.

The petition was presented to the County Commission on October 17, 2024 and the required Public Hearing has been scheduled for December 5, 2024 at a time to be determined. Therefore, the Planning Commission is required to review this application and make a recommendation to the County Commission prior to this Hearing.

Staff Report
Jefferson County Planning Commission Meeting
November 12, 2024

Harvest Homes, LLC (Media Farms) Rezoning Request (24-2-Z)

Attachments:

- Section 5.4 of the Zoning Ordinance - Residential Growth (RG)
- Appendix C of the Zoning Ordinance
- EJ 2035 FLU Ranson UGB Guide

ARTICLE 5: DISTRICT ESTABLISHMENT; ZONING MAPS; DISTRICT BOUNDARIES; DISTRICT REGULATIONS

Section 5.1 Establishment of Districts¹

For the purpose of this Ordinance, all land within the County, exclusive of the incorporated towns, is hereby designated as one of the following zoning districts:

- RG Residential Growth District
- I-C Industrial-Commercial District
- R Rural (Agricultural) District
- R-LI-C Residential-Light Industrial-Commercial District
- V Village District²³
- NC Neighborhood Commercial²⁷
- GC General Commercial²⁷
- HC Highway Commercial²⁷
- LI Light Industrial²⁷
- MI Major Industrial²⁷
- PND Planned Neighborhood Development²⁷
- OC Office / Commercial Mixed-Use²⁷

Section 5.2 Boundaries of Districts

Unless otherwise indicated on the zoning district maps, the boundary lines of the districts shall follow lot lines, centerlines of streets, alleys, corporate limit lines, or centerlines of waterways as existing at the time of the adoption of this Ordinance.

Section 5.3 District Maps

The districts shall be of the size and shape shown on the Jefferson County Zoning Maps and shall hereby be made a part of this ordinance. A copy of the said maps shall be signed by the County Commissioners upon the adoption of these regulations and recorded within the Courthouse.

The Jefferson County zoning layer is parcel-based, maintained in a Geographic Information System (GIS), and shall be the basis for the County’s official zoning map. Within 30 days of final County Commission action on a zoning map amendment, GIS/Addressing staff will update the digital zoning layer and make the new data available online.²³

On an annual basis, in December, and within 30 days of final County Commission action on a zoning map amendment, a new zoning map will be printed which includes the most up to date base layer data, all approved zoning designations since the last printed map, and an effective date, certified by the President of the County Commission, filed with the County Clerk’s office, and a copy provided to the Planning Commission. This annual map update shall not require a public hearing and such certification shall occur administratively.²³

Section 5.4 Residential Growth (RG) District

The Residential Growth District is intended to provide for a variety of residential uses and densities which can be supported by central or public water and sewer and adequate roadways and services. This district encourages areas of commercial growth proposed as an appropriate and compatible integrated part of a residential development in conformance with Section 5.4C of this Ordinance.³²

The following regulations govern development within the Residential Growth District.

- A. Principal Permitted and Conditional Uses^{23,27, 32}
1. Uses that are permitted, conditional, and not permitted in this district shall be as indicated in Appendix C, Principal Permitted and Conditional Uses Table.^{27, 32}
 2. Uses shown as conditional uses (CU) for this district in Appendix C, Principal Permitted and Conditional Uses Table shall be subject to review and approval by the Board of Zoning Appeals in accordance with Section 6.3 of this Ordinance.^{27, 32}
- B. Minimum Lot Area, Height, and Yard Requirements
1. Setbacks, height, and other site development standards shall be as indicated in Appendix A, Residential Site Development Standards, and Appendix B, Non-Residential Site Development Standards, except as provided elsewhere in this Ordinance. The minimum lot area requirements are based on the availability of central or public water and sewer facilities and West Virginia Board of Health regulations.^{23, 27}
 2. When computing the dwelling unit yield for a parcel of land, use the total area of parcel minus (1) lands contained in a wetland and (2) hillside lands to be retained in a natural, undisturbed condition as provided for in the Jefferson County Subdivision and Land Development Regulations. The balance square footage between the ADU (Area per Dwelling Unit) and the MLA (Minimum Lot Area) shall not include land set aside in a Sensitive Natural Area, Buffer to a Sensitive Natural Area, land qualifying as Hillside development or a 100 Year Flood Plain.^{5,23, 27}
 3. All detached accessory structures under 144 square feet in size shall have a setback of 6'.²⁷
- C. Commercial Services in Residential Developments²³
1. Commercial services may be included in a residential development providing the commercial uses are intended to serve the residential community proposed and shall relate well to residential areas in terms of pedestrian and vehicular circulation.
 2. The gross area for commercial uses shall not exceed 5 acres or 10 percent of the gross tract area, whichever is less.
 3. Commercial uses shall not be built or established prior to the residential development unless built in phases consistent with phasing of the residential construction.
 4. These uses shall be located within the interior of the project.
 5. Commercial uses shall be subject to the Conditional Use Permit process as outlined in Section 6.3 of this Ordinance. Any proposed commercial use that is served from a road that is proposed to be located on the perimeter of the project or on a State Road shall be required to be considered as a part of the Conditional Use Public Hearing process.^{5, 32}
- D. Standards for Commercial Uses^{23, 32}
1. Commercial uses are subject to the following access requirements:³²
 - a. Such uses will not use adjacent residential roads for through traffic; and
 - b. Will connect to principal and major arterial highways as directly as feasible considering access restrictions.⁵
 2. Commercial uses are subject to the requirements of Section 5.6D and the requirements for such standards in Article 8.³²

APPENDIX C: PRINCIPAL PERMITTED AND CONDITIONAL USES TABLE^{23, 29, 32, 33, 35, 37, 39, 43}

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Residential Uses													
Accessory Agricultural Dwelling Unit	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.15
Dwelling, Single Family	CU	NP	NP	NP	NP	P	NP	P	P	P	NP	P	
Dwelling, Single Family, Small Lot	CU	NP	NP	NP	NP	P	NP	NP	P	P	NP	P	
Dwelling, Two Family	CU	NP	NP	NP	NP	P	NP	P	P	P	NP	P	
Dwelling, Duplex	CU	NP	NP	NP	NP	P	NP	NP	P	P	NP	P	
Dwelling, Townhouse	CU	NP	NP	NP	NP	P	P	NP	P	P	NP	CU	
Dwelling, Multi-Family	CU	NP	NP	NP	NP	P	P	NP	P	P	NP	CU	
Day Care Center, Small	P	NP	NP	NP	NP	P	NP	P	P	P	P	P	
In-Law Suite	NP	NP	NP	NP	NP	P	NP	P	P	P	NP	P	Sec. 8.15
Mixed Use Building	P	NP	NP	NP	NP	P	P	NP	CU	P	NP	P	
Mobile Home Park	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP	
Model Homes/Sales Office	P	CU	NP	NP	NP	P	NP	P	P	P	NP	NP	Sec. 8.10
Home Uses													
Home Occupation, Level 1	P	NP	NP	NP	NP	P	P	P	P	P	P	P	Art. 4A
Home Occupation, Level 2	P	NP	NP	NP	NP	P	P	P	P	P	P	P	Art. 4A
Cottage Industry	P	NP	NP	NP	NP	P	NP	P	P	P	P	P	Art. 4A
Institutional Uses													
Airport	NP	NP	NP	P	P	NP	NP	CU	NP	CU	CU	NP	
Airfield, Private/Helipad	NP	NP	NP	NP	NP	NP	NP	CU	NP	CU	CU	NP	
Church ³⁸	P	P	P	P	CU	P	P	P	P	P	CU	P	
Convention Center	NP	P	P	P	CU	P	P	CU	CU	P	CU	NP	
Cultural Facility	P	P	P	P	CU	P	P	P	P	P	P	P	
Day Care Center, Large	P	P	P	P	CU	P	P	CU	P	P	P	CU	
Electric Vehicle Charging Station	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Elementary or Secondary School	P	P	CU	CU	NP	P	P	P	P	P	NP	CU	
Essential Utility Equipment	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 4.7
Group Residential Facility	P	P	P	NP	NP	P	CU	P	P	P	NP	P	
Group Residential Home	P	P	P	NP	NP	P	CU	P	P	P	NP	P	
Heliport	NP	CU	CU	P	P	CU	CU	NP	NP	CU	CU	NP	
Hospital	NP	P	P	P	CU	P	P	P	P	P	NP	NP	
Nature Center and Preserve	NP	NP	NP	NP	NP	P	NP	P	CU	P	NP	P	
Nursing or Retirement Home	CU	P	P	P	NP	P	P	CU	P	P	NP	CU	
Park	P	P	P	P	NP	P	P	P	P	P	NP	P	
Performing Arts Theater	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Preschool	P	P	CU	CU	CU	P	P	P	P	P	NP	CU	
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P	P	
Publicly Owned Facility	P	P	P	P	P	P	P	P	P	P	P	CU	
Recycling Drop-Off Center	CU	P	P	P	P	P	P	NP	NP	P	P	NP	
Residential Care Home	P	P	P	NP	NP	P	CU	P	P	P	NP	P	
School, College or University	NP	P	P	P	NP	P	P	CU	CU	P	NP	NP	
School, Vocational or Professional	NP	P	P	P	NP	P	P	CU	CU	P	P	NP	
Vocational and Training Facility for Adults	P	P	P	P	P	P	P	P	P	P	NP	NP	

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Industrial													Sec. 8.9
Heavy Equipment Repair	NP	NP	CU	CU	P	NP	NP	NP	NP	NP	P	NP	
Heavy Industrial Uses	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	P	NP	Sec. 8.9
Light Industrial Uses	NP	NP	NP	P	P	NP	NP	NP	** NP	P	P	NP	Sec. 8.9
Manufacturing, Heavy	NP	NP	NP	CU	P	NP	NP	NP	NP	NP	P	NP	
Manufacturing, Limited	NP	P	P	P	P	CU	NP	NP	NP	P	P	NP	
Printing and Publishing	NP	P	P	P	P	P	P	NP	NP	P	P	NP	
Salvage Yards	NP	NP	NP	NP	CU ²	NP	NP	NP	NP	NP	CU ²	NP	Sec. 4.4L
Shooting Range, Indoor	NP	CU	CU	P	P	NP	NP	CU	NP	CU	P	NP	
Shooting Range, Outdoor	NP	NP	NP	CU	CU	NP	NP	CU	NP	NP	CU	NP	
Slaughterhouses, Stockyards	NP	NP	NP	NP	CU	NP	NP	CU	NP	NP	CU	NP	
Transportation Terminal	NP	P	P	P	P	P	P	NP	NP	CU	P	NP	
Vehicle Storage	NP	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP	
Warehousing and Distribution, General	NP	NP	NP	CU	P	NP	NP	NP	NP	CU	P	NP	
Warehousing and Distribution, Limited	NP	P	P	P	P	CU	P	NP	NP	P	P	NP	
Industrial Manufacturing & Processing													Sec. 8.9
Acid or heavy chemical manufacturer, processing or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Bituminous concrete mixing and recycling plants	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Cement or Lime Manufacture	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Commercial Sawmills	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Concrete and ceramic products manufacture, including ready mixed concrete plants	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Explosive manufacture or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Foundries and/or casting facilities	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Jails and Prisons	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	Sec. 8.7
Mineral extraction, mineral processing	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	
Petroleum products refining or storage	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	NP	Sec. 8.11
Adult Uses													
Adult Uses	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	Sec. 4.4K, Sec. 8.1
Recreational Uses													
Hunting, Shooting, Archery and Fishing Clubs, public or private	NP	NP	NP	CU	CU	NP	NP	P	NP	NP	NP	NP	Sec. 8.8
Commercial Uses													Sec. 8.9
Antique Shop	P	P	P	P	NP	P	NP	CU	CU	P	P	P	
Appliance Sales	NP	P	P	P	CU	P	NP	CU	CU	P	P	NP	
Art Gallery or Artist Studio	P	P	P	P	NP	P	P	CU	CU	P	P	P	
ATM	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Automobile repair, sales and service	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile parts, supplies and tire stores	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile, light truck and light trailer rentals, indoor	P	P	P	P	P	P	NP	CU	CU	P	P	CU	
Automobile, light truck and light trailer rentals, outdoor	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Bail Bond Services	NP	P	P	P	CU	NP	NP	CU	CU	CU	P	CU	
Bank	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Bank with Drive-Through Facility	CU	P	P	P	CU	P	P	CU	CU	P	P	CU	

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Commercial Uses continued													Sec. 8.9
Bar	P	P	P	P	NP	P	P	NP	NP	P	P	CU	
Barber/Beauty Shop, Limited	P	P	P	P	NP	P	P	CU	CU	P	P	P	
Bed and Breakfast	P	NP	NP	NP	NP	P	NP	P	CU	P	NP	P	Sec. 8.3
Brewpub	P	P	P	P	NP	P	P	CU	CU	P	P	CU	Sec. 8.5
Business Equipment Sales and Service	CU	P	P	P	CU	P	P	CU	CU	P	P	CU	
Building Maintenance Services	CU	P	P	P	P	P	P	CU	CU	P	P	CU	
Building Materials and Supplies	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Campground ³¹	CU	P	NP	NP	NP	P	NP	P	CU	P	P	CU	Sec. 8.17
Car Wash	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Commercial Blood Plasma Center	NP	P	P	P	NP	CU	CU	CU	CU	CU	P	CU	
Commercial Uses	NP	NP	NP	NP	NP	NP	NP	NP	**	P	P	CU	Sec. 8.9
Contractor with No Outdoor Storage	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Contractor with Outdoor Storage	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Convenience Store	CU	P	P	P	CU	P	NP	CU	CU	CU	P	CU	Sec. 5.8C (RLIC only)
Convenience Store, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Country Inn	P	P	P	P	NP	P	P	CU	CU	P	P	P	
Crematorium, Pet ³⁷	NP	P	NP	P	NP	NP	NP	P	NP	P	P	CU	Sec. 8.19
Custom Manufacturing	P	P	P	P	P	P	P	CU	CU	P	P	CU	
Dry cleaning and Laundry Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Dry cleaning and Laundry Facility	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Equipment Rental, Sales, or Service	NP	P	P	P	P	P	NP	CU	CU	P	P	CU	
Exterminating Services	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Florist	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Food Preparation	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Gambling Facilities	NP	NP	NP	NP	CU	NP	NP	NP	NP	NP	CU	CU	Sec. 4.4G
Gas Station	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Gas Station, Large	NP	CU	P	P	CU	CU	CU	CU	CU	P	P	CU	
Gas Station, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Golf Course	NP	P	P	P	NP	P	P	CU	CU	P	P	CU	
Grocery Store	P	P	P	P	CU	P	NP	CU	CU	P	P	CU	
Horse Racing Facility	NP	NP	NP	P	NP	NP	NP	CU	CU	P	P	CU	
Hotel/Motel	NP	P	P	P	NP	P	P	CU	CU	P	P	CU	
Kennel	NP	P	P	P	CU	P	P	P	CU	P	P	CU	Sec. 8.4
Medical/Dental/Optical Office, Small	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Medical/Dental/Optical Office	NP	P	P	P	CU	P	P	CU	CU	P	P	CU	
Mobile Home, Boat and Trailer Sales	NP	P	P	P	CU	P	NP	CU	CU	CU	P	CU	
Movie Theater	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Nightclub	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Non Profit Commercial Uses	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Non-Profit Community Centers	P	P	P	P	CU	P	CU	P	CU	P	P	CU	
Parking, Commercial Offsite Accessory	NP	P	P	P	P	P	P	CU	CU	P	P	CU	
Pawn Shop Services	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Personal Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Professional Office	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Professional Office, Small	P	P	P	P	CU	P	P	CU	CU	P	P	P	
Restaurant	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Restaurant, Fast Food	CU	P	P	P	CU	P	P	CU	CU	CU	P	CU	

