



## Agenda

Jefferson County Planning Commission

Tuesday, May 27, 2025 at 7:00 PM

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**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: 890 4505 7184  
Meeting Link: <https://us02web.zoom.us/j/89045057184>

*\*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:** April 8, 2025, April 29, 2025, May 20, 2025 meetings.
2. **Request for postponement**
3. **Tabled from April 8, 2025: Public Hearing:** Waiver from Article 21, Section 21.101A, which requires the blocks shall not, in most instances, exceed six lots in length on one side of the street. Applicant: DR Acquisitions, LLC/Matt Powell. Consultant: Integrity Federal Services, Inc/Brooke Perry. Property Location: Vacant Lots located on Somerset Blvd, Charles Town, WV. Parcel IDs: 02000900080000 & 02000900080011; Size: ~136.08 acres; Zoning District: Residential-Light Industrial-Commercial (File #25-12-PCW)
4. **Tabled from April 8, 2025: Public Hearing:** Waiver from Article 21, Section 21.104A, which requires the minimum frontage shall be the minimum lot width for the Zoning District or 80 feet, whichever is less. The applicant is requesting to reduce the lot width from 80' to 65'. Applicant: DR Acquisitions, LLC/Matt Powell. Consultant: Integrity Federal Services, Inc/Brooke Perry. Property Location: Vacant Lots located on Somerset Blvd, Charles Town, WV. Parcel IDs: 02000900080000 & 02000900080011; Size: ~136.08 acres; Zoning District: Residential-Light Industrial-Commercial (File #25-13-PCW)

**The following items are open for public comment**

5. **Public Hearing:** Waiver from Section 2.5 of the Subdivision Regulations to reduce the depth of a parking space from 20' to 18' for a proposed commercial development. Property Owner: Kolawale Oshiyoye. Property Location: 7595 Martinsburg Pike, Shepherdstown, WV. Parcel ID: 09007B00010000; Size: ~2.69 ac; Zoning District: Residential Growth (File # 25-14-PCW).
6. **Public Hearing:** Waiver from Section 20.201.B.3 to reduce the required access easement width from 50' to 40' for a proposed family transfer minor subdivision. Property Owner: Russell and Krishna Carroll. Property Location: 1146 S Childs Road, Kearneysville, WV. Parcel ID: 07002400060012; Size: ~4.03 ac; Zoning District: Rural (File # 25-15-PCW).
7. **Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction for a detached accessory dwelling unit for a family member. See Note #4 on the Clear Field Subdivision Final Plat (PB 19/PG 59B). Property Owner: Daniel Dillow & James Glass. Property Location: Clear Field Subdivision, Lot 6, 152 Independence Lane, Summit Point, WV. Parcel ID: 06000200120000; Size: ~5.2 ac; Zoning District: Rural (File # 25-1-FPA).

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

- 8. Discussion and Possible Action:** Draft amendment to Section 24.113 of the Subdivision & Land Development Regulations related to the requirement for Phase I Archaeological Surveys for Major Subdivisions.
- 9. Discussion and Possible Action:** Draft amendment to Section 20.104 of the Subdivision Regulations related to exempting Parks and Recreation owned land from the Subdivision & Land Development Regulations.
- 10. Discussion and Possible Action:** Draft amendment to add Data Centers to the Zoning & Land Development Ordinance and add specific requirements for Data Centers to the Subdivision & Land Development Regulations.
- 11. Discussion and Possible Action:** Draft amendment to revise language on Solar Energy Facilities in the Zoning & Land Development Ordinance Section 2.2, Section 4.13, and Section 8.20 and add specific requirements for Solar Energy Facilities to the Subdivision & Land Development Regulations.
- 12. Discussion and Approval:** Planning and Zoning 2<sup>nd</sup> Quarterly Report for FY 2024-2025 for the County Commission.
- 13. Discussion and Approval:** Planning and Zoning 3<sup>rd</sup> Quarterly Report for FY 2024-2025 for the County Commission.

#### **14. Reports from Legal Counsel**

- a. Report on the Text Amendment Submission Process
- b. Discussion on Jefferson County Circuit Court Case # CC-19-2025-C-93 (RE: Sidewinder Enterprises, LLC v. Jefferson County Planning Commission) with legal counsel.

#### **15. Planner's Memo**

#### **16. President's Report**

- a. Discussion and Possible Action of Emails to Planning Commissioners

#### **17. Actionable Correspondence**

1. Emails re: "Actionable correspondence: Public Comment on Zoning Ordinance Amendments" received between 05/04/25 – 05/06/25 from the following citizens:

Nancy Adams, Joanne Bario, Kathryn Bellacosa, Cheryl Bennett, Kraig Benson, Stephen Berzinskas, Marlyn Bisher, Angela Blair, Nancy Brady, Mike Briers, Nigel Casserly, Donna Catt, Marilee Cunningham, Laura Degenhardt, Toby Degenhardt, Kathleen Dillon, Sonny Discini, Nora Drish, Julia Farrell, Jennifer Fisher, Gabrielle Fry, John Fuller, Matthew Glover, Anita Hill, Holland Hook, Melissa Howell, Hannah Jack, Reba Jones, Cindy Keller, Hilary Lo, Diana Mullis, Ellen Murphy, Steven Ontiveros, Amy Piedrahita, Ali Printz, Cheryl Pullen, James Reifer, Linda Roberts, Carol Roby, Carolyn Rodis, Phillip Carter Salladay, William Schenider, Susan Topping, Sonia von Heijne, AnnaMary Walsh, Dale Walter, Samuel Welch, Carol Wood, Laurie Allen, Windsong Bergman, Susan Cebulski, Kathryn Christopher, Brian Hagberg, Lisa Higgins, Barbara Humes, Deborah Johnson, Kathleen Lloyd, Barbara Manuputy, Christine Marshall, Joseph Martin, George Rice, Joseph White, Amber Hobday, Pam Rowley, Rebecca Thompson, David Cebulski, Tamar Kavaldjian-Liskey, Donna Printz, Edward Reifer, Trudy Roth, Anne Weshinsky.

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2. Emails re: “Actionable correspondence for May 13 agenda items 3 and 4” received between 05/04/25 – 05/06/25 from the following citizens:

Nancy Adams, Joanne Bario, Kathryn Bellacosa, Cheryl Bennett, Kraig Benson, Stephen Berzinskas, Marlyn Bisher, Angela Blair, Mike Briers, Nigel Casserly, Marilee Cunningham, Toby Degenhardt, Sonny Discini, Nora Drish, Julia Farrell, Jennifer Fisher, Gabrielle Fry, John Fuller, Anita Hill, Melissa Howell, Hannah Jack, Reba Jones, Cindy Keller, Hilary Lo, Diana Mullis, Ellen Murphy, Amy Piedrahita, Cheryl Pullen, James Reifer, Linda Roberts, Carol Roby, Carolyn Rodis, Andrew Rosen, Phillip Carter Salladay, William Schenider, Susan Topping, Sonia von Heijne, AnnaMary Walsh, Samuel Welch, Carol Wood, Laurie Allen, Windsong Bergman, Susan Cebulski, Kathryn Christopher, Brian Hagberg, Lisa Higgins, Barbara Humes, Kathleen Lloyd, Barbara Manuputy, Christine Marshall, Joseph Martin, Donna Printz, George Rice, Joseph White, Amber Hobday, Richard Lo, Christian Lotze, Rebecca Thompson, David Cebulski, Tamar Kavaldjian-Liskey, Edward Reifer, Trudy Roth, Anne Weshinskey.

3. John Smith, Angelina Gray

## **18. Non-Actionable Correspondence**





## Draft Meeting Minutes

Jefferson County Planning Commission

April 8, 2025

The Jefferson County Planning Commission met on April 8, 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; Donnie Fisher; Bruce Chrisman; and Daniel Hayes were present in person.

Tim Smith and J Ware were absent without notice.

Staff members present included Luke Seigfried, County Planner; Jonathan 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. Approval of Meeting Minutes: March 11, 2025 and March 25, 2025 meetings

Mr. Seigfried presented proposed changes to the March 11, 2025 meeting minutes. Mr. Shepp stated the minutes stand approved as amended.

Mr. Seigfried provided clarification regarding the difference between a Phase I and Phase IA archaeological survey and presented proposed changes to the March 25, 2025 meeting minutes. Mr. Shepp stated the minutes stand approved as amended.

### 2. Request for postponement

None.

The following items are open for public comment.

3. **Public Workshop for the 11065 Middleway Pike Concept Plan.** The proposal consists of establishing the following land use: Storage, Commercial (self-storage units); Retail Sales and Service, General (a private gym); Retail Sales, Limited; Convenience Store, Limited; Professional Office. The applicant is proposing to construct new buildings and the expansion of the existing parking lot. Property Owner: Mark Roper. Property Location: 11065 Middleway Pike & 600 Eagle Avenue, Charles Town, WV. Parcel ID: 02001100130000, 02001100130001, 02001100140000, and 02001100120001; Size: ~2.2 ac; Zoning District: Residential Growth (File #25-1-SP).

4. **Public Hearing:** Waiver from Section 2.5 of the Subdivision Regulations to reduce the depth of a parking space from 20' to 18' for a proposed commercial development (Site Plan File #25-1-SP). Property Owner: Mark Roper. Property Location: 11065 Middleway Pike & 600 Eagle Avenue, Charles Town, WV. Parcel ID: 02001100130000, 02001100130001, 02001100140000, and 02001100120001; Size: ~2.2 ac; Zoning District: Residential Growth (File # 25-8-PCW).

Mr. Howell recused himself for the remainder of the projects

Mr. Seigfried provided an overview of the staff report for both 25-1-SP and 25-8-PCW.

Mr. Seth Rivard, consultant for the applicant was present in person. Mr. Rivard explained the nature of the request.

Mr. Shepp opened the floor for public comment. No members of the public were signed up to speak.

Mr. Shepp closed the floor for public comment.

Mr. Hayes motioned to waive the required depth of a parking space from 20' to 18' for a proposed commercial development. Ms. Keys seconded the motion, which carried unanimously.

Mr. Hayes moved to authorize the applicant to proceed with the Preliminary Plat, conditioned on following the conditions set in Planning Commission Waiver 25-8-PCW for the proposed area. Mr. Fisher seconded the motion, which carried unanimously.

- 5. Public Workshop for the Global Environmental & Remediation Concept Plan.** The proposal consists of constructing a 100' x 100' building for a construction company, an employee parking area, and an outdoor equipment storage. Property Owner: Global Environmental & Remediation, LLC. Property Location: Parcel located north of the Middleway Pike and Shirley Road intersection (formerly addressed as 7367 Middleway Pike), Charles Town, WV. Parcel ID: 07002000090001; Size: ~6 acres; Zoning District: Rural (File #25-2-SP).

Mr. Howell returned for the remainder of the meeting

Mr. Seigfried provided an overview of the staff report for 25-2-SP.

Mr. Dick Cline, engineer from Alpha Associates, Inc, and Mr. Raymond Johnson, the property owner, were present in person. Mr. Cline and Mr. Johnson explained the nature of the request.

Mr. Shepp opened the floor for public comment. The following members of the public provided comments: David Tabb.

Mr. Shepp closed the floor for public comment.

Addressing the public's concerns, Mr. Cline noted that the project will follow the Stormwater guidelines as set by the County, which are not included at the Concept Plan stage, and has begun grading on the proposed property site.

Mr. Chrisman questioned the impact this project will have on adjacent properties, Mr. Cline noted all adjoining are aware of the project.

Mr. Hayes moved to authorize the applicant to proceed with the Preliminary Plat. Mr. Howell and Mr. Chrisman seconded the motion, which carried unanimously.

- 6. Public Hearing:** Waiver from Section 20.201C.2 of the Subdivision Regulations to allow a proposed two-lot nonresidential subdivision to utilize an existing access/drive aisle as opposed to a county grade road. Property Owner: S&N Properties, LLC. Property Location: 256 Halltown Road, Harpers Ferry, WV. Parcel ID: 04001100210002; Size: 12.56 acres; Zoning District: Residential-Light Industrial-Commercial (File #25-10-PCW).

Mr. Seigfried provided an overview of the staff report for 25-10-PCW.

Mr. Ed Johnson, surveyor from Ed Johnson & Associates, Inc., was present in person. Mr. Johnson explained the nature of the request.

Mr. Shepp opened the floor for public comment. No members of the public were signed up to speak.

Mr. Shepp closed the floor for public comment.

Mr. Saunders elaborated on the nature of the request and staff's recommendation.

Mr. Howell motioned to allow a proposed two-lot nonresidential subdivision to utilize an existing access/drive aisle as opposed to a county grade road with the applicant following engineering standards. Mr. Louthan seconded the motion, which carried unanimously.

7. **Public Hearing:** Waiver from Section 20.201A of the Subdivision Regulations to reduce the required access width from 50' to 20' for a proposed family transfer minor subdivision. Property Owner: Paige & Anthony Wenner. Property Location: 195 Vidon Farm Lane, Shepherdstown, WV 25443. Parcel ID: 09001200080006; Size: 10 acres; Zoning District: Rural (File #25-11-PCW).

Mr. Seigfried provided an overview of the staff report for 25-11-PCW.

Ms. Paige Wenner, property owner, was present in person. Ms. Wenner explained the nature of the request.

Mr. Shepp opened the floor for public comment. The following members were signed up to speak: David Tabb, G.R. Welsh.

Mr. Shepp closed the floor for public comment.

Addressing the public's concerns, Mr. Chrisman, Mr. Louthan, and Mr. Fisher questioned Ms. Wenner follow up questions regarding how many homes will be included in the subdivision, the size of the entrance to the right of way, and ownership of the right of way.

Mr. Hayes motioned to reduce the required access width from 50' to 20' for a proposed family transfer minor subdivision, with the condition of approval that no additional lots past the one lot currently proposed may utilize the access easement without further consideration by staff and/or the Planning Commission. Ms. Keys seconded the motion, which carried unanimously.

8. **Public Hearing:** Waiver from Article 21, Section 21.101A, which requires the blocks shall not, in most instances, exceed six lots in length on one side of the street. Applicant: DR Acquisitions, LLC/Matt Powell. Consultant: Integrity Federal Services, Inc/Brooke Perry. Property Location: Vacant Lots located on Somerset Blvd, Charles Town, WV. Parcel IDs: 02000900080000 & 02000900080011; Size: ~136.08 acres; Zoning District: Residential-Light Industrial-Commercial (File #25-12-PCW).

9. **Public Hearing:** Waiver from Article 21, Section 21.104A, which requires the minimum frontage shall be the minimum lot width for the Zoning District or 80 feet, whichever is less. The applicant is requesting to reduce the lot width from 80' to 65'. Applicant: DR Acquisitions, LLC/Matt Powell. Consultant: Integrity Federal Services, Inc/Brooke Perry. Property Location: Vacant Lots located on Somerset Blvd, Charles Town, WV. Parcel IDs: 02000900080000 & 02000900080011; Size: ~136.08 acres; Zoning District: Residential-Light Industrial-Commercial (File #25-13-PCW).

Mr. Seigfried provided an overview of the staff report for 25-12-PCW.

Ms. Brooke Perry and Mr. Pete Cloutier, engineers from Integrity Federal Services, were present in person. Ms. Perry and Mr. Cloutier explained the nature of the request.

Mr. Shepp and Mr. Chrisman expressed their concern in granting the waivers without seeing a Concept Plan as a visual.

Mr. Shepp opened the floor for public comment. Mr. Shepp temporarily closed the floor for public comment.

Mr. Seigfried provided an overview of the staff report for 25-12-PCW.

Ms. Brooke Perry and Mr. Matt Monaghan, engineers from Integrity Federal Services, were present in person. Ms. Perry and Mr. Monaghan explained the nature of the request.

Mr. Shepp reopened the floor for public comment. The following members were signed up to speak: David Tabb, Ray Love, Bobbie Rehm, Robert Fluharty, Marilyn White, Thomas Yeager, Christine Wimer.

Mr. Shepp closed the floor for public comment.

Addressing the public's concerns, Ms. Perry noted they were following staff's recommendation regarding processing waivers before a Concept Plan had been submitted, also emphasizing the fact that the Traffic Impact Study is currently underway at the Department of Highways and the proposed project would follow all subdivision regulation requirements for emergency vehicles. Mr. Hayes noted the Concept Plan does not require a Stormwater Management Plan, which is included at the Preliminary Plat stage.

Mr. Shepp noted the desire to have a Concept Plan to better address the waivers presented.

Mr. Shepp motioned to table the two waivers until a Concept Plan has been submitted. Mr. Hayes seconded the motion, which carried unanimously.

There is no public comment for the following items.

#### **10. Reports from Legal Counsel**

Mr. Shepp moved to postpone the Report from Legal Counsel to the end of the meeting, which carried unanimously.

#### **11. Planner's Memo**

Mr. Seigfried provided the Planning Commissioners more context and requirements into establishing a committee to draft a Solar Text Amendment. Mr. Hayes and Ms. Keys volunteered to join the committee, lacking the required number of members, the committee was not formed.

Mr. Cochran offered to discuss the text amendment process on the May 13, 2025 meeting, Mr. Hayes will present his draft Solar Text Amendment at the June 10, 2025 meeting afterwards.

#### **12. President's Report**

None.

#### **13. Actionable Correspondence**

None.

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

- a. Emails re: "Actionable comments for 3/25/25: Agenda item 9. Discussion and Possible Action:" received between 03/18/25 – 03/28/25 from the following citizens: Brandon Belland, Virginia DeSeta, AnnaMary Walsh, Lori Bahamonde-DiGiambattista, Charlotte Fremaux, David Tabb, Jusuf Fuduli, Sarah Adams, Jane Butler, Susan Signorella Colvard, Laura Degenhardt, Lydia Dunn, Rosemary Grantham-Gardner, Heidi Hanrahan, Jeff Hertrick, Josephy Hough, Angela Hughes, George Miller, Jennifer Miller, Suellen Myers, Rebecca Phipps, Donna Printz, Pamela Ruediger, Molly Sutter, Glenn Taylor, William Telfair, Susan Topping, Krista Whalen, Karen Williams, Susan Wolcott, Carol Wood, Irene Yates, David Barrett, Windsong Bergman, Penny Curry, Linda Daly-Lucas, Eleanor Finn, Justin Heavner, Carolyn Rodis, Aline Schelling, Michael Simms, Valerie Smith, Margaret Tice, Richard Urban, Mary Ward, Kay Schultz

b. Diana Donley-Bello

**10. Reports from Legal Counsel**

Mr. Shepp moved to bring the meeting into executive session at 8:54 pm, which carried unanimously.

Mr. Uhry left the meeting for the remainder of the night.

Mr. Shepp moved to bring the meeting back into session at 10:25, which carried unanimously.

Mr. Shepp motioned to allow Legal Counsel to modify the order as discussed and have Mr. Shepp sign the revisions when they are ready. Mr. Hayes seconded the motion, which carried unanimously.

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

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



## Draft Meeting Minutes

Jefferson County Planning Commission

April 29, 2025

The Jefferson County Planning Commission met on April 29, 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, Chief County Planner; and Nathan Cochran, County Attorney.

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

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

- 1. Discussion and Possible Action:** Request for review of administrative decision regarding Section 24.113.B.10 of the Subdivision Regulations regarding Phase 1 Archaeological Study and Historic Resources Impact Study requirements for a Preliminary Plat.

Mr. Seigfried provided an overview of the nature of the request and relation to the Hallmark Glen Subdivision (25-4-SD Preliminary Plat First Submission).

Mr. Hayes questioned the need for Planning Commission to correct Staff's decisions. Mr. Shepp noted the Planning Commission has permission to determine projects complete.

Mr. Paul Raco, the consultant of the project, and Mr. Dave Lutman, the property owner, were present in person. Mr. Raco and Mr. Lutman explained the requirement of a completeness determination.

Mr. Shepp questioned Mr. Seigfried regarding why Staff believed the submitted archaeological survey to be incomplete. Mr. Seigfried elaborated on the review process for Preliminary Plats and past discussions the Planning Commission had regarding archaeological surveys.

Mr. Cochran noted he would answer questions from the Planning Commission in executive session and added he would also discuss Agenda Item #2 during an executive session.

Mr. Shepp motioned to bring the meeting into executive session at 7:28 pm, Mr. Howell seconded the motion, which carried unanimously.

Mr. Shepp motioned to bring the meeting back into session at 8:20 pm, Mr. Smith seconded the motion, which carried unanimously.

Mr. Hayes motioned due to ambiguity of the language of the Subdivision Regulations, the Planning Commission is to determine the archaeological survey submitted by AllStar Ecology, LLC as a Phase 1A historical survey. Ms. Keys seconded the motion.

Mr. Shepp noted the motion only pertained to the specific project that was brought to the Planning Commission. Mr. Hayes requested a text amendment clarifying the differences between different Historical Surveys.

The motioned carried two in favor (Mr. Hayes and Ms. Keys) and six against, the motioned failed.

Mr. Shepp motioned that staff and the Planning Commission interpret the Historic Landmarks provision in the Subdivision Regulations as a Phase 1A until the Regulations are revised, Mr. Smith seconded the motion, which carried unanimously.

Mr. Seigfried clarified whether the motion would apply to all projects currently processing or all projects going forward, Mr. Shepp clarified it was for all projects until the Subdivision Regulations are revised.

**2. Reports from Legal Counsel:** Report on Jefferson County Circuit Court Case # CC-19-2025-C-93 (RE: Sidewinder Enterprises, LLC v. Jefferson County Planning Commission).

Mr. Shepp noted all discussion regarding this item were held during the executive session.

Mr. Smith motioned to adjourn the meeting at 8:26 pm. Mr. Chrisman seconded the motion, which carried unanimously.

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

## Draft Meeting Minutes

Jefferson County Planning Commission

May 20, 2025

The Jefferson County Planning Commission met on May 20, 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; Daniel Hayes, J Ware, and Donnie Fisher were present in person.

Staff members present included Luke Seigfried, Chief County Planner; and Nathan Cochran, County Attorney.

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

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

**1. Reports from Legal Counsel:** Discussion of Jefferson County Circuit Court Case # CC-19-2025-C-93 (RE: Sidewinder Enterprises, LLC v. Jefferson County Planning Commission) with legal counsel.

Mr. Shepp motioned to bring the meeting into executive session at 7:00 pm. Mr. Hayes seconded the motion, which carried unanimously.

Mr. Smith motioned to bring the meeting out of executive session at 8:12 pm. Mr. Hayes seconded the motion, which carried unanimously.

Mr. Hayes motioned to adjourn the meeting at 8:13 pm. Mr. Louthan seconded the motion, which carried unanimously.

These minutes were prepared by Luke Seigfried, Chief County Planner.



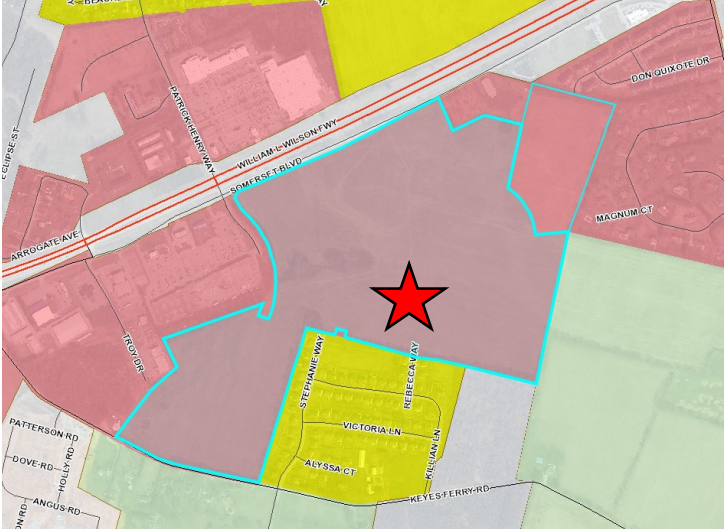
Staff Report  
 Jefferson County Planning Commission Meeting  
 May 27, 2025

**US Route 340 Waiver Requests (File: 25-12-PCW and File: 25-13-PCW)**

**Items #3 and #4:**

**Request # 1:** Request for a Waiver from Article 21, Section 21.101A, which requires that blocks shall not, in most instances, exceed six lots in length on one side of the street.  
 (File: 24-12-PCW).

**Request # 2:** Request for a Waiver from Article 21, Section 21.104A, which requires the minimum frontage shall be the minimum lot width for the Zoning District or 80 feet, whichever is less. (File: 24-13-PCW).

