

## Meeting Minutes

Jefferson County Planning Commission

March 25, 2025

The Jefferson County Planning Commission met on March 25, 2025, at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Aaron Howell, Vice President; Wade Louthan, Secretary; Cara Keys, County Commission Liaison; Tim Smith; Bruce Chrisman; and Daniel Hayes were present in person. J Ware was present via ZOOM.

Donnie Fisher was absent without notice.

Staff members present included Luke Seigfried, County Planner; Johnathan Saunders, County Engineer; Nathan Cochran, County Attorney; and Colin Uhry, Planning & Zoning Clerk.

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

### 1. Request for postponement

Mr. Seigfried noted to the Planning Commission that there were no items requesting postponement.

The following items are open for public comment.

- 2. Public Workshop for the Harvest Meadows Concept Plan.** The proposal consists of a Major Residential Subdivision with 62 lots and associated infrastructure. Property Owner: Billy Kaye Moores, II. Developer: William Fulk Lane, LLC. Property Location: 235 William Fulk Lane, Kearneysville, WV. Parcel ID: 07000600150000; Size: ~211 acres; Zoning District: Rural (File #25-3-SD).
- 3. Public Hearing:** Waiver from Article 24, Section 24.113.B.10 of the Subdivision Regulations, to request to waive the Phase I Archaeological Survey requirement for Preliminary Plats. Property Owner: Billy Kaye Moores, II. Developer: William Fulk Lane, LLC. Property Location: 235 William Fulk Lane, Kearneysville, WV. Parcel ID: 07000600150000; Size: ~211 acres; Zoning District: Rural (File # 25-5-PCW).

Mr. Seigfried provided an overview of the staff report for both 25-3-SD and 25-5-PCW.

Mr. Chris Waddell, engineer from Civil & Environmental Consulting, Inc. was present in person. Mr. Waddell explained the nature of the request.

Mr. Shepp opened the floor for public comment. The following members of the public provided comments: Cassie Johnson, Dave Wampler, Kathleen Taylor, James Galliera, Debroah Belote, Colin Stine, Rebecca Thompson, Brad Wright, Mary Anne Wright, Rendell Anderson.

Mr. Shepp closed the floor for public comment.

Addressing the public's concerns regarding historical structures and the archaeological study waiver, Mr. Waddell made mention that through internal conversations with the Department of Highways (DOH), they have the organizations support for the location of the proposed subdivision and noted there was no traffic study required at this time. Mr. Waddell also noted that the farm field of the property would not give any historical information, as the constant of tilling of the dirt would bury specific artifacts. As a proffer, Mr. Waddell stated the applicant was willing to conduct a Phase 1A archaeological survey within the limits of disturbance and hydrological studies.

Ms. Keys questioned whether the applicant was willing to proffer donating a portion of the greenspace land to the Jefferson County Parks and Recreation department as a mixed-use recreational field. Mr.

Waddell noted the applicant was open to this proffer but would need to discuss with staff. Mr. Shepp noted that the applicant would need to request a new waiver to develop the proposed greenspace.

Mr. Smith questioned the process of an archaeological survey in relation to the Concept Plan and Preliminary Plat stages of a site development. Mr. Waddell provided Mr. Smith with the archaeological survey waiver in relation to the site development process, noting that the applicant would return at the Preliminary Plat stage, allowing for further public comment.

Mr. Hayes noted the applicant should conduct a percolation test on the site to discover soil type and availability and questioned if the Planning Commission could require a traffic study be conducted. Mr. Cochran noted that only the Department of Highways can require a traffic study, leading Mr. Hayes to requesting a conversation between the applicant and the DOH.

Ms. Keys reiterated the proffer of donating the land to the Jefferson County Parks and Recreation department provided that the recreation use is allowed in this zoning district and parcel. Mr. Shepp noted that proffering this would be hinging on a Zoning Administrator's determination, requiring further conversations with staff.