Land Use	NC	GC	HC	LI	MI	PND ¹	OC	R	RG	RLIC	IC	V	Additional Standards
Commercial Uses continued													Sec. 8.9
Restaurant, Fast Food, Drive-Through ⁴⁰	NP	P	P	P	CU	CU	P	CU	CU	P	P	CU	
Restaurant, Fast Food, Limited	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Retail Sales and Services, General	NP	P	P	P	NP	P	NP	CU	CU	P	P	CU	
Retail Sales Limited	P	P	P	P	NP	P	P	CU	CU	P	P	CU	
Retail Store, Large	NP	CU	P	CU	NP	CU	NP	CU	CU	CU	CU	CU	
Shipping and Mailing Services	P	P	P	P	CU	P	P	CU	CU	P	P	CU	
Short Term Rental ⁴¹	CU	NP	NP	NP	NP	P	NP	P	P	P	NP	P	Sec. 8.16
Solar Energy Facility ⁴³	NP	See Section 8.20				NP	NP	See Section 8.20				NP	Sec. 8.20
Special Event Facility	P	P	P	P	NP	P	P	CU	CU	P	P	CU	Sec. 8.14
Storage, Commercial	NP	P	P	P	CU	P	NP	CU	CU	P	P	CU	
Veterinary Services	P	P	P	P	CU	P	P	P	CU	P	P	CU	
Wireless Telecommunications Facilities	P	P	P	P	P	P	P	P	P	P	P	P	Art. 4B
Agricultural Uses*													
Agricultural Uses, as defined in Article 2	P	P	P	P	P	P	P	P	P	P	P	P	
Agricultural Repair Center	NP	P	P	P	P	P	P	P	CU	P	P	NP	
Agricultural Tourism	P	P	P	P	P	P	P	P	P	P	P	P	
Crematorium, Livestock ³⁷	CU	CU	CU	CU	CU	CU	CU	P	CU	CU	CU	CU	Sec. 8.19
Farm Brewery	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.5
Farm Winery or Distillery	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.5
Farm Market	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.6
Farmer's Market	P	P	P	NP	NP	P	NP	P	CU	P	NP	CU	Sec. 8.6
Farm Vacation Enterprise	P	P	P	P	P	P	P	P	P	P	P	P	
Feed and/or Farm Supply Center	CU	P	P	P	P	P	P	P	CU	P	P	NP	
Horticultural Nurseries and Commercial Greenhouses	P	P	P	P	P	P	P	P	CU	P	P	NP	
Landscaping Business	P	P	P	P	P	P	P	P	CU	P	P	NP	
Rental of Existing Farm Building for Commercial Storage Structure must have existed for 5 years	NP	P	P	P	P	P	P	P	CU	P	P	NP	
Special Event Facility, Agricultural	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 8.14
Accessory Uses													
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P	

NC Neighborhood Commercial

GC General Commercial

HC Highway Commercial

LI Light Industrial

MI Major Industrial

PND Planned Neighborhood Development

P Permitted Uses

NP Not Permitted Uses

CU Conditional Uses (subject to requirements of district and/or other requirements of this Ordinance)

** Accessory Use to a planned residential community, if permitted pursuant to Section 5.4 and processed as a CU

¹ The Planning Commission may amend the permitted uses for a development in the PND District per Article 5.

² Approval process is per the Salvage Yard Ordinance.

OC Office / Commercial Mixed-Use

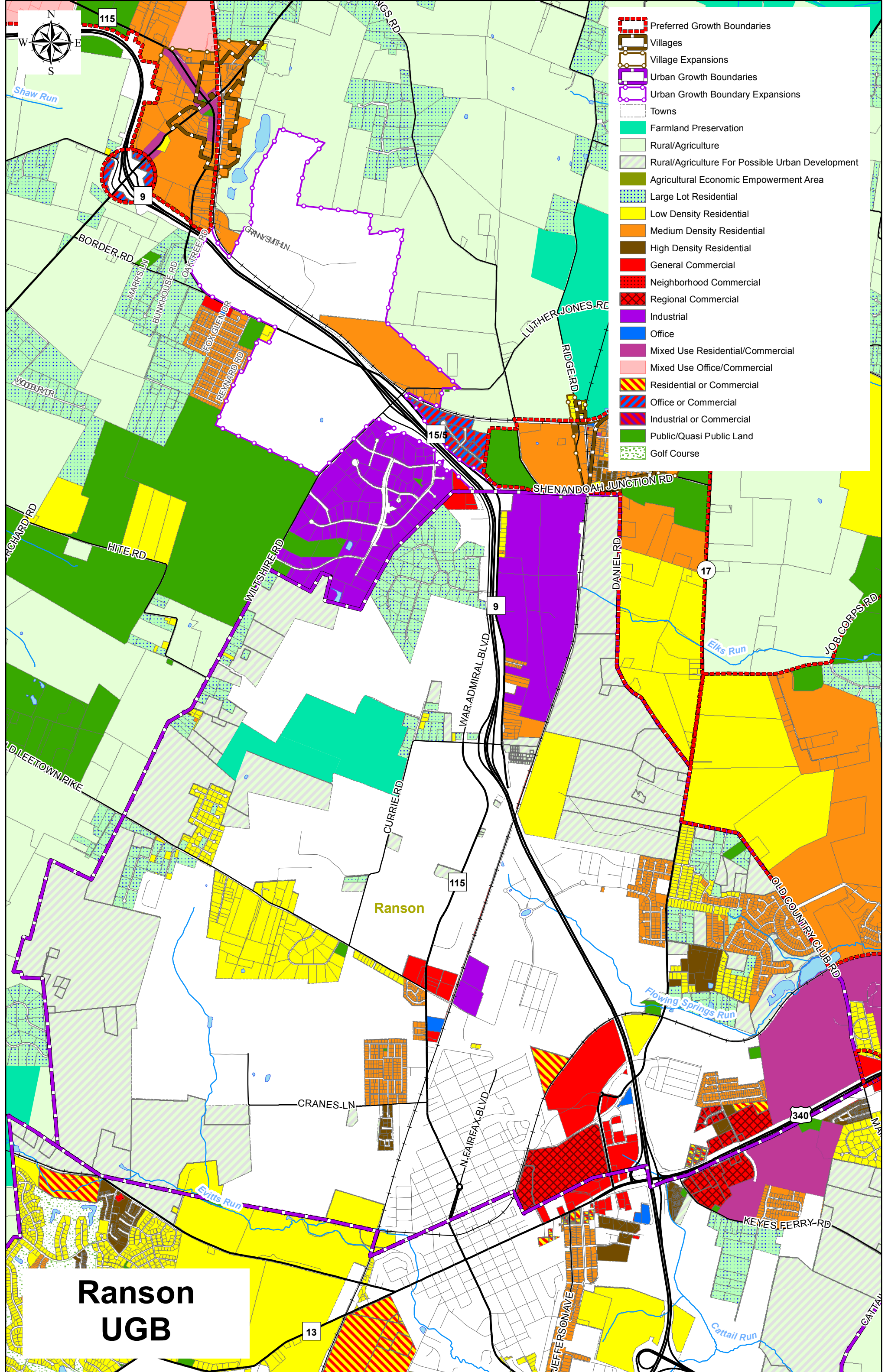
R Rural

RG Residential Growth District

RLIC Residential-Light Industrial-Commercial District

IC Industrial-Commercial District

V Village District





Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 Charles Town, West Virginia 25414

File #: 24-2-2
 Fees Paid: \$ 11,025

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Zoning Map Amendment (Rezoning)

A Zoning Map Amendment shall process in accordance with Article 12 of the Zoning Ordinance.*

A complete petition, and related fees, shall be submitted to the Office of Planning and Zoning for placement on the Planning Commission agenda at least two (2) weeks prior to the meeting date at which the petition will be presented. A copy of the application shall be submitted to the County Commission Office for inclusion on the County Commission Agenda at least one week prior to the County Commission meeting date.

Property Owner Information

Owner Name: Harvest Homes, LLC
 Business Name: _____
 Mailing Address: 67 Lutmans Lane, Suite 100, Shenandoah Junction, WV 25442
 Phone Number: 304/702-2500 Email: c/o Paul pjraco.consulting@gmail.com

Applicant Contact Information

Applicant Name: Same as Owner Same as owner:
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Consultant Information

Consultant Name: Paul J Raco
 Business Name: P.J. Raco Consulting, LLC
 Mailing Address: P.O. Box 548, Charles Town, WV 25414
 Phone Number: 304/676-8256 Email: pjraco.consulting@gmail.com

Physical Property Details

Physical Address: 261 Media Farm Lane, Ranson, WV 25438 Vacant Lot:
 Parcel ID: (Tax District / Map No. / Parcel No.) CT District, Map 4, Parcels 11, 11.1, and 13
 Parcel Size: Approx 127± Acres (126.46± Tax, 127.6± Deed) Deed Book: 1330 and 1331 Page No: 743 and 1

Current Zoning District (please check one)

- | | |
|---|---|
| <input type="checkbox"/> Residential Growth (RG) | <input type="checkbox"/> General Commercial (GC) |
| <input type="checkbox"/> Industrial Commercial (I-C) | <input type="checkbox"/> Highway Commercial (HC) |
| <input checked="" type="checkbox"/> Rural (R)* <u>Within UGB</u> | <input type="checkbox"/> Light Industrial (LI) |
| <input type="checkbox"/> Residential-Light Industrial-Commercial (R-LI-C) | <input type="checkbox"/> Major Industrial (MI) |
| <input type="checkbox"/> Village (V) | <input type="checkbox"/> Planned Neighborhood Development (PND) |
| <input type="checkbox"/> Neighborhood Commercial (NC) | <input type="checkbox"/> Office/Commercial Mixed-Use (OC) |

Proposed Zoning District: Residential Growth District

*Pursuant to Article 12, a Zoning Map Amendment is a procedure to amend the official Zoning Map of the County by changing the zoning designation of a property. In order for a proposed amendment to be approved, the County Commission, with the advice of the Planning Commission, must find that the amendment is consistent with the adopted Comprehensive Plan, or if it is inconsistent, must make findings in accordance with the requirements of 8A-7-8 et seq of the WV State Code.

Substantiation for the Request

For a Zoning Map Amendment (rezoning) request, the "burden of proof" is on the applicant to show why the proposed zoning is more appropriate than the existing zoning. Accordingly, please explain how the following factors support your proposal.

Describe your proposed use/project and describe why this Zoning Map Amendment is necessary for the proposed use (and/or project) described.

The proposed use is a residential project and a rezoning is needed since the property is located in the Rural District, but is located in the Urban Growth Boundary (UGB). As such, it is a Preferred Growth Area (PGA). As such, the Comprehensive Plan labels this property for Urban Scale Growth.

Describe how this Zoning Map Amendment will be consistent with the objectives and policies of the Comprehensive Plan.

See Attached

Discuss any change(s) of transportation characteristics (i.e. type and frequency of traffic, adequacy of existing transportation routes), and neighborhood characteristics from when the original Ordinance was adopted.

See Attached

A plat or sketch shall include the entire original parcel as it appeared on the date the Zoning Ordinance took effect. The property proposed for development shall be drawn to a reasonable scale (eg. 1" = 50', 1" = 100', or 1" = 200'). The sketch plan shall show, in simple form, the proposed layout of lots, parking areas, recreational areas, streets, building areas, and other features in relation to each other and to the tract boundaries. Contour lines, as shown on the appropriate U.S.G.S. Topographic Quadrangle Map or other data source approved by the Department, should be superimposed on the sketch plan. The source of all contour lines shall be noted on the plan. Natural features such as woods, watercourses, prominent rock outcroppings, sinkholes, and quarries shall be delineated.

The information given is correct to the best of my knowledge. Property Owner Signature Required.



10-9-24
Date

Property Owner Signature

Property Owner Signature

Date

Map Amendment (Rezoning) Application
Article 12, Jefferson County Zoning Ordinance
Harvest Homes, LLC
October 8, 2024

Owner and Applicant:

Harvest Homes, LLC
67 Lutmans Lane
Shenandoah Junction, WV 25442

Ordinance Citation:

Article 12 of the Jefferson County Zoning and Development Review Ordinance.
Section 12.3

Map Amendment Definition:

“An amendment to the Zoning Map which is adopted by reference in the Zoning Ordinance that consists of a change that only applies to a specific property, changing from one existing zoning designation to another existing zoning designation. A map amendment does not permit changes, conditions or alterations to uses permitted within an existing zoning designation as all zoning designations must be uniformly applied to all property which are subject to said designation.”

Request:

Amend the Zoning Map for these three parcels: Charles Town Tax District, Map 4, Parcels 11, 11.1, and 13, totaling approximately 127+- Acres (126.4 acres by Tax Map, 127.6 acres by Deed) from Rural to Residential Growth, based on its Consistency with the Envision Jefferson 2035 Comprehensive Plan (aka the 2015 Jefferson County Comprehensive Plan) and its location within the Urban Growth Boundary (UGB). The Comprehensive Plan, Envision Jefferson 2035 recognizes all property within the UGB as a Preferred Growth Area (PGA).

Substantiation for the Request:

1. The property is currently zoned Rural, and the Applicants are seeking a map amendment to the Residential Growth District. The Applicant believes that this map change is consistent and compatible with the Envision Jefferson 2035 Comprehensive Plan primarily since it is in the Urban Growth District (UGB) which is a Preferred Growth Area (PGA) and

being adjacent to property zoned Residential Growth. It is also just south of the Shenandoah PGA and adjacent to the Residential PGA.;

2. There have been significant changes in this area, since the Jefferson County Zoning Ordinance was adopted in 1988. The changes include the availability of Public Water and Sewer, the development of the Route 17 (Flowing Springs Road) area of the County which includes this UGB and the two aforementioned PGAs;
3. The 2015 Envision Jefferson 2035 Comprehensive Plan shows this area to be in the Urban Growth Boundary which the Plan classifies the Urban Growth Boundaries as Preferred Growth Areas in Jefferson County. This Map, Growth Area and Plan was approved in 2015, and the area has developed as envisioned in the Plan. The reasons for rezoning that are cited in this Application are the same reasons that led to this area to be in the UGB and PGA in the Envision Jefferson Plan; and,
4. The Applicants believe that the current Rural Zoning classification is an error in the current Jefferson County Zoning Map since the property has been the Urban Growth Boundary since 2009 and in the Preferred Growth Area since 2015. As such, this area is in one of the nine primary growth areas of Jefferson County (seven which are PGAs (one is only a Residential PGA) and two that are UGBs) and is intended for Urban Scale Growth instead of Rural. The property is also located on a Major Collector Road (Route 17) in the County. A Major Collector Road is one of the higher rated roads in the County being just under Principal and Minor Arterial Roads. The area is also served by central water and wastewater treatment facilities.