Owner/Applicant	DR Acquisitions, LLC / Attn: Matt Powell
Consultant	Integrity Federal Services, Inc. / Attn: Brooke Perry
Property Location & Information	<p>Vacant Lots located on Somerset Blvd, Charles Town, WV; Size: ~136.08 acres;          Parcel IDs: 02000900080000 &amp; 02000900080011;          Zoning District: Residential-Light Industrial-Commercial</p> 
Adjacent Zoning	<p><i>North: Residential-Light Industrial-Commercial/Residential Growth</i>  <i>South: Residential-Light Industrial-Commercial/Residential Growth/Incorporated Town</i>  <i>East: Rural/Residential-Light Industrial Commercial</i>  <i>West: Incorporated Town/Residential-Light Industrial Commercial</i></p>
Proposed Activity	<p>The US Route 340 Mixed-Use Concept Plan pending submission proposed to consist of 597 dwelling units &amp; 8 commercial lots. Previous File: 18-11 Dwelling Unit Breakdown: Single-Family: 99 small lots &amp; 110 large lots (as revised); Townhouse Units: 128; Multi-Family Units: 260 (26 buildings with 10 units/buildings)</p>
History	<p>10/09/18: Original Concept Plan provided to PC, Approved (18-11).          10/09/18: Original Road Frontage Waiver provided to PC, Approved (PCW18-12).          10/09/18: Original Road Access Waiver provided to PC, Denied (PCW18-13).          10/09/20: Concept Plan expires, voids previously approved PC Waiver.          03/18/25: Submittal of 25-12-PCW &amp; 25-13-PCW          04/08/25: Planning Commission moves to table waivers until Concept Plan is submitted</p>

Staff Report  
Jefferson County Planning Commission Meeting  
May 27, 2025

**US Route 340 Waiver Requests (File: 25-12-PCW and File: 25-13-PCW)**

**Summary of the Request:**

Applicant is pursuing two waivers that will impact the design of a future Concept Plan submission for a Mixed Use Subdivision. The property is located east of Charles Town and Ranson along Route 340. A Concept Plan was originally approved in 2018 but the approval has since expired.

**Request # 1:** (File: 25-12-PCW) Request for a Waiver from Article 21, Section 21.101A, which requires that blocks shall not, in most instances, exceed six lots in length on one side of the street.

**Request # 2:** (File: 24-13-PCW) Request for a Waiver from Article 21, Section 21.104A, which requires the minimum frontage shall be the minimum lot width for the Zoning District or 80 feet, whichever is less.

**NOTE:** *These are two separate waivers that will require separate action by the Planning Commission but are included in the same staff report.*

**24-14-PCW Waiver Request #1 for Section 21.101A (Block Length)**

**Summary of the Request:**

The applicant is requesting a waiver of this section to allow block lengths of greater than 6 lots on one side of the street. Section 21.101A of the Jefferson County Subdivision and Land Development Regulations states that blocks “shall not, in most instances, exceed six lots in length on one side of the street” (emphasis added). It further states that the length, width, and shape of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed, zoning requirements, fire access, emergency service, and police protection. There is some provision for longer blocks in rural subdivisions if there are topographic constraints, but only if there are no more than nine total lots in the subdivision and the lots are over ¾ acre in land area each. This proposed development is zoned Residential-Light Industrial-Commercial and these criteria do not apply.

As part of the waiver request, the applicant has supplied two different concept plan layouts based on the project proceeding with or without the requested waivers.

The applicant has submitted the Concept Plan to be included in the June 10, 2025 Planning Commission meeting.

**Waiver Requirements:**

The applicant provides a response to the requirements found in “Division 24.300 Waivers” of the Subdivision Regulations, which is attached to the 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  
May 27, 2025

**US Route 340 Waiver Requests (File: 25-12-PCW and File: 25-13-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 Comments:**

Generally blocks are defined as areas of land bounded by streets, other transportation features and/or public open spaces. The length of blocks influence the interconnectivity of neighborhoods and the walkability of communities. The standard width of the lots found within the blocks can also impact the length of the blocks. Waiver #2 (24-13-PCW) below also requests narrower lot widths than required by the ordinance, which would result in a greater number of lots within a standard block. Blocks found in more urban environments with a rectilinear grid street pattern lend themselves to a smaller number of lots in a given block to allow for greater interconnectivity. In areas where the blocks contain more numerous lots along the open space area, it is recommended that additional pedestrian connectivity be utilized to break up the length of the blocks and allow access to open space and common areas.

**Staff Recommendation:**

Planning and Zoning staff recommends that the waiver be granted to allow block lengths up of more than six (6) lots on one side of the street, with the condition that pedestrian connectivity be provided to common open space areas as much as possible. The request could result in a more flexible subdivision design that integrates open space and parkland into the development while providing adequate interconnectivity to adjoining lots.

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**24-13-PCW Waiver Request #2 for Section 21.104A (Lot Frontage)**

**Summary of the Request:**

The applicant is requesting a waiver of this Section to allow the detached single family lots to have a minimum lot frontage of 65'. Section 21.104A of the Jefferson County Subdivision and Land Development Regulations, "Lot Width and Frontage", states that "the minimum frontage shall be the minimum lot width for the Zoning District or 80 feet, whichever is less." As the subject parcel is zoned Residential-Light Industrial-Commercial, the 80' would apply for this development. Lot widths are measured at the setback lines and lot frontage is measured along the street property line. The application states that the proposed layout is not to reduce lot size but change the dimensions for deeper lots.

**Waiver Requirements:**

The applicant provides a response to the requirements found in "Division 24.300 Waivers" of the Subdivision Regulations, which is attached to the 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;

Staff Report  
Jefferson County Planning Commission Meeting  
May 27, 2025

**US Route 340 Waiver Requests (File: 25-12-PCW and File: 25-13-PCW)**

- (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.

**Staff Comments:**

The intent of the lot frontage guidelines is to establish uniform land subdivisions in Jefferson County. The 80' lot frontage requirement is intended to provide for a suburban or relatively large lot development. The smaller lot widths are not proposed to result in smaller lot sizes, but are proposed to have narrower deeper lots and is anticipated to allow for the creation of additional open space/parkland for the subdivision. The block length provisions are also in place to establish uniform land subdivisions in Jefferson County. Block length provisions can also increase walking paths and road interconnectivity. Similar waivers have been granted in the past to provide layout and design flexibility and to retain additional greenspace.

**Staff Recommendation:**

Planning and Zoning staff recommends that both waivers be granted in the lot frontage requirements and block length for this subdivision. The overall plan will be required to meet the open space requirements of the Subdivision Regulations.

If Planning Commission is inclined to table the waivers until the Concept Plan is presented, staff would advise that a Public Hearing for the waivers be advertised again and reopened at the concept plan public workshop.



Jefferson County, West Virginia  
 Department of Engineering, Planning and Zoning  
**Office of Planning and Zoning**  
 116 E. Washington Street, 2<sup>nd</sup> Floor  
 P.O. Box 716  
 Charles Town, West Virginia 25414

25-12-PCW  
 File #: 25-13-PCW  
 Mtg Date: 4-8-25  
 Date Rec'd: 3-17-25  
 Fees Paid: \$150  
 Staff Int: CAU  
 List of Adjoiners:

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto: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: DR Acquisitions, LLC  
 Business Name:  
 Mailing Address: 7945 Wormans Mill Road, Frederick, MD 21701  
 Phone Number: Email:

**Applicant Contact Information**

Applicant Name: Attn: Matt Powell Same as owner:   
 Business Name: DR Acquisitions, LLC  
 Mailing Address: 10212 Governor Lane Boulevard, Suite 1006, Williamsport, MD 21795  
 Phone Number: 301-302-6231 Email: mpowell@danryanbuilders.com

**Consultant Information**

Name: Brooke Perry  
 Business Name: Integrity Federal Services, Inc  
 Mailing Address: 148 S. Queen Street, Suite 201, Martinsburg, WV 25401  
 Phone Number: 304-725-8456 Email: bperry@ifs-ae.com

**Physical Property Details**

Physical Address: Located on Somerset Blvd Vacant Lot:   
 Tax District: Charles Town District 2 Map No: 9 Parcel No: 8 & 8.11  
 Parcel Size: 121.07 & 15.01 Acres Deed Book: 1085 & 1297 Page No: 409 & 9  
 Zoning District: Residential/Light Industrial/Commercial (R-LI-C)

**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 21.101.A. (Block Length): Allow block lengths longer than 6 lots.

Section 21.104.A. (Lot Frontage): Allow a 65 foot minimum lot frontage/width

**Briefly Describe the Nature of Your Waiver Request:**

Section 21.101.A. (Block Length): Allow block lengths longer than 6 lots.

Section 21.104.A. (Lot Frontage): Allow a 65 foot minimum lot frontage/width

**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.**

See attached

**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.**

See attached

**Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.**

See attached

**Explain how the waiver, if granted, will result in a project of better quality and/or character.**

See attached

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.

 3/17/25  
Property Owner Signature      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: \_\_\_ / \_\_\_ / \_\_\_

**Route 340 Mixed Use Subdivision**  
**Waiver Request Addendum (Lot Frontage)**  
March 17, 2025

**What Section of the Subdivision Regulations are you requesting to waive.**

**Section 21.104.A. Frontage.** The minimum frontage shall be the minimum lot width for the Zoning District or 80 feet, whichever is less. Flag lots and lots on cul-de-sacs may be permitted to have a minimum frontage of 24 feet based on design and engineering approval.

**Briefly describe the narrative of your waiver request:**

It is requested that the 80' minimum lot frontage for single-family detached units be reduced by 15' to a 65' minimum lot frontage. We are not proposing any change to the minimum or average lot area requirements.

Appendix A of the Jefferson County Zoning and Land Development Ordinance does not have a minimum lot width for a single family detached dwelling, and there is also a provision for "small lot single-family detached dwellings" which allow a minimum lot width of 35'. The requested 65' minimum lot width is greater than both of these requirements.

**Explain how the design of the project will provide public benefit in the form of County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of similar narrative.**

The Subdivision will cater to the housing trend that provides narrower lots in exchange for greater backyards and open space. We are not proposing to reduce the lot size, but simply to adjust the dimensions to better fit today's housing product and consumer demands. Historically, residential developments have been proposed with 80 to 100' lot depths, but in the proposed subdivision the lots are proposed to be a minimum of 110' deep, with many lots in excess of that. This offset of increased lot depth and subsequent backyards provides a benefit by reducing overall HOA and community maintenance costs, and allows more land to be set aside for community open space and parks. The required minimum lot width of 80' could be achieved through reducing the amount of parkland / open space proposed.

**Explain how the waiver, if granted, will not adversely affect public health, safety, or welfare or the rights of adjacent property owners or residents.**

The reduction of permitted lot width by 15' will not impact the public's health, safety or welfare nor will it impact adjacent property owners and/or residents rights.

There are provisions within the Zoning and Land Development Ordinance (referenced by the Subdivision Ordinance) which allow for a 35' detached single-family residence and townhouse lot widths of 18-20' (could be less based on minimum lot area). The Zoning and Land Development Ordinance would not

provide provisions for a lot which is 35' wide if the reduced lot frontage was a detriment to the health, safety or welfare of Jefferson County citizens. The request is in excess of this 35' minimum requirement.

**Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.**

As discussed in response to the public health & safety section of this document, the Zoning and Land Development Ordinance provides provisions for a minimum lot width of 35'. The requested waiver will provide a minimum lot width which is almost double that which the Ordinance determines acceptable.

Through its regulations, the Ordinance encourages density where public water and sanitary sewer is available. The proposed development will be served by public water/sanitary sewer and is similar in design to that of adjacent neighborhoods. Density is achieved through reduced lot widths, increased open space areas and additional housing options.

**Explain how the waiver, if granted, will result in a project of better quality or character.**

Today's housing market includes a demand for smaller homes on narrower lots which have access to larger backyards and common open space areas. Granting this waiver request will allow this market sector to continue to be recognized in Jefferson County and will blend the proposed development with adjacent neighborhoods.

This community will provide larger community open spaces for its residents to enjoy. The proposed open space and density is in part due to the reduced lot width/area. Increased density requires a higher percentage of Open Space to be reserved, per Table 21.105 of the Subdivision Ordinance, below.

<b>Density in Units per Acre of Residential Land Area</b>	<b>% of Land to be Reserved for Open Space</b>
Less than 2 units per acre	No land required
2-4	4%
4-6	7%
6 to 10	10%
10+	15%

The Route 340 Mixed Use Subdivision's vision includes narrow lots with less maintenance and more usable backyard area, within the highly amenitized mixed use neighborhood focused around central open spaces.

**Route 340 Mixed Use Subdivision**  
**Waiver Request Addendum (Block Length)**  
March 17, 2025

**What Section of the Subdivision Regulations are you requesting to waive.**

**Section 21.101.A. Block Length.** The blocks shall not, in most instances, exceed six lots in length on one side of the street. For attached units, that shall not exceed 12 lots. The length, width, and shape of blocks shall be determined with due regard to the provision of adequate sites for buildings of the type proposed, zoning requirements, fire access, emergency service, and police protection. Blocks may be longer in rural subdivisions due to topographic constraints and/or the total number of lots in the subdivision does not exceed 9 and the lots are over ¾ acre in land area each.

**Briefly describe the narrative of your waiver request:**

It is requested that blocks may include a mixture of lot numbers on one (1) side of the street for single-family detached units. Block length requirements are not applicable to lots located along the perimeter of the property or lots abutting open space. Block lengths shall only apply to blocks interior to the community. Blocks are defined as “An area of land surrounded on all sides by streets or other transportation right-of-ways or by physical barriers such as water bodies or public open spaces. Blocks are normally divided into lots”.

**Explain how the design of the project will provide public benefit in the form of County maintenance costs, greater open space, parkland consistent with the County Parks Plan or benefits of similar narrative.**

Parkland requirements are based upon the density of a proposed subdivision. A density of 4 to 6 units per acre requires that 7% of the community shall be reserved for open space. A density of 6 to 10 units per acre requires 10% open space. The proposed reduced lot width in conjunction with the increased block length, creates an increased density which increases parkland requirements and reduces imperviousness and road right-of-way that doesn't serve any additional benefit.

The increased block length allows for flexibility in the design of the proposed community. This flexibility allows the integration of parkland into the developments design and into the existing terrain. A rigid block structure based on the number of lots as opposed to actual distances can create an excessive amount of roads when lots of reduced width are utilized. This excessive street structure limits the ability to integrate contiguous parkland into the community.

<b>Table 21.105 Parkland Requirements for R-LI-C &amp; RG Districts and Development in the Rural District with an approved CUP</b>	
<b>Density in Units per Acre of Residential Land Area</b>	<b>% of Land to be Reserved for Open Space</b>
Less than 2 units per acre	No land required
2-4	4%
4-6	7%
6 to 10	10%
10+	15%

**Explain how the waiver, if granted, will not adversely affect public health, safety, or welfare or the rights of adjacent property owners or residents.**

The number of lots proposed in a block will not impact the public's health, safety or welfare nor will it impact adjacent property owners and/or residents rights.

Public health, safety or welfare is not impacted by the number of lots provided within a single block. The Subdivision Ordinance states that *the length of a block shall be determined with due regard to the provision of adequate sites for buildings, fire access, emergency service, and polices protection.* Blocks located within a grid system provide interconnections within a community for these emergency responders and these interconnections are maintained in the design of the proposed subdivision. The lots will provide adequate sites for the proposed unit types and no modifications to required building setbacks are being requested.

Adjacent uses to the Route 340 Mixed Use Subdivision include single-family residential, US Route 340, Keyes Ferry Road, Sommerset Village commercial, and vacant land. The proposed mixed use subdivision is compatible with the adjacent residential properties and provides a block structure similar to that of other recent subdivisions such as Stonecrest, Magnolia Springs, Kings Crossing and Crosswinds. Commercial areas are provided near similar uses, and aid in buffering residential areas from Route 340.

**Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.**

The intent of the Ordinance is to control block length and provide more connectivity. The metric used by the Ordinance to control block length is number of lots. The variable in this method of measurement is that lot widths will vary and there are no maximum width requirements. So, a block of six-200 foot wide lots is the exact same length as a block of 18-65 foot lots. This allows the possibility for a block of six (6) lots could have greater length than a block of 20 lots.

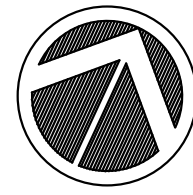
As discussed in response to the public health & safety section of this document, proposed blocks will provide adequate building sites, fire access, emergency service, and police protection. The actual length of the block does not necessarily change, just the number of units allowed within that block.

**Explain how the waiver, if granted, will result in a project of better quality or character.**

The proposed block structure and length allows for the protection of existing natural resources, reduces excessive streets/impervious areas and will create a community in harmony with surrounding neighborhoods.

Today's housing market includes a demand for smaller homes on narrower lots, with less maintenance and access to larger common open space areas. Granting this waiver request will allow this market sector to continue to be recognized in Jefferson County, and blend the proposed development with adjacent neighborhoods.





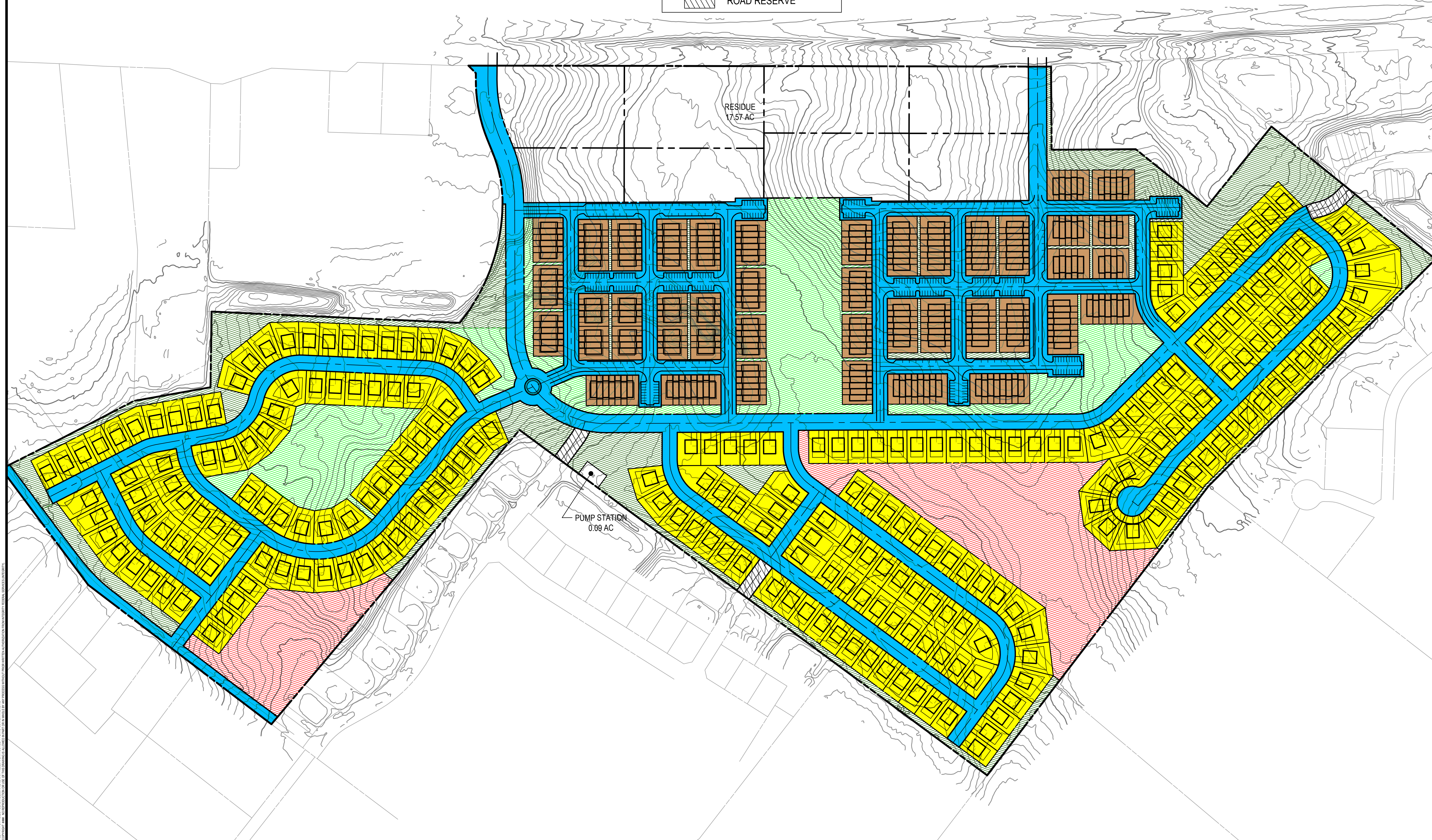
### COLOR KEY

- SFD
- TOWNS
- ROW
- PASSIVE OPEN SPACE
- ACTIVE OPEN SPACE
- SWM
- ROAD RESERVE

LAND AREAS	AREA (AC)
RESIDENTIAL LOT AREA (260 - TOWNHOMES)	15.24
RESIDENTIAL LOT AREA (235 - SINGLE FAMILY DETACHED)	44.67
INTERNAL ROAD RIGHT-OF-WAY	27.00
STORMWATER MANAGEMENT	12.01
ACTIVE OPEN SPACE	8.90
PASSIVE OPEN SPACE	8.19
ROAD RESERVE AREA	0.47
TOTAL RESIDENTIAL DEVELOPMENT AREA	116.49
RESIDUE	17.57
PUMP STATION	0.09
TOTAL SITE AREA	134.15

PARKLAND		
Density - DUA		
Dwellings	Residential Lot Area	Dwelling Units Per Acre
495	59.91	495 / 59.91 = 8.26
Parkland Requirements		
Required	% of Residential Development	Land Area (AC)
	10%	(116.49 x 0.10 = 11.65) 11.65
Provided (Active)	7.6% (8.90 / 116.49 = 0.07640)	8.90 +/-
Provided (Passive)	7.0% (8.19 / 116.49 = 0.07031)	8.19 +/-
TOTAL Provided	14.60%	

NOTE: AREAS ARE APPROXIMATE AND WILL UPDATE WITH PRELIMINARY PLAT.



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SEAL:

REVISIONS

WAIVER CONCEPT PLAN - LAND AREAS

**US 340 MIXED USE  
DEVELOPMENT PROJECT**

TAX MAP 09, PARCEL 8 & 8.11; D.B. 1085, PG. 398 & 409  
02 - CHARLES TOWN TAX DISTRICT  
JEFFERSON COUNTY, WEST VIRGINIA

J.C. FILE #XXX-XX

SCALE:	HORIZ.: 1" = 100'
	VERT.:
DATE:	APRIL 2025
JOB:	2600-0102
DRAWN:	JMM
CHECK:	JPG
CADD:	C-CS101_WAIVER.DWG
NCS:	
SHEET:	02 OF 02

**From:** [Planning Department](#)  
**To:** ["Jason Gerhart"](#)  
**Cc:** [Matt Monahan](#); [Pete Cloutier](#); [Brooke Perry](#); [Luke Seigfried](#)  
**Subject:** RE: US 340 Waivers - May Agenda Request  
**Date:** Wednesday, April 23, 2025 1:06:00 PM  
**Attachments:** [image001.png](#)

---

Good afternoon Jason,

This email is to confirm receipt of your submission, we will include the tabled waiver requests from the April 8, 2025 meeting, the two “sketch” Concept Plans as supplemental information for the waivers, and this email thread containing the request to be placed on the Agenda for the May 13, 2025 meeting.

As a reminder, the meeting location will be held at the County Commission Meeting Room located in the lower level of the Charles Town Library (entrance on Samuel St.), 200 East Washington Street, Charles Town, WV 25414

A representative for this request **must** be present. If you or a representative for the request will be unable to attend the meeting and would like to postpone the request until the next available meeting date, please contact our office as soon as possible so that Staff may advise the Planning Commission of the requested postponement.

Thanks!

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

---

**From:** Jason Gerhart <jgerhart@ifs-ae.com>  
**Sent:** Tuesday, April 22, 2025 5:52 PM  
**To:** Planning Department <PlanningDepartment@jeffersoncountywv.org>; Zoning <Zoning@jeffersoncountywv.org>; Luke Seigfried <lseigfried@jeffersoncountywv.org>  
**Cc:** Matt Monahan <mmonahan@drbgroup.com>; Pete Cloutier <pcloutier@ifs-ae.com>; Brooke Perry <bperry@ifs-ae.com>  
**Subject:** RE: US 340 Waivers - May Agenda Request  
**Importance:** High

Good Afternoon,

As promised, see the attached draft concept plans showing the layout per the ordinance, and the layout with our requested waivers. I can provide more detail later this week, but this eliminates approximately 1,000’ of roadway and the associated impervious surface that doesn’t serve any purpose and increases the overall open space by several acres.

As discussed, we will have our formal concept plan submission later this week and there will likely be a few tweaks to what you see in the attached, but hopefully this helps to convey the overall intent.