Mr. Hayes motioned to waive the requirement of the archaeological survey outside the identified limits of disturbance. Mr. Howell seconded the motion, which carried unanimously.

Regarding the Concept Plan, Mr. Waddell noted the applicant was open to conducting traffic studies on the surrounding intersections of the proposed subdivision and willing to perform a hydrological study.

Mr. Hayes moved to authorize the applicant to proceed with the Preliminary Plat, conditioned on the proffers of conducting a traffic study at the intersections of Strider Road and Leetown Road, Leetown Road and Border Road, and Leetown Road at the new proposed entrance, conducting a hydrological study, and following the conditions set in Planning Commission Waiver 25-5-PCW for the proposed area. Mr. Louthan seconded the motion, which carried unanimously.

4. **Public Workshop for the Hallmark Glen Concept Plan.** The proposal consists of a Major Residential Subdivision with 20 lots and associated infrastructure. Property Owner: Harvest Homes, LLC. Property Location: 4001 Engle Molers Road, Harpers Ferry, WV. Parcel ID: 09001800250000; Size: 100 acres; Zoning District: Rural (File #25-4-SD).
5. **Public Hearing:** Waiver from Section 2.3A.3 of the Subdivision Regulations to reduce the required road width surface from 24' to 20' for a proposed 20-lot residential subdivision (Hallmark Glen File #25-4-SD). Property Owner: Harvest Homes, LLC. Property Location: 4001 Engle Molers Rd, Harpers Ferry, WV. Parcel ID: 09001800250000; Size: 100 acres; Zoning District: Rural (File # 25-9-PCW).

Mr. Seigfried provided an overview of the staff report for both 25-4-SD and 25-9-PCW.

Mr. Paul Raco, the consultant of the project, Mr. Dave Lutman, the property owner, and Mr. Connor Hill, engineer from Integrity Federal Services, Inc., were present in person. Mr. Raco and Mr. Lutman explained the nature of the request.

Mr. Howell questioned the need for a 50' access easement located on the western side of the parcel, Mr. Lutman explained the easement was established as a proffer to an adjoining property owner, noting that this space shall not be developed in any way.

Mr. Smith expressed his concern regarding density and the location of the proposed homes in relation to Engle Molers Road.

Mr. Hayes expressed his concern regarding the established stormwater easement and questioned the impact it will have on preexisting properties around the proposed subdivision. Mr. Hill noted the Department of Highways will upgrade the area and bring the stormwater easement up to county standards.

Mr. Shepp opened the floor for public comment. The following members of the public provided comments: Sherry Duncan, Diane Blust, Kevin Carter, Kaila Welsh-Lamp, Linda Layne, Gary Donley, Nick Kercheval, Nick Perkins, Colin Stine, Jennifer Duncan, John Barton, Christy Miller, Eric Lewis, Chris Bocchetti, and Diana Donley-Bello.

Mr. Shepp closed the floor for public comment.

Addressing the public's concerns regarding the subdivision location and traffic impact along Engle Molers Road, Mr. Raco stated that the proposed subdivision follows both the 2035 and 2045 Comprehensive Plans, follows the density regulations set by the Zoning Ordinance, and the applicant is currently having discussion with the Department of Highways regarding the culvert on the property.

Mr. Hayes clarified to audience members the Stormwater Management Plan will be included at the Preliminary Plat stage, as is the case with all Concept Plans.

Mr. Hill explained that the proposed plan allows for 25 years of stormwater management runoff, with talk to the Department of Highways to utilize 8 inch culverts to allow stormwater to runoff through.. Mr. Smith clarified to the Commission the applicant will not add to the flow of water to surrounding properties with this plan, Mr. Hayes noted the applicant would be more restrictive in the proposed plan to accommodate residents. Mr. Saunders noted the applicant is required to control 10 years of storm and the applicant is offering 25 years.