Tax District, Map and Parcel Number:

Charles Town Tax District, Map 4, Parcels 11, 11.1, and 13

Deed Book Reference:

Deed Book 1330 at Page 743
Deed Book 1331 at Page 1

Sketch Plats:

Attached

Tract Size:

Three Parcels Totaling Approximately 127+- Acres (126.4 by Tax Map, 127.6 by Deed Reference)

Discussion on:

Comprehensive Plan compatibility of the proposed change: Included in this Petition.

Any Change of transportation characteristics and neighborhood from when the original ordinance was adopted: Included in this Petition.

A. Comprehensive Plan Compatibility

Among the many recommendations in the Envision Jefferson 2035 Comprehensive Plan, the following sections address items directly related to this map amendment.

Starting with one of the most important items in the **Comprehensive Plan (2015)** is the following excerpt from the Implementation section regarding the Zoning Ordinance on **page 148** which clearly establishes the intent of land in the Urban Growth Boundary of either Charles Town or Ranson:

“A key component of this Plan is that any zoning map amendments (rezoning requests) that are requested would have to be in conformance with all the recommendations created as part of this Plan. *As noted in the Land Use and Growth Management Element of this Plan, the areas zoned Rural within the Urban Growth Boundaries (UGB) of Charles Town and Ranson do not have specific future land use classifications. This was done with the understanding these areas are anticipated for growth and the properties could either be annexed into the applicable municipality or rezoned using the County’s zoning map amendment process.* The Future Land Use Guide was created to provide an understanding of the types of activity that would be within those locations and provide other agencies, such as the WVDOH and the local water and sewer providers an ability to plan for where their limited resources need to be programmed.” (Emphasis Added)

This excerpt explains the intent of the County Planning Commission and County Commission for the land in the Charles Town and Ranson UGBs to develop as urban scale development. Urban Growth Boundaries were provided for in the WV Code, as amended, and both the Cities and the County agreed to these areas to be the Preferred Growth Areas in Jefferson County. These areas were identified and adopted prior to the 2015 Comprehensive Plan (approved in 2009) and then included with specific language in the 2015 County’s Envision Jefferson 2035

Comprehensive Plan. These sections of the Plan are identified in the following excerpts.

The definition of 'Designated Growth Area' is found in the definitions of the Envision Jefferson 2035 Plan on Page 243:

“Designated Growth Area

An area which includes municipalities, Urban Growth Boundaries, Preferred Growth Areas, and Villages.” Emphasis Added

The subject three parcels totaling approximately 127+- Acres are a Designated Growth Area in the Plan since they are within the UGB and included in the Future Land Use Guide and the Future Land Development Map. These maps are included in the Comprehensive Plan and in this application.

As found on page 13 of the 2015 Comprehensive Plan, there are only seven Preferred Growth Areas (PGAs) (one is a Residential PGA) in Jefferson County that are targeted for urban scale growth along with the two Urban Growth Boundaries. The Comprehensive Plan was adopted in 2015 after several years of meetings throughout the County and after extensive work by the Staff, the Steering Committee, Planning Commission and County Commission. It is typical for communities that have a Comprehensive Plan, to have requests for both text and map amendments for the map and ordinances to better reflect the Plan. In this case, the 2015 Plan show this property slated for growth as it is located within one of the eight preferred growth areas which includes the two UGBs where this property is located and adjacent to, or close to two other PGAs. The Envision Jefferson 2035 Plan is more specific in that it shows this property within the UGB and states the following on Page 17:

“The first two area types addressed below, Urban Growth Boundaries (UGB) and Preferred Growth Areas (PGA) (including one residential growth area), are the sections of Jefferson County where urban scale development is to be targeted over the planning horizon of Envision Jefferson 2035.” Emphasis Added

And the Plan continues on Page 18 and explains the County's anticipated plan for land located in the UGB when property is not annexed:

“This Plan expects that properties within the UGB may be annexed into the adjoining municipality which has created the UGB. However, an entity with property located within the UGB could choose not to annex their land into a municipality and could then develop the land under the County's land development standards instead. In such circumstances, the UGB acts as a Preferred

Growth Area for the County and urban level development is still anticipated in these areas.”

A main difference between the Envision Jefferson 2035 Comprehensive Plan and the previous Plans is that this Plan clearly identifies areas slated for urban growth and under what conditions that this growth should develop. In this area, the Plan targets this area for development due to the availability of Water and Sewer and services being close to the main incorporated areas in Jefferson County. The property area also has direct access to a Major Collector Road, as identified in the Plan which leads directly to access to Route 9. Finally, the area is within the UGB and next to land already zoned Residential Growth and land that is shown on the Future Land Use Guide as Residential and adjacent to another PGA.

The Comprehensive Plan’s map show that the subject property is ready for development, especially residential due to its location. This type of use is what the Commission intended when it was designated a preferred growth area within an establish Urban Growth Boundary. The purpose of the Plan is to both provide the buying public with the opportunity to understand where growth is designated, as well as to provide existing property owners the ability to realize their property’s value and be able to market their property within these growth areas for development.

Page 17 of the Comprehensive Plan describes the various categories of land, including PGAs and UGBs as follows:

“Land Use Activity Areas

This Plan details four broad types of land use activity within Jefferson County where development is to be targeted over the planning horizon of Envision Jefferson 2035.

Four Comprehensive Types of Land Use Activity within the Designated Areas

**Urban Growth Boundaries
Preferred Growth Areas (PGAs)
Villages
Rural/Agricultural Areas”**

This portion of the Plan, along with the Future Land Use Guide provides predictability to both the property owners within those areas and to the folks buying in the area.

A further explanation of UGBs relationship to established PGAs is found on Page 20 of the Plan:

“The PGAs are not intended to be promoted in favor of the UGB for the municipalities. Both areas are expected to be viable areas for development and no policy decision is being made to favor one area over another.” Emphasis Added.

In this case, the subject property is in a UGB. Therefore, pursuant to the Comprehensive Plan, this location is prime for development since it is in this designated growth area.

Also found in the plan under the Section entitled Water and Sewer Services is a statement of a priority for providing Water and Wastewater Treatment infrastructure within this area which is found on page 85 of the plan:

“In order to take a pro-active role, it is the recommendation of this Plan to encourage the provision of infrastructure that allows for a higher level of development inside of the following areas: municipalities, Urban Growth Boundaries, Preferred Growth Areas, and Villages.”

In further direct support for the Map Amendment (Rezoning), the following recommendation is found in the Urban Level Development Recommendations Table starting on Page 30 of the Plan:

“5. Create urban level land uses within the municipalities, UGBs, PGAs, or Villages through rezoning that is consistent with the Plan recommendations.”

The requested Map Amendment is also supported by the following Economic Development portions of the 2015 Comprehensive Plan:

“Focusing Economic Development in Municipalities, Urban Growth Boundaries, and Preferred Growth Areas

Envision Jefferson 2035 expects urban level commercial, office, and industrial activity to be located in the municipalities, within the Urban Growth Boundary and Preferred Growth Areas, where the infrastructure is expected to be available to support these uses.” (Page 69) Emphasis Added

Based on these portions of the Envision Jefferson 2035 Comprehensive Plan, the Future Land Use Guide, the Future Development Area Map, and the Ranson UGB Map, this map amendment is consistent and compatible with the Plan. The

Consistency with, and Compatibility to the existing Comprehensive Plan and the Future Land Use Guide are the two most important criteria to be used for a Map Amendment.

The importance of the Future Land Use Guide when making Map Amendment decisions is outlined on Page 15 of the Plan:

“By creating a Future Land Use Map/Guide, a community provides clarification for property owners related to their potential development on their site. The review of all zoning map amendment requests shall include consideration of all of the recommendations created as part of this Plan. All zoning map amendments shall be in conformance with the Future Land Use Guide and the recommendations of this Plan.”

This section of the Plan allows for predictability of future land uses in Jefferson County. Based on the Urban Growth Boundary that was created in 2009 and added as the Ranson Urban Growth Boundary Map in the Plan and the Future Land Use Guide that were created in 2015 (after years of developing the Plan), the previous Property Owner, the current Property Owner and the Public were all made aware of the land use anticipated on this property and in the neighborhood.

To carry through what the City and County adopted in 2009 and then the County included and adopted in the 2015 Comprehensive Plan, in this preferred growth area known as the Ranson Urban Growth Boundary, the requested rezoning would allow the Applicants to develop residentially as the plan anticipated. This land is directly adjacent to property already zoned Residential Growth which is also located in the UGB and adjacent to another PGA.

The Plan encourages growth and development in areas where infrastructure and public facilities are available. In this case, the property has access to both Public Water and Wastewater Treatment Facilities that were expanded into this area due in part to the Comprehensive Plan’s designation for growth. These qualities make the property an ideal candidate for a map amendment.

Again, this area is promoted in the Plan to develop into Urban Level Growth including residential subdivisions, apartments, and other higher intensity uses in the Urban Growth Boundaries and the Preferred Growth Areas.

For the Envision Jefferson 2035 Comprehensive Plan, Input on the potential Preferred Growth Areas was provided at a series of Public Workshops prior to the Plan’s adoption in 2015. This reference regarding the Ranson UGB is found on page 187:

“With the input given at the workshops, seven areas were identified as Preferred Growth Areas within Jefferson County.”

Which included:

“6. Area within the Ranson Urban Growth Boundary”

Finally, in the Goals and Objectives of the Comprehensive Plan beginning on Page 190, the number one Goal is:

“Goal #1: Require Urban Intensity Residential and Non-Residential Development to Occur within Existing Urbanized Areas, Approved Urban Growth Boundaries, Villages, and/or the County’s Identified Preferred Growth Areas.”

On Page 190 it goes on to list the following as an Objective of this Number 1 Goal:

“Objective #4: Permit the creation of urban level uses (particularly residential development) within approved Urban Growth Boundaries (UGBs), Villages, or in the Preferred Growth Areas (PGAs) through rezoning that is consistent with the recommendations of this Plan.” Emphasis Added

And, also found in the Goals and Objectives on Page 196 is Goal 10 and Objective 4 regarding Infrastructure construction within the UGBs and PGAs:

“Goal #10: Maintain and Enhance Community Services and Infrastructure Capacity for Water, Sanitary Sewer, Storm Sewer, and Other Utilities; and Enable the Provision of Orderly and Efficient Services and Advanced Technologies”

“Objective #4: Require that new utility facilities and/or extensions are located within Urban Growth Boundaries (UGBs), Preferred Growth Areas (PGAs), or Villages.” Emphasis Added.

Based on the preceding recommendations, narrative, goals and objectives from the Envision Jefferson 2035 Comprehensive Plan and the Future Land Use Guide and the Future Land Development Map in the Comprehensive Plan, this map amendment is overwhelmingly consistent and compatible with the Envision Jefferson 2035 Plan.

B. Change of Neighborhood

The Ordinance requires a discussion on the Change of Neighborhood and Change of Transportation Characteristics in the Map Amendment Request. However, it is important to note that it is to include changes since the adoption of the Zoning Ordinance in 1988.

This area of Jefferson County and the area surrounding both Ranson and Charles Town have changed significantly since the Zoning Ordinance was adopted in 1988. The following are examples of these changes:

1. One of the main changes for both characteristics include of course the adoptions of both the 2004 and replacement 2015 Comprehensive Plans. Along with the newest Plan, the Urban Growth Boundaries were adopted by Charles Town and Ranson in 2009 and ratified by the Jefferson County Commission. The Ranson UGB includes the subject parcels, and the 2015 Comprehensive Plan makes this area a Preferred Growth Area for Urban Growth. As such, the Utility Providers have concentrated their expansion efforts in these areas. If the Comprehensive Plan could change the Zoning designations of properties, this land would have already been reclassified to either the Residential Growth District or the Residential/Light Industrial/Commercial District. Instead, it provided many sections of the Plan that clearly recommend the rezoning of the land into a growth district.
2. The new plan, multiple annexations, sewer and water construction focuses new growth around the PGAs and UGBs. This has led to the considerable change of neighborhood.
3. Several residential developments have been built in this area including the three subdivisions across Flowing Springs Road and even multiple sections of the Briar Run Subdivision were developed after the Zoning Ordinance was adopted. The entire commercial development to the West of this property was developed post the County Zoning Ordinance. Most of this land was annexed to Ranson prior to developing. This includes the Kohls, Weis, Home Depot and all of the shops. It also includes the developments, both commercial and residential, across Route 9 which were all annexed and developed after the Zoning Ordinance.
4. At least two new schools have been built in the area including Wildwood Middle School which started out as the Ninth Grade Complex and Driswood Elementary School. Both were built in the 21st century based on the growth in the area that came after the Zoning Ordinance was adopted.
5. Currently, the four lane Route 340 is being completed to Virginia which will lead to more need for residential development as another direct commuter link to Route 7 to Northern Virginia and Winchester.

6. The Pandemic was after the Zoning Ordinance was adopted and it led to the lessening of the Federal Government and Corporation work week in the D.C. Metro area which affected many of the commuters. This shortened commuter work week (allowing more work from home in lieu of the commute) has created an increased demand for residential as more families realize they can move further out from the 'City'.
7. The Capacity of Wastewater Treatment facilities and Water Services has been expanded, especially in this area in anticipation of the development in the Ranson area, the UGBs and several PGAs in this specific area of the County based on the current and previous Comprehensive Plans
8. WVU Hospitals purchased both Berkeley Medical Center and Jefferson Medical Center in Ranson and have expanded the capabilities at both Hospitals and purchased sixty-four acres along Route 340 and Route 9 for potential expansion.
9. Along with the expanded services at Jefferson Medical Center, Valley Health has opened facilities, including a nearby Urgent Care, in this area of the County including within the Ranson UGB.
10. Since the Zoning Ordinance was adopted, the new four lane of Route 9 (West towards Martinsburg) was completed with direct four lane access to and from Route 81 from the north end of the 'Bypass' around Ranson. This expansion allowed easier access to Martinsburg and Hagerstown to this area. This property has close access to this Primary Arterial Road which with the completion of the bypass will create four lane access to and from this area north to Route 81, south to Route 7 and east both via Route 340 and the other 'newer' Route 9 over the mountain. This makes the property ripe for plan supported development.
11. A new Ranson Elementary School is nearing completion in the general Ranson UGB, and the School Board purchased enough land for additional schools in this campus.
12. The new Route 9 was added to provide a new four lane access east over the mountain.