One thing that I want to point out is that although we show Right-of-way stubs to the adjacent properties, we have absolutely no intention of building those connections based on the feedback that we heard. We will clarify that in the final version as well as in our application.

Let me know if you have any questions or want to discuss any of the attached tomorrow as we put together the Concept plan submission with the alternative layouts.

Thank for your help,  
Jason

---

**From:** Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>  
**Sent:** Tuesday, April 22, 2025 4:54 PM  
**To:** Jason Gerhart <[jgerhart@ifs-ae.com](mailto:jgerhart@ifs-ae.com)>; Zoning <[Zoning@jeffersoncountywv.org](mailto:Zoning@jeffersoncountywv.org)>; Luke Seigfried <[lseigfried@jeffersoncountywv.org](mailto:lseigfried@jeffersoncountywv.org)>  
**Cc:** Matt Monahan <[mmonahan@drbgroup.com](mailto:mmonahan@drbgroup.com)>; Pete Cloutier <[pcloutier@ifs-ae.com](mailto:pcloutier@ifs-ae.com)>; Brooke Perry <[bperry@ifs-ae.com](mailto:bperry@ifs-ae.com)>  
**Subject:** RE: US 340 Waivers - May Agenda Request

Good afternoon,

This email is to confirm receipt of your submission. Your request has been added to the May 13, 2025 Agenda for the Planning Commissioners to discuss.

Thank you and have a nice day.

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

---

**From:** Jason Gerhart <[jgerhart@ifs-ae.com](mailto:jgerhart@ifs-ae.com)>  
**Sent:** Tuesday, April 22, 2025 1:26 PM  
**To:** Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; Zoning <[Zoning@jeffersoncountywv.org](mailto:Zoning@jeffersoncountywv.org)>; Luke Seigfried <[lseigfried@jeffersoncountywv.org](mailto:lseigfried@jeffersoncountywv.org)>  
**Cc:** Matt Monahan <[mmonahan@drbgroup.com](mailto:mmonahan@drbgroup.com)>; Pete Cloutier <[pcloutier@ifs-ae.com](mailto:pcloutier@ifs-ae.com)>; Brooke Perry <[bperry@ifs-ae.com](mailto:bperry@ifs-ae.com)>  
**Subject:** US 340 Waivers - May Agenda Request  
**Importance:** High

Good Afternoon,

As discussed with Mr. Seigfried this morning, we would request confirmation that our previously tabled application for two waiver requests will be on the May 13<sup>th</sup> PC Agenda. We will provide in a second email later this afternoon the two draft concept plan layouts that were requested in the motion at the last meeting. These layouts will show the project both with and without the waivers to help illustrate the reduction in impervious surface and increase in open space for the community.

At the May 13 meeting when our agenda item is reopened, we would ask the Planning Commission to act on the waiver requests if the motion's intent was to provide these concept plans to them. We believe this would allow for a more focused review of a single concept plan at the June 10<sup>th</sup> meeting, which is when the formal Concept Plan public workshop will be held.

If the Planning Commission motion's intent was to have the waivers decided at the same time as the formal concept plan, we would ask that the Planning Commission provide direction to staff to have the waivers included in the June 10<sup>th</sup> agenda. We would just like to point out that if we cannot receive direction on whether the waivers will be approved, the concept plan public workshop to be held on June 10<sup>th</sup> will include both concept layouts (with and without waivers). I believe this will be more confusing for everyone involved, but we feel this is the only way to avoid delay of the project pending the waiver decision.

Please confirm you have received this email and let me know if there are any questions on the above request. We will follow up with the two concept plan layouts shortly.

**Jason Gerhart, PE**

Principal | Director of Engineering

Licensed in FL,GA,MD,MI,NY,PA,SC,TX,VA,WV



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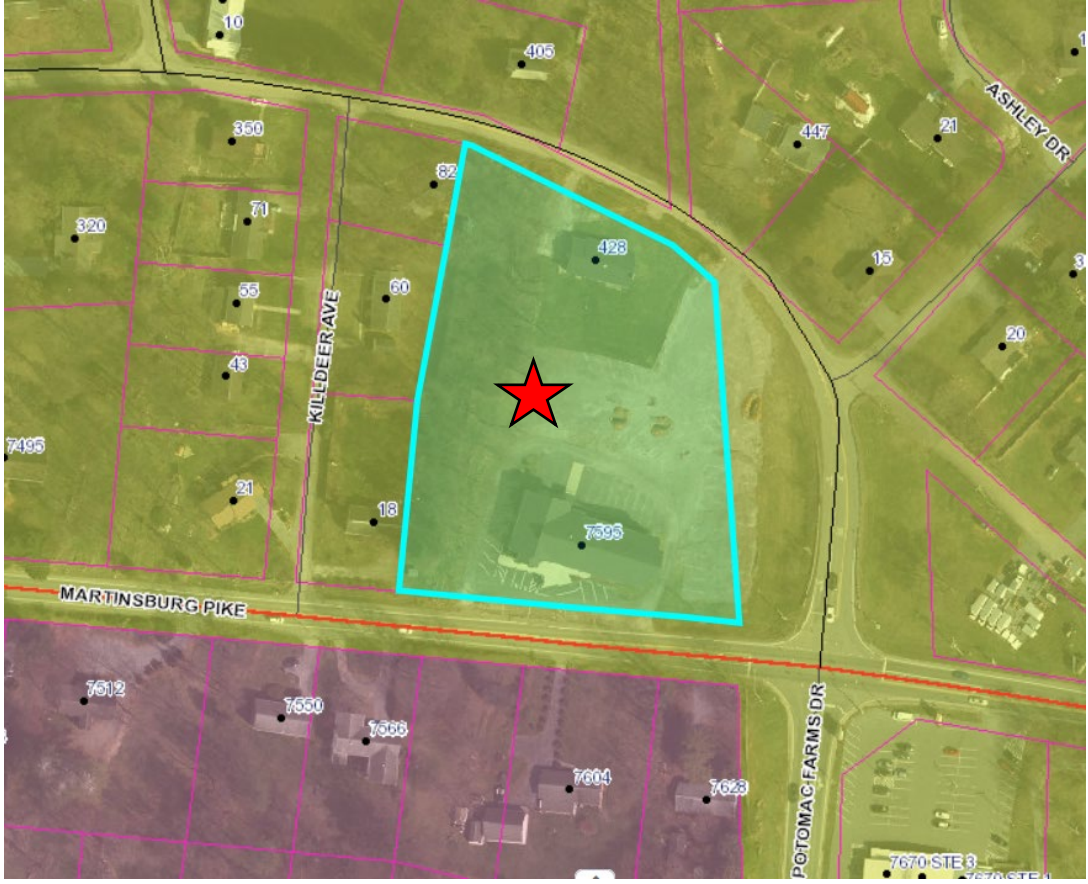
**O:** 304.725.8456 | **C:** 717.253.1693 [www.ifs-ae.com](http://www.ifs-ae.com)



Staff Report  
 Jefferson County Planning Commission Meeting  
 May 27, 2025

**Oshiyoye Shepherdstown Medical Office Parking Space Depth Waiver (25-14-PCW)**

**Item # 5: Public Hearing:** Waiver from Section 2.5 of the Subdivision Regulations to reduce the depth of a parking space from 20’ to 18’ for a proposed commercial development. Property Owner: Kolawale Oshiyoye. Property Location: 7595 Martinsburg Pike, Shepherdstown, WV. Parcel ID: 09007B00010000; Size: ~2.69 ac; Zoning District: Residential Growth (File # 25-14-PCW).

Owner	Dr. Kolawale Oshiyoye
Consultant	Eric H. Iser
Property Location & Information	<p style="text-align: center;">7595 Martinsburg Pike, Shepherdstown, WV; Size: ~2.69 acres;          Parcel ID: 09007B00010000          Zoning District: Residential Growth</p> 
Adjacent Zoning	North, East, West: Residential Growth; South: Residential/ Light-Industrial/ Commercial
History	12-11-14: Waiver of Site Plan to allow the expansion of a gravel parking lot (File#ZV14-21). 09-22-22: Conditional Use Permit to operate a Medical/Dental/Optical Office

**Site Background:**

This site plan is for an existing office building and existing indoor storage that is used by the applicant for the applicant’s rental and construction business. On the second level, two rental units are planned,

Staff Report  
Jefferson County Planning Commission Meeting  
May 27, 2025

**Oshiyoye Shepherdstown Medical Office Parking Space Depth Waiver (25-14-PCW)**

each consisting of three bedrooms and two bathrooms. Property will have access from Martinsburg Pike/Route 45.

**Summary of the Request:**

The applicant is requesting a waiver from Sec. 2.5 Off-Street Parking Standards, N. Parking area dimensions shall be no less than those listed in Table 2.5-1, stall depth of 20' for perpendicular parking.

The request is to reduce the 20 foot stall length to 18 foot.

**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
- 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:**

20' stall depth is to accommodate for full size pickups and SUV. 18' stall depth is commonly used for average-sized vehicles like sedans, crossovers, and minivans. The full size vehicle can utilize an 18 foot stall length if there is space for the front overhang to accommodate for it. It is not for vehicles facing one another. This configuration has two parking spaces shaped in an H. The concept plan does not propose any H shaped parking.

Therefore, engineering would recommend approval of the waiver on the condition that 18' parking spaces will only be used for parking spaces with adequate vehicle overhang space and not for the two cars front to front H shaped parking spaces.



Jefferson County, West Virginia  
 Department of Engineering, Planning and Zoning  
**Office of Planning and Zoning**  
 116 E. Washington Street, 2<sup>nd</sup> Floor  
 P.O. Box 716  
 Charles Town, West Virginia 25414

File #: 25-14-PCW  
 Mtg Date: 05-13-25  
 Date Rec'd: 3-28-25  
 Fees Paid: \$150  
 Staff Int: CAU  
 List of Adjoiners:

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto: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: Dr. Kolawale Oshiyoye  
 Business Name: Kolan Investments. LLC  
 Mailing Address: 3015 Cheyennes Trail, Gerrardstown, WV25420  
 Phone Number: 240-479-0791 Email: geminik4real@hotmail.com

**Applicant Contact Information**

Applicant Name: \_\_\_\_\_ Same as owner:   
 Business Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Consultant Information**

Name: Eric H. Iser, PE  
 Business Name: Triad Engineering, Inc.  
 Mailing Address: 1075D Sherman Ave., Hagerstown, MD 21740  
 Phone Number: 301-797-6400 Email: eiser@triadeng.com

**Physical Property Details**

Physical Address: 7595 Martinsburg Pike, Shepherdstown., WV 25443 Vacant Lot:   
 Tax District: Shepherdstown (09) Map No: 7B Parcel No: 0001  
 Parcel Size: 2.69 Ac. Deed Book: 1292 Page No: 428  
 Zoning District: Residential Growth

**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 2.5.N Parking Stall Depth

**Briefly Describe the Nature of Your Waiver Request:**

Decrease the Parking Stall Depth from 20' to 18'

**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.**

Decreasing the stall depth to 18' will decrease the amount of impervious area, increasing the amount of green space, therefore decreasing the amount of storm water runoff.

**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.**

Public safety concerns would not be adversely affected by shorter stalls as a large percentage of vehicles are substantially shorter than 18'. an 18' stall accompanied by a 24' drive aisle (12' each way) provides ample room for a person to safely access the rear cargo space while traffic passes by considering that the average width of a vehicle is less than 7'.

**Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.**

With the average automobile size continuing to decrease and maintaining a 24' wide drive aisle, a 20' parking stall is not necessary for safely parking a vehicle. Other jurisdictions in the area have reduced their parking stall lengths to 18".

**Explain how the waiver, if granted, will result in a project of better quality and/or character.**

The existing site is already covered with a large percentage of impervious material (asphalt, building, concrete & gravel). This project is aimed to reduce the amount of impervious area and add as much green space as possible. The Jefferson County regulations also allow for a minimum of a 4' wide sidewalk, however we feel for better public use and safety, a 5' sidewalk is better. With a 20' stall we would not be able to provide that.

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

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.

05/13/2025

Public Hearing Date

04/29/25

Date Placard Posted

04/29/25

Date Adjoiners Mailed

**Planning Commission Determination**

Approved

Denied

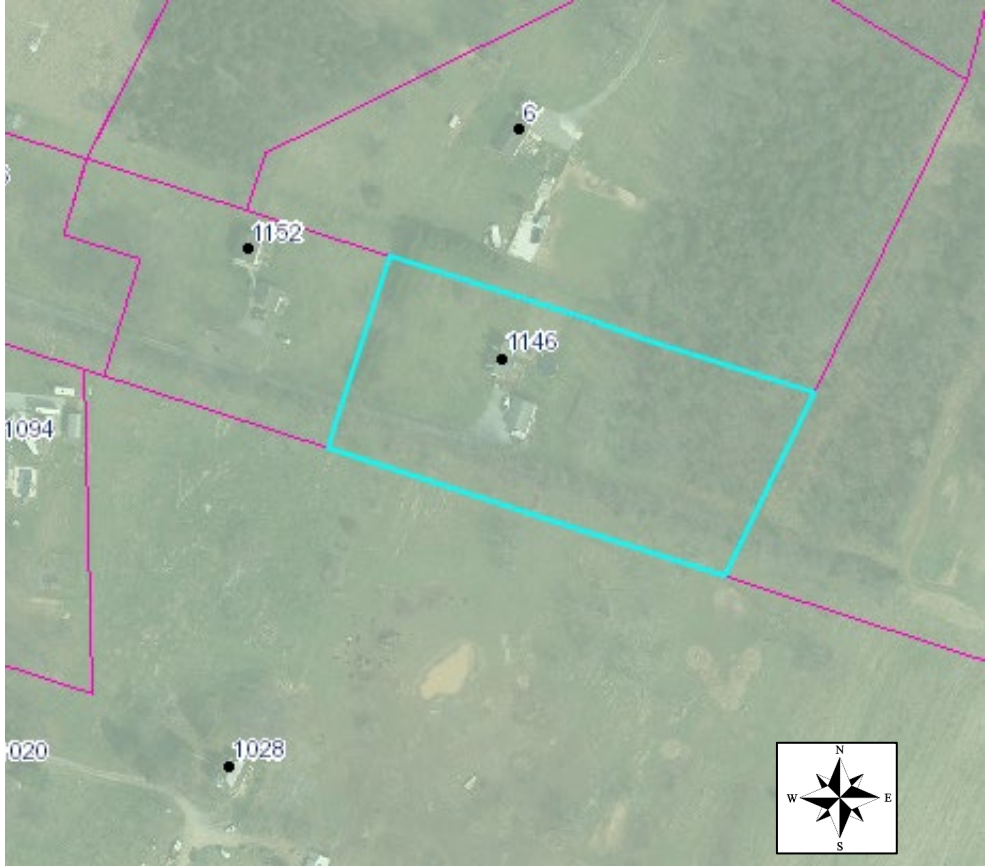
Date: \_\_\_ / \_\_\_ / \_\_\_





Staff Report  
 Jefferson County Planning Commission Meeting  
 May 27, 2025  
**Carroll Waiver Request (File: 25-15-PCW)**

**Item #6:** Waiver from Section 20.201.B.3 to reduce the required access easement width from 50' to 40' for a proposed family transfer minor subdivision.

Owner:	Russell and Krishna Carroll
Parcel Information & Zoning District:	<p style="text-align: center;">1146 S. Childs Rd., Kearneysville, WV          Parcel ID: 07002400060012; Size: ~7.8 acres (after merger);          Zoning District: Rural</p> 
	History:
Waivers/Variances:	<p>05/22/25: Variance from Appendix A to reduce the front setback along a proposed access easement from 40' to 25' along the southern property line for an existing detached accessory structure; and Section 9.6C to allow an accessory structure within the required front yard. (File #25-14-ZV)</p>
Approved Activity:	Residential
Site Visit:	Site visit not conducted

Staff Report  
Jefferson County Planning Commission Meeting  
May 27, 2025  
**Carroll Waiver Request (File: 25-15-PCW)**

**Summary of the Request:**

The applicant is requesting a waiver from Section 20.201A of the Subdivision Regulations to reduce the required access easement width from 50' to 40' to allow a proposed one lot minor subdivision. The subject parcel has the right to process a Minor Subdivision using the Family Transfer provisions, provided it meets all Subdivision Regulation requirements or receives the requested waiver. This would be the fourth lot created from the parent parcel. The property in question accesses onto South Childs Road.

The applicant has indicated that widening the access easement to 50' is not feasible due to an existing structure.

Because the property is zoned Rural the subject parcel has the right to create an additional lot through the Minor Subdivision process, provided it meets all Subdivision Regulation requirements or receives the requested waivers.

**Staff Recommendation:**

Staff believes it is reasonable to reduce the required access easement width of 50' to 40' to allow the creation of one additional lot on the existing 40' access easement.

**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
- 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.



Jefferson County, West Virginia  
 Department of Engineering, Planning and Zoning  
**Office of Planning and Zoning**  
 116 E. Washington Street, 2<sup>nd</sup> Floor  
 P.O. Box 716  
 Charles Town, West Virginia 25414

File #: 25-15-PCW  
 Mtg Date: 5-13-25  
 Date Rec'd: 4-18-25  
 Fees Paid: \$150  
 Staff Int: CAU  
 List of Adjoiners:

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto: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: Russell and Krishna Carroll  
 Business Name: \_\_\_\_\_  
 Mailing Address: 1146 S Childs Road, Kearneysville, WV 25430  
 Phone Number: Paul 304/676-8256 Email: c/o pjraco.consulting@gmail.com

**Applicant Contact Information**

Applicant Name: Same as Owner Same as owner:   
 Business Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Consultant Information**

Name: Paul J Raco  
 Business Name: \_\_\_\_\_  
 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: 1146 S Childs Road, Kearneysville, WV 25414 Vacant Lot:   
 Tax District: Middleway Map No: 24 Parcel No: 6.12  
 Parcel Size: 4.03 plus 3.68 acres +/- Deed Book: 1281 Page No: 292  
 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 201.B.3. 50' Easement Requirement

**Briefly Describe the Nature of Your Waiver Request:**

This is a Parent to Child (Family Transfer) from the Carrolls to their daughter. There are only 3 lots currently on the existing easement and this would be the 4th lot. The existing easement to the Carroll lot is 40' wide. With the Family transfer, the 40' easement will be extended through the parent parcel. The 50' requirement cannot be met as there is a garage that exists approximately 68 feet from the property line. As such, the proposed 40' Easement will leave approximately 28' from the edge of the extended 40' Easement. A front setback variance is pending in front of the BZA to allow a setback of 25'.

**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.**

See Attached

**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.**

See Attached

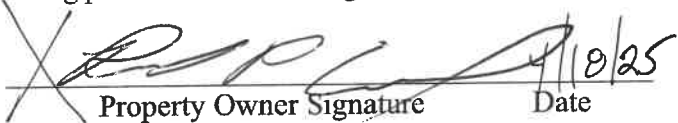
**Explain how the waiver, if granted, will be in keeping with the intent and purpose of this Ordinance.**

See Attached

**Explain how the waiver, if granted, will result in a project of better quality and/or character.**

See Attached

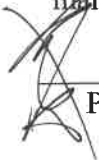
By signing this application, I give permission to the Planning and Zoning Staff to conduct a site visit for the purpose of taking photos for the Planning Commission staff report. The information given is correct to the best of my knowledge.

 4/10/25  
Property Owner Signature      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: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Russell and Krishna Carroll  
Waiver Request for 40' Easement for Family Transfer Lot  
Sections 20.201.B.3.  
Jefferson County Subdivision and Site Development Ordinance  
April 18, 2025

Adjoiners:

**Parcel ID:** 07 24000600140000  
**Tax Year:** 2025  
**Deeded Owner:** SCHNEIDER LAURA  
**C/O:**  
**Owner Address:** 6 SUNFLOWER DR  
**City:** KEARNEYSVILLE  
**State:** WV  
**Zip:** 25430

**Parcel ID:** 07 24000600000000  
**Tax Year:** 2025  
**Deeded Owner:** HY-CREST FARMS LLC  
**C/O:**  
**Owner Address:** 1694S CHILDS RD  
**City:** KEARNEYSVILLE  
**State:** WV  
**Zip:** 25430

**Parcel ID:** 07 24000700000000  
**Tax Year:** 2025  
**Deeded Owner:** HY-CREST FARMS LLC  
**C/O:**  
**Owner Address:** 1694S CHILDS RD  
**City:** KEARNEYSVILLE  
**State:** WV  
**Zip:** 25430

**Parcel ID:** 07 24000600110000  
**Tax Year:** 2025  
**Deeded Owner:** DELLINGER LLOYD & SHIRLEY W  
**C/O:**  
**Owner Address:** 1152S CHILDS RD  
**City:** KEARNEYSVILLE  
**State:** WV  
**Zip:** 25430

Russell and Krishna Carroll  
Waiver Request for 40' Easement for Family Transfer Lot  
Sections 20.201.B.3.  
Jefferson County Subdivision and Site Development Ordinance  
April 18, 2025

**Four Criteria:**

1. *Explain how the design of the Project will provide public benefit in the form in the reduction of Public maintenance costs, greater open space, parkland consistent with the County Park Plans or benefits of a similar nature;*

This project will have no Public costs since the existing Access Easement and drive is a private access and is required to be maintained by the Applicant and the lots that are being created. There will be no public maintenance costs involved as the Easement and any driveway improvements within the easement will be maintained privately. Furthermore, when the daughter's lot is created, 3 of the 4 lots on this easement will be owned by the Applicant, their daughter, and the Applicant's parents. Also, most of the land around it is the Applicant's family's farm (Hy-Crest).

2. *Explain how the waiver, if granted, will not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents;*

If the waiver is granted, it will have absolutely no adverse effect on public health, safety or welfare since the project will still be required to meet every other standard and requirement of the Family Minor Subdivision standards of the Subdivision Ordinance. These approvals will include the Health Department and Highway Department Approval (or letter) for the new lot.

Additionally, as stated previously, the waiver will not have any effect on the neighbors or public health since the development needs all other approvals and the applicant will need to maintain the new portion of the driveway to the new lot. There are no other improvements that are necessary since the subdivision otherwise qualifies as a Minor Family Subdivision. Most of the lots and surrounding land are owned by family.

3. *Explain how the waiver, if granted, will be keeping with the intent and purpose of this ordinance;*

The purpose of the access easement is to ensure that a proper road and drainage are adequate for the intended use. In this case, there is no road standard required for a Minor Family Subdivision and only the existing gravel driveway to the parent parcel needs to be extended to the daughter's lot. This gravel drive is already in place and there are no drainage issues. The additional family lot will not cause a harmful impact on the existing gravel road. A county grade subdivision road is not required either way, and the existing driveway adequately exists within the 40' Easement. Therefore, the extension of this driveway to the daughter's lot will easily fit within the requested 40' easement. This request for the 40' wide easement is only for the creation of this one parent to child transfer. The driveway will continue to be maintained as it is presently. These existing lots are rural lots mostly owned by the family.