Mr. Raco noted the frontage along Engle Molers Road follows the Zoning Administrator's interpretation regarding road frontages and buffers.

Mr. Saunders clarified his recommendations regarding 25-9-PCW. As a potential proffer, Mr. Saunders requested the applicant provided 20' of asphalt and 5' gravel shoulders for the road development, allowing for emergency vehicles to gain access to the subdivision. Mr. Chrisman noted that most emergency vehicles would not be able to access off of a 30' road width and recommended a 40' width at a minimum. Mr. Chrisman questioned the ability of installation of dry hydrants in the subdivision, Mr. Lutman stated he was open to discussion with local firehouses for this proffer.

Mr. Raco proffered to the Planning Commission to establish the road width as 24' until the first road split, completely asphalt, with a 3' shoulder on both sides of the road, and then decreasing the road width to 20' for the remainder of the development.

Mr. Smith motioned to reduce the required road width surface from 24' to 20' with the proffer that the applicant have the road be constructed to have 24' of asphalt pavement with a 3' shoulder up until the first intersection within the development. Mr. Louthan seconded the motion, which carried unanimously.

Mr. Hayes moved to authorize the applicant to proceed with the Preliminary Plat, conditioned on the proffers of conducting a Stormwater Management Plan designed to release a flow for a 25 year storm post development as if the existing 10 inch culvert remained without over topping the road, with the existing 10 inch culvert to be replaced by a culvert designed to pass a 25 year storm without overtopping the road, and following the conditions set in Planning Commission Waiver 25-9-PCW for the proposed area. Mr. Louthan seconded the motion, which carried unanimously.

6. **Public Workshop for the Media Farm Concept Plan.** The proposal consists of a Major Residential Subdivision with 99 lots and associated infrastructure. Property Owner: Harvest Homes, LLC. Property Location: 261 Media Farm Lane, 278 Media Farm Lane, 391 Media Farm Lane, Ranson, WV. Parcel IDs: 02000400110000, 02000400130000, 02000400110001; Size: ~126 acres; Zoning District: Residential Growth (File #25-5-SD).
7. **Public Hearing:** Waiver from Section 2.3.A.3 of Appendix B of the Subdivision Regulations to allow for the use and development of one entrance due to limited frontage of the property and the proposed 99 lot installation. Property Owner: Harvest Homes, LLC. Property Location: 261 Media Farm Lane, 278 Media Farm Lane, 391 Media Farm Lane, Ranson, WV. Parcel IDs: 02000400110000, 02000400130000, 02000400110001; Size: ~126 acres; Zoning District: Residential Growth (File # 25-6-PCW).
8. **Public Hearing:** Waiver from Section 2.2.G of Appendix B and Section 22.206.B.2 the Subdivision Regulations to allow a proposed 99 lot installation to utilize two primary, disconnected, cul-de-sacs that allows more than 24 lots to be served. Property Owner: Harvest Homes, LLC. Property Location: 261 Media Farm Lane, 278 Media Farm Lane, 391 Media Farm Lane, Ranson, WV. Parcel IDs: 02000400110000, 02000400130000, 02000400110001; Size: ~126 acres; Zoning District: Residential Growth (File # 25-7-PCW).

Mr. Seigfried provided an overview of the staff report for 25-5-SD, 25-6-PCW, and 25-7-PCW.

Mr. Paul Raco, the consultant of the project, Mr. Dave Lutman, the property owner, and Mr. Connor Hill, engineer from Integrity Federal Services, Inc., were present in person. Mr. Raco and Mr. Lutman explained the nature of the request.

Mr. Shepp questioned how well and septic systems will serve the amount of proposed lots, Mr. Raco clarified that the western portion of the subdivision will run on septic only and the eastern portion of the subdivision will utilize sewer systems.

Mr. Shepp questioned the location of the proposed single entrance, Mr. Raco noted it was not located near an already established entrance.

Mr. Shepp the floor for public comment. The following members of the public provided comments: Colin Stine, Christine Wimer.