The following are changes in the neighborhood that would specifically support the requested change to the Residential Growth District:

1. Availability of Public Utilities and Services:

Public Water and Sewer services with additional capacity are now available in this neighborhood. The availability of this capacity is a change for this neighborhood since 1988. As stated earlier, one of the Comprehensive Plan's primary objectives is to funnel growth into areas already served by existing infrastructure such as sewer and water:

'This Plan recommends that new development will take place in areas where infrastructure exists and the extension of services to growth in outlying areas will occur in accordance with the goals and objectives of this Plan.' (Page 27)

The allowance of growth in this area because of both the sewer and water and location within the PGA is also supported by Recommendation 5a found on Page 30:

"Direct new urban level residential developments to locate in preferred areas within the municipalities, UGBs, PGAs, or Villages where water and sewer services are available." (Emphasis added)

In this case, the Plan strongly supports the map amendment request based on the availability of services as recommended in the UGBs and the PGAs. The Applicant has already discussed the water and sewer services with the Utility Companies.

2. Growth in the Corridor:

Since the adoption of the original Zoning Ordinance in 1988, this area has grown considerably. The significant residential growth in the Flowing Springs growth corridor which is within the Shenandoah Junction/Schools PGA; the residential and commercial growth within Ranson and the Charles Town and Ranson UGBs, the expansion of services at Jefferson Medical Center and the development of the Valley Health facilities including the Urgent Care along with the Home Depot/Kohls/Weis shopping complex, etc. These types of developments along with the existing growth in the Charles Town and Ranson area illustrate that commercial and residential is very much consistent with the Comprehensive Plan; especially since most of these came after the Zoning Ordinance was adopted. The map amendment for the subject property is exactly what is envisioned in the Comprehensive Plan for the Preferred Growth Areas and within the Urban Growth Boundaries.

C. Change of Transportation Characteristics:

There have been positive changes in the transportation and traffic characteristics in this area since the time of the adoption of the Zoning Ordinance. Most of these are already addressed in the Change of Neighborhood section of this application. This includes the completion of the four lane Route 9 to both Route 81 and over the Mountain which helped to facilitate much of the commuter traffic. Additionally, the road was widened and improved to accommodate the large volume of tractor trailer traffic associated with the industrial and commercial growth in the area.

The finished Route 9 through Jefferson County was the major change in transportation characteristics that serves Ranson and the Ranson UGB where the subject property is located. It is also the direct four lane link to Route 81 that Jefferson County supported. This road has opened both trade routes and commuter routes in and out of Jefferson County.

The newly started construction on the four lane Route 340 from the 'Bypass' south of town to the Virginia line will have a major effect on this entire region, but specifically to properties (such as the subject parcel) that have close access to the Route 9/Route 340 corridor. This improvement and widening of Route 340 to the VA line, will promote the additional location of housing for expanded commuter traffic especially within this Urban Growth Boundary and the Preferred Growth Areas of the UGB and the Shenandoah Junction/Schools PGA.

These changes and improvements to the transportation system and neighborhood have taken place since 1988 when the Zoning Ordinance was adopted. Since the Comprehensive Plan was adopted in 2015, most of these road improvements have already been taken into consideration in the Envision Jefferson 2035 Comprehensive Plan. All these improvements have had a very positive effect on the transportation characteristics and traffic flow in this area and neighborhood. The four lane Route 9 was recognized as a driving force for the creation of this area's Urban Growth Boundary and Preferred Growth Area in the Plan. Accordingly, the Comprehensive Plan already acknowledges that these transportation changes have had a positive effect in this area, so much so that Ranson adopted, and the County acknowledged the UGB and approved the creation of this area as an Urban Growth Center as a Preferred Growth Area. These changes and improvements to both the Comprehensive Plan and the Transportation Characteristics support the rezoning of the subject property.

D. Error in the Original Zoning Map

The primary justification for a map amendment/rezoning in West Virginia is the consistency of the request with the Comprehensive Plan. This is the reason that the Comprehensive Plan is so thoroughly discussed in this Application and Request for Map Amendment. However, in some jurisdictions, an error in the original or amended zoning map is also used as a good indicator for map amendments. Accordingly, this Petition will briefly touch on some of the reasons that this property should have been zoned for development when the original ordinance was adopted; and/or shortly after the Envision Jefferson 2035 Plan was adopted. These are not errors in the traditional sense, just reasons that the area should be rezoned based on the circumstances that existed in 1988 when Zoning was adopted or after the 2015 Comprehensive Plan was adopted.

Listed below are several reasons why this property should have been zoned for development in 1988 when the original ordinance was adopted and after 2015 when the Envision Jefferson 2035 made it very clear that the property was ideal for growth. These reasons have already been discussed in detail in this Petition. Furthermore, these reasons alone would support the requested map amendment to the Residential Growth:

1. The property is located on a major road between Ranson/Charles Town and Shepherdstown which are three of the five Incorporated areas in Jefferson County, and it is a Major Collector Road as defined by the 2015 Comprehensive Plan;
2. The property has access to expanded public water and public wastewater capacity and services;
3. The property is located just south of Jefferson High School, which was the only high school in Jefferson County in 1988 and is now one of two high schools in the County. It is also close to the new Ranson School Campus under construction and close to the Wildwood Middle School and Driswood Elementary School which were constructed since the Zoning Ordinance was adopted; and,
4. The long anticipated major connection was made with Route 81 when the Route 9 Four Lane was completed which there is direct access to Route 9 just south of this site.

Once you combine these facts with the other compelling factors in the application, this Map Amendment is strongly consistent with the Plan. These arguments are bolstered by the creation and approval by both Ranson and the County Commission of the Ranson Urban Growth Boundary and the subsequent adoption of the Envision Jefferson 2035 Comprehensive Plan, which places the subject properties within this UGB/PGA.

E. Conclusion:

The Owner/Applicant respectfully requests that the County Commission approve this map amendment to the Jefferson County Zoning Map. This Petition cites many reasons why the map amendment should be approved. These reasons include: the consistency of the request to the Envision Jefferson 2035 Comprehensive Plan; the fact that the property should have been classified as one of the Growth Zones/Districts in the original ordinance or at least during or after the 2015 rewrite of the Comprehensive Plan; the positive changes in the transportation characteristics in the area, especially the construction of Route 9; the changes in the neighborhood from when the original zoning ordinance was adopted (including the new schools, new residential developments, expansion of Sewer and Water, major commercial developments in the area); the fact that the property and area is located in a Preferred Growth Area in the 2015 Plan and as a UGB in 2009 indicates this area as a major growth location; and, the fact that the property has access to Public Water and Sewer and other services. This map amendment will change the zoning classification on the Owner/Applicant's three properties identified in this application from the Rural District to the Residential Growth District.

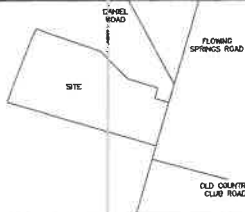


Harvest Homes, LLC

10-9-24

Date

VICINITY MAP
1" = 2000'



DANIEL
T.M. 3\3
D.B. 1142\445

MCDONALD
T.M. 4\10
D.B. 1131\29

MCDONALD
T.M. 4\12
D.B. 1321\736

Approx Total Area:
127± ACRES
TOTAL AREA By DEED
127.6 acres ±
TOTAL AREA by TAX MAP
126.4 acres ±

HARVEST HOMES LLC
T.M. 4\11
D.B. 1330\743

HARVEST HOMES LLC
T.M. 4\13
D.B. 1331\1

BROUGHMAN
T.M. 4\11.2
D.B. 1242\549

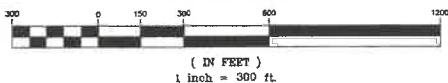
HARVEST HOMES LLC
T.M. 4\11.1
D.B. 1330\743

MCDONALD
T.M. 4\14
D.B. 1321\736

CONTOURS BASED ON
2012 FEMA RS NV-VI-MD
NA83 HORIZONTAL
NAVD88 VERTICAL
A FIELD TOPOGRAPHIC
SURVEY AND BOUNDARY
SURVEY WOULD BE
REQUIRED TO ACCURATELY
ESTABLISH ELEVATIONS
AND DIMENSIONS

TREE LINE / TREES
CONTOUR LINES

GRAPHIC SCALE



(IN FEET)
1 inch = 300 ft.

Approx 127± Acres (126.4 by TAX MAP 127.6 by Deed)
HARVEST HOMES REZONING SKETCH PLAT
TAX MAP 4 PARCELS 11, 11.1, & 13 CHARLES TOWN DISTRICT

JEFFERSON COUNTY, WEST VIRGINIA

DEED BOOK 1330 PAGE 743 & 1331 PAGE 1.

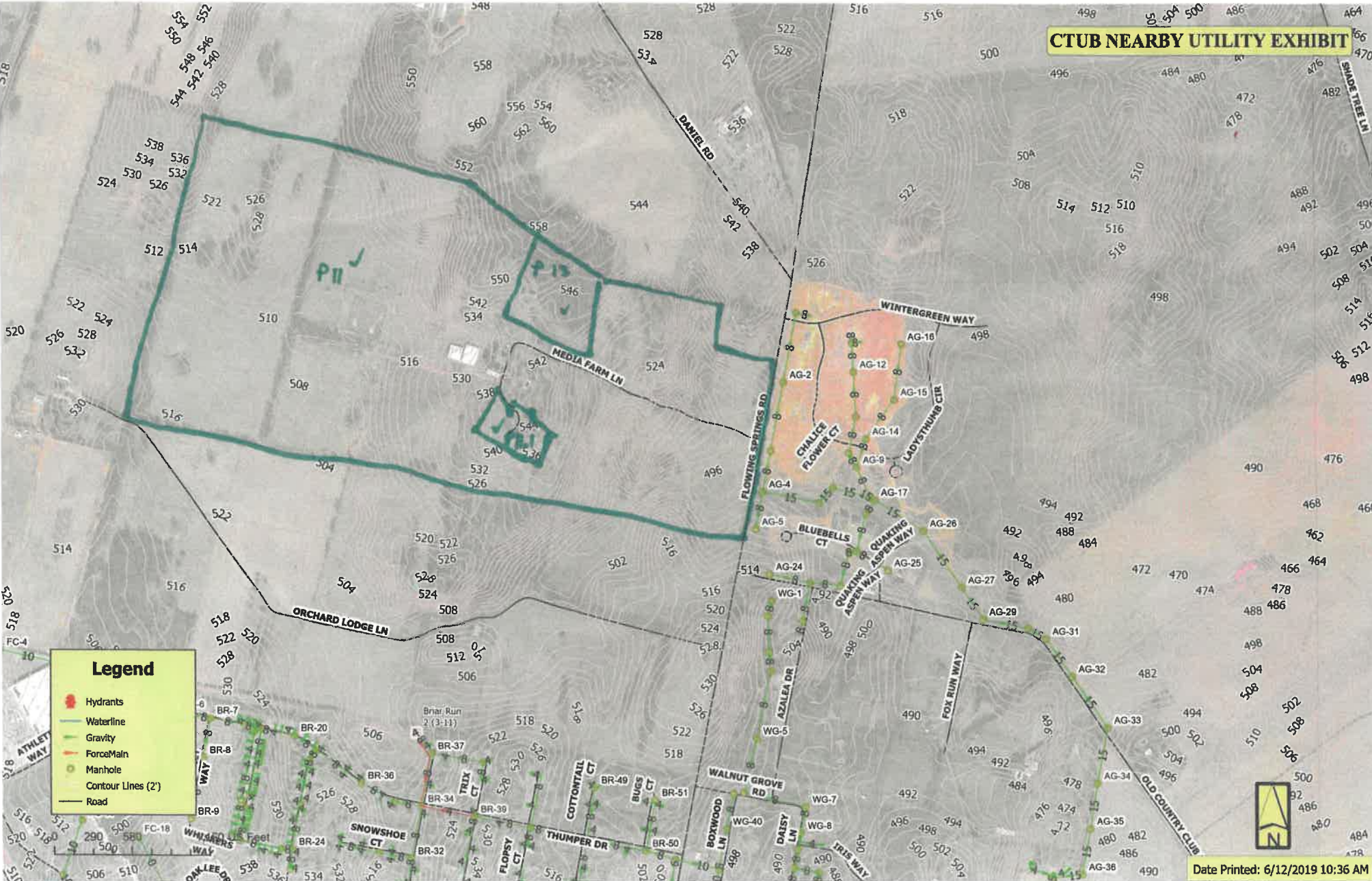
KABLETOWN DISTRICT, JEFFERSON COUNTY, WEST VIRGINIA.

PROPERTY STANDING IN THE NAME OF HARVEST HOMES LLC, AS RECORDED
IN THE OFFICE OF THE COUNTY CLERK OF JEFFERSON COUNTY IN DEED BOOKS 1130\713 & 1131\1.
SURVEYOR: PETER H. LORENZEN - P.O. BOX 316, SUMMIT POINT, WV. 25446.
(304) 728-6093