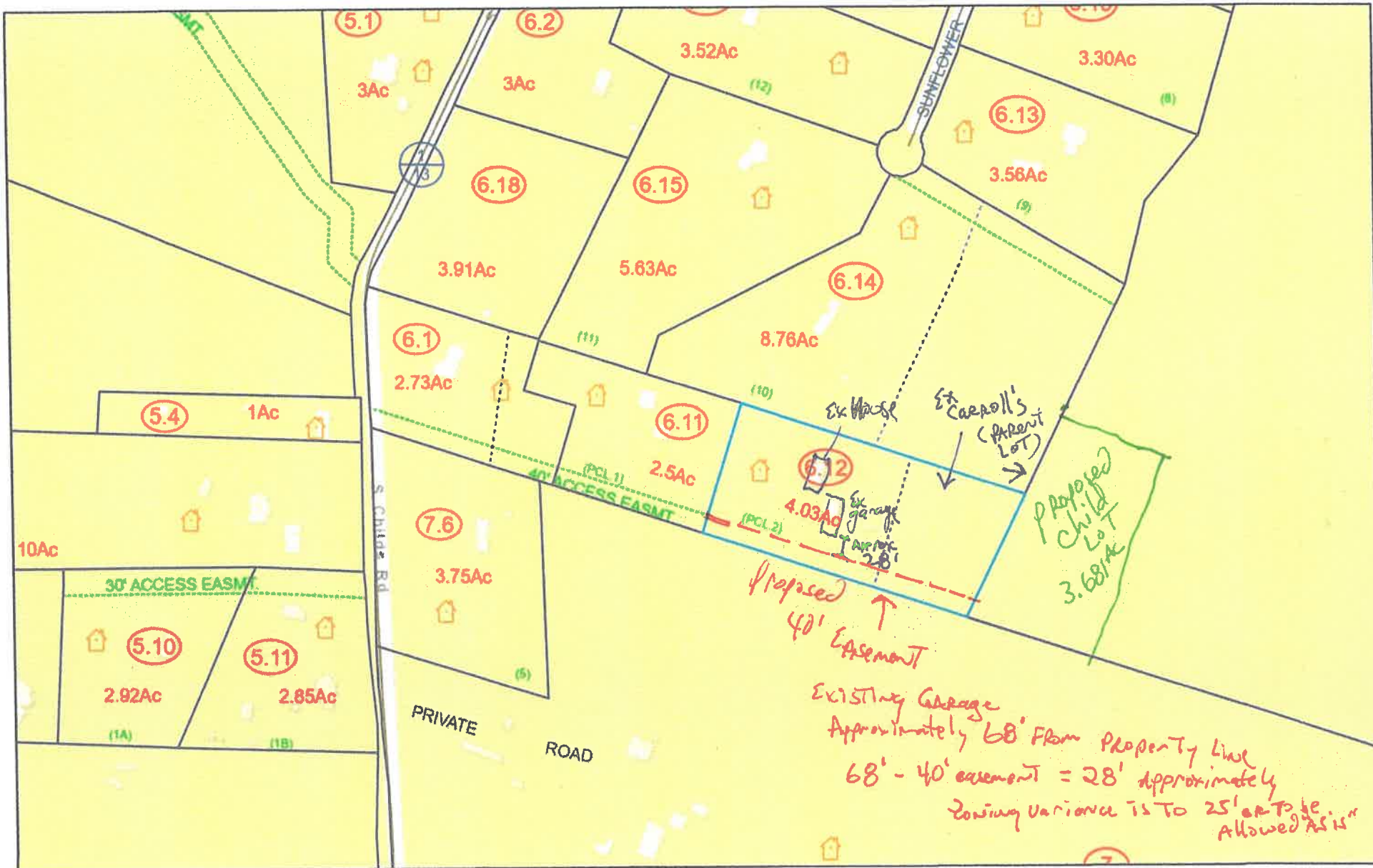
Furthermore, the DOH will ultimately decide if the additional lot will need an entrance permit or if they believe that none is necessary for the new lot. That will be presented during the Minor Subdivision process.

4. *Explain how the waiver, if granted, will result in a project of better quality and/or character;*

The granting of the Waiver will allow one additional lot on the platted 40' easement and existing drive that will be extended through the parent parcel. The required 50' cannot be provided since there is an existing garage on the parent parcel approximately 68' from the property boundary. If the new Easement is granted to be 40' this will allow for an approximate 28' setback from the edge of the new easement to the garage. This division otherwise qualifies as a Family Minor Subdivision and the existing drive is a well maintained rural gravel driveway. If the waiver is granted, it will allow the parents to give a lot to their daughter that she would not be able to afford to buy in Jefferson County. This will allow that daughter to build a house on the property next to her parents and two lots away from her grandparents. This is the whole purpose of allowing for Family Transfers of land as a Minor Subdivision. Prior to 2008, parent to children transfers did not even have to process a Subdivision in order to get property deeded to them. Now, a Minor Subdivision and survey are required for family transfers which adds considerable expense of being able to live next to one's parents. The impediment to providing the 50' (which is the requirement for Major Subdivisions) is that there is an Existing garage on the parent parcel. A 40' easement can adequately serve the one lot for the daughter, while leaving approximately 28' feet of space to the garage. This standard meets the County Front Setback in other zoning districts, and it provides for acceptable setback space for Building Codes.

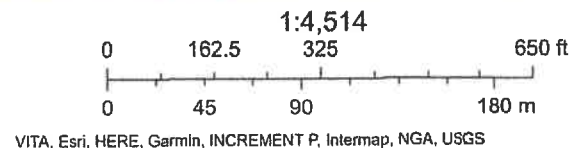
Accordingly, the Applicants respectfully ask that the Planning Commission approve the waiver so that the family Minor Subdivision process can continue and allow the family to live next to each other. Thank you for your consideration.

# Viewer Map



April 16, 2025

*PR 4/16/25*



VITA, Esri, HERE, Garmin, INCREMENT P, Intermap, NGA, USGS

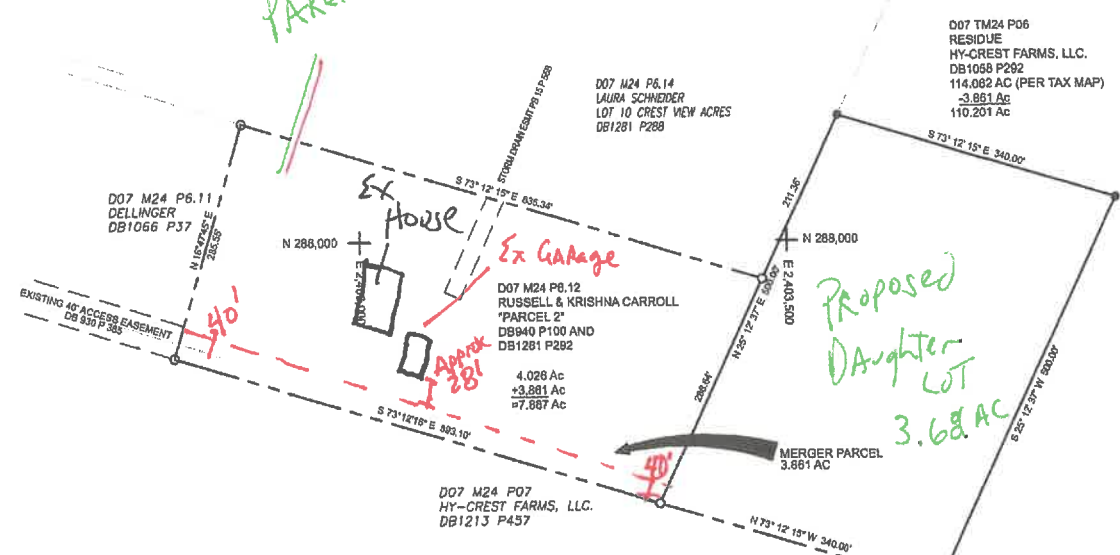
NAD 83 W/ NORTH BASED  
ON GNSS OBSERVATIONS



LOCATION MAP 1"=2000'

child Lot  
parent Lot

PARENT LOT



LEGEND

- FOUND #5 CAPPED REBAR
- SET #5 CAPPED REBAR
- EXISTING BOUNDARY
- NEW PROPERTY LINE
- - - ADJOINER DEPARTING LINE

E 2,403,500  
N 288,500  
MAPPING COORDINATE  
GRID TICK

Acreage Table		
	HY-CREST FARMS	PCL 2
Existing	114.062 Ac.	4.028 Ac.
Merger	-3.861 Ac.	+3.861 Ac.
Final Area	110.201 Ac.	7.887 Ac.

Psh 4/18/25

PLAT SHOWING BOUNDARY LINE ADJUSTMENT  
BY MERGER

HY-CREST FARMS, LLC  
DB 1058 P 292  
1694 SOUTH CHILDS ROAD, KEARNEYSVILLE, WV 25430  
(304) 728-7551  
MIDDLEWAY TAX DISTRICT M 24 P 06  
JEFFERSON COUNTY, WV


SHEPP SURVEYING & MAPPING, PLLC  
R. MICHAEL SHEPP, PS  
PO BOX 1162  
SHEPHERDSTOWN, WV 25443-1162  
304.433.5000  
shepps@sheppsurveying.com

SCALE: 1"=100'  
DATE: January 10, 2025  
JOB No: 24030  
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Staff Report  
 Jefferson County Planning Commission Meeting  
 May 27, 2025

**Glass-Dillow Final Plat Amendment (File #25-1-FPA)**

**Item #7: Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction for a detached accessory dwelling unit for a family member. See Note #4 on the Clear Field Subdivision Final Plat (PB 19/PG 59B).

Property Owner	Daniel Justin Dillow & James Wesley Glass
Property Location and Legal Information	<p style="text-align: center;">Clear Field Subdivision, Lot 6          152 Independence Lane, Summit Point, WV 25446          Parcel ID: 06000200120000; Size: 5.2 ac; Zoning District: Rural</p> 
Surrounding Zoning	North, East, South, West: Rural
Approved Activity	Single Family Residence
Approvals	09/03/02: Clear Field Subdivision Final Plat 7 lot Major Subdivision (PC File #00-32) <a href="#">Recorded in Plat Book 19 Page 59</a>

**Overview of Request**

At the time the original Clear Field subdivision plat was approved, the Subdivision Ordinance required a note on the final plat that restricted each lot to a single-family residence only. This note is no longer required under the current Subdivision Regulations. The single family restriction note is the subject of this request

The applicant would like to lift the single-family residence restriction to allow for the upgrade of a detached garage into an accessory dwelling unit. The property contains a single family dwelling and a three car garage which the applicant is interested in converting into a separate accessory dwelling unit for their sibling on the property. An attached or detached in-law suite is a Principal Permitted Use

Staff Report  
Jefferson County Planning Commission Meeting  
May 27, 2025

**Glass-Dillow Final Plat Amendment (File #25-1-FPA)**

(permitted by right) in the Rural Zoning District; however, the lot was created with a single family restriction and therefore, cannot proceed with the proposed use without consideration by the Planning Commission.

Section 8.15A of the Zoning Ordinance has various provisions related to Accessory Dwelling Units that must be complied with, including, but not limited to, the requirement that the accessory unit must be secondary in size to the principal dwelling unit, with a maximum size of 1,700 heated square feet gross floor area; that the parcel be a minimum of 2 acres; and Health Department approval or well and septic is received

If the Planning Commission approves the Final Plat Amendment to lift the single-family restriction, the applicant will need to apply for a Zoning Certificate prior to obtaining a Building Permit to construct the proposed in-law suite.

**Plat Amendment Requirements**

Section 24.202A of the Jefferson County Subdivision and Land Development Regulations, “Amendment, Modification, and the Vacating of Subdivision Plats”, states that the Planning Commission (or staff, in the case of a minor subdivision plat) may approve an amendment to a subdivision plat in the same manner as the plat was originally approved, provided:

1. All of the property that is affected by the amendment is under the ownership of the applicant;
2. The amendment will not affect the ownership or right of convenient access of persons owning other parts of the subdivision; and
3. The amendment complies with all of the standards of these Regulations, including verification of compliance with the Zoning Ordinance.

Because all plats were approved by action of the Planning Commission under the 1979 Subdivision Ordinance, this amendment was required to be placed on the Planning Commission agenda for a Public Hearing and Planning Commission action. The required 30-day public notice has been advertised in the April 10, 2025 edition of the Spirit of Jefferson newspaper for the May 13, 2025 Planning Commission meeting.

**Recommendation**

Staff recommends approving the requested Final Plat Amendment to lift the single-family restriction for the purpose of allowing a detached in-law suite dwelling unit.



Jefferson County, West Virginia  
 Department of Engineering, Planning and Zoning  
**Office of Planning and Zoning**  
 116 E. Washington Street, 2<sup>nd</sup> Floor, P.O. Box 716  
 Charles Town, West Virginia 25414

File #: 25-1-FPA  
 Date Rec'd: 3-31-25  
 Mtg Date: 5-13-25

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)  
[zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228  
 Fax: (304) 728-8126

**Final Plat Amendment Application**

A request to amend, modify and/or vacate an approved plat must comply with Section 24.202 of the Jefferson County 2008 Subdivision Regulations, as amended.

**Property Owner Information**

Owner Name: Daniel Justin Dillow James Wesley Glass  
 Business Name: \_\_\_\_\_  
 Mailing Address: 152 Independence Lane, Summit Point WV 25446  
 Phone Number: 304 702 5260 Email: tuckbella134@gmail.com

**Applicant Information**

Applicant Name: \_\_\_\_\_ Same as owner:   
 Business Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Consultant Information**

Consultant Name: \_\_\_\_\_  
 Business Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Physical Property Details**

Physical Address: 152 Independence Lane, Summit Point WV 25446  
 Parcel ID: 0002 0012 0000 Parcel Size: 5.3 acres  
 Zoning District: 06 Kabetown Deed Book: 1234 Page No: 219

**Plat Information**

Plat Title: Attached Plat Note No: \_\_\_\_\_  
 Recordation Date: \_\_\_\_\_ Plat Book: \_\_\_\_\_ Page No: \_\_\_\_\_

**Describe the nature of your proposed amendment.**

To permit an accessory dwelling unit above a 3 car detached garage. Currently there is a 2 car detached garage there that would be removed and new detached 3 car built with 1 Bedroom apartment above that my sister would occupy.

Sketch the shape and location of the lot. Show the location of the proposed construction/land use. Include building setbacks, size, and height. Identify existing easements, roads, buildings/structures, or land uses on the property. Note: septic or well relocations require a survey plat and approval by the Health Department.

Included  Not applicable (include a vicinity map if a sketch is not applicable)

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.

[Signature]

[Signature]

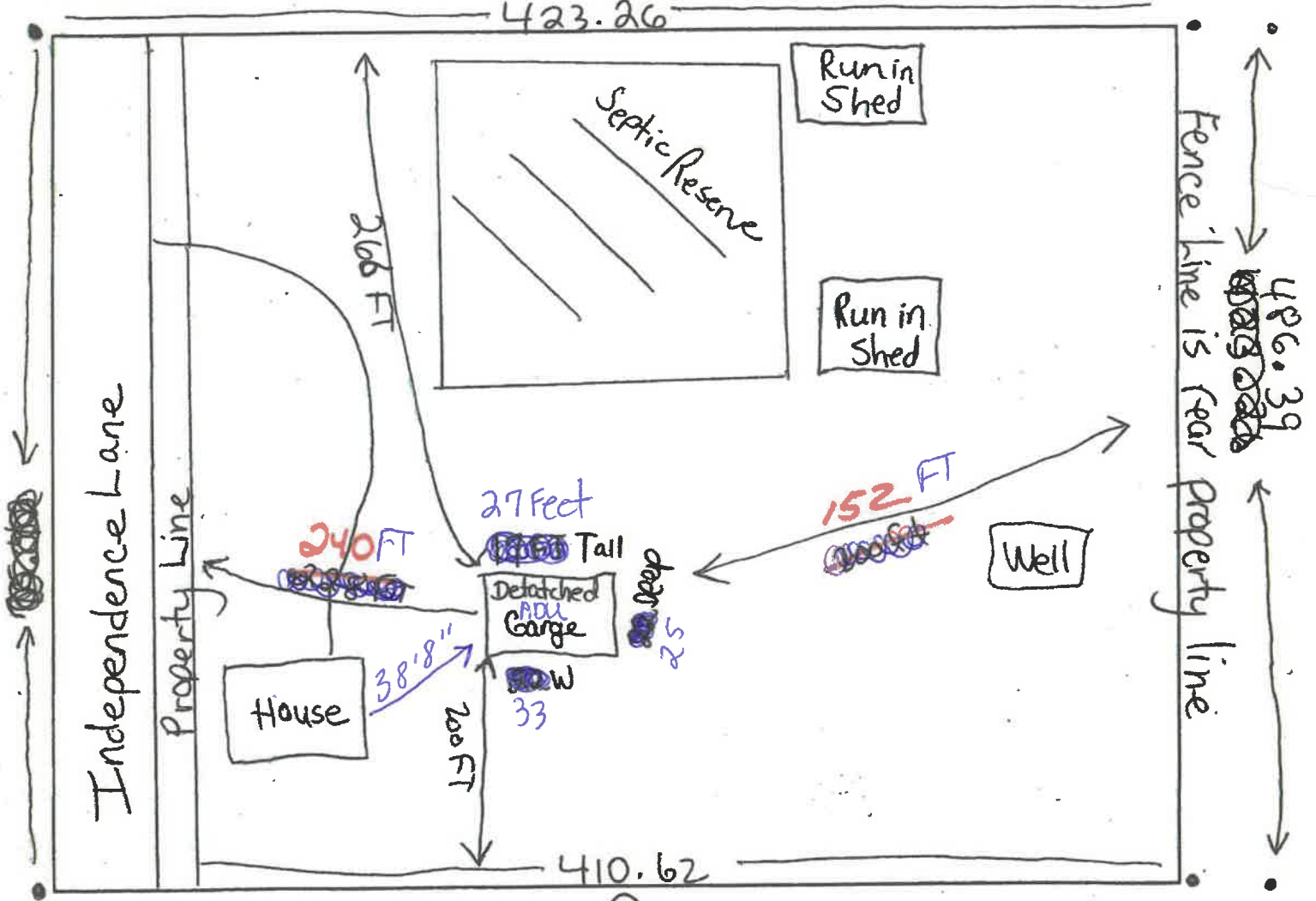
Property Owner/Applicant Signature Date Property Owner/Applicant Signature Date



PROPERTY SKETCH SHEET

Sketch the shape and location of the lot and show the following:

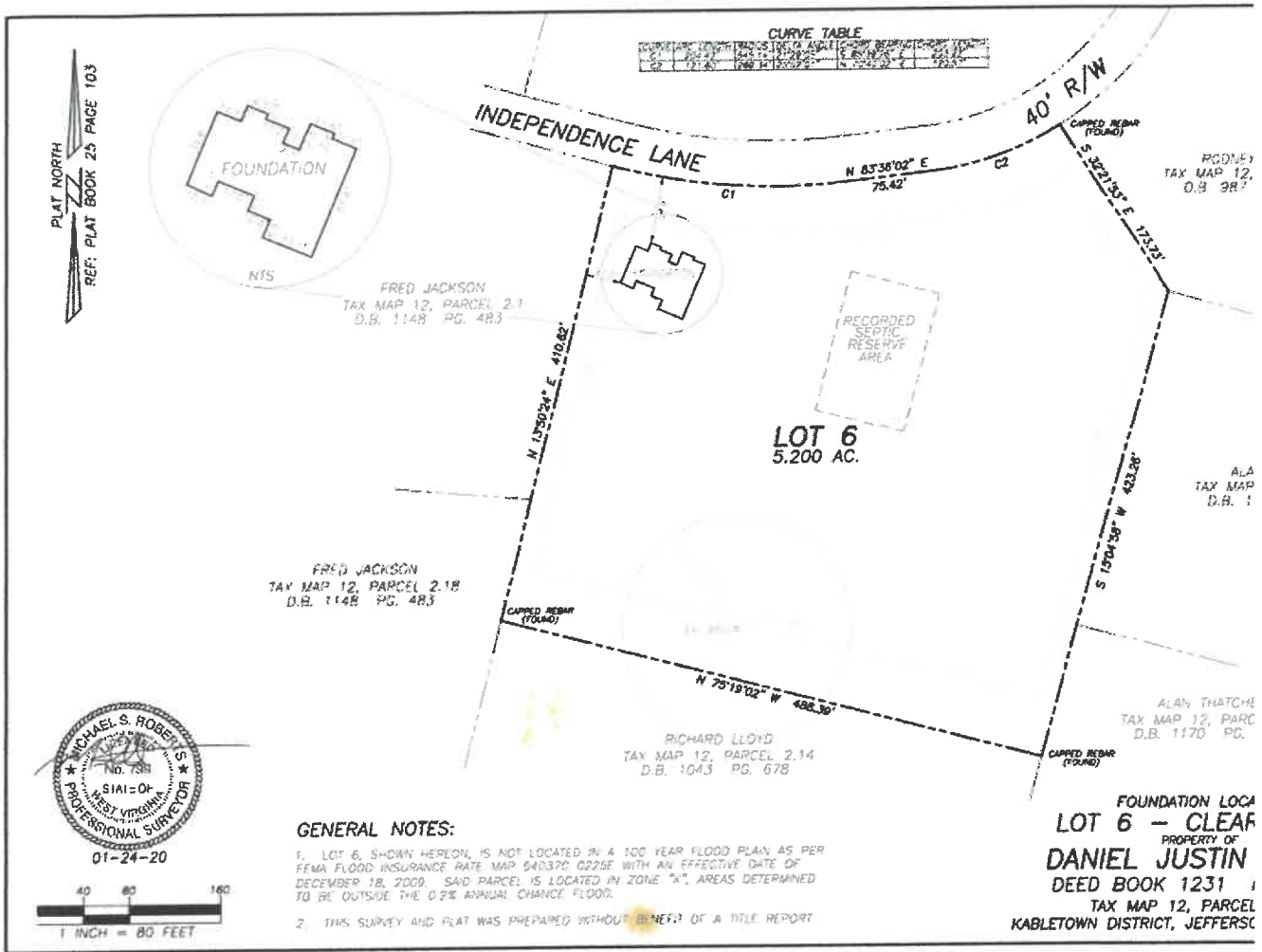
1. All existing roads with names and/or route numbers.
  2. All rights-of-way and/or easements.
  3. Septic reserve areas.
  4. Location of the intended construction or land use; and show the building setback lines and the distances from the property line to the setback lines; and the distance from the property line to the structure.
  5. Show the size and height of the structure. For a sign, indicate the length of the building frontage.
  6. Show all existing buildings/structures on the parcel/property.
  7. On Renovation's and Addition; Please indicate number of bedrooms and if adding a kitchen.
- Note: The sketch may be on a separate sheet; however, it shall be signed and dated by the applicant.



Property Owner/Applicant's Signature: *[Handwritten Signature]*

Date: *[Handwritten Date]*  
~~03/2025~~  
 3/31/2025

**Sign** *[Handwritten Signature]*  
**Date** ~~03/2025~~ 3/31/2025



Request: Waive Note 43 on the approved final plat recorded in Plat Book 25, page 95 to allow an accessory dwelling unit on property for my sister.

ADD TO CART

SAVE PLAN

ASK A QUESTION

SHARE THIS PLAN

PHOTO GALLERY

Call [800-482-0464](tel:800-482-0464)

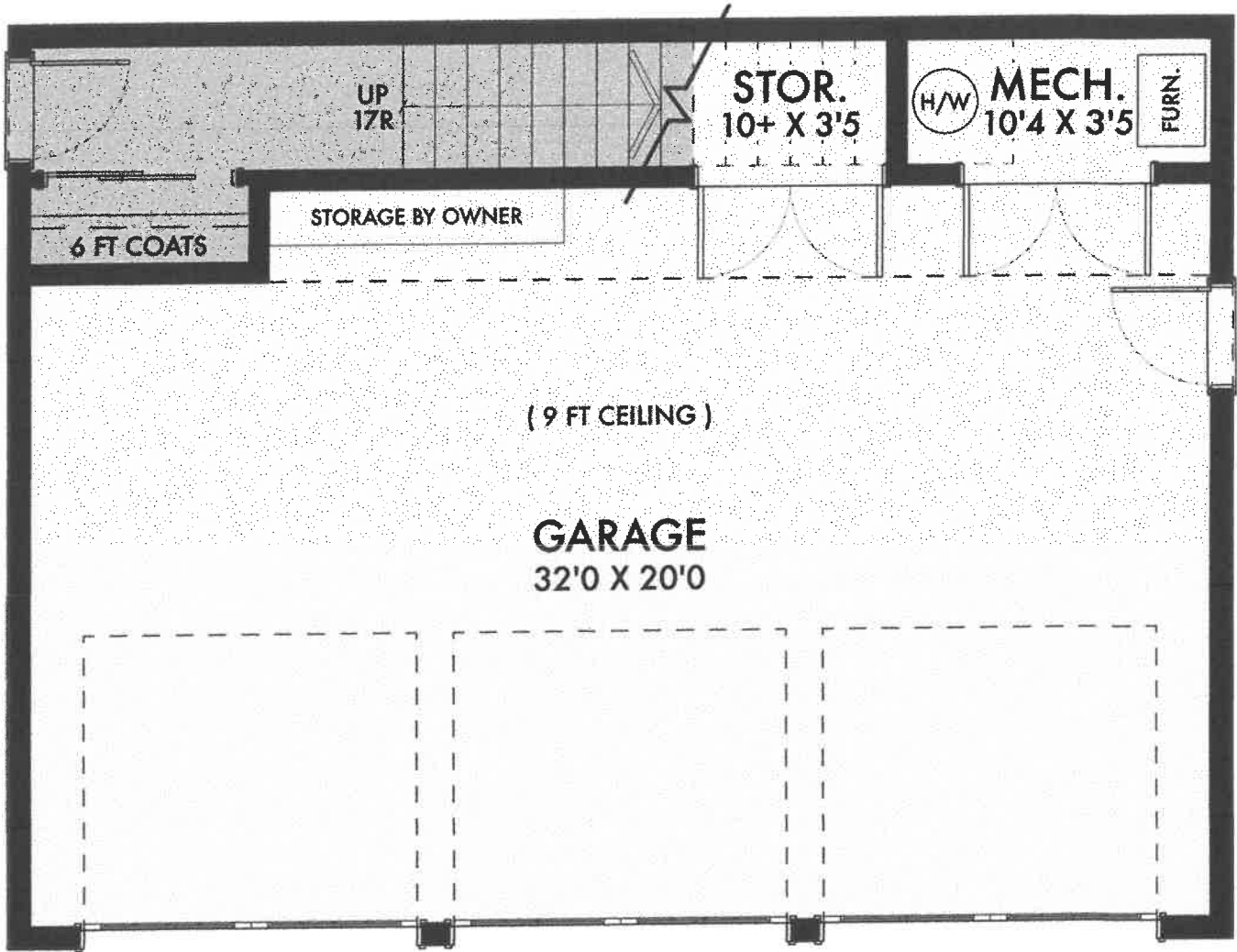


REVERSE

click image to enlarge

Photographs may show modified designs.