Mr. Shepp closed the floor for public comment.

Mr. Raco, Mr. Lutman, and Mr. Hill provided no additional comments.

Mr. Hayes motioned to allow for the proposed subdivision to access from one entrance due to the limited frontage of the property, Ms. Keys seconded the motion, which carried unanimously.

Ms. Keys motioned to allow for the proposed subdivision to utilize two primary, disconnected, cul-de-sacs to allow more than 24 lots to be served, Mr. Chrisman seconded the motion, which carried unanimously.

Mr. Hayes moved to authorize the applicant to proceed with the Preliminary Plat, following the conditions set in Planning Commission Waivers 25-6-PCW and 25-7-PCW for the proposed area. Mr. Louthan seconded the motion, which carried unanimously.

There is no public comment for the following items.

**9. Discussion and Possible Action Related to the Comprehensive Plan Update:** Related to contracting part time help to draft a Solar Text Amendment.

Mr. Seigfried provided an overview of the request to contract part time help to drafting a Solar Text Amendment.

Mr. Hayes noted the quantity of actionable correspondence regarding this agenda item and agreed a committee of existing Planning Commissioners assisting the drafting of a solar text amendment seemed reasonable. Mr. Shepp noted that time is of the essence for a major project such as this. Ms. Keys requested a variety of roles.

Mr. Howell motioned to approve the request as presented and authorize Mr. Seigfried to present the request to the Jefferson County Commission. Mr. Smith seconded the motion, which carried 5 in favor and 2 against (Ms. Keys and Mr. Hayes).

Mr. Chrisman motioned to approve the appointment of a committee of Planning Commissioners to assist the contracted part time help in drafting a solar text amendment. Ms. Keys seconded the motion, which carried 4 in favor (Mr. Howell, Ms. Keys, Mr. Chrisman, and Mr. Hayes) and 3 against (Mr. Shepp, Mr. Smith, and Mr. Louthan).

**10. Reports from Legal Counsel**

No reports given.

**11. Planner's Memo**

No memo given

**12. President's Report**

None.

**13. Actionable Correspondence**

1. Emails re: "Actionable comments for 3/25/25: Agenda item 9. Discussion and Possible Action:" received between 03/16/25 – 03/18/25 from the following citizens:

Joanne Bario, Kathryn Bellacosa, Barbara Benson, Kraig Benson, Stephen Berzinskas, David Billmyer, Lorna Bryan, Amy Cunningham, Katie Dillow, David Fraser, John Fuller, Dennis Hatcher, Ruth Hatcher, Holland Hook, Jennifer Jones, Tamar Kavaldjian-Liskey, Nancy Knight, Christina Lally, Kathy Lloyd, Lewis Lloyd, Leah Lloyd, Shyrlan Migliaccio, Lily Miller, Barbara Milleson, Diana Mullis, Gordon Myers, Leah Rampy, Linda Roberts, Kristopher

Ruffner, Aida Smith, Susan Snyder, Yolanda St. Clair, Dawn Welsh, Sarah Welsh, Elizabeth Wheeler, Sherry White, Geoffrey Wilson, Robert Allotta, Katherine Austin, Toby Degenhardt, Jared Engelbrecht, Robert Everton, Jennifer Fisher, Amy Hartman, Mike Hunt, Linda Layne, Joann Plaag, Jeffrey Spickler, Edmond Uzan, Nigel Casserley, Margaret Liskey, Donald Rebmann, Carol Roby, Rebecca Thompson, Elizabeth Vesper, Christine Wiegman

**14. Non-Actionable Correspondence**

- a. Scot DeGraf
- b. Linda DeGraf
- c. Linda Lewis
- d. Lindsay McLaughlin
- e. Susan Lewis

Mr. Louthan motioned to adjourn the meeting at 10:26 pm. Mr. Howell seconded the motion, which carried unanimously.

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