OWNER \ DEVELOPER: HARVEST HOMES LLC, 67 LUTMANS LANE, KEARNEYSVILLE, WV, 25430
(304) 702-2500

DWG #HARVEST DATE 10-08-24

CTUB NEARBY UTILITY EXHIBIT

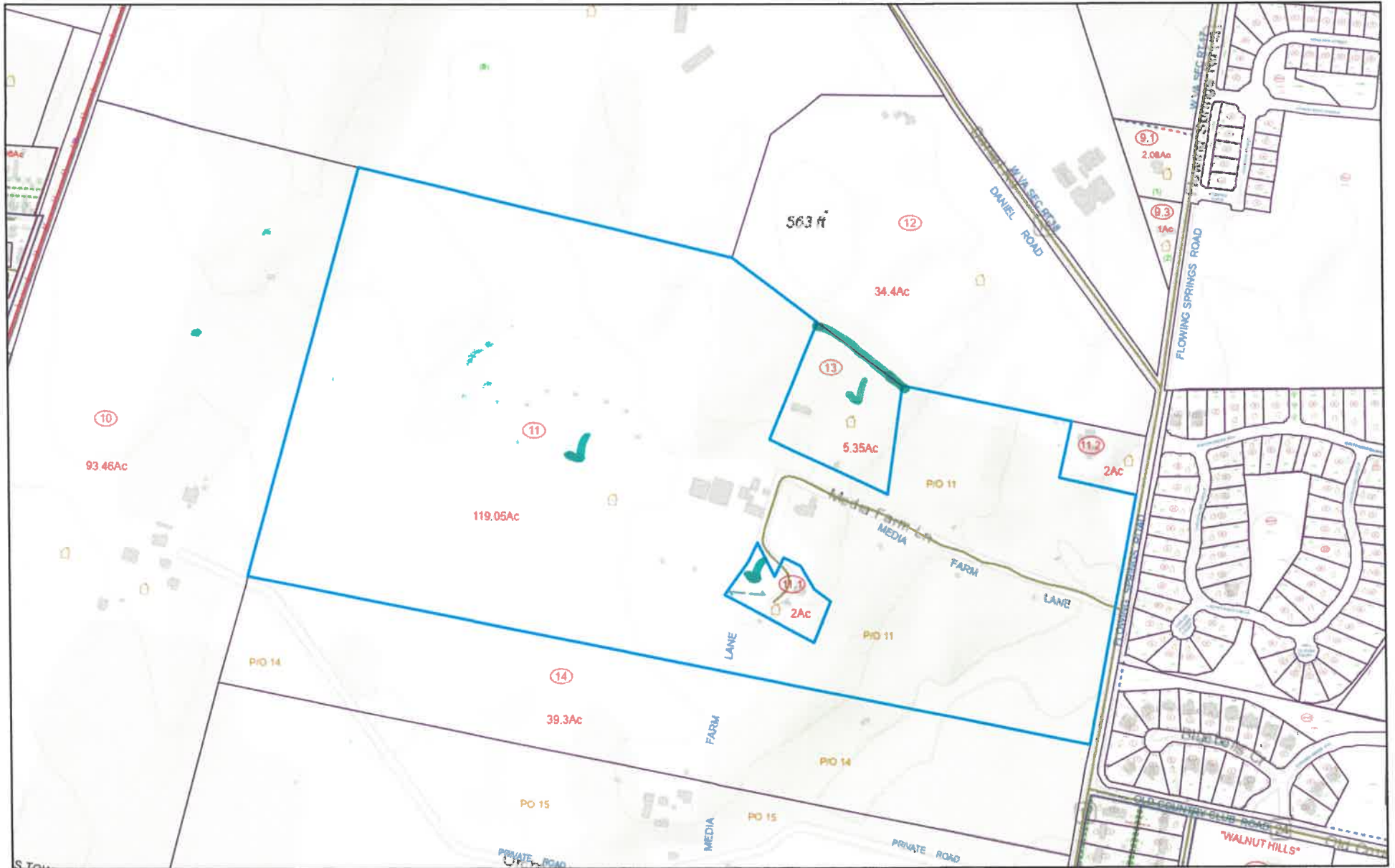


Legend

- Hydrants
- Waterline
- Gravity
- Force Main
- Manhole
- Contour Lines (2')
- Road

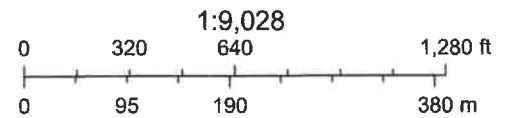


Viewer Map



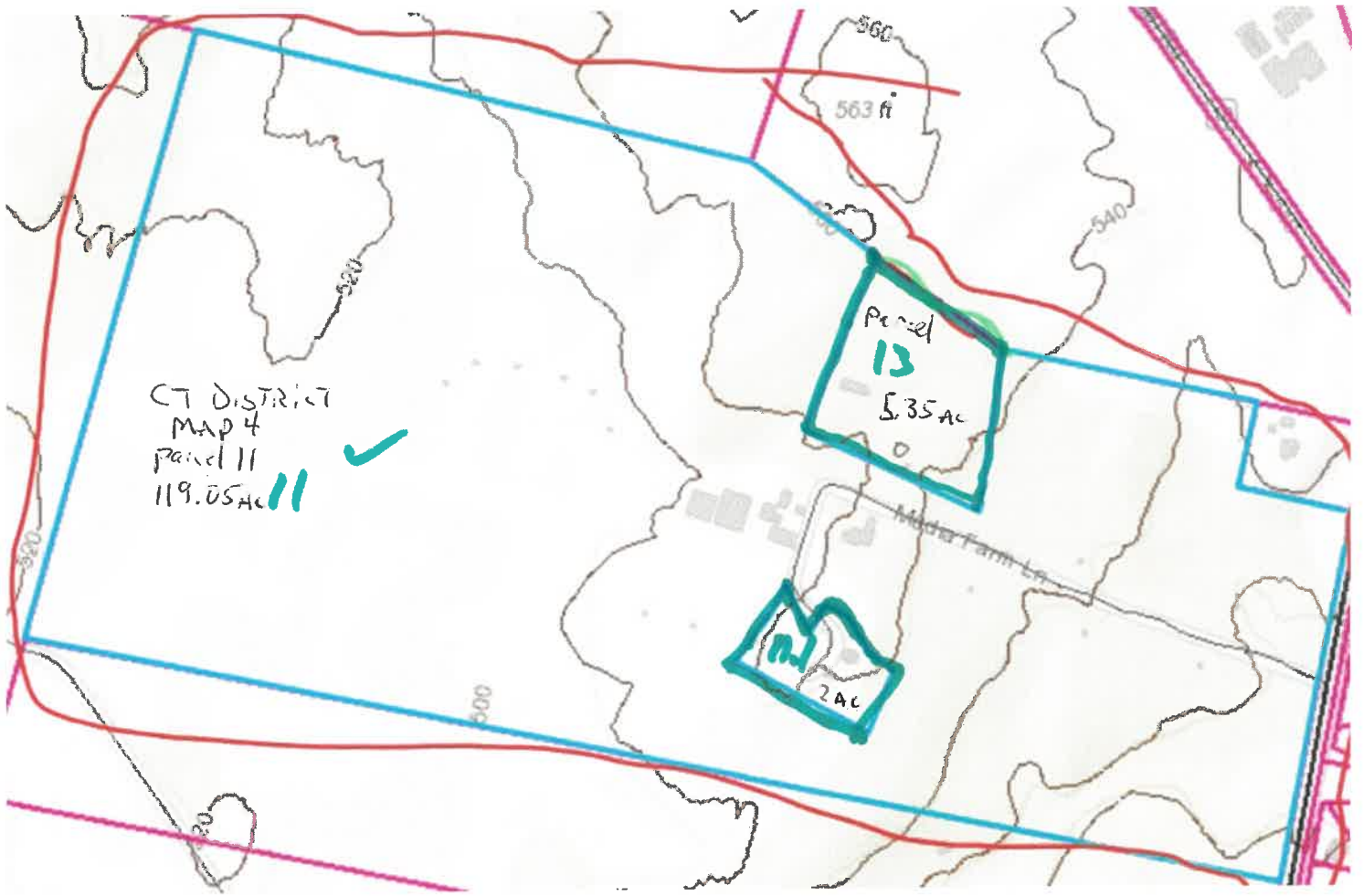
October 3, 2024

Site Location



WashCo MD, VITA, West Virginia GIS, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

Site ✓



CT District
MAP 4
Parcel 11
119.05 Ac ✓

Parcel
13
5.35 Ac

Parcel
12
2 Ac

CT District
MAP 4
parcels 11 119.05 ac ✓
12 2 Ac
13 5.35 Ac

Topo - County Website



SITE Aerial
TOPO
NATURAL & MANMADE CONDITIONS

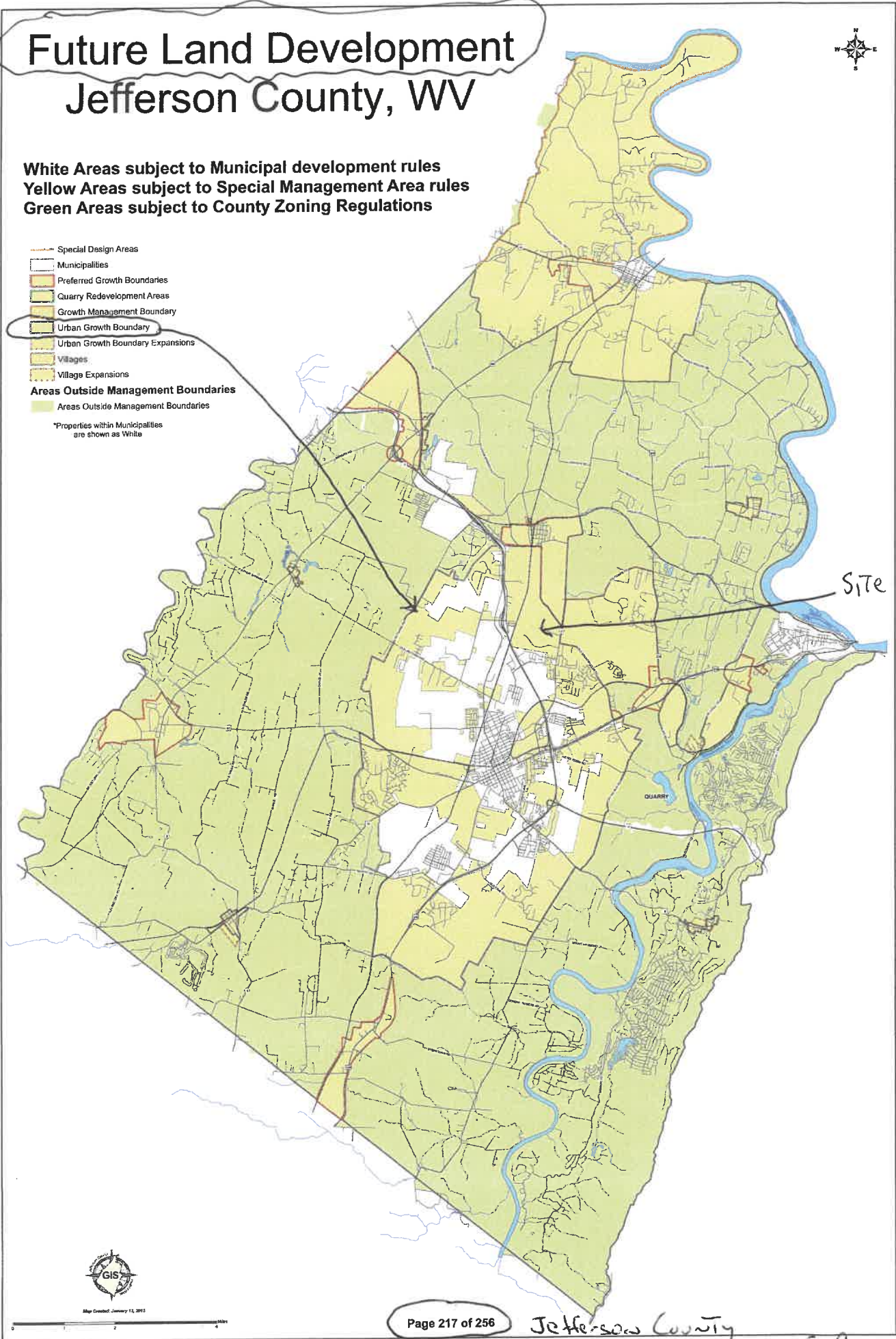
Future Land Development Jefferson County, WV



White Areas subject to Municipal development rules
Yellow Areas subject to Special Management Area rules
Green Areas subject to County Zoning Regulations

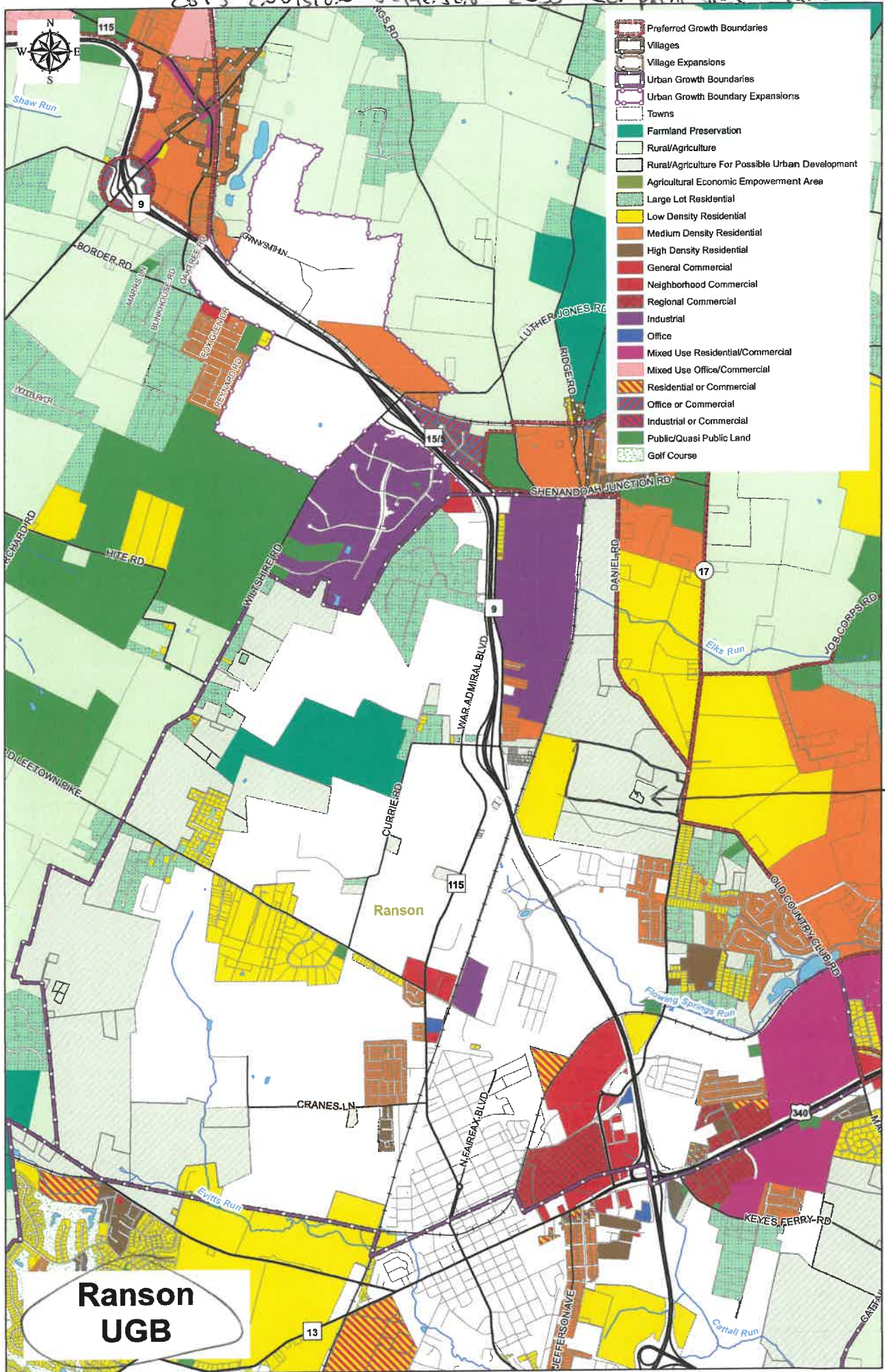
- Special Design Areas
- Municipalities
- Preferred Growth Boundaries
- Quarry Redevelopment Areas
- Growth Management Boundary
- Urban Growth Boundary
- Urban Growth Boundary Expansions
- Villages
- Village Expansions
- Areas Outside Management Boundaries**
- Areas Outside Management Boundaries

*Properties within Municipalities
are shown as White



Map Created January 11, 2013

2015 Revision Jefferson 2035 Comprehensive Plan



PC COPY

AGENDA REQUEST FORM
www.jeffersoncountywv.org



Name: Harvest Homes LLC

Department or Organization: **Harvest Homes, LLC**

Estimation of amount of time needed for appointment: 5 Minutes

Date Requested – 1st Choice: **October 17, 2024**
If a specific date is needed, please provide reason for specific date:

Subject (Wording to be placed on agenda): Landowner Petition for Map Amendment for Harvest Homes, LLC: Charles Town District, Map 4, Parcels 11, 11.1, and 13 containing a Total of approximately 127 +- Acres (126.4 per Tax Map, 127.6 per Deeds) Request to schedule a Public Hearing and refer the application to the Planning Commission for advice on the Comprehensive Plan Consistency of the request.