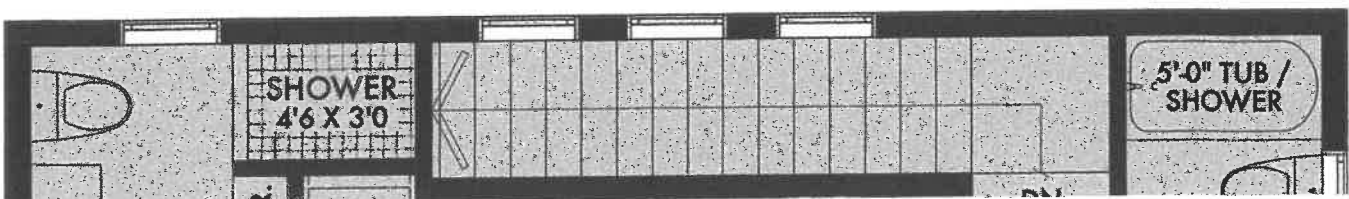
### Elevation



↻ REVERSE

click image to enlarge

### Level One



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fhp



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Common Garment Solutions  
Garage Storage Solutions  
Basement Space Utilization  
More.

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Order Code: 00WEB

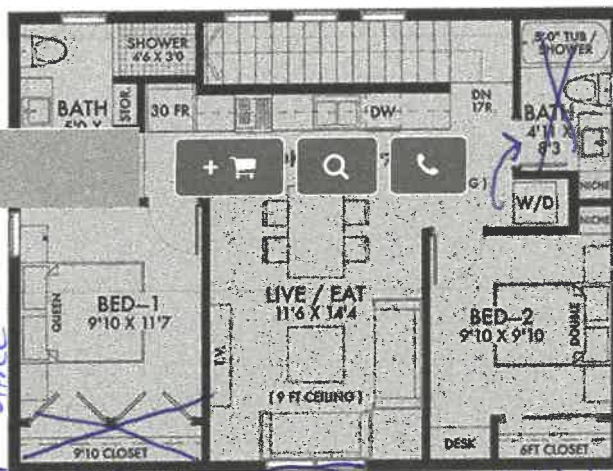
## Garage-Living Plan 42966

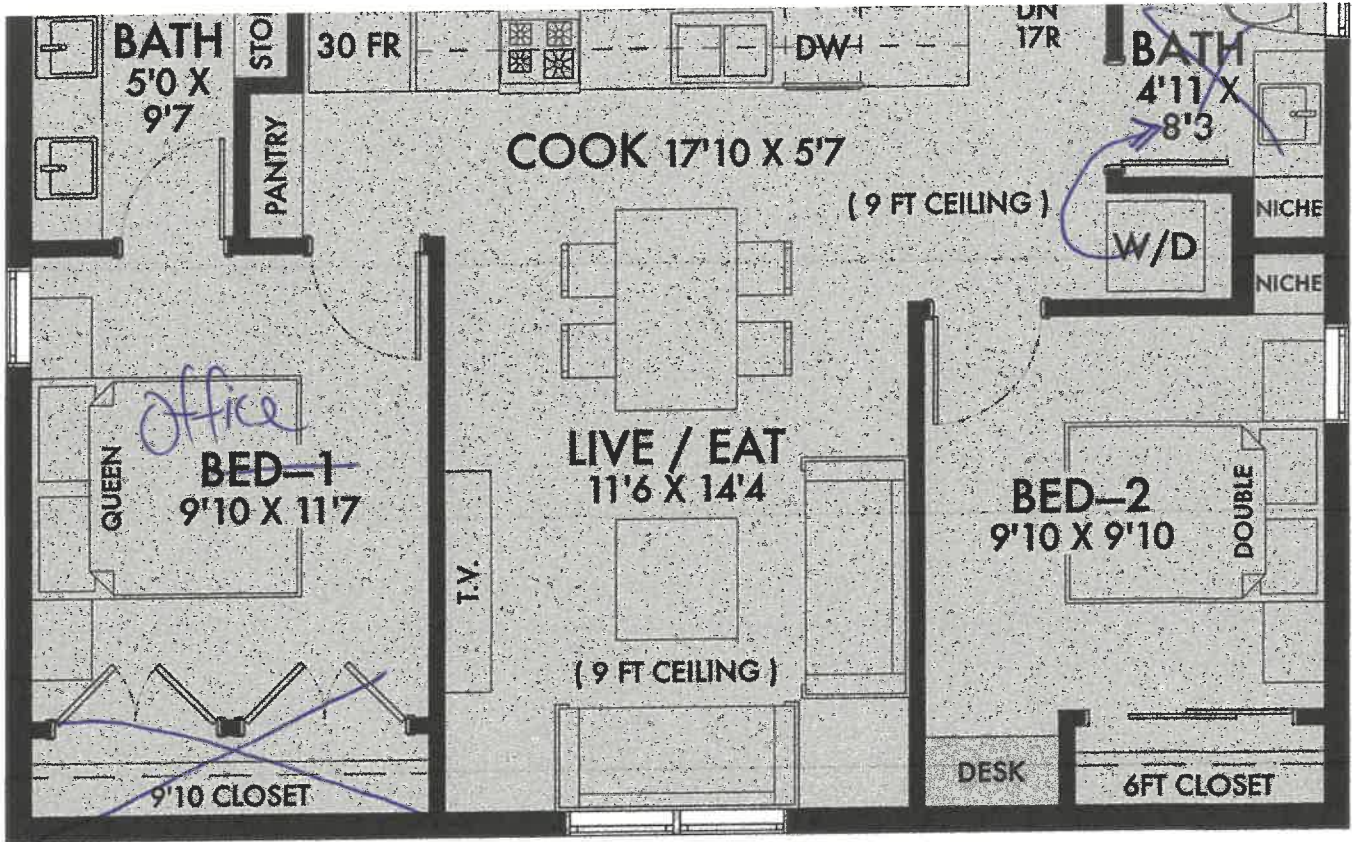
Modern Farmhouse Garage Apartment Plan | Plan 42966

sq ft  
899

beds  
2

baths  
0





↻ REVERSE

click image to enlarge

**Level Two**

**Quick Specs**

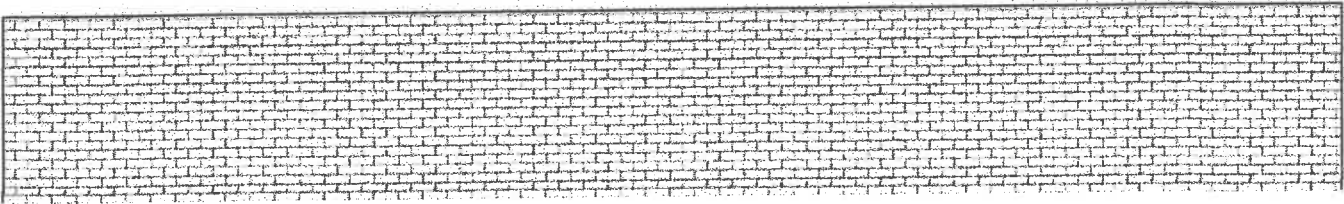
899 Total Living Area  
2 Bedrooms

3 Car Garage  
33'0 W x 25'0 D

**Pricing**

PDF File: \$849.00  
CAD File: \$1,099.00

**MORE INFO**



## Plan Pricing from \$849.00

### Plan Pricing +

### Specifications -

Total Living Area:	899 sq ft
Main Living Area:	127 sq ft
Upper Living Area:	772 sq ft
Garage Area:	528 sq ft
Garage Type:	Detached
Garage Bays:	3
Foundation Types:	Slab
Exterior Walls:	2x6
House Width:	33'0
House Depth:	25'0
Number of Stories:	2
Bedrooms:	2
Max Ridge Height:	27'7 from Front Door Floor Level
Primary Roof Pitch:	7:12
Roof Framing:	Truss
Main Ceiling Height:	9'
Upper Ceiling Height:	9'

### Special Features:

- ▶ Coat Closet
- ▶ Entertaining Space
- ▶ Open Floor Plan
- ▶ Pantry
- ▶ Storage Space

### Plan Description +

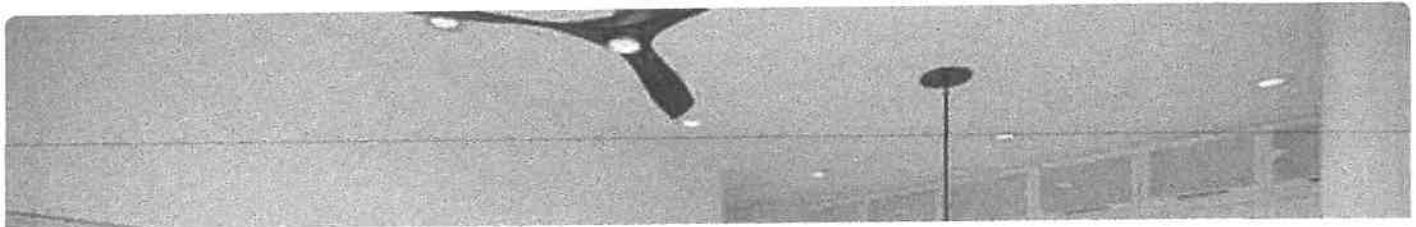
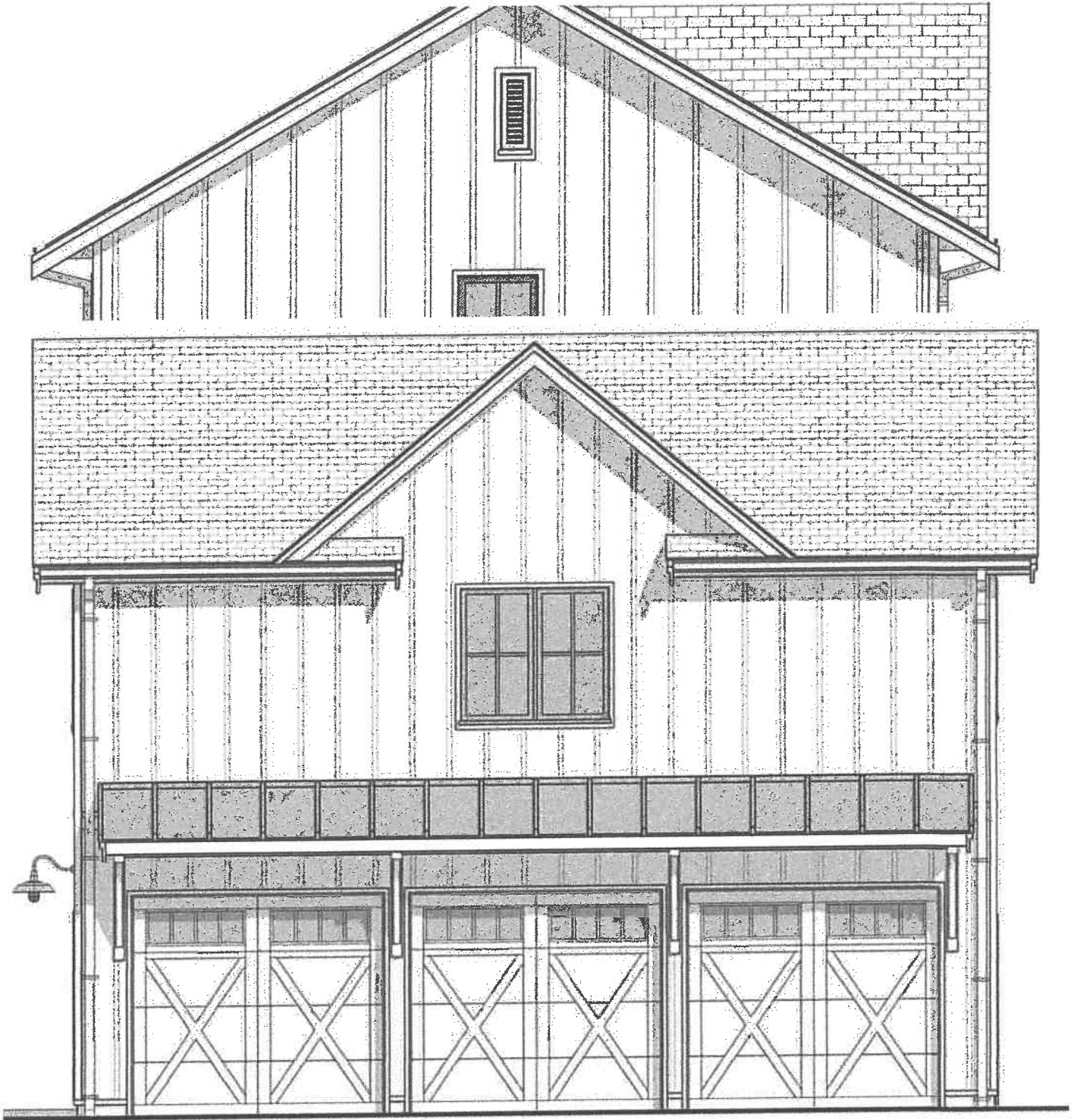
### What's Included? +

### Modifications +

### Q & A +

### FHP Low Price Guarantee

If you find the exact same plan featured on a competitor's web site at a lower price, advertised OR special SALE price, we will beat the competitor's price by 5% of the total, not just 5% of the difference! Our guarantee extends up to 4 weeks after your purchase, so you know you can buy now with confidence.





 REVERSE

click image to enlarge

### Rear Elevation

Photographs may show modified designs.



 PHOTO GALLERY





# JEFFERSON COUNTY, WEST VIRGINIA

## Office of Planning and Zoning

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Charles Town, WV 25414

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Phone: (304) 728-3228

### MEMO

**TO:** Planning Commission of Jefferson County  
**FROM:** Luke Seigfried, Chief County Planner  
**DATE:** May 13, 2025  
**RE:** Proposed Amendment to Section 24.113.B.10 of the Subdivision & Land Development Regulations.

---

At their April 29, 2025 meeting, Planning Commission proposed revising the Subdivision Regulations to further elaborate on establishing the necessary criteria regarding Historical Resource Protection. Commissioner Hayes has provided staff with draft text which has been included as an attachment. The following amendment has been drafted by County Staff and is for the Planning Commission's discussion and consideration.

**Note that Subdivision & Land Development Regulations currently states** "(10) A Phase I archaeological study is required. A historic resources impact study shall also be included."

#### Staff Reports and Comments

Due to the tight timeline, the Historic Landmarks Commission (HLC) has not been consulted about the draft text amendment. The HLC has sent the Planning Commission letter supporting the requirement of a Phase I archaeological study for Major Subdivisions and is included as an attachment. At the discretion of the Planning Commission, staff can be directed to consult with the HLC or provide the HLC time to present before the Planning Commission.

A Phase I archaeological study is not defined in the Subdivision Regulations but the West Virginia State Historic Preservation Office (SHPO) has Guidelines for preparing the *Phase I, II, III Archaeological Investigations and Technical Report Preparation*. These Guidelines are for ensuring a project's compliance with Section 106 of the National Historic Preservation Act (NHPA). SHPO reviews state and federal projects for compliance with NHPA.

A historic resources impact study is not defined in the Subdivision Regulations and was added to the Subdivision Regulations in 2010.

The 2045 Comprehensive Plan does not speculate specifically on this requirement for Preliminary Plats. Objective 4.1 (see attached) "*Encourages the utilization of existing historic and agricultural areas for a variety of uses in ways that respect their historical function or setting.*" The requirement is not included for Minor or Major Site Plans. Staff has proposed changing the requirement for Major Subdivisions, adding the requirement for Major Site Plans, and adding a definition to the Subdivision Regulations.

## “Section 24.133 Major Subdivision Preliminary Plat – Application Submission and Completeness Review

The submission of a preliminary plat application is a required step for major subdivisions. The **staff Department** shall have 45 days to complete the sufficiency and completeness review unless the applicant chooses to waive the 45 day period. Within the 45 days, the **staff Department** shall have ten (10) days to review the submission and determine whether it is sufficient (at least 70% of the required elements are addressed) in that it includes all of the items listed below. If the submission is insufficient, it shall be returned to the applicant. The 45 day period shall restart when the applicant resubmits. After staff concludes completeness review, staff shall place the preliminary plat and application on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete. In order for the preliminary plat to remain on the scheduled Planning Commission meeting, all reviewing material, including outside agency reviews, shall be returned to the Office of Planning and Zoning at least 14 days prior to the scheduled Planning Commission.

- A. **Submission.** The applicant is responsible for submitting an application and all supporting documents to the Department and reviewing agencies. It shall be accompanied by the fee for preliminary plat review.
- B. **Submission Contents.** The submission shall contain the following elements in the number of copies indicated.
  1. **Preliminary Plat.** A preliminary plat application shall be submitted in accordance with the content and formatting guidelines provided in Appendix A, *Plan & Plat Standards*.
  2. **Density Calculation and Site Resource Map.** This map shall have the preliminary plat on it and shall identify the total area of each resource present, the amount protected and a summary table showing that the resource protection standards are met.
  3. **General Location.** A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.
  4. **Preliminary Engineering Plans.** An engineering plan shall be submitted in accordance with the content and formatting guidelines provided by the County Engineer.<sup>6</sup>
  5. **Preliminary Landscape Plans.** A landscape plan shall be submitted in accordance with the content and formatting guidelines provided by the Department.
  6. **Transportation Impact Study.** If required, TIS and materials agreed to at the Concept Plan direction shall be submitted prior to final preliminary plat approval by staff. This element is not required for completeness review.
  7. **Well and Septic Systems.** Where applicable, preliminary plats shall include well and septic provisions and all appropriate Jefferson County Health Department approvals. This element is not required for completeness review. However, final Health Department (State and Local) approval is necessary prior to final Preliminary Plat approval by Staff.
  8. **Feasibility of Water and Sewer Systems.** Where applicable, preliminary plats shall include connections to existing water and sewer systems or provisions for these systems and for oversizing to serve additional properties. This shall include comments or material from the Jefferson County Public Service District regarding the impact study and any responses from the developer’s engineers. Capacity letters are required at completeness stage, but final approvals are necessary prior to final Preliminary Plat approval by Staff.
  9. **Special Engineering.** Special engineering studies are required if the site is in or partially in areas designated as high vulnerability areas. If other natural resources have specific resource protection standards contained in the Zoning Ordinance, a preliminary engineering assessment shall be provided regarding how those standards can be met.

10. **Historic Resource Preservation.** ~~A Phase I archaeological study is required. A historic resources impact study shall also be included.~~ Submit a Phase I archaeological study in accordance with the West Virginia State Historic Preservation Office Guidelines for Phase I, II, and III Archaeological Investigations. A site file search, cultural resource investigation, literature review, and documentation of archaeological sites are required. Subsurface studies are not required under this section.
  11. **Proposal Description.** This shall be a written description of the proposal with general identification of the number of dwelling units or floor area proposed, commentary, zoning, phasing, and development option selected if the development is residential.
  12. **Stormwater Management Plan and Narrative.** A Stormwater Management Plan, as described in the Jefferson County Stormwater Management Ordinance, must be submitted as part of the preliminary plat to be reviewed by the Office of Engineering. This is a required element in the first submission or the submission will automatically be determined as incomplete.<sup>4</sup>
  13. **Identified Concerns.** A report demonstrating how specific conditions identified in the concept plan evaluation and direction received from the Concept Plan public workshop have been addressed on the preliminary plat or will be addressed on the final plat documents.
  14. **Names.** Name of applicant and of consulting firms, addresses, phone, e-mail, and person(s) to whom correspondence shall be addressed.
  15. **Other Data.** Any other data the applicant believes will assist in the review. If there are proffers being offered, they shall be included here.
  16. **Other Agency Reviews.** Agency reviews as to the technical, engineering, zoning, landscaping, impact fee, and other agency reports, comments, and recommendations.
- C. **Review Content.** The Department and agency reviews shall address the areas indicated in paragraphs D to F below and any other areas of concern to the agencies.
- D. **Department Review.** 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 preliminary plan submission. Staff shall identify conditions that must be adjusted if they would enable the plan to conform to Zoning and Subdivision Ordinance standards.
  2. Staff shall provide a written opinion as to whether the preliminary subdivision plat meets the site planning criteria specified in Articles 21 and 22 of these Regulations. In reviewing the submitted application, the Department shall determine whether the concept plan was fulfilled.
- E. **WVDOH.** The WVDOH approval is required prior to final Preliminary Plat approval by Staff.
- F. **Public Services.** The review shall indicate whether the preliminary engineering indicates that water and sewer can adequately be provided for the project and if a new system is provided, whether the proposal is sufficient to handle other development in the area. The Public Service District shall make recommendations for oversizing and methods to recapture costs.
- G. **Recommended Conditions.** All reviews shall contain recommended final engineering standards that shall be met to deal with specific issues or conditions that need to be addressed in final engineering, plat, landscape plan, or other documents.
- H. **Approval.** If the preliminary plat and application is incomplete, or the development cannot conform to the Zoning Ordinance, be serviced by public services or on-site utilities, or is otherwise impossible, the Planning Commission shall deny the same; otherwise, the Planning Commission shall find it complete and accept it. The Planning Commission may also accept the Preliminary Plat

and application with the condition that the remaining items identified as necessary by these Regulations be completed prior to final Preliminary Plat approval.

**Effect.** After staff concludes the completeness review, staff shall place the preliminary plat on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete. If the application is found complete or essentially complete, the Planning Commission shall schedule a public hearing within 45 days in accordance with Section 24.114, *Major Subdivision Preliminary Plat - Public Hearing*. If the application is incomplete, the applicant shall be notified in writing stating the reasons for denial.”

#### “Sec. 24.122 Major Site Plan Application - Submission and Completeness Review

The submission of a site plan application is a required step for all major site plans. ~~The staff~~ ~~The Department~~ shall have 45 days to complete the sufficiency and completeness review. Within the 45 days, the ~~staff~~ ~~Department~~ shall have ten (10) days to review the submission and determine whether it is sufficient in that it includes all of the items listed below. If the submission is insufficient, it shall be returned to the applicant. The applicant shall resubmit a sufficient application within 10 days after being notified of insufficiency. In order for the review to be complete within 45 days and remain on the scheduled Planning Commission meeting, all reviewing material, including outside agency reviews, shall be returned to the Office of Planning and Zoning at least 14 days prior to the scheduled Planning Commission. After staff concludes completeness, staff shall place the site plan on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete.

- A. **Submission.** The applicant is responsible for submitting an application and all supporting documents to the Office of Planning and Zoning. It shall be accompanied by the fee for site plan review.
- B. **Submission Contents.** The submission shall contain the following elements in the number of copies indicated.
  1. **Site Plan.** The site plan shall be submitted in accordance with the content and formatting guidelines provided in Appendix A, *Plan & Plat Standards*.
  2. **Density Calculation and Site Resource Map.** This map shall have the site plan superimposed, and shall identify the total area of each resource present, the amount protected, and a summary table showing that the resource protection standards are met.
  3. **General Location Map.** A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.
  4. **Final Engineering Plans.** The final engineering plan(s) shall be submitted in accordance with the content and formatting guidelines provided by the Office of Engineering. If preliminary engineering plans satisfy the requirements of the Office of Engineering and no modifications to the preliminary engineering plans are required, then preliminary plans previously approved shall be considered final plans.
  5. **Final Landscape Plans.** The final landscape plan shall be submitted in accordance with the content and formatting guidelines provided by the Office of Planning and Zoning.
  6. **Transportation Impact Study and WVDOH Approvals.** A transportation impact study shall be re-submitted only if there was a condition for revisions in the concept plan approval. WVDOH approvals shall be secured prior to final approval.
  7. **Water and Sewer Services.** This shall include a declaration of Public Service District’s approval of plans, or approval by the appropriate service provider, and an agreement to operate

the facility. This shall also include documents necessary for the transfer of ownership of the facility to the Public Service District or appropriate operating agency.

8. **On-Site Sewer and Water.** If on-site waste disposal and water supply are provided, approval of the soils, design of the system and its location on the site shall be indicated.
  9. **Special Engineering.** Special engineering studies are required if the site is in or partially in areas designated as high vulnerability areas. All natural resources which have specific resource protection standards in the Zoning Ordinance or these Regulations, shall be complied with, and require final engineering approval.
  10. **Historic Resource Preservation.** Submit a Phase I archaeological study in accordance with the West Virginia State Historic Preservation Office Guidelines for Phase I, II, and III Archaeological Investigations. A site file search, cultural resource investigation, literature review, and documentation of archaeological sites are required. Subsurface studies are not required under this section.
  11. **Open Space.** Open space to be provided to satisfy the requirements of the Zoning Ordinance shall be identified on the site plan. Covenants and deed restrictions applicable to such open space to assure its retention shall be submitted and approved for recordation.
  12. **Stormwater Management Plan.** A Stormwater Management Plan, as described in the Jefferson County Stormwater Management Ordinance, must be submitted as part of the major site plan to be reviewed by the Office of Engineering.<sup>4</sup>
  13. **Surety.** Cost estimates for all improvements and proof of surety. See Section 24.503, *Amount of Surety*
  14. **Other Agencies.** Required agency sign offs that the site plan is approved by that agency. These agencies shall include the Jefferson County Health Department, West Virginia Division of Highways, West Virginia Department of Environmental Protection, the West Virginia Health Department, the Public Service District, appropriate utility service providers, Jefferson County GIS/Addressing Office, and other review agencies certifying that the application is consistent with approved site plans and meets all requirements of the applicable codes, ordinances, or standards or others when determined appropriate by County staff.
  15. **Names.** Name of applicant and of consulting firms, addresses, phone numbers, e-mail addresses, and person(s) to whom correspondence shall be addressed.
  16. **Additional Information.** The Department shall:
    - a. Review and approve all matters under its jurisdiction.
    - b. Issue a zoning compliance letter.
    - c. Certify that all proffers have been satisfied.
- C. **Signature Blocks on Site Plans.** The following certificates shall be placed on all site plans:
1. **Surveyor/Engineer.** Certificate of accuracy and mapping by professional licensed surveyor/engineer signed and sealed.
  2. **Owners.** Certificate of ownership and dedication signed and notarized, including all individuals, partnerships, corporations, and lenders with financial security interests.
  3. **County Staff.** A signature block for the County Engineer and the County Planner approvals in accordance with Appendix A, *Plan & Plat Standards*.
- D. **Approval.** If the site plan is incomplete, or the development cannot conform to the Zoning Ordinance, be serviced by public services or on-site utilities, the Planning Commission shall deny the same; otherwise, the Planning Commission shall find it complete and accept it.

- E. **Effect.** Once the site plan is found complete, staff shall place the site plan on the next regularly scheduled Planning Commission agenda for a vote to accept or deny the application as complete. At the meeting where the application is found complete, the Planning Commission shall schedule a public hearing within 45 days and in accordance with Section 24.123. Upon determining the application is incomplete, the applicant shall be notified in writing stating the reasons for denial.

## **Division 26.200 Definitions of Terms**

**Phase I Archaeological Study.** A study designed to identify and document historical and cultural resources within the entirety of the project area. The study is performed by a principal investigator who meets or exceeds the minimum requirements in accordance with the Secretary of Interior's Professional Qualifications, 36 CFR Part 61 and includes a pedestrian survey. *(Source West Virginia State Historic Preservation Office)*

If the Planning Commission chooses to move forward with this proposed text amendment, a Public Hearing will be required before both the Planning Commission and the County Commission.

### **Attachments**

- Historical Resource Protection - Draft Text Amendment
- 2045 Comprehensive Plan Historical Preservation Excerpt
- West Virginia State Historic Preservation Office Guidelines for Phase I, II, III Archaeological Investigations and Technical Report Preparation (Appendices removed)
- Historic Landmarks Commission Waiver Request Letter

## **DRAFT TEXT AMENDMENTS - HISTORICAL RESOURCE PROTECTION (04/30/25)**

### **SUBDIVISION & LAND DEVELOPMENT REGULATIONS AMENDMENTS**

**Amend Section 24.113.B.10**

#### **CURRENT LANGUAGE**

- 10 **Historic Resource Preservation.** A Phase I archaeological study is required. A historic resources impact study shall also be included.

#### **PROPOSED LANGUAGE**

- 10 **Historic Resource Preservation.** Prepare a Phase I archaeological study in accordance with the West Virginia State Historic Preservation Office Guidelines for Phase 1, II, and III Archeological Investigations. Only the literature review and site file search are required. Fieldwork is not required under this section.

## Objective 4.1

Encourage the utilization of existing historic and agricultural areas for a variety of uses in ways that respect their historical function or setting.

1. Create a public art program working with municipalities that would encourage the installation of locally produced art in publicly owned facilities and sites.

CVB • Arts Council | Ongoing

2. Educate county residents and visitors about historic preservation efforts and current projects in Jefferson County.

HLC • CVB | Ongoing

3. Expand upon the existing interconnected marketing of the County's multiple historic resources and the National Historical Park to encourage visitation to multiple locations in the County.

HLC • CVB | Yearly

4. Encourage the ongoing documentation of Category 1 and 2 historic sites in the County.

HLC | Ongoing

## Objective 4.2

Encourage the adaptive reuse of existing structures.

1. Encourage the state legislature to include adaptive reuses of historic structures in the state code.

EO | Yearly

2. Develop and maintain a public catalog of existing non-residential structures that are adaptable for reconfiguration as housing or other uses.

P&Z • JCDA | Yearly

3. Revise existing Jefferson County land use requirements and site plan standards to promote adaptive reuse.

P&Z | 3-5 years

## Objective 4.3

Identify and implement feasible strategies to ensure short term rental compliance with local ordinances.

1. Perform a yearly review of short term rental offerings in the county and cross check adherence to local ordinances then work to bring offenders into compliance.

P&Z | Yearly

**Please note this is not the full  
Guidelines for Phase I, II, III  
Archaeological Investigations and  
Technical Report Preparation, the  
appendices has not been included to  
reduce page count. The full document  
can be found at the West Virginia State  
Historic Preservation Office website.**

**Guidelines for Phase I, II, and III Archaeological Investigations  
and Technical Report Preparation**

**Prepared by the West Virginia State Historic Preservation Office  
Written by Patrick Trader  
Edited by Joanna Wilson**

## Preface

The completion of Guidelines for Phase I, II, and III Archaeological Investigations and Technical Report Preparation is due in large part to the efforts of two former Historic Preservation Office archaeologists. Development of the guidelines was initiated by Eric Voigt, author of the original WVSHPO survey and curation regulations. Working from this foundation, Patrick Trader composed the text and compiled the appendices for the current edition, developing a comprehensive and useful document.

The WVSHPO would like to recognize the many individuals that contributed to this process. Under the guidance of Susan Pierce, Director, several past and present members of the WVSHPO staff assisted in the development of these guidelines. They include Dr. Jeanne Day Binning, Jeff Davis, Andrea Keller, Lora Lamarre, Dr. Fred McEvoy, J.T. Sutton, Mark Whitby and Joanna Wilson. West Virginia Division of Highways staff members Rodney DeMott, Matt Wilkerson and Roger Wise provided comments and guidance. C. Michael Anslinger of Cultural Resource Analysts, Inc. reviewed an early draft and supplied many editorial comments.

These guidelines have been revised to allow consultants greater diversity in their approach to archaeological investigation in West Virginia. The WVSHPO hopes that this document serves to clarify its expectations, as well as to assist the consultant in developing survey and excavation strategies.

## I. Introduction

The following guidelines for archaeological and historical studies reviewed by the West Virginia State Historic Preservation Office (WVSHPO) were developed to assist researchers in conforming to the standards for cultural resource projects currently accepted by regulatory agencies and the professional archaeological community. These guidelines represent minimum standards and do not preclude innovative strategies. Alternative approaches or variations to approved scopes of work, however, **must be reviewed and approved by the State Historic Preservation Office prior to fieldwork**, and be justified by references to recognized literature regarding archaeological methods and techniques.

Included in these guidelines are professional qualifications for principal investigators, a guide for conducting literature reviews and site-file searches, current curation regulations, and provisions for encountering human skeletal remains. Also included are current state guidelines for conducting independent archaeological research and excavations.

The WVSHPO reviews projects to determine what effects, if any, they may have upon significant cultural resources as outlined within Federal and State laws and regulations. These include Section 106 of the National Historic Preservation Act (NHPA), as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties", the National Environmental Policy Act of 1969, The Archaeological and Historic Preservation Act of 1974, and West Virginia State Code 29-1-8, and its implementing regulations, Title 82, Series 2: "Standards and Procedures for Administering State Historic Preservation Programs". Other mandatory regulations include State Code 29-1-8a, "Protection of human skeletal remains, grave artifacts and grave markers; permits for excavation and removal; penalties", and its implementing regulations, Title 82, Series 3: "Standards and Procedures for Granting Permits to Excavate Archaeological Sites and Unmarked Graves". The WVSHPO also assists federal and state agencies in the review of and compliance with their cultural resource regulations, including the implementation of Programmatic Agreements, Memoranda of Agreement and Memoranda of Understanding.

As part of the review process, the WVSHPO may recommend archaeological investigations within a given project area or Area of Potential Effect (APE). The necessity for an archaeological investigation is based on the proximity of known archaeological sites within or near the project area, and the probability that archaeological sites might be found within a specific landform. Review of existing land conditions also contributes to this process of determination. If there is a moderate or high probability that archaeological sites may be found within a defined APE, then an archaeological investigation is recommended. The following guidelines have been developed to aid archaeologists in conducting such investigations in the State of West Virginia.

## II. Professional Qualifications

All consultants currently conducting archaeological investigations in the State of West Virginia are included in an approved list of consultants. To be included in this list, consultants must meet a series of minimum requirements in accordance with the Secretary of Interior's Professional Qualifications, 36 CFR Part 61. In order to be considered as Principal Investigator for archaeological investigations, a person must satisfy the following requirements:

MA/MS or Ph.D. in Archaeology or Anthropology  
or closely related field <sup>1</sup>

plus

At least 1 year full-time professional experience or  
equivalent specialized training in archaeological  
administration or management.

plus

At least 4 months of supervised field and analytic  
experience in general North American archaeology.

plus

Demonstrated ability to carry research to completion.

plus

At least one year of full-time experience  
at a supervisory level in the study of  
archaeological resources of the prehistoric  
or historic periods.

\_\_\_\_\_To request consideration for placement on the West Virginia State Historic Preservation Office consultants list, please submit current and detailed curriculum vitae for all principal investigators and field directors to the Senior Archaeologist at the West Virginia Division of Culture and History. Corporate or abbreviated vitae will not be accepted. All archaeological investigations must be conducted under the supervision of an archaeologist who meets the above

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<sup>1</sup> What constitutes a closely related field will be established on a case-by-case basis. Persons without degrees in anthropology or archaeology must submit additional documentation to certify the extent of their archaeological background. This may include demonstration of the amount of graduate level coursework in archaeology that has been completed.

qualifications.

### III. Archaeological Site File Searches

As of August 1, 1996, all consultants conducting archaeological investigations in review and compliance-related cultural resource inventory projects must conduct a literature review and site file search **prior** to initiating fieldwork. In the event of emergency situations, the conduct of a literature review prior to fieldwork may be waived. The consultant must still conduct the literature review after completion of fieldwork. The consultant must also bear in mind that additional archaeological investigations may be necessary following the literature review.

Literature reviews and site file searches must be conducted at the West Virginia Division of Culture and History/State Historic Preservation Office, located in the Cultural Center in Charleston, West Virginia. Consultants must contact the Survey Archaeologist and/or National Register Survey Coordinator at least 48 hours before scheduling a file search. This is necessary to ensure that appropriate WVSHPO staff are available to assist consultants. Office hours are Monday through Friday, 9 am to 12 pm and 1 pm to 4:30 pm. Walk-ins will not be permitted access to the files. The office is closed between 12 and 1 pm for lunch. There will be no exceptions.

All documents and site files must be removed and returned to the shelves by SHPO staff. Consultants will not be allowed access to these materials unless SHPO personnel are present. Documents may be copied upon approval of SHPO staff at a cost of \$0.25 per page. Copies will be free of charge to representatives of state and federal agencies, Historic Landmark Commissions, and Certified Local Governments.

In accordance with the Memorandum of Understanding between the West Virginia SHPO and the United States Forest Service - Monongahela National Forest, all consultants requesting information concerning archaeological sites on the National Forest property must contact the Forest Service Archaeologist in Elkins, West Virginia at 304/636-1800. This information will not be made available by the WVSHPO.

In order to monitor literature reviews and file searches, the WVSHPO has developed a form (see Appendix G) that **must** be filed with all technical reports generated for projects in compliance with Section 106 of NHPA. All file search requests will be assigned the individual WVSHPO File Reference (FR) number, if known. This form must be submitted by the Principal Investigator of each project as an appendix to each technical report. Failure to conduct the literature review and site file search, or to submit the form, will result in the rejection of the project report.

#### **IV. Section 106 and Cultural Resource Investigations**

Cultural Resource Investigations are conducted in stages commonly referred to as Phase I, II and III. A discussion of each phase follows.

##### **Phase I Investigation**

Phase I investigation consists of a combination of background research and fieldwork designed to identify resources and define site boundaries within a given project area or Area of Potential Effect (APE). During the Phase I investigation, the entirety of the project area must be studied. Locations not surveyed or only partially examined during a Phase I investigation will require additional work. For extensive projects, such as reservoirs or highway corridors, a sampling strategy (i.e. predictive model) may be employed at this stage **only** after consultation with the WVSHPO staff and with WVSHPO approval.

\_\_\_\_\_Phase I fieldwork consists of a number of methods including pedestrian survey, excavation of shovel test probes, remote sensing, and deep testing of appropriate landscapes. The use of specific field methods and techniques is dependent upon the type of ground cover present, the topographic setting, and the amount of observed disturbance in a given situation.

##### **Phase II Investigation**

Phase II archaeological investigation is conducted in order to test or evaluate an archaeological site's eligibility for inclusion in the National Register of Historic Places (NRHP). In order to facilitate the evaluation process, specific information should be recovered during a Phase II investigation. This information may include, but is not limited to: evaluating areas of moderate and high artifact densities, determining the vertical limits of the site, the presence of intact, sub-surface, and/or stratified deposits, site structure, and site formation processes. One of the more traditional and standard means of recovering this information is through the excavation of test units.

Following the completion of Phase II investigations, a consultant should be able to make a Determination of Eligibility (DOE) for all resources evaluated. The Criteria for Evaluation are outlined in the Department of Interior's regulations, 36 CFR Part 60: "National Register of Historic Places". Specific references to Criteria for Evaluation are found in 36 CFR 60.4. Additionally, the National Park Service has a series of publications regarding the evaluation of particular cultural resources, including archaeological sites, historic mining properties, and cemeteries (see Appendix A). Consultants should be aware that the determination of eligibility must also take into account "data gaps", or lapses in our understanding of area history and prehistory.

Phase II investigations consist of additional background research and fieldwork. Prior to the initiation of fieldwork, a detailed and concise scope of work must be submitted to WVSHPO for approval. The Phase II scope of work may be submitted as an appendix or addendum to the completed Phase I technical report. If, during the course of fieldwork, Phase II methods are

4

found to be inadequate, the scope of work may be modified upon consultation with WVSHPO staff. In order to facilitate a DOE for an archaeological site, a member of WVSHPO staff may conduct an on-site evaluation to consult with the project sponsor and archaeological consultant.

\_\_\_\_\_Field investigations at the Phase II level are conducted to determine the horizontal and vertical limits of an archaeological site, and to retrieve spatial, temporal, and subsistence information about the site. Field investigations should be designed to retrieve the information necessary to determine the eligibility of a site without seriously impacting the contextual integrity of the resource. Therefore, a limited testing regimen should be developed upon consultation with the WVSHPO staff.

A number of field methods and techniques may be implemented during Phase II investigations. These include systematic, controlled surface collection, additional shovel tests, mechanical augering, hand-excavated test units, deep testing, mechanical removal of the plowzone, and use of remote sensing techniques.

### **Phase III Investigation**

\_\_\_\_\_Once an archaeological site is determined to be eligible for inclusion in the National Register, the effect a project may have on the property must be assessed. Avoidance of the property results in a determination of no effect. If the property cannot be avoided, and if any damage or disruption of the resource will result from implementation of the project, a determination of adverse effect is made. Phase III investigation, also known as data recovery, is one response to such a determination. Data recovery efforts are undertaken to mitigate the adverse effect by recovering significant data or information prior to disturbance or destruction.

When Phase III investigations are necessary, the lead federal agency must submit a detailed data recovery plan to the WVSHPO for review and comment. If the Phase III is to be undertaken in completion of Section 106 responsibilities, the Advisory Council on Historic Preservation (ACHP) must also be contacted. Briefly, the data recovery plan must include an overview of previous investigations that were conducted for the archaeological resource(s). The data recovery plan must include a brief description of the Phase II finding and justification for the determination of eligibility, and should guide the level and effort of fieldwork to be conducted.

A number of field methods and techniques may be implemented during Phase III investigations, including hand excavated test units, deep testing, and mechanical removal of the plowzone and other sediments.

## V. Background Research

Background research is a necessary component to fieldwork and allows the researcher to form a basic understanding of the environmental, geological and cultural history of the region and project area. Preliminary background searches also serve as the basis for developing archaeological and historical contexts for the region under study. A thorough knowledge of previously recorded cultural resources and environmental characteristics of a region or project area allows the researcher to formulate predictions for the types of archaeological sites that might be encountered during fieldwork. Through a synthesis of this information, strategies for conducting fieldwork may be developed and implemented.

Background research **must** be conducted prior to the initiation of any fieldwork for this to be successful. Documents available at the WVSHPO include United States Geological Survey (USGS) quadrangle maps containing the location of known archaeological sites and previously surveyed project areas, and corresponding archaeological site form files. WVSHPO also maintains a library of cultural resource management technical reports produced for Section 106 projects conducted in the state, as well as county-wide historical survey files, National Register Files and Coal Heritage Survey files. There are a number of other research facilities available for use including the West Virginia State Archives in Charleston, the Institute for the History of Technology and Industrial Archaeology and the Geological and Economic Survey at West Virginia University in Morgantown, and the Eastern Coal Fields Archives in Bluefield. The West Virginia Archeological Society maintains a substantial collection of documents at the South Charleston Library as well. Researchers should contact local historical societies, libraries and courthouses for project-specific information, and should examine artifact collections held privately or in museums when possible.

Prior to initiating Phase II fieldwork, the consultant must conduct additional background research concerning the environmental, archaeological and historical background of the region. The consultant should conduct limited, comparative research on a regional level to identify potential data gaps in the area. A research design should be developed to serve as a guide to fieldwork. The research design should formulate specific questions to be addressed during fieldwork. Research questions should facilitate the determination of eligibility for the resource.

During Phase III investigations, the background research should be inclusive and concentrate on those aspects stipulated in the research design. For historic sites, the background research should include extensive document searches from such sources as local histories, deeds, diaries, correspondence, and journals. Again, the research design should formulate specific questions that can be addressed during fieldwork. Potential research questions may include, but

are not limited to, the following:

- How does the site fit into known regional settlement patterns?
- How did its inhabitants exploit locally available plant, animal and mineral resources?
- What resources were available?
- What are the temporal and/or cultural affiliations of the site?
- What is the research potential of this site?

6

## **VI. Field Methods**

### **Pedestrian Survey**

A pedestrian survey is conducted over the entirety of the project area in order to determine the locations of above-ground resources (i.e. cemeteries, rockshelters, petroglyphs, pictographs, earthworks and foundation remnants) and to determine the nature of physical and environmental aspects of the project area. This method is most useful in situations where slopes exceed 20%. Pedestrian survey transects shall be spaced at 10-15m intervals to ensure proper ground surveillance. As survey is conducted, photographs of the survey area should be taken, and any above ground resources should be mapped.

### **Plow Stripping**

In project areas which have been previously cultivated, plow-stripping may be used in combination with shovel test probes. Plow-strips should be at least 2m wide and be placed at 15m intervals across the entirety of the project area.

### **Controlled Surface Collection**

A systematic, controlled surface collection may be conducted in areas with surface visibility greater than 75% (100% visibility is preferred). Areas which have been previously cultivated may be disked and/or plowed to create greater surface exposure.

The controlled surface collection should be conducted within a metric, grid-coordinate system superimposed upon the area to be evaluated. Collection units may be 1x1 m, 2x2 m or 5x5 m on a side, but one unit size must be used consistently. All collection units and artifact concentrations must be placed on a map accompanying the technical report. Alternatively, the investigator may map the x, y and z coordinates for diagnostic and other artifact classes, and map artifact concentrations using a total station theodolite or other surveying instrument.

Surface collection should be conducted to define the horizontal limits of a site, to increase the sample size of artifacts (particularly temporally diagnostic artifacts) and to facilitate the identification of moderate and high artifact densities across the site. The identification of these areas should guide the placement of hand-excavated units.

## Shovel Test Probes

When ground cover exceeds 25%, shovel test probes (STPs), must be used to locate cultural resources. Shovel tests are used to define areas of low, moderate and high artifact densities in order to guide the placement of excavation units. At a minimum, shovel test transects should:

a). adequately cover project corridors (e.g. follow a project centerline and both right-of-way limits for corridors); and

7

b). be placed systematically on a metric grid or in transects on land parcels.

Shovel test transects should be placed at 10-15 m intervals over the entirety of the project area. Shovel test pits must be a minimum of .50 x .50 m in diameter and excavated into subsoil or at least 10 cm into archaeologically sterile sediments. All excavated soils must be passed through 1/4-inch mesh hardware cloth. Representative profiles and/or photographs of STPs, including Munsell descriptions, must be included in technical reports.

If an archaeological site is identified, a detailed plan map indicating the location of both positive and negative shovel test probes must accompany the report. For surveys with large APEs, the map should indicate locations where shovel testing occurred. These areas may be outlined with cross-hatching.

When slope gradients exceed 20%, the ground surface is flooded or waterlogged, or landscapes are extensively altered or disturbed, STPs will not be necessary. All areas not shovel tested must be fully documented by photographs and indicated on maps in the technical report.

When a positive STP occurs, subsequent shovel tests must be placed at 5 m intervals in all cardinal directions (radials) until two negative shovel tests in a row are encountered. Testing of positive radials is not necessary if site boundaries have been adequately defined through other methods.

When historic structures greater than 50 years of age are encountered, shovel tests must be placed around the perimeter of each structure in order to determine if historic archaeological deposits are present.

A distinction should be made between a *rock overhang* and *rockshelter*. A rock overhang is used to define absence of human occupation, while the term "rockshelter" is used when evidence of human occupation is identified. When rock overhangs are encountered during pedestrian survey, the floor should be inspected to determine the presence/absence of cultural materials. If cultural material is not evident on the floor, then a shovel test probe must be excavated to determine the presence of cultural materials.

## Remote-Sensing Techniques

Remote-sensing techniques are non-invasive means of identifying archaeological sites. They may include (but are not limited to) aerial photography, metal-detecting, magnetometry, electrical resistivity, electromagnetic conductivity surveying, and ground-penetrating radar.

False-color infrared aerial photographs have been used to detect village patterns, earthworks, foundation remnants and mounds. The use of metal detectors has also been successful in identifying and examining archaeological sites, particularly historic and military sites. The use of a metal detector or any other remote sensing technique should supplement rather than replace shovel testing, and must be coordinated with WVSHPO staff.

## 8

The implementation of remote-sensing methods should be conducted by persons versed in their use and interpretation. Not every project area and/or site has the potential to produce results worth the expenditure of time and funding to conduct remote sensing. Consult with WVSHPO staff prior to implementing any such methods.

### **Deep Testing**

Deep testing is often necessary to determine if certain landscapes or topographic settings contain deeply buried archaeological deposits. Deep testing is also used to determine if deeply buried cultural deposits exist and to collect information on site structure and site formation processes. Appropriate landscapes include but are not limited to flood plains, terraces, and colluvial/alluvial fans.

During Phase I and II investigations, deep testing is conducted to determine the presence, absence, and nature of buried archaeological deposits. A variety of deep testing methods and techniques may be used, including backhoe trenching, hand-augering, truck-mounted borings to remove intact soil cores, and the examination of cut-bank profiles. The methods used depend upon the topographic setting, the size of the project area, and consultation with WVSHPO staff. Representative photographs and soil profiles, as well as detailed illustrations and descriptions of soil strata and composition, must be included in the technical report for any method chosen. Deep testing methods are used to supplement archaeological investigations, and are not a substitute for STPs or test units. The WVSHPO staff recommends that a professional geomorphologist be consulted during Phase II investigation to develop a geomorphological history and to define site formation processes within the project area. This information must be included in the final report.