Please provide the County Commission with a description of your request or presentation, including any background information: **Request for a Map Amendment for Harvest Homes, LLC per Article 12, Section 12.3.A. of the Jefferson County Zoning and Land Development Ordinance from Rural to Residential Growth. The three parcels are within the Urban Growth Boundary. Supporting and Background Attached.**

Is this a funding request? Y/N NO
If so, how much? \$
Provide exact financial impact/request: \$0.00

Recommended motion (Please type out the wording of the motion that you would like the Commission to approve):
Motion: Move to Accept Landowner Petition and Request for Map Amendment for Harvest Homes, LLC, Parcels 11, 11.1 and 13 on Map 4 in the Charles Town Tax District and schedule a Public Hearing at the County Commission Meeting on December 5, 2024 and to refer the application to the Planning Commission for advice on the request's consistency with the Comprehensive Plan.

Attach supporting documents for request, or request may be denied.
If not attached, explain: Attached

Is equipment needed? Projector **Y/N** Internet/Wi Fi **Y/N** Telephone for conference call **Y/N**

Contact information: Paul J Raco
Email address: Pjraco.consulting@gmail.com Phone Number: 304/676-8256

FOR COMMISSION STAFF USE ONLY – FINANCIAL IMPACT/RECOMMENDATION
not applicable



Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2nd Floor, P.O. Box 716

Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

MEMO

TO: Planning Commission

FROM: Jennifer M. Brockman, AICP, Chief County Planner/Acting Zoning Administrator

DATE: November 12, 2024

RE: Solar Energy Facility Text Discussion

The 3-year history of the development of the current Solar Energy Facility language found in Section 8.20 of the Jefferson County Zoning and Land Development Ordinance is detailed in the following pages. In December 2023, the County Commission expressed concern about the quality and quantity of Solar Facilities that have been approved and requested that the Planning Commission review Section 8.20 of the Zoning Ordinance and provide recommended edits based on the projects submitted thus far.

There are three possible amendments that the Planning Commission may want to consider discussed below. It should be noted that unless any of the currently approved five Solar Facilities expire, the solar projects that have already obtained approvals under the current regulations would be grandfathered and permitted to continue under the current Zoning Ordinance requirements. Any new regulations or standards adopted in the future would apply only to new proposals.

1) Conditional Use Permits

The original petition and text recommendation proposed requiring all proposed Solar Facilities to process as Conditional Uses rather than Principal Permitted Uses. Four of the five that have been approved have had at least a portion of the project process as a Conditional Use and any conditions placed on the approval by the BZA is being incorporated into the Concept Plan.

2) Site Plan Requirement

One significant change that would give the County more authority related to the construction of the Solar Facilities would be to amend Section 8.20 of the Zoning Ordinance to require Solar Energy Facilities to process a Site Plan, in addition to the currently required Concept Plan. A Site Plan requirement could include a Public Hearing and would require posting a construction bond for site improvements such as landscaping and storm water management which would give the County more authority over ensuring the proposed design elements are constructed per the plans.

3) Setback/Buffer/Landscaping

One of the issues that the Planning Commission and staff have received the most concern about relates the relationship between the solar panels and neighboring residential developments. Consideration of an increase in the landscape buffer/ screening and setbacks could address these concerns and provide more protection to the nearby existing residential developments.

**The history of the current Solar Energy Facility language found in
Section 8.20 of the Jefferson County Zoning and Land Development Ordinance:**

ZTA19-03:

- 12-10-19: Landowner petition requesting that the Planning Commission consider a proposed text amendment to the Zoning Ordinance to create a process to allow Solar Farms in the Rural Zoning District only as a Conditional Use.
- 02-11-20: The PC appointed a subcommittee and directed the subcommittee to draft a text amendment to allow solar energy facilities as a Principal Permitted Use. The Planning Commission specifically directed the committee to develop requirements to address fencing, screening, and decommissioning of solar energy facilities.
- 06-02-20: PC Public Hearing on ZTA19-03 including language to allow solar energy facilities as a Principal Permitted Use in multiple Zoning Categories and requiring a Concept Plan, Zoning Certificate, Building Permits, and Decommissioning Plan.
- 06-23-20: PC set recommended draft ZTA19-03 text amendment to CC for their consideration.
- 09-11-20: CC Public Hearing on recommended version of ZTA19-03 text amendment.
- 10-01-20: CC approved ZTA19-03 text amendment with an effective date of November 16, 2020.
[11-14-20 Temporary Restraining Order filed;
12-10-20 Agreed Order vacating ZTA 19-03 and directing reconsideration by the PC (vacated by vote of the County Commission.)]
- 02-09-21: PC held Public Hearing to received public input on ZTA19-03. The PC closed the hearing and called a special meeting for 02-23-21 to allow additional time to review the written comments submitted.
- 02-23-21: PC determined that allowing solar facilities as a principal permitted use was consistent with the Comprehensive Plan and noted that if there were any conflicts with the Plan, there had been changes of a social nature, which support alternative energy. The PC directed Legal Counsel to draft Findings of Fact and Conclusions of Law for their review during the March meeting.
- 03-09-21: PC made a recommendation to the CC that the proposed text amendment is consistent with the Comp Plan, and noted that if there were any conflicts with the Plan, that there had been changes of a social nature, which support alternative energy.
- 03-18-21: CC received the Planning Commission's recommendation draft ZTA19-03 and scheduled a Public Hearing for April 12, 2021 @ 6:00 PM.
- 04-12-21: CC held PH on ZTA19-03 and voted to approve the text amendment with minor edits based on public input.
- 08-16-21: Judge McLaughlin issued a decision on Civil Case #CC-19-2021-C-33 which overturned Zoning Text Amendment ZTA19-03.

Envision Jefferson Comprehensive Plan Amendment:

- 09/02/21: CC directed the PC to develop an amendment to the Comprehensive Plan to clarify that solar facilities be recognized as a principal permitted use throughout the rural and residential zoning districts in accordance with WV Code 8A-3-11.
- Comp Plan Amendment Discussions: 9/28/21 Workshop; 10/5/21 Work Session; 10/12/21 discussion
- 12/7/21: PC Comprehensive Plan Solar Facility Text Amendment Public Hearing
- 12/14/21: PC voted to forward recommended Comp Plan text amendment re: solar facilities in the rural and residential districts to County Commission.

- 02/03/22: CC Comprehensive Plan Solar Facility Text Amendment Public Hearing
- 04/05/22: CC recommended a final revision to the draft amendment to the Envision Jefferson 2035 Comprehensive Plan. Pursuant to State Code, their revised draft was forwarded to the Planning Commission for final approval.
- 04/12/22: PC formally accepted the CC’s recommended revisions to the draft amendment, which included the following revision to the Infrastructure and Technology Recommendations on Page 93 of the Comprehensive Plan:
 “Encourage public entities to utilize alternative and renewable energy sources for a variety of energy needs, specifically Solar Energy Facilities in areas inside of the Urban Growth Boundary and the Preferred Growth Area as a Principal Permitted Use, and outside of the Urban Growth Boundary and the Preferred Growth Area, by the Conditional Use Process (Recommendation 8).”

Following their approval to accept the proposed amendment to the Comprehensive Plan, the Planning Commission directed Staff to revise the previous text amendment to the Zoning Ordinance to incorporate provisions in accordance with the Comprehensive Plan, as amended.

ZTA22-01:

- 04/19/22: PC Special Meeting to review the draft of the text amendment to the Zoning Ordinance (File ZTA22-01).
- 05/17/22: PC Public Hearing on the draft ZTA22-01.
 - The draft amendment included provisions to allow Solar Energy Facilities to process as a Permitted Use on parcels located within the Urban Growth Boundary and Preferred Growth Area as identified on the Future Land Use Guide in the Envision Jefferson 2035 Comprehensive Plan. The amendment also includes provisions to allow Solar Energy Facilities to process as a Conditional Use on parcels located outside of the Urban Growth Boundary and Preferred Growth Area.
 - ZTA22-01 proposed revisions to Article 2, Section 2.2, Terms Defined; Article 8, Supplemental Use Regulations, [creation of new Section 8.20, Solar Energy Facilities]; and Appendix C, Principal Permitted and Conditional Uses Table.
 - PC recommended the proposed text to the CC for their review and approval.
- 06/09/22: CC Public Hearing on the recommended draft text amendment ZTA22-01. Motion to approve did not pass.
- 06/16/22: CC voted to reconsider ZTA22-01 which was approved as presented at the Public Hearing, effective immediately.

[07/07/23: CC by vote of 2-1 repealed the Solar Energy Facility provisions of the Zoning Ordinance without the required public hearing process.

12/21/23: Moved to rescind action of CC on 7/7/23 regarding the Solar Text Amendment and further requested that the PC review Section 8.20 of the Zoning Ordinance and provide recommended edits based on the projects submitted thus far.]

Section 8.20 Solar Energy Facilities

Solar Energy Facilities shall process as a Principal Permitted Use in areas inside of the Urban Growth Boundary and the Preferred Growth Area as delineated on the Future Land Use Guide in the Comprehensive Plan. Solar Energy Facilities shall process as a Conditional Use in areas outside of the Urban Growth Boundary (UGB) and Preferred Growth Area (PGA).

All projects shall process a Concept Plan in accordance with the requirements listed below under Subsection B. For projects that require processing a Conditional Use Permit, a Concept Plan shall process subsequent to the Board of Zoning Appeals approval.

For projects that will occur across parcels located both inside and outside the County's UGB/PGA areas, an applicant may choose to process in two phases, with the first phase addressing the parcels located within the UGB/PGA areas as a Principal Permitted Use and the second phase processing a Conditional Use Permit to allow the Board to evaluate compatibility of the second the phase outside of the UGB/PGA areas. Should the Board issue a Conditional Use Permit, a Concept Plan shall process and shall include an exhibit depicting the full-buildout of the entire Solar Energy Facility project.

A Pre-Proposal Conference is recommended for all solar projects, pursuant to the Jefferson County Subdivision and Land Development Regulations.

A. Process for Solar Energy Facilities as a Conditional Use

1. Projects which will occur on properties located outside of the UGB/PGA areas as delineated on the Future Land Use Guide shall process a Conditional Use in accordance with Article 6.
2. In addition to the criteria established in Article 6, the following exhibits shall be included with the Conditional Use Permit application for the Board's evaluation:
 - a. Submit a sketch depicting the location of the proposed project and delineate the distance of the panels from the external property lines.
 - b. Submit a brief description of the timeline of the lease or operating plan, and an overview of the plan for removal of the solar energy facility. The decommissioning plan and bond shall be in accordance with the West Virginia Department of Environmental Protection (WVDEP), pursuant to WV State Code §22-32-1, et. sec. or its successor.
3. Should the Board issue a Conditional Use Permit, the applicant shall proceed with application for a Concept Plan, pursuant to the criteria listed below under subsection B.

B. Process for Solar Energy Facilities as a Principal Permitted Use

1. A Concept Plan, pursuant to the Minor Site Development Concept Plan standards established in the Jefferson County Subdivision and Land Development Regulations is required; except that after the Planning Commission direction is given, the next steps are Application for a Zoning Certificate and Building Permit. In addition to the Concept Plan requirements outlined in the Subdivision Regulations, the Concept Plan shall also include the following criteria:
 - a. Property or Properties Location;
 - b. Access Points;
 - c. Anticipated location of all proposed components of the Solar Energy Facility. Each proposed solar panel is not required to be shown on the Concept Plan, if compliance with setbacks can be established by what is depicted on the Concept Plan; and
 - d. Landscaping, Buffering, Ground Cover Plan, and Fencing. The landscaping plan shall include a note stating, "It will be the responsibility of the landowner to replace any trees, shrubs, or vegetation that die."

If the project is to be completed in phases, the Concept Plan shall reflect phasing of the project.

2. Decommissioning Outline

- a. A narrative outlining the decommissioning of the Solar Energy Facility shall be included with the Concept Plan. This narrative shall include a description of the timeline of the lease or operating plan, and a general plan for removal of the Solar Energy Facility.
- b. The company shall provide to the Department of Engineering, Planning, and Zoning proof of application for a decommissioning plan and bond when such application is filed with the WVDEP as required by WV State Code §22-32-1, et. sec. or its successor.
- c. Staff shall be notified by certified mail at least 60 days in advance of the intended decommissioning of the Solar Energy Facility. Staff will place the notice on the next regularly scheduled Planning Commission meeting under “non-actionable correspondence”.
- d. Failure of the Lessee or Property Owner to meet and/or comply with the decommissioning plan as approved by the WVDEP may result in legal action pursuant to Article 3, Section 3.3 of this Ordinance and/or any applicable State Law.

C. Setbacks, Landscaping, and Buffer Standards for a Solar Energy Facility

1. Multiple adjacent properties under the same ownership or lease by the same company shall be considered one property for the purpose of these regulations. Internal boundary lines on adjacent properties under the same ownership or lease by the same company are not subject to the setbacks or buffer requirements provided below.

2. Setbacks

a. Solar Panels

- i. Front, Side, and Rear Setbacks shall be 100 feet from all external/perimeter property lines and from the edge of the State ROW or Easement of any State Road.
- ii. The above referenced setback may be decreased to 50 feet provided it includes a six foot high opaque buffer within the setback area comprised of two rows of evergreen trees that are six feet tall at the time of planting or a solid fence. Alternatively, a 50 foot strip of existing, mature woodlands may be allowed in lieu of a planted buffer or fence if documentation is submitted documenting how the existing mature woodlands complies with the required buffer standard.
- iii. Solar panels and accessory components may be located on a common side or rear lot line of contiguous property owned by the same entity.

b. Accessory components, excluding solar panels and underground utilities.

- i. Front, side, and rear setbacks shall be 25 feet from all external/perimeter property lines and from the edge of the State ROW or Easement of any State Road.