The number and placement of backhoe trenches is dependent upon the landscape and should be determined in consultation with WVSHPO staff. Backhoe trenches should be excavated until Pleistocene or channel lag deposits are reached, if possible. Trenches should be excavated in such a way that soil strata may be examined, profiled, recorded, photographed and sampled safely. A complete and detailed profile of any trench must be included in the technical report, including the depth, length, and width of the trench. Additionally, the location of each backhoe trench must be mapped and included in the technical report. Photographs of profiles

must be taken with a photo board and vertical scale. The ground surface of the trench must be clearly visible in the photograph. It is the consultant's responsibility to ensure that all deep testing is performed in compliance with OSHA standards while attaining the necessary soils and resource information.

In order to correlate cultural and geomorphological data on landform and site formation processes, a .50 x .50 m test unit must be excavated along one wall of each backhoe trench. Units must be excavated in 10 cm arbitrary levels within artificial or natural soil strata. All excavated soils must be passed through a 1/4-inch mesh hardware cloth. Test units are not necessary for each backhoe trench, if soil columns are also being gathered.

## 9

During Phase III investigations, deep testing is often conducted to facilitate and guide data recovery efforts. Identification of archaeological and geological strata in backhoe trenches can coordinate excavations of deeply buried deposits. Understanding the geomorphological development of the area is as significant as understanding the cultural development of the site. Again, the WVSHPO staff recommends that a professional geomorphologist be consulted.

### **Excavation Units**

#### Phase II Investigations

During a Phase II investigation, the placement of excavation units should be based on data gathered during the Phase I. Excavation units should also be placed so that the optimum amount of information is gathered without destroying the integrity of the site. Excavation units should be placed within a grid-coordinate system to ensure continuity. Units must be hand-excavated and at least 1x1 m on a side. Units may also be 1x2 m, or 2x2 m, but the unit size that is selected must be used consistently. Hand-excavated units should be excavated in 10 cm arbitrary levels within cultural or natural soil stratigraphy. In situations where soil strata are compacted or difficult to discern, an investigator may also use 5 cm arbitrary levels. All units must be excavated at least two levels (20 cm) below cultural deposits. All excavated sediments must be passed through 1/4-inch mesh hardware cloth. Two contiguous walls of each test unit must be troweled, profiled and photographed.

If cultural features or stratified cultural deposits are encountered during testing, an appropriate sampling strategy must be used. A detailed discussion concerning feature excavation and sampling strategies is found in the sections on **Feature Identification** and **Sampling Procedures**.

Test units placed near standing structures or foundation remnants may be excavated in the English System of measurement in accordance with current and acceptable historic archaeological excavation techniques. If structures and foundations are not evident, however, excavations should follow metric excavation techniques.

When rockshelters are evaluated, excavation strategy should take into consideration the types of site formation processes that developed these resources. Rockshelters represent a delicate and fragile archaeological resource, and contain sensitive environmental information. Because of the nature of deposition found in rockshelters, cultural deposits may be quite shallow, and may contain multiple occupation levels. The number and placement of test units within a rockshelter is dependent upon the size of the shelter to be tested. If possible, rockshelter deposits should be excavated in 5 cm arbitrary levels within cultural or naturally deposited sediments. If 5 cm levels are not possible, the investigator may wish to increase vertical control by obtaining x, y and z coordinates for diagnostic artifacts. If activity loci are defined, this method of vertical control may be used for other artifact classes. All soils should be passed through hardware cloth with mesh no larger than 1/4-inch, although mesh as fine as 1/8-inch may be used if necessary. At least one test unit should be placed outside the drip line of the shelter. Appropriate excavation of features and sampling strategies should follow those outlined below.

10

### Phase III Investigations

During Phase III investigation, test units should be placed in order to optimize data recovery. Phase II investigations and the data recovery plan should guide the placement of test units at the site. For example, the use of block excavations may facilitate access to deeply buried archaeological deposits. Test units should be used where the use of heavy machinery (such as belly pan scrapers) would negatively impact archaeological deposits. The data recovery effort should include testing of both high and low density areas.

### **Mechanical Removal of Plowzone and Other Sediments**

The mechanical removal of plowzone may be implemented only upon consultation and with the approval of WVSHPO staff, and should be stipulated in any scope of work or data recovery plan. Plowzone removal may be conducted in areas that were subject to previous cultivation practices and that exhibit a **definable** plowzone.

Plowzone removal may be used in previously cultivated areas to facilitate the identification of subsurface features. The degree of plowzone removal shall be determined by the intensity of the investigation effort. Plowzone removal during Phase II investigation should be as non-invasive as possible in order to protect the integrity of the site. Removal during data recovery efforts may be as extensive as necessary to identify subsurface features. It is also acceptable to mechanically remove sediments in order to reach buried archaeological deposits, if buried deposits are **known** to be overlain by culturally sterile soils (i.e. fill).

### Phase II Investigations

Following the removal of plowzone, the area should be shovel-scraped or trowel-scraped to expose a clean surface for inspection and identification of subsurface features. A detailed

discussion on feature excavation and sampling strategies is found in the sections titled **Feature Identification** and **Sampling Procedures**.

### Phase III Investigation

The mechanical removal of the plowzone may be implemented during Phase III investigations in areas that were subject to previous cultivation practices and that exhibit a **definable** plowzone. During Phase III investigations, plowzone removal may be conducted to expose large, contiguous areas of the surface in order to identify sub-plowzone features.

### **Feature Identification**

Once a subsurface feature has been identified (e.g. postmold, hearth, storage/trash pit, etc.), its location must be mapped according to the site grid-coordinate system. Each feature must be mapped in planview and photographed. Once the planview has been drawn, one-half of the feature must be excavated in order to determine its content and stratigraphic profile. Features may be excavated in halves or quarters along its long axis. If internal stratigraphy is evident,

11

features should be excavated in 5-10 cm levels within stratified deposits or depositional episodes. One-half of each feature must be profiled and photographed. All profiles should have a north arrow, scale and key. Once the feature has been completely excavated, the basin should be photographed. All photographs should be taken with a photo board, vertical scale and north arrow.

### **Sampling Procedures**

During the course of Phase II and III excavations, appropriate samples must be taken to aid the investigator in gathering as much information about the archaeological site as possible. Samples gathered from test units and features should be removed below the plowzone level to reduce the risk of contamination. It is especially important to collect samples from enclosed environments such as rockshelters, the interiors of containers and vessels, and burials.

Collected samples should include charcoal (for radiocarbon dating and species identification), flotation, phytolith, pollen, and soil. Flotation samples should be at least 5-10 liters in size and taken from each level below plowzone. Flotation samples gathered from features may be up to 15 liters per excavated half, or the half itself may be taken for a flotation sample. If internal stratigraphy is evident within feature fill, then a flotation sample should be removed from each stratified deposit. The types of samples to be gathered depend upon a number of factors including preservation, funding and processing capabilities. Most samples must be processed and analyzed by specialists.

### **Recovery Methods**

The methods of recovering archaeological materials should be guided by the Phase II workplan or the data recovery plan. Methodology becomes particularly important when attempting to retrieve information on subsistence or settlement patterns. For example, dry and wet screening methods are both acceptable. Wet-screening, however, is less destructive to botanical and faunal materials. The technique chosen also depends upon soil types and conditions. All excavated soils should be screened through 1/4-inch mesh hardware cloth, although 1/8-inch and 1/16-inch mesh hardware cloth is also acceptable if smaller artifacts or ecofacts are expected to be recovered.

## **VII. Recordation and Documentation of Archaeological Sites**

An archaeological site may be defined as a locus of human activity that is manifested by the presence of artifacts. Examples of archaeological sites include isolated finds, petroglyphs, pictographs, rockshelters, village sites, cemeteries, prehistoric earthworks and mounds, historic earthworks and fortifications, farmsteads, industrial sites, foundations, and ephemeral scatters of prehistoric and historic debris.

When an archaeological site is identified, additional steps are necessary to determine its horizontal boundaries. During a pedestrian survey, site boundaries can be defined by reducing survey intervals between observation points (in a plowed field) or by implementing shovel test probes (in wooded or grassy areas). If a previously recorded site is known to be within an area it must be relocated and re-identified.

Proper recordation and documentation of historic or prehistoric archaeological sites requires representative photographs and/or profiles of STPs, and the placement of STPs on the site map. Representative photographs of identified sites must also accompany each site form and technical report.

A West Virginia Archaeological Site Form (see Appendix H) must be prepared for each identified site. A revised archaeological site form must be prepared for each relocated and re-identified site. A West Virginia Isolated Find Site Form (see Appendix I) must be completed for each isolated find, defined as a single artifact find. A West Virginia Cemetery Survey Form (see

Appendix J) must be prepared for each identified cemetery. If standing structures are identified within the boundaries of the project area, then a West Virginia Historic Property Form must be completed (see Appendix K).

Completed West Virginia Archaeological Site forms must include the following: a detailed site plan or sketch map (must include location of STPs), a USGS quadrangle map with site location noted, and representative photographs of the site. The USGS map must include a north arrow, scale, quad name, year and contour interval. Site sketch maps must include a north arrow and scale. The form should also include a discussion of artifact densities or percentages noted, as well as a discussion of all diagnostic artifacts recovered. If structural or foundation remnants are identified, a site plan or sketch map of each foundation must be included. Two copies of each site form must be submitted separately, one for the permanent site records and one as an appendix to the technical report. Site forms must be printed on acid-free paper. Incomplete forms will be returned for revision.

Permanent, trinomial site numbers will be assigned upon receipt of the **original** archaeological site form. Facsimile transmission of site forms is not acceptable. As stated in WVSHPO June 25, 1994 and March 23, 1998 letters, site numbers will **not** be assigned over the telephone. Archaeological site numbers will be assigned within three working days upon receipt of the form. Site numbers are not necessary for report submission.

13

If a previously unrecorded site is identified during Phase II investigations, a West Virginia Archaeological Site Form must be prepared. An amended and revised archaeological site form should also be prepared for each site in which Phase II investigations have been completed. The form should include information concerning site size, archaeological components present, diagnostic artifacts recovered, and artifact density. The form should also include a map indicating the location of investigations and site boundaries.

### **VIII. Inclusion of West Virginia Historic Property Inventory Forms**

When historic buildings or structures are located within the area of potential effect or project area, no archaeological report is complete without their identification and evaluation. Although report text may include a description of the resources, the West Virginia Historic Property Inventory Form (see Appendix K) must be completed. Original forms must be submitted separately, and copies may be included in the bound report. If Phase I archaeological results dictate additional research at the Phase II level, evaluation of the standing structure(s) according to National Register Criteria may be postponed until that time. If not, full evaluation of the structure(s) must be submitted with the completed Phase I report. Full evaluation includes, at minimum, the following:

1. Historic Context: an explanation of the relationship of the resource to its setting and historic use. Include dates within which the property was in use;
2. Deed Research: identification of date of construction and property ownership;
3. Oral History: information obtained from local informants regarding ownership, use and significance of the property;

4. Brief Description: information regarding the appearance of the structure and materials used in its construction; and
5. Statement of Significance: in relation to National Register Criteria.

The WV SHPO relies upon National Register (NR) Bulletins for further guidance regarding application of the Criteria of Eligibility. Notable among these are NR Bulletin No. 15 “How to Apply the National Register Criteria for Evaluation”, NR Bulletin No. 24 “Guidelines for Local Survey: A Basis for Preservation Planning”, and NR Bulletin No. 21 “Defining Boundaries for National Register Properties.” The WV SHPO encourages early consultation regarding historic properties, and can provide further guidance upon request.

## **IX. Recommendations**

### **Phase I Investigation**

If data generated during a Phase I investigation clearly document the absence of cultural resources, or if identified cultural resources do not meet the criteria for eligibility to the National Register of Historic Places, then a recommendation of no additional work is appropriate. WVSHPO staff will provide additional recommendations to the lead agency regarding the eligibility of the resource and whether additional investigations are necessary.

In order to reach this conclusion, reasons for the determination of ineligibility must be clearly stated. For example, an isolated find usually does not meet the minimum Criteria for inclusion in the National Register and will require no additional investigation. The recordation and documentation of such a site exhausts its research potential, therefore the project will have no effect on the site.

If the research potential for a particular site has not been exhausted at the Phase I level, further archaeological investigations may be necessary. A number of factors and questions may

be considered at this point, including site integrity, presence/absence of intact stratigraphic deposits, subsurface features and/or ecofactual materials, site location, and topographic setting.

If the eligibility of an archaeological resource cannot be determined upon completion of Phase I investigations, then avoidance or Phase II testing may be recommended. If avoidance is not a viable option, then Phase II investigations must proceed.

### **Phase II Investigation**

At the close of Phase II investigation, the investigator must provide recommendations regarding the eligibility of the resource(s) for inclusion in the National Register of Historic Places. Following these recommendations, the federal agency responsible for the undertaking, in consultation with the WVSHPO, makes a final determination of eligibility. If the WVSHPO disagrees with the report's recommendations, or determines that the report is incomplete or insufficient, further Phase II investigations may be required in order to make an accurate determination.

If the resource is recommended to be not eligible for inclusion in the National Register of Historic Places, and the consulting parties concur, then no further archaeological investigations are considered necessary. Monitoring during construction activities may be recommended to ensure that a qualified archaeologist is on site in the event that archaeological deposits or features are discovered.

If the resource is recommended as eligible to the National Register and the consulting parties concur, the agency responsible must determine what effect the undertaking will have on the resource. In accordance with 36 CFR 800.5, the responsible agency must apply the Criteria of Effect. Once a resource has been determined to be eligible, two options may be exercised:

16

- 1). Avoidance  
or
- 2). Mitigation

If a resource can be avoided, then the undertaking will have no effect on the National Register eligibility of the resource (36 CFR 800.4(d) as defined in 800.16(i)). If avoidance is possible, stipulations must be established to ensure that the resource will not be harmed. Avoidance measures may require fencing or monitoring activities.

If avoidance is not an option, then the undertaking will have an adverse effect on the resource in accordance with 36 CFR 800.5(a)(1). A finding of adverse effect requires resolution under 36 CFR 800.6, including involvement of consulting parties and the Advisory Council on Historic Preservation. Consultation results in the development of a Memorandum of Agreement outlining the methods to be used in the resolution of the adverse effect.

Phase III data recovery is usually recommended in response to a determination of adverse effect. Once data recovery efforts have been recommended as a mitigative response, a detailed data recovery plan must be submitted for review and comment to the WVSHPO and the Advisory Council on Historic Preservation. The WVSHPO will respond with written comments within thirty days of receipt of the data recovery plan.

## **X. Determination of Eligibility**

A number of factors must be considered in order to make eligibility recommendations. The investigator must be able to answer the following questions: Does the data recovered answer research questions posed in the scope of work? More importantly, does the site have the potential to address research questions not answered?

The quality of significance is of paramount importance in any determination of eligibility for inclusion in the National Register. There are four Criteria of Eligibility, and a resource must meet at least one of these to be considered eligible (NR Bulletin No. 15). Briefly, these Criteria are:

- A. Association with events that have made significant contributions to broad patterns

- of history;
- B. Association with the lives of persons significant to our past;
- C. Embodiment of distinctive and significant characteristics of a type, period or method of construction;
- D. Having yielded, or having the potential to yield, significant information important to prehistory or history.

Archaeological sites are most often determined eligible under Criterion D, but may qualify under any or all of the Criteria above. For instance, a Civil War battlefield site may be eligible under Criterion A for its association with a pivotal conflict. Archaeological properties may also be classified as individual sites or as historic or prehistoric districts (NR Bulletin No. 36). It is important to keep the overall context of the site in mind when presenting a determination of eligibility.

There are several variables to consider when making recommendations concerning the eligibility of an archaeological site. These include the following:

- 1). Integrity
- 2). Site Type
- 3). Temporal and Cultural Affiliation

Archaeological sites are complex and the variables noted above are interrelated. Generally, an archaeological site is not considered eligible on the merits of one variable alone. In addition to these variables, the researcher should be familiar with the literature covering the area under study. This includes a familiarity with the so-called "gray literature" found in preservation offices and universities. A discussion of each variable follows.

A. Integrity - The integrity of an archaeological site is one of the most important variables to consider when determining the eligibility of a resource. Integrity refers to the level of site preservation as well as to the quality of information recovered from that site. The site must possess relatively intact deposits, even if such deposits lie beneath a plowzone or

18

other surface disturbance. As well, the site must provide spatially, temporally, and functionally diagnostic information (NR Bulletin No. 36).

B. Site Type - The type of site under investigation also contributes to the eligibility of a resource. It is important to consider the data that may be retrieved from a site and how that information may contribute to the understanding of similar site types in the state. Sites that address "data gaps", or areas where little or no documented archaeological research exists, are also potentially eligible. For example, little is known about historic grist mills in the western portion of the state, any information that can be gathered from such a site will contribute significantly to our knowledge of the archaeological record.

- C. Temporal or Cultural Affiliation - The age or temporal affiliation of a site is another important factor to consider. Some archaeological investigations have focused on sites from a specific temporal or cultural affiliation, to the exclusion of others. Again, sites that address such “data gaps” must be carefully considered.

## **XI. Data Recovery Plan**

The data recovery plan must include an overview of previous investigations that were conducted for the archaeological resource(s) in question. The data recovery plan must include a brief description of the Phase II finding and justification for the determination of National Register eligibility. The plan must also discuss the research potential of the archaeological site(s) under study. The investigator must develop a research design that is tailored to the specific site type, and formulated to gain optimum information from the archaeological site. The development of research questions or topics may guide the research design. Research

questions may include such topics as placement of the site into regional subsistence and settlement patterns, or development of data regarding raw material procurement and trading networks.

A detailed discussion of field and laboratory methods should follow the introduction and research design. A field methods and technique section should discuss an excavation plan, including the size and number of test units and total square meters to be excavated. This section should indicate whether test units are to be excavated in arbitrary or natural levels, or arbitrary levels within natural or archaeological strata. It should also include unit level depth, in centimeters for prehistoric sites or inches for historic sites. As well, this section should discuss recovery techniques and what size hardware cloth mesh will be used. If large-scale mechanical stripping is to occur, the total area of exposure must be determined and included in this section.

The field methods section should also be concerned with the sampling strategy to be used. Because of the time and funding required, it is not always possible to excavate an entire site. In these instances, the site must be sampled in order to properly mitigate an adverse effect. Phase II investigations should be used to determine areas in which to concentrate data recovery efforts. This section must include the types of samples to be taken (e.g. radiocarbon, flotation, and soil), how they are to be recovered, and sample size. Methods for identification, excavation, and sampling of features must also be discussed.

A laboratory methods section should discuss the types of analysis to be used and how analysis is to be conducted. It should also discuss any special methods that may be used (e.g. residue or use-wear analysis, etc.). The data recovery plan should also contain discussion of the identification and treatment of human skeletal remains. In accordance with 36 CFR 79: "Curation of Federally Owned and Administered Archeological Collections", the data recovery plan must discuss the treatment and disposition of artifactual materials and associated documents.

Finally, the data recovery plan must include information about public access to data generated by the project. This may consist of setting up public displays or providing copies of reports to local public libraries, landmark commissions, historical societies or schools. Other means may include public lectures, videos, web sites, or traveling exhibits. The manner in which public access is provided should be developed in consultation with the sponsor and WVSHPO. Any revisions or amendments to the data recovery plan must be reviewed and approved by the WVSHPO and the ACHP prior to commencement of work.

## **XII. Report Format**

Cultural resource reports for different stages of project development should adequately reflect the level of investigation completed. The following format outline is intended to serve as a guide to the types of information that should be included in each report. Certain sections may not be applicable to Phase I or Phase II investigations. The Society for American Archaeology

style guides should be used in preparing any report. Two copies of the report, one with original photographs and on acid-free paper, must be submitted to WVSHPO for review and comment.

During Phase I, II and III investigations, expedient review is often necessary in order to accommodate various state and federal agency project schedules. To facilitate these reviews, WVSHPO has (on a case by case basis) agreed to accept variations to technical reports, including Management Summaries, Addendum Reports and Letter Reports. For projects where no cultural resources or isolated finds are identified, Abbreviated Reports are acceptable. The formats for Management Summaries, Addendum Reports and Abbreviated Reports are found below. The numbers and letters referenced are defined in the Standard Technical Report Format.

### **Management Summaries**

In order to expedite the review of a project, Management Summaries are acceptable with the understanding that a completed Phase I or Phase II report is still required. At the minimum a Management Summary should include:

- Title Page
- Introduction, 3 a-c (Standard Technical Report Format)
- Environmental Setting, 4 d
- Field Techniques, 7
- Results/Inventory of Resources, 9 a (1,2,4,5,6); and b (1,3,4,5,7)
- Composite Assemblage, 10 c
- Recommendations
- Conclusions
- References Cited
- Signed copy of Cultural Resources Files and Library User Registration and Research Record Form

### **Addendum Reports**

If Phase I investigations are an extension or amendment to a previously submitted and reviewed project, an Addendum to the existing report may be prepared in lieu of a standard Phase I report and should include:

- Title Page
- Introduction, 3 a-c
- Environmental Setting, 4 d
- Field Techniques, 7

- Results/Inventory of Resources, 9 a (1,2,4,5,6); and b (1,3,4,5,7)
- Composite Assemblage, 10 c
- Recommendations

Conclusions  
References Cited  
Signed copy of Cultural Resources Files and Library User Registration and Research Record Form

### **Abbreviated Technical Reports**

If no cultural resources have been identified during a Phase I Investigation, an Abbreviated Technical Report is acceptable for submission and must include:

Title Page  
Introduction, 3 a-c  
Environmental Setting, 4 c-d  
Field Techniques, 7 a-c, and h  
Results 9 a (1-5)  
Recommendations  
Conclusions  
References Cited  
Signed copy of Cultural Resources Files and Library User Registration and Research Record Form

### **Standard Technical Report (Phase I, II and III Investigations)**

#### **1. Title Page:**

- a. Title of report including name and location of project;
- b. Author(s);
- c. Principal Investigator(s), affiliation, address, phone number and signature (mandatory);
- d. Name, address and phone number of client;
- e. Lead state/federal agency and contract/permit number(s);
- f. Date of report; and
- g. WVSHPO-assigned FR number, if known (should be placed in upper right hand corner of report to facilitate tracking).

2. **Abstract/Management Summary:** Should not exceed two pages, and should include:
  - a. Brief description of the project and purpose of investigation; and
  - b. Precise summation of report's findings, conclusions and recommendations.
3. **Introduction:** Discuss the purpose of the project, results and possible impacts to archaeological sites, including the following information:
  - a. Project sponsor, permit/contract numbers and include statutory regulations under which project is being conducted;
  - b. Detailed description of project area or area of potential effect (APE), specific project location (including county, town, or township), number of acres surveyed, reason for conducting project, how project areas were investigated, and potential impact on cultural resources. Locate the project area geographically on a state or county map, and include the project area on a 7.5' USGS quadrangle. Include the name and date of the USGS map. Construction or project planning maps may also be included. Each map must include a north arrow and key;
  - c. Dates of the investigation and personnel involved in the project; and
  - d. Disposition of field notes, artifacts and other materials.
4. **Environmental Setting:** This should be a detailed description of the project area environment, focusing on its resource utilization potential and factors affecting the preservation of archaeological sites. This should include past and present disturbances within the project area. This section should also discuss the ecological methods and techniques used to model past environments. At a minimum the following information should be included:
  - a. Physiographic province and local features of the landscape, including discussions of drainage, soils, hydrology, geomorphology, and geology;
  - b. Regional/local Pleistocene and Holocene environmental overview (if appropriate);
  - c. Modern environmental setting (historic environment and land use patterns, etc); and
  - d. Current land use pattern in project area.
5. **Previous Archaeological Investigations and Background Overview:** This section should include a statement that a site file search has been conducted at WVSHPO. An overview of previous archaeological investigations should include the names of investigators, institutions, dates of work, research purposes, methods, and results. A USGS 7.5' map indicating the locations of previously recorded archaeological sites

within a one mile radius must be included. Other information to be included:

23

- a. Location and nature of any publications, manuscripts, field notes and collected materials;
  - b. Informants and their addresses;
  - c. Listing of all known resources located within a one-mile radius of the project area, including all National Register properties and historic properties within and adjacent to a project area. (All previously identified archaeological sites and historic properties must be located on the appropriate USGS 7.5' quadrangle map, including the current project area); and
  - d. Concise synopsis of the prehistoric and historic cultural record for the project area and the surrounding region.
6. **Research Design:** Include a discussion on the expected archaeological potential for the project area and research objectives. This section should focus on the relation of the investigations to state, regional, and national archaeological, architectural and historical studies. Discuss the hypotheses and implications to be tested, including techniques (field and laboratory) used to test implications. Include discussions on the limitations of the research design.
7. **Field Techniques:** This section should be presented so that reviewers and future researchers may reconstruct what was done and why. Present a detailed discussion and evaluation of field techniques employed, including types of information collected, sampling techniques, artifact retrieval, and provenience recording measures. Include the following information:
- a. Field maps (should include locations of all areas investigated, including pedestrian and subsurface surveys);
  - b. Surface-survey techniques: Describe and justify in detail techniques used in the project area and on specific sites. Document surface conditions, survey intervals, and collection methods;
  - c. Subsurface techniques: Document shovel test and other subsurface methods used, including STP intervals and dimensions, and recovery methods used;
  - d. Remote-sensing techniques: Describe and evaluate;
  - e. Test units: Describe test units, discussing size, depth, types of levels used and screen mesh size. Specific information about individual units should be discussed in the

results section;

f. Backhoe trenches: Describe backhoe trenches, methods used, discussing length, width depth and location. Specific information about individual backhoe trenches should be discussed in the results section;

24

g. Features: Describe methods used to excavate features. Specific information about individual features should be discussed in the results section; and

h. Note all constraints on the investigation (e.g. limited access, poor visibility, landowner restrictions and weather conditions).

8. **Laboratory Methods and Artifact Curation:** This section should involve a detailed discussion of laboratory methods used to analyze and curate artifacts, and should include the following:

a. Describe classificatory or typological schemes used in artifact description and analysis. Give rationale for selection;

b. Discuss all metric and non-metric techniques used to process and analyze artifacts and other archaeological materials;

c. Note means of chronological determination for artifact assemblages (e.g. relative or radiometric);

d. Describe any specialized samples that were recovered and how they were processed and analyzed (e.g. flotation, radiocarbon, faunal, botanical, pollen, soils, residue analysis, lithics, ceramics or skeletal remains). Discuss size of samples taken; and

e. Include information regarding the future location of the curated artifacts and documents.

9. **Results/Inventory of Resources:**

a. Results: Discuss the results of fieldwork, including surface and subsurface investigations.

1. Maps should include the location of all STPs, auger probes, backhoe trenches, collection blocks, test units and features. All maps must include a north arrow scale, and legend;

2. Representative profiles of STPs, auger probes, backhoe trenches, and test units

must be in the report. All profiles must include a scale and legend;

feature  
are  
quality  
preferred, but color

3. Representative photographs of the project area, excavation unit profiles, profiles, and backhoe trenches must be included. Photographs must have a photo board, scale, and legend. Photographs of backhoe trenches must include a vertical scale. All captions must include the direction from which photos taken. Original photographs, halftones or their equivalents, and high-scanned images are acceptable. Black-and-white photos are preferred, but color are also acceptable;

25

4. Describe the number of STPs, test units, auger probes, and backhoe trenches excavated. Discuss the total area excavated in square meters. If large areas were exposed through plowzone removal, indicate the amount of area in square meters;

5. Describe soils identified in STPs, test units and backhoe trenches, including texture, composition, and Munsell. Include a discussion on geomorphology and site formation processes. Discuss depth or limits of cultural deposits at site;

6. Indicate the depths at which artifacts were encountered within STPs and their overall density across the site;

7. Include planview and profile drawings of identified features with the appropriate scale and legend. Discuss and describe identified feature types (e.g. postmolds, hearths, basin-shaped pits, etc.). Information on length, width, and depth may be presented in table format;

8. Artifact densities per unit and unit level should be presented, as well as distribution of artifact types per unit and unit level. Unit and feature descriptions should include total artifacts and artifact types recovered;

9. Discuss comparisons in the variability between test unit and feature artifact frequencies across the site; and

10. Discuss the occupational history of the site.

b. Inventory of Resources: Discuss all of the cultural resources (i.e. archaeological and architectural) identified during the investigation. Clear, concise descriptions of the resource should include:

1. Maps: Include the location of all identified sites on USGS quadrangle. Sketch or site maps should include the location of all positive/negative STPs, as well as foundations, structures, earthworks, and gravestones;

2. Photographs: Include representative photographs of all resources identified;
3. Site number;
4. Site size and boundaries;
5. Site location, including verbal location description and UTM Coordinates;
6. Site setting, including landform, elevation, soils, and nearest water source;

26

collection,  
artifacts

7. Discussion and description of artifacts recovered from STPs, surface test units and backhoe trenches. Discuss the number and types of artifacts recovered from each site, including the overall artifact density across the site; and

8. For historic sites include a discussion on archival research conducted for the site. Include chain of title, deeds, manifests and other inventories.

10. **Composite Assemblage:** This section should present the results of artifact and sample analysis, including:

- a. Definitions of analytical units used (e.g. used flake, shatter, biface, projectile point);
- b. Metric observations on artifacts recovered (i.e. length, width, thickness, weight, etc);
- c. Complete inventory of all artifacts and other materials recovered from field investigations with appropriate provenience information;
- d. Photographs and/or drawings of representative artifact types and diagnostic artifacts, including key and scale;
- e. Description and discussion of specialized analysis conducted (e.g. faunal and botanical);
- f. If variable densities are noted (e.g. define activity areas), discuss the variation in artifact types recovered at the site from one area to the next;
- g. If multiple occupations or components are identified; discuss variability in artifact density and types among and between components; and
- h. Discuss intersite variability, comparing the artifact assemblage between site and

similar sites in the region.

11. **Evaluation of Research:** Discuss and evaluate research goals and questions addressed in the research design, including:

- a. Data reliability;
- b. Relation of analysis to stated goals;
- c. Synthesis and comparison of analytical results;
- d. Integration of ancillary data;

27

e. Identification and discussion of the data in terms of regional and local history and prehistory; and

f. Address future research questions.

12. **Recommendations:** This section must be a concise statement concerning the eligibility of identified resource(s). Information must contain adequate information so that proper management decisions can be made. The following recommendations may be made:

A. No cultural resources present - no additional work (Abbreviated Report is acceptable)

B. Cultural resources present:

1. Resource is not eligible to the National Register - No Effect determination

2. Eligibility of resource is indeterminable - Phase II testing recommended

3. Resource is considered eligible to the National Register and project will have Adverse Effect:

- a. Develop Memorandum of Agreement, stipulating mitigative measures; and
- b. Develop data recovery plan to be implemented

4. Resource is considered eligible to the National Register and project will have no effect, through:

- a. Avoidance; or
- b. Preservation in Place

13. **Conclusions:** Succinct summation of project, findings, recommendations and effect determination.
14. **References Cited/Bibliography:** Must conform to the following Society for American Archaeology guidelines: **Editorial Policy, Information For Authors, And Style Guide For American Antiquity and Latin American Antiquity**, revised August 1996.
15. **Appendices**
  - a. Project correspondence;
  - b. Full reports on ancillary studies (may be placed within main body of report);
  - c. Artifact inventories;
  - d. Site forms (must also be submitted separately);
  - e. Current curriculum vitae of principal investigators and field directors; and
  - f. Signed copy of Cultural Resources Files and Library User Registration and Research Record Form.

**Table of Contents**

I.	Introduction	Pg. 1
II.	Professional Qualifications	Pg. 2
III.	Archaeological Site File Searches	Pg. 3
IV.	Section 106 and Cultural Resource Investigations	Pg. 4
V.	Background Research	Pg. 6
VI.	Field Methods	Pg. 7
VII.	Recordation and Documentation of Archaeological Sites	Pg. 13
VIII.	Inclusion of West Virginia Historic Property Inventory Form	Pg. 15
IX.	Recommendation	Pg. 16
X.	Determination of Eligibility	Pg. 18
XI.	Data Recovery Plan	Pg. 20

**Appendices**

Appendix A: Reference Materials	Pg. 30
Appendix B: Excavation and Analysis of Human Skeletal Remains	Pg. 33
Appendix C: Treatment of Human Skeletal Remains	Pg. 41
Appendix D: Application for Archaeological Excavation Permit	Pg. 43
Appendix E: Application for Archaeological Excavation of Unmarked Human Graves	Pg. 46
Appendix F: User's Guide to the Cultural Resource Files	Pg. 50
Appendix G: Cultural Resource Files and Library User Registration And Research Record Form	Pg. 52
Appendix H: West Virginia Archaeological Site Form	Pg. 55
Appendix I: West Virginia Isolated Find Site Form	Pg. 61

Appendix J:	West Virginia Cemetery Survey Form	Pg. 64
Appendix K:	Historic Properties Inventory Form	Pg. 68
Appendix L:	Curatorial Guidelines - Collections Management Facility	Pg. 72
	* Deed of Gift	
	*Memorandum of Understanding for Curatorial Services	

**Appendix A - Reference Materials**



April 30, 2024

Dear Jefferson County Planning Commission Members:

The Jefferson County Historic Landmarks Commission strongly encourages enforcement of the existing Subdivision Regulations as written in regards to the Phase 1 Archeological Survey requirements. Waiving these requirements puts archeological resources at risk. Recognizing the wealth of historic properties in the county and as advocates for cultural preservation, our board firmly believes these surveys are essential in safeguarding our shared heritage and ensuring responsible development practices.

Archaeological surveys serve as vital tools in identifying and protecting archaeological sites and cultural resources that may be impacted by construction activities. By conducting these surveys before any ground is broken, we can proactively assess the potential impact on historical sites and take necessary measures to mitigate any adverse effects.

Furthermore, archaeological surveys not only help preserve our cultural heritage but also contribute to a better understanding of our past. Each archaeological site provides valuable insights into the lives, practices, and traditions of the past, enriching our collective knowledge and appreciation of history.

Again, I recommend that archeological survey requirements not be waived for development projects. By upholding this standard we can ensure that development proceeds in a manner that respects and preserves our cultural heritage for future generations to appreciate and cherish.

Thank you for your attention to this matter,

Martin Burke  
Chair, Jefferson County Historic Landmarks Commission



# JEFFERSON COUNTY, WEST VIRGINIA

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### MEMO

**TO:** Planning Commission of Jefferson County  
**FROM:** Andy Beall, Jefferson County Zoning Administrator  
**DATE:** May 13, 2025  
**RE:** Proposed Amendment to Section 20.104 Exceptions of the Subdivision and Land Development Regulations

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Following the adoption of the 2045 Comprehensive Plan, Planning and Zoning staff began discussing text amendments to support park land expansion. In order to support the development of public park facilities in Jefferson County, the following text amendment proposes to allow developers to proffer land to Jefferson County Parks and Recreation and to exempt Jefferson County Parks and Recreation from the Subdivision and Land Development Regulations.

The *2045 Comprehensive Plan Update* Objective 11.3 supports the expansion of park lands and supporting existing parks. In the Subdivision and Land Development Regulations adopted October 9, 2008 and amended July 11, 2024, Section 20.104 identifies Public Schools, public and private utility easements, and Federal, State, and Municipal Governments as the only organizations exempt from the Subdivision Regulations. By adding Jefferson County Parks and Recreation to this list the development of park facilities will be facilitated and brought into operation sooner.

As the drafting process has been ongoing, the Parks and Recreation Commission (PRC) has not been consulted about the draft text amendment. At the discretion of the Planning Commission, staff can be directed to consult with the PRC or provide the PRC time to present before the Planning Commission.

**In reference to WV Code 8A-4-2. Exemptions of certain types of land development**, may be included in a Subdivision and Land Development ordinance. This amendment would allow Jefferson County Parks and Recreation to establish parklands on the properties they own without adhering to the requirements set forth in the Subdivision and Land Development Regulations, except those regarding encroachments into Public Easements as specified in Section 21.402(D).

**In reference to WV Code 8A-6-2. Conditions as part of final plat approval**, this amendment would allow Jefferson County Parks and Recreation to accept real property as a “voluntary proffer” from landowners as a requirement of final plat approval.

#### **Proposed Text Amendment to the Subdivision and Land Development Regulations**

##### Sec. 20.104 Exceptions<sup>5</sup>

A. **General.** There shall be no exception from these Regulations for activities that involve the creation of lots, revision of lot lines that affect other properties other than the otherwise exempted uses, the creation or abandonment of roads, the provision of access to exterior roads, the vacating of public road right-of-ways,

or the creation or abandonment of other easements, unless provided for in Section 20.107, Conservation Easements, or in subsection “C” below.

**B. Public Schools.** By Statute, public schools are exempt from these Regulations, but are encouraged to voluntarily conform.

**C. Public Utilities.** Public utilities and private utility firms, including wastewater treatment and water supply facilities, regulated by the West Virginia Public Services Commission, shall also be required to conform to the standards of these Regulations; however, easements for public utilities and private utility firms, including wastewater treatment and water supply facilities, shall be exempt from this requirement, unless otherwise required as a part of a subdivision plat and/or site plan.

**D. Land Owned by Government Entities.** Land owned by the Federal Government, State Government, or Municipal Government is exempt from the provisions of these Regulations. The County government has placed its own uses under the jurisdiction of these Regulations **unless provided for in Section 20.104 Exceptions, subsection “E” below.**

**E. Land Owned by Jefferson County Parks and Recreation.** Land owned and operated by Jefferson County Parks and Recreation is exempt from the provisions of these Regulations, except those regarding encroachments into Public Easements as specified in Section 21.402(D).

This includes land given to Jefferson County Parks and Recreation as a “voluntary proffer” from landowners as a requirement of a Major Subdivision final plat approval.

### **Text Amendment Process**

If the Planning Commission chooses to move forward with this proposed text amendment, a Public Hearing will be required before both the Planning commission and the County Commission.

### **Attachments**

- 2045 Comprehensive Plan Parks and Recreation Excerpt

Jefferson County schools are primarily funded by property taxes and a voter approved excess levy that is required to be renewed every five years. The specific use of excess levy funds is set out in the election notice to ensure the JCBOE is able to meet the desired quality of services and facilities for its students. Additional funding can be available in Jefferson County through impact fees for schools. It is important to note that impact fees are only able to be used on capital improvements that relate directly to cost of providing additional resources due to the growth generated by students in new homes built in the County. Impact fees for new buildings were reduced to \$1 in 2021 by the Jefferson County Commission then updated in 2024 with rollout to begin on June 1, 2025.

Jefferson County has a wide variety of public and private recreational options, including municipal and county parks, West Virginia Wildlife Management Areas, the Harpers Ferry National Historical Park, and various private camping and outfitter operations. The parks and recreational facilities present in Jefferson County are a key asset for residents to enjoy public events, get exercise, and socialize with other members of the community. These Parks and Recreation provide the County with a variety of both active and passive recreation opportunities.

Courtesy: Jefferson County Development Authority





# Goal 11

Align expansion of County park facilities and programs with federal, state, municipal, and non-profit recreation providers to ensure that a wide variety of park and recreation opportunities are available throughout Jefferson County.

Courtesy: JC Office of Planning and Zoning

As Jefferson County has grown, residents of the community have recognized the need to provide a greater range of park and recreational services to visitors and County residents. Jefferson County is home to and surrounded by quality state and federal recreational areas, including Bolivar, Loudoun, and Maryland Heights, the Appalachian National Scenic Trail, Harpers Ferry National Historical Park, and the C & O Canal National Historical Park. By having places for year round recreation, County residents are provided with opportunities to exercise and to socialize with each other. Recreation is important for the physical and mental health of the public. Parks and recreational facilities can also serve as sites for festivals and sporting events, providing another economic development benefit and stimulate community between residents. An additional role for parks and recreational facilities is to serve as gathering places for younger residents. Having facilities and programs for teens and young adults fosters community involvement and is of particular interest to County residents. When safe places to meet, play, and exercise are provided, children, teens, and young adults can have recreation facilities and activities close to their homes. These parks and recreational facilities can also be used to encourage public wellness programs for residents of all ages, improving physical and mental wellbeing in the County.

The Jefferson County Parks and Recreation Commission (JCPRC) owns and operates nine parks, totaling 471 acres

across the County, which meet a wide variety of active and passive recreation needs with related programming for the area in which each park is located. Many of these programs include options for children, such as swimming classes, gymnastics training, or coed sports. The County also has a large number of playgrounds in its parks, increasing the free recreation opportunities for young families. However, as the number of residents has increased in recent years, the available park and recreation space may not be enough to serve the needs of all residents. Jefferson County must explore new ways to provide healthy and accessible recreation opportunities for residents of all ages.

Jefferson County has a wide variety of public and private recreational options, including municipal and county parks, West Virginia Wildlife Management Areas, the Harpers Ferry National Historical Park, and various private camping and outfitter operations. The parks and recreational facilities present in Jefferson County are a key asset in supporting the County's quality of life.

One such option for public recreation is non-profit organizations. Jefferson County already has several of these, including the Boys and Girls Club of the Eastern Panhandle in Charles Town. However, the number of non-profit recreation organizations is not large, and would certainly not be enough to

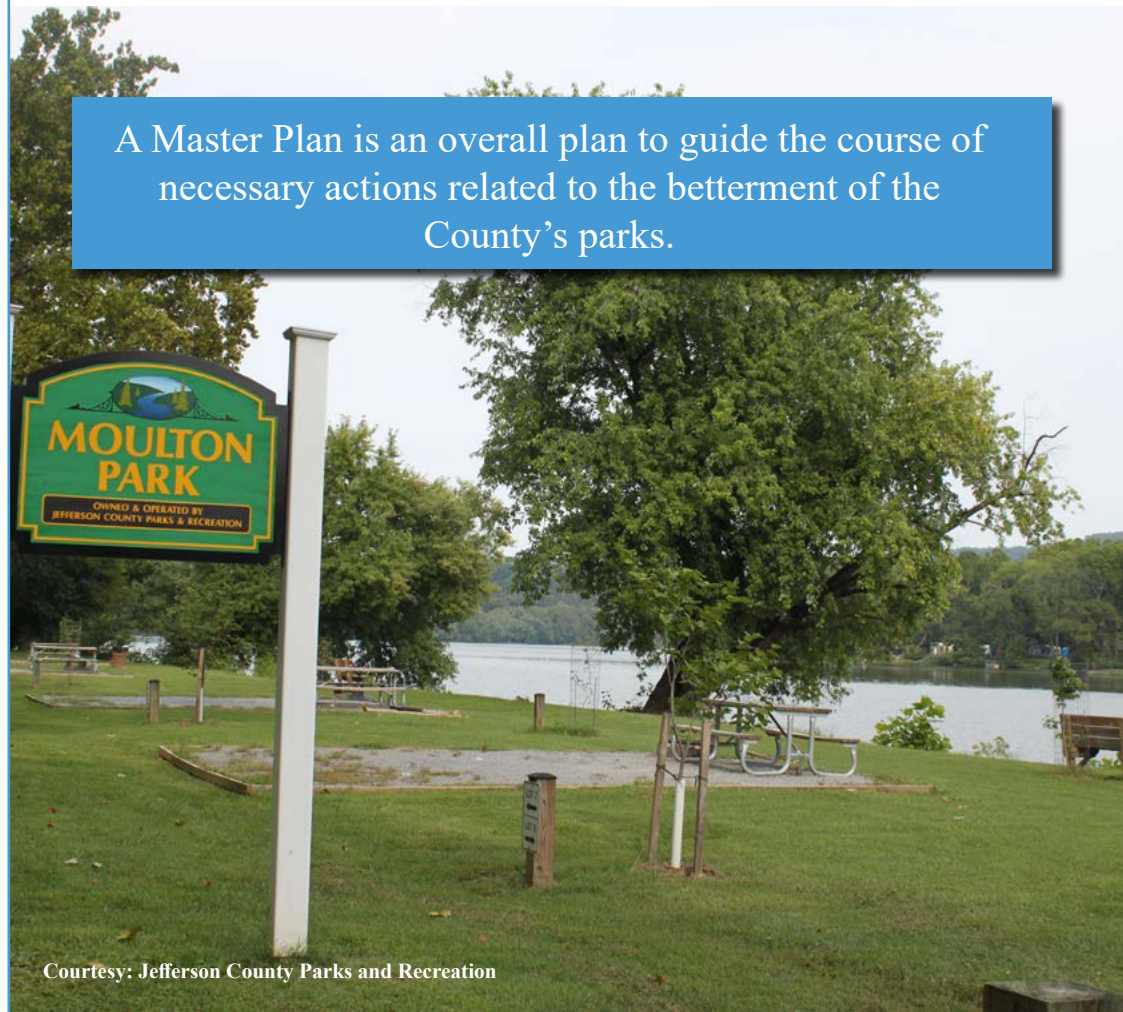
service all residents of the County who would be interested in participating. One example of a non-profit recreation provider that is not currently available in Jefferson County is the YMCA, which offers both childcare and early learning services, and coed recreation opportunities for the public. Beyond this, the YMCA also offers adult programs and classes to educate participants about establishing a healthy lifestyle or encouraging positive youth development. Many people may not otherwise have access to such classes or be able to afford to attend those offered by learning institutions. These accessible programs encourage a physically and mentally healthy community for both adults and children. Promoting non-profit recreation providers like the YMCA to locate in Jefferson County is another way to invite more recreation opportunities for residents.

Another potential recreation facility would be a public pool. Residents have identified the need for more access to aquatic recreation. Jefferson County has a public pool in Jefferson Memorial Park, and several neighborhoods in the County have private community pools, but these do not serve the needs of all residents. The installation of a new public aquatic center would provide better access to water recreation activities and allow for enhanced and expanded programs like swimming lessons for children or water aerobics classes for adults.

One difficulty that Jefferson County faces when considering the expansion of parks and recreational facilities is that of

funding. New facilities can incur great costs and ongoing maintenance are a long-term expense. Jefferson County Parks and Recreation is responsible for finding partnerships with local organizations and funding through federal and state programs. It is important that Jefferson County continue both financial support and cooperation with the Parks and Recreation Commission, particularly the priorities laid out in their Master Plan. When working together with local partners, Jefferson County can expand recreational access and amenities for all County residents.

A Master Plan is an overall plan to guide the course of necessary actions related to the betterment of the County's parks.



Courtesy: Jefferson County Parks and Recreation

## Objective 11.1

Continue to evaluate the need for and financing of a public or non-profit pool or aquatic center.

1. Support efforts to create an aquatic center that includes a competition pool and aquatic programming for swimmers of all ages.

JCPR • JCDA | 6-10 years

## Objective 11.2

Coordinate with local, state, and regional governments, non-profits, and community groups to identify funding sources for recreational facilities.

1. Expand park and recreational programming options for children, teenagers, young adults, and all residents of Jefferson County.

JCPR | Yearly

## Objective 11.3

Support the expansion of park lands and adoption of Master Plans or existing park utilization.

1. Encourage the location of new community public facilities (such as schools, libraries, parks) within Municipalities, UGBs, PGAs, or Villages.

P&Z • PC • CC | Ongoing

2. Update and implement the current and future recommendations of the County's Parks and Recreation Master Plan.

P&Z • JCPR | 6-10 years





# JEFFERSON COUNTY, WEST VIRGINIA

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### MEMO

**TO:** Planning Commission of Jefferson County  
**FROM:** Luke Seigfried, Chief County Planner  
**DATE:** May 13, 2025  
**RE:** Proposed Text Amendment to Section 2.2, Appendix C – Principal Permitted and Conditional Use Table, and Addition of Section 8.21 of the Zoning and Land Development Ordinance (amended 2022) and Proposed Text Amendment of Appendix A and Addition of Section 21.106 of the Subdivision & Land Development Regulations (amended 2024).

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At their April 29, 2025 meeting, Planning Commissioner Daniel Hayes requested to propose revisions to the Zoning and Land Development Ordinance and the Subdivision & Land Development Regulations to better define Data Center guidelines at the next available Planning Commission meeting. The following amendment is for the Planning Commission's discussion and consideration (see attached).

#### State Code Changes

On April 12, 2025 Governor Morrissey approved House Bill 2014 to establish the microgrid district and put into place regulations for microgrid districts and high impact data centers (see attached). The definitions for both are below. The bill will take effect July 11, 2025.

(6) "High Impact Data Center" means a facility or group of facilities that:

(A) Consists of one or more parcels in this state, along with the buildings, substations and other infrastructure, fixtures, and personal property located on the parcels;

(B) Is owned, operated, or leased by an entity or affiliated group of entities;

(C) Is used to house and operate equipment that receives, stores, aggregates, manages, processes, transforms, retrieves, researches, or transmits data; or that is necessary for the proper operation of equipment that receives, stores, aggregates, manages, processes, transforms, retrieves, researches, or transmits data;

(D) Has a critical IT load in the aggregate of 90 megawatts total or higher; and

(E) Is placed into service on or after July 1, 2025.

(8) "Microgrid power generator" includes any entity supplying power under the rules provided in §5B-2-21 of this code to a high impact data center.

(9) "Microgrid power generator property" means and includes any and all property used by microgrid power generator within a certified microgrid district.

Most notably in regards to data centers in Jefferson County, **§5B-2-21b.(c)**

(c) This section prohibits:

(1) Counties and municipalities, whether by ordinance, resolution, administrative act, or otherwise, from enacting, adopting, implementing, or enforcing ordinances, regulations, or rules which limit, in any way, the creation of, and acquisition, construction, equipping, development, expansion, and operation of any certified microgrid