3. Landscaping and Buffer Standards

a. Solar Panels that are located within 200 feet of any residence, Category 1 Historic Resource, Institution for Human Care, Church, or similar use or structure as determined by the Zoning Administrator, shall provide a 20 foot wide buffer along common property lines. The buffer shall be provided anywhere within the 200 foot radius from the structures/uses herein and is not required to be provided along the entire length of the common property line.

b. The buffer screen may be either vegetative or opaque fencing and may be placed anywhere within the buffer area. No structures, materials, or vehicular parking shall be permitted within the side and rear yard buffers. Existing, natural vegetation may be used in lieu of a planted buffer if documentation is submitted to the Zoning Administrator verifying how the existing natural vegetation complies with the required buffer standard.

c. Accessory Components (excluding solar panels) that are located within 200 feet of any residence, Category 1 Historic Resource, Institution for Human Care, Church, or similar use as determined by the Zoning Administrator, shall comply with the commercial provisions of Section

4.11, with the exception that the Zoning Administrator can allow the use of existing, natural vegetation as appropriate to achieve the intent of the required buffering.

4. Security and Access

a. A security fence with secured gates shall be erected around the operating areas of the Solar Energy Facility with a minimum height of six feet and a maximum height of ten feet.

i. Arrangements shall be made with the appropriate Fire Department for Access. A letter documenting approval of access from the Fire Department shall be provided with the Zoning Certificate application. The Fire Department shall respond within 15 days of the date of the letter. If no response is provided, the Fire Department shall be deemed by this Ordinance to have approved the access.

ii. Upon three business days' notice by the Department of Engineering, Planning, and Zoning, access shall be provided to Staff.

D. A Zoning Certificate based on an approved Concept Plan is required prior to initiating any use regarding Solar Energy Facilities.

In addition to the standards found in Section 8.20, any Zoning Certificate regarding Solar Energy Facilities shall be issued conditioned on all other State Regulations and approvals being granted, including, but not limited to, the WV Public Service Commission, WVDEP applicable NPDES Permits and Decommissioning Bonds, Fire Marshal approval, Building Permits through the Department of Engineering, Planning, and Zoning, and approval of the Stormwater Management Report pursuant to the Jefferson County Stormwater Management Ordinance.

E. Stormwater Management

Stormwater Management shall be required in accordance with the Jefferson County Stormwater Management Ordinance. Solar Energy Facilities may be exempt from providing stormwater management if the conditions for granting exemption under Article I.D.2.h of the Stormwater Management Ordinance are satisfied.

F. General Requirements

1. Design, construction, and installation of the Solar Energy Facility shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM) or other similar certifying organizations and shall comply with the West Virginia Fire and Building Codes, including compliance with the Jefferson County Building Code.

2. Prior to commencing the transmission of electricity, the Solar Energy Facility shall provide documentation evidencing an interconnection agreement or similar agreement with the applicable public utility or approved entity in accordance with applicable law.

3. Generation of electrical power shall be limited to photovoltaic panels, provided that any on-site buildings may utilize integrated photovoltaic building materials.

4. Solvents necessary for the cleaning of the Solar Panels shall be biodegradable.

5. Internal wiring, excluding that which is on or between the Solar Arrays, connected to substations or between Solar Panels, shall be located underground, except where necessary to mitigate impact to environmental and/or terrain features.

6. Onsite lighting shall be the minimum necessary for security and onsite management and maintenance and shall comply with the standards outlined in the Subdivision Regulations.

7. Photovoltaic Panels shall use antireflective glass that is designed to absorb rather than reflect light.

8. Ground Cover comprised of natural vegetation is required. Ground cover that uses native or naturalized perennial vegetation and that provides foraging habitat that is beneficial for songbirds, gamebirds, and pollinators is encouraged but not required.

9. Collocation of other agricultural activities such as small market hand-picked crops, grazing, and apiary activities are permitted and encouraged.
10. No signage or advertising is permitted on the Solar Energy Facility other than an identifying sign at the entrance of the Facility that shall be approved by the Zoning Administrator in accordance with Article 10. All other signage must be approved by Special Exception by the Board of Zoning Appeals.
11. Solar Energy Facilities shall comply with Article 8, Section 8.9 of this Ordinance.
12. The Solar Energy Facility Use is not considered abandoned until such time it is Decommissioned.
13. Damaged or unusable panels shall be repaired, replaced, or removed within 60 days from discovery of damage; provided, however, longer periods may be approved by the County Engineer due to extenuating circumstances.



Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

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Budget Memo

November 12, 2024 Planning Commission Meeting

Date of Memo: November 12, 2024

Pursuant to WV State Code §8A-2-11(13), The Planning Commission shall “Prepare and submit an annual budget to the appropriate governing body.”

The County will soon be working on the budget for fiscal year 2026. Each Department is tasked with preparing a budget for their needs. The Planning Commission has a role in preparing for the annual budget by identifying special projects and/or studies that may need to be completed as part of their work plan and/or to make recommendations in support of staffing needs identified by the Department. The compensation package of the five full time Planning and Zoning staff members are outside of the scope of this memo.

With the anticipated adoption of the 2045 Comprehensive Plan prior to FY 2026, two line items can have funds moved to new priorities. Principally, the recommended 2045 Comprehensive Plan update identifies several special projects and priorities, including the rewrite of the Subdivision and Zoning Ordinances. Part of the budget requests included are for additional part time staff to help facilitate the Action Items from the updated 2045 Comprehensive Plan (once adopted) related to updating the County's Ordinances. Additional small increases are for ongoing staff training and professional development. As part of the FY 2025 budget, the land development fee schedule was updated and the current fees are included as an attachment to this memo.

The purpose of this memo and presentation at the 11/12/2024 Planning Commission meeting is for Planning Commissioners to review the proposed FY 2026 budget memo, prioritize projects that may require funding, and provide staff direction for potential changes.

Summary of Planning and Zoning Specific Budget Items

Object Code	Line Items	Current FY 2025	Requested FY 2026	Budget Changes
410802	Extra Help/Part Time	5,000	33,000	+28,000
421100	Telephone	845	0	-845
421400	Travel	775	1050	+275
422000	Ads/Legal Publication	3000	3000	0
422100	Training&Education	850	950	+100
422200	Dues&Subscriptions	400	800	+400
423000-PLN	Contracted Services	11,000	5,000	-6,000
434102-PLN	Materials&Supplies	15,900	1,900	-14,000
	Total	37,770	45,700	+7,930

For the FY 2026 budget the Office of Planning and Zoning is asking to reallocate existing funding priorities and requesting an additional \$7,930 to implement Action Items in the Comprehensive Plan.

Attachments:

- Excerpt from State Code
- Land Development Fee Schedule



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1st Quarter Report for Planning and Zoning FY 2025 (July 1, 2024 – September 30, 2024)

Attached is an electronically generated report of all applications submitted and reviewed within the 1st Quarter of FY2025. This data is being provided as a part of the 1st Quarter Report from the Planning Commission and Offices of Planning and Zoning to the County Commission. The items below reflect actions of the Planning Commission and Board of Zoning Appeals in this same time period and related meetings attended by Planning and Zoning staff.

PLANNING COMMISSION ITEMS

Planning Commission Meetings:	6 Meetings
Comprehensive Plan Work Sessions:	2 Work Sessions
Comprehensive Plan Public Hearing:	1 Public Hearing
Comp Plan Special PC Meeting:	1 Special Meeting
Subdivision Regulations Text Amendments	none this quarter
Zoning Ordinance Text Amendments	none this quarter
Zoning Map Amendments/Rezoning	none this quarter
Concept Plan Public Workshops	1

#24-5-SP Concept Plan for the BCL Properties Brewpub for a Minor Site Development project that contains more than 5,000 square feet of gross floor area (GFA). The proposal includes construction of a new structure to be used as a brewpub, a pavilion, and association parking.
Property Owner/Applicant: Nicholas Wilson, Karen Dowd Wilson, Katie Main, and Ryan Main
Property Location: 640 War Admiral Blvd, Charles Town, WV;
Size: 4.70 acres; Zoning District: Industrial-Commercial.
Public Workshop 07/09/22; PC approved a motion to approve the Concept Plan as presented.

BOARD OF ZONING APPEALS (BZA) ITEMS

Board of Zoning Appeals Meetings: **3 meetings**
Zoning Appeal of Administrative Application: **none this quarter**

PLANNING & ZONING STAFF ITEMS

Pre-Proposal Conference (PPC) Meetings: 20 Total (14 Subdivision & 6 Site Plan)
Information Request Forms (IRFs) -- general inquiries from the public: 33 Total
Zoning and Land Development Fees Collected: \$ 82,160.04

Regional Transportation Planning Meetings	
Eastern Panhandle Transit Authority (EPTA) Board Meetings	07/15/24, 08/19/24, 09/16/24
EPTA Committee Meetings	08/28/24
Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Technical Advisory Committee (TAC) Meetings	08/21/24
West Virginia Infrastructure Hub team Workshop	8/1/24

Local and Regional Planning Meetings (all remote)	
Town Run Watershed Meeting	08/29/24
WV APA Legislative Committee	7/19/24, 8/2/24, 9/6/24
WV APA Biannual Chapter Meeting	9/10/24
WV APA Professional Development Committee	9/25/24

Planning and Zoning Quarterly Report
07/01/2024 - 09/30/2024 (Generated 10/21/2024)

Type	Project Number	Creation Date	Owner Name	Location	Status	Description
Conditional Use Permit	24-7-CUP	9/23/2024	Raymond M & Kerry F Muth Jr	21 SOUTHPAW LANE, SHEPHERDSTOWN, WV 25443	Open	Request for a Conditional Use Permit to expand Executive Emergency Lighting's business operations. The applicant is proposing to expand an existing emergency vehicle outfitting and retrofitting professional office, which is designated as a Contractor with Outdoor Storage (see Article 2). The proposal consists of constructing a new 1,200 square foot building to house vehicles and a workshop for the outfitting work.
						Category Total:
Easements	24-3-E	9/19/2024	KEITH B JANSSEN	6864 Engle Molers Road, Shepherdstown, WV 25443	Open	Conservation easement with the Land Trust of the Eastern Panhandle, two properties
						Category Total:
Merger or Boundary Line Adjustment	24-13-M	7/16/2024	DIANA M SEMON	120 Potomac Valley Court, Harpers Ferry WV 25425	Open	BLA of .328 acres from Parcel 84 to Parcel 82; and to vacate a previously platted 30' access easement (see DB 879/PG718)
	24-14-M	8/26/2024	JOHN P MILTON	917 Mount Hammon Lane, Charles Town, WV 25414	Open	Boundary line adjustment between Parcels 2.4 and 2.5
	24-15-M	9/4/2024	CAVALIER FARM LLC - TRISH SANDERSON	2043 Shepherdstown Pike, Harpers Ferry, WV 25425	Open	Boundary Line Adjustment
						Category Total:
Miscellaneous Fees	24-9-MPC	7/8/2024	LUTMAN LAND DEVELOPMENT - DAVE LUTMAN	92 Taliesen Way, Kearneysville, WV 25430	Closed	Leetown 2 MSD Lot 3 (septic)
	24-10-MPC	9/18/2024	TRI STATE IMPROVEMENTS LLC - CHRISTOPHER HILL	Pending Assignment, Haple Hill Lane, Harpers Ferry, WV 25425	Open	Minor Plat Change to move septic reserve for proposed house and garage.
						Category Total:
Planning Commission Waiver	24-23-PCW	7/15/2024	HENRY & RACHELL DUVALL	2648 Kabletown Road, Charles Town, WV 25414	Closed	Waiver from the requirements of 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
	24-24-PCW	7/19/2024	STANDARD LAND COMPANY LLC	Peregrine Road, Harpers Ferry, WV 25425	Closed	Waiver from the requirements of 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
	24-25-PCW	8/20/2024	TOWNHOME RENTAL LLC	4113 Charles Town Road, Kearneysville, WV 25430	Open	Waiver from Section 24.118 of the Subdivision Regulations to extend the timeframe to bond and record the final plat for Phase 2 of the Rocky Ridge Subdivision to December 31, 2024.
	24-26-PCW	8/21/2024	WILLIAM EUGENE CRUM	Doe Walk Lane, Kearneysville, WV 25430	Open	waiver request from Section 20.201B of the Subdivision Regulations to reduce the required access easement width of Doe Walk Lane from 50' to 40' and to allow more than five lots to access Doe Walk Lane for a proposed two lot minor subdivision
						Category Total:
Planning Commission Variance (1979 ZO)	24-3-PCV	8/30/2024	DAWN WHITE	49 Boyer Lane, Summit Point, WV 25446	Open	Variance from Section 2.1B of the 1979 Subdivision Ordinance (parent to child exemption) to lift the single family restriction to allow for a detached Accessory Dwelling Unit (In-Law Suite) pursuant to Section 8.15A of the Zoning Ordinance.
						Category Total:
Final Plat Amendment	24-4-FPA	8/21/2024	STEVE & MAUREEN LANA-SMOLKE	415 Potomac Ridge Lane, Shepherdstown, WV 25443	Open	Final Plat Amendment to lift the single family restriction for a detached accessory dwelling unit for a family member. See Note #9 on Final Plat PB 25 PG 85A. (File#24-5-FPA)
						Category Total:
Site Plan	24-5-RR	8/19/2024	COLONIAL HILLS LLC	127 Avon Bend, Charles Town, WV 25414	Open	1. Revise layout from previously approved 61 townhouse lots to 45 villa Lots. 2. Revise road horizontal and vertical alignments to accommodate villa Product. 3. Revise grading based on new road horizontal and vertical alignments, Villa product and drainage patterns. 4. Revise water, sanitary and storm drainage system as required by revised Horizontal and vertical layout. 5. Minor revisions to erosion and sediment control plan. 6. Minor revision to landscaping to coordinate with new layout.
	24-6-SP	9/27/2024	SIDEWINDER ENTERPRISES LLC - SEAN MASTERSON	1 Grace Street, Kearneysville, WV 25430 340 OLD SHENNANDALE RD 1343 ROPER NORTH FORK RD	Open	Concept Plan for a Major Site Plan (water bottling facility).
						Category Total:
Subdivision	24-20-SD	7/16/2024	DEBBY K & SAMUEL L COCHRAN	719 Mission Road, Harpers Ferry, WV 25425	Open	Creation of Lot 2B and 2C - Residue
	24-21-SD	7/19/2024	EDGAR C & NANCY S PUGH JR	2353 Terrapin Neck Road, Shepherdstown WV 25443	Open	Creation of six FT lots and a residue parcel
	24-22-SD	8/12/2024	SHENANDOAH SALES & SERVICE INC - DAVID TABB	107 Tabb Lane, Harpers Ferry, WV 25425	Open	Creation of three residential lots and one commercial lot (Lot 1).
	24-23-SD	8/14/2024	DEVIN MCCREERY	Turner Road, Shepherdstown, WV 25443	Open	Minor Subdivision to create Family Transfer Lots 2-12
	24-24-SD	8/23/2024	PETER KUBIC	241 Edmond Road, Kearneysville, WV 25430	Open	Family Transfer Minor Subdivision Lots C-1 Residue; C-2, and C-3
	24-25-SD	8/26/2024	TIMOTHY S & STEPHANIE S BOWLES	211 Border Road, Kearneysville, WV 25430	Open	Lots 3-A and 3-B - Family Transfer Minor Subdivision
	24-26-SD	8/27/2024	DR ACQUISITIONS LLC - MATT STARE	Charles Town Road, Charles Town, WV 25414	Open	Final Plat - Phase 2 includes:

	24-27-SD	9/6/2024	LINDA M SHIRLEY ET AL	4529 Middleway Pike, Kearneysville, WV 25430	Open	Creation of 1 lot and a residue
	24-28-SD	9/16/2024	LUTMAN LAND DEVELOPMENT	Middleway Pike, Kearneysville, WV 25430	Open	Creation of 3 lots
	24-30-SD	9/27/2024	JUSTIN CONRAD STONE - JUSTIN STONE	228 Kenwood Lane, Harpers Ferry, WV 25425	Open	Final Plat Family Transfer
	24-31-SD		HENRY'S CONSTRUCTION LLC - JAMES HENRY	Whitmer Road, Shenandoah Junction, WV 25442		Proposed subdivision of Lot A & B on lands owned by Henry's Construction LLC
					Category Total:	11
Zoning Certificate	24-27-ZC	7/10/2024	DUANE C & REBECCA DUNN	230 Macoughtry Drive, Kearneysville, WV 25430	Closed	Accessory Dwelling Unit for a family member (detached in-law suite).
	24-28-ZC	7/12/2024	CABLE HOLDCO EXCHANGE V LLC	512 Sandpiper Lane, Shepherdstown, WV 25443	Closed	Dish proposes to install (3) antennas (3) frames. (8) RRUs. (11 OVP, and (1) hybrid cable, and ground work
	24-29-ZC	7/22/2024	JOSEPH A & SHELBY M HERBERT	1122 Duncan Road, Harpers Ferry, WV 25425	Closed	Short term rental: The Moler Cottage on the Potomac Land Use 2 Farm Vacation Enterprise approved for up to five (5) units/lodges.
	24-19-ZC	7/26/2024	DENNY WARD	950 Wild Turkey Road, Harpers Ferry, WV 25425	Closed	Wild Turkey Ridge - Short Term Rental Five lodging units on each of the four tracts (twenty lodging units total) tower/site modifications.
	24-30-ZC	7/29/2024	SUNNYSIDE LIMITED PARTNERSHIP - BARBARA HUYETT	844 Wheatland Road, Charles Town, WV 25414	Closed	Removal of: (3) Existing Antennas; (3) Existing TMA's; (6) Existing Coax Cables; (1) Existing Battery Cabinet; 6201 ODE Cabinet with All Modules & Radios; and, Installation of: (3) New T- Mobile Ericsson-Air6419 B41 Antennas; (3) New T- Mobile Commscope - W-65A-R1 Antennas; (3) New T- Mobile Ericsson 4460 B25 + B66 Radios; (3) New T- Mobile Ericsson (2") 6x24 Hybrid Cables; (1) New T- Mobile Ericsson 6160 Ac V1 Enclosure; (1) New Ericsson B160 Battery Cabinet; (2) New BB 6630, (1) New DUG20, (1) New RBS 6601, (1) New RP 6651, (1) PSU 4813 VR4A, (1) CSR ICRE V2 Router Inside New Enclosure; Mount and Structural Modifications.
	24-31-ZC	8/7/2024	NEILL & KENNA BANKS	3343 Shepherdstown Pike, Shenandoah junction, WV 25442	Closed	Telecommunication Tower Modification: removal & installation of new antennas and supporting equipment.
	24-32-ZC	8/12/2024	MOHAMMAD M & KAUSAR M KHAN	6828 Charles Town Road, Kearneysville, WV 25430	Open	7 Seas Convenience Store & Gas Station
	24-33-ZC	8/13/2024	CHRISTOPHER & ANDREA WELLS	304 Wren Lane, Harpers Ferry, WV 25425	Closed	Short Term Rental No meals proposed to be served; renting space in basement through Airbnb
	24-34-ZC	8/16/2024	J & B HOLDING GROUP LLC - CORDOBA	1675 Johnnycake Lane, Harpers Ferry, WV 25425	Closed	Short Term Rental: Blue Serenity Cabin
	24-35-ZC	8/16/2024	AMERICAN TOWERS INC	17340 Poppy Road, Bluemont, VA 20135	Closed	Existing cell tower modification: to remove (1) MW dish, install (1) new MW dish, remove (1) ODU, install (2) new ODUs, remove (2) coax cable lines, install (2) hybrid lines, and install (2) control cables. Please see Sheet G-0001 for scope of work.
	24-37-ZC	8/16/2024	MICHELLE MORIARTY	417 Hostler Road, Harpers Ferry, WV 25425	Closed	Short Term Rental: Liberty Chalets WV
	24-36-ZC	8/30/2024	TODD D BANKS & TAYLOR BISHOP	5994 Flowing Springs Road, Shenandoah junction, WV 25442	Closed	Agricultural Tourism
	24-38-ZC	8/30/2024	STILES FAMILY PARTNERSHIP LLC	1370 Roper North Fork Road, Charles Town, WV 25414	Closed	Farm Brewery, Agricultural Event Facility, Agritourism
	24-38-ZC	8/30/2024	STILES FAMILY PARTNERSHIP LLC	1400 Roper North Fork Road, Charles Town, WV 25414	Closed	Farm Brewery, Agricultural Event Facility, Agritourism
	24-39-ZC	9/13/2024	STILES FAMILY PARTNERSHIP #2	Myerstown Road, Kabletown, WV 25430	Open	Farm Vacation Enterprise: five lodging unities
	24-40-ZC	9/20/2024	KENNETH L WILT	543 Mission Road North, Harpers Ferry, WV 25425	Open	
					Category Total:	16
Zoning Variance	24-25-ZV	7/1/2024	CARTER & MAPLE PROPERTIES LLC - KEVIN CUELLER	Carter Avenue, Harpers Ferry, WV, 25425	Open	Variance request from Section 8.14B.1.a to reduce the minimum lot size for the proposed use from 5 acres to .63 acres and Section 8.14B.1.b to reduce the number of required parking spaces.
	24-26-ZV	7/23/2024	JOSEPH A & SHELBY M HERBERT	1122 Duncan Road, Harpers Ferry, WV 25425	Open	Variance from Section 8.17B.1 to reduce the minimum lot size of a proposed five (5) unit campground from 10 acres to 5.92 acres.
	24-27-ZV	7/23/2024	JOSEPH A & SHELBY M HERBERT	1122 Duncan Road, Harpers Ferry, WV 25425	Open	Variance from Section 8.17B.1 to reduce the minimum lot size of a proposed four (4) unit campground from 10 acres to 3 acres.
	24-28-ZV	7/26/2024	FELLOWSHIP BIBLE CHURCH	160 Daniel Road, Shenandoah Junction, WV 25442	Open	Variance from Appendix B to reduce the side setback & unscreened buffer area along the eastern property line for an addition to an accessory structure and the installation of a driveway.
	24-29-ZV	7/26/2024	HAZELTON STEPHANIE L & DALE A SANASKAS	50 VALENTINE CT, SHEPHERDSTOWN, WV 25443	Open	Variance from Section 5.7B of the Zoning Ordinance (as amended 05/01/03) to reduce the rear setback from 50' to 5' for a 66' x 40' accessory structure (detached garage)
	24-30-ZV	8/23/2024	DAVID BROWN & MICHELLE MITCHELL-BROWN	229 Bethany Lane, Charles Town, WV 25414	Open	Variance request from Appendix A to reduce the rear setback from 50' to 4' along the southern property line for a 15' x 25' accessory structure (greenhouse).
	24-31-ZV	8/26/2024	LEE V & JEANETTE M HAWK	328 Harry Shirley Road, Kearneysville, WV 25430	Open	Variance from Section 8.17B.1 to reduce the minimum lot size of a proposed 10 unit campground from 10 acres to 6.3 acres.
	24-32-ZV	9/24/2024	CASTILLA CASTILLO REINIER & SANTANA LOURDES CASTILLO	414 Kearneysville Pike, Kearneysville, WV 25430	Open	Variance from Section 4.6D & Section 8.2 to reduce the distance requirement along the eastern property line from 50' to 12' for a 24' x 30' barn.
	24-33-ZV	9/26/2024	MARK R JOHNSON	3292 Old Leetown Pike, Ranson, WV 25438	Open	Variance from Section 9.7 to reduce the rear setback from 12' to 6' for a 12' x 20' (240 sf) accessory structure.
	24-34-ZV	9/26/2024	MARK R JOHNSON	3292 Old Leetown Pike, Ranson, WV 25438	Open	Variance from Section 9.7 to reduce the rear setback from 12' to 6' for a 12' x 20' (240 sf) accessory structure.

Zoning Variance	24-35-ZV	9/26/2024	ANGELA J & JOSEPH F DELAUTER	58 Kaela Court, Charles Town, WV 25414	Open	Variance from Section 9.7 to reduce the side setback from 15' to 5' for a 12' x 20' (240 sf) accessory structure.
	24-36-ZV	9/26/2022	ANGELA J & JOSEPH F DELAUTER	59 Kaela Court, Charles Town, WV 25414	Open	Variance from Section 9.7 to reduce the side setback from 15' to 5' for a 12' x 20' (240 sf) accessory structure.
	24-37-ZV	9/26/2024	DURATRAC FLOORING LLC - MARK CERASI	64 Steeley Way, Kearneysville, WV 25430 272 James Burr Boulevard, Kearneysville, WV 25430	Open	Eliminate buffer, parking standards, and drive isle
	24-38-ZV	9/27/2024	DURATRAC FLOORING LLC - MARK CERASI	65 Steeley Way, Kearneysville, WV 25430 272 James Burr Boulevard, Kearneysville, WV 25430	Open	Adjust 25' setback between buildings
					Category Total:	14
					Grand Total:	56



Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

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Planner's Memorandum Planning Commission Meeting November 12, 2024

1) Department of Engineering, Planning and Zoning County Offices Contact Information

BUILDING PERMITS & INSPECTIONS 304-725-2998 permits@jeffersoncountywv.org

IMPACT FEES 304-728-3331 - mmason@jeffersoncountywv.org

ENGINEERING 304-728-3257 - engineering@jeffersoncountywv.org

PLANNING & ZONING 304-728-3228 - planningdepartment@jeffersoncountywv.org, zoning@jeffersoncountywv.org

GIS & ADDRESSING 304-724-6759 - gis@jeffersoncountywv.org

2) Planning Commissioner Self Evaluation

Discussion of Results of Self Evaluation Forms

3) County Commission Direction:

- At the October 17, 2024 County Commission meeting, the Commission directed Legal Counsel and the County Administrator to investigate the legality and effectiveness of Berkeley County's policy requiring developers building 15 or more homes to perform hydrogeological testing relating to the quantity and quality of groundwater at the proposed site prior to approval.

4) Report related to 2024 WV Trails Conference

5) Upcoming PC meetings

- ❖ Next Regular meeting date: **December 10, 2024**

- 7:00 pm Planning Commission Meeting

The following dates relate to the adoption of the *2045 Comprehensive Plan*:

- ❖ Per WV Code 8A-3-7c, after the presentation of the recommended *2045 Comprehensive Plan* by the Planning Commission to the governing body and prior to adoption, the governing body shall hold a public hearing after giving notice. At the October 17, 2024 County Commission meeting, the County Commission scheduled a Public Hearing to be held on **Wednesday, December 4, 2024 at 6 pm at Jefferson High School Auditorium**, with an **Open House with staff from 5 pm – 6 pm**.
- ❖ Per WV Code 8A-3-8, within the latter of ninety days or three scheduled meetings after the submission of the recommended comprehensive plan to the County Commission, the County Commission must act by either **adopting, rejecting or amending the 2045 Comprehensive Plan**. The 90 days ends on **January 14, 2025**.



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DRAFT

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2025 MEETING SCHEDULE
JEFFERSON COUNTY PLANNING COMMISSION

Unless otherwise posted, Planning Commission meetings are held in the Old Charles Town Library Meeting Room located at 200 East Washington Street, at the side entrance on Samuel Street at 7:00 p.m.

<u>Waiver/Variance*</u>	<u>Concept Plan**</u>	<u>Regularly Scheduled Meeting[^]</u>
Monday, December 23, 2024	Wednesday, November 27, 2024	Tuesday, January 14, 2025
Tuesday, January 21, 2025	Friday, December 27, 2024	Tuesday, February 11, 2025
Tuesday, February 18, 2025	Friday, January 24, 2025	Tuesday, March 11, 2025
Tuesday, March 18, 2025	Friday, February 21, 2025	Tuesday, April 8, 2025
Tuesday, April 22, 2025	Friday, March 28, 2025	Tuesday, May 13, 2025
Tuesday, May 20, 2025	Friday, April 25, 2025	Tuesday, June 10, 2025
Tuesday, June 17, 2025	Friday, May 23, 2025	Tuesday, July 8, 2025
Tuesday, July 22, 2025	Friday, June 27, 2025	Tuesday, August 12, 2025
Tuesday, August 19, 2025	Friday, July 25, 2025	Tuesday, September 9, 2025
Tuesday, September 23, 2025	Friday, August 29, 2025	Tuesday, October 14, 2025
Tuesday, October 14, 2025	Friday, September 19, 2025	Tuesday, November 4, 2025
Tuesday, November 18, 2025	Friday, October 24, 2025	Tuesday, December 9, 2025

⁺Meeting dates have been modified in observance of the Veterans Day.

[^]Regularly scheduled Planning Commission Meetings are held on the second Tuesday of each month. The Planning Commission may choose to schedule a Tentative Meeting (as needed) on the fourth Tuesday of every month to conduct Commission business or to meet required deadlines that are in accordance with the Planning Commission’s 4th Tuesday Meeting policy (approved 11/14/17). Please check with office Staff for a list of Tentative Meeting dates.

The required application, supporting documentation and applicable fees must be submitted to the office in accordance the Application Submission Deadline Policy, which establishes a 4:00 pm deadline for any application submitted on a Friday.

*The Waiver and Variance deadline is 21 calendar days prior to the meeting to allow for Staff review the applications, and to accommodate the 14-day notice requirements for the placard/sign and mailings to adjacent property owners.

**The Concept Plan deadline is 45 calendar days prior to the meeting to allow for Staff review of the Plan, and to accommodate the 21-day legal advertisement requirement, and the 14-day notice requirements for the placard/sign and mailings to adjacent property owners. All documents & fees must be submitted no later than 4:00 pm.

Changes in the time or location of the meeting shall be noticed on the County’s website at www.jeffersoncountywv.org. **Note:** if the President of the County Commission or the Planning Commission determines that weather conditions make travel unsafe for the public, County offices may close and/or the meeting may be cancelled. Please check the County’s website for possible meeting updates during inclement weather.

Agenda items that have been deferred due to a meeting cancellation will be rescheduled. No additional public notice shall be given. All signs must remain posted on the respective properties until the rescheduled meeting date. Please call the office or check the County’s website for the rescheduled meeting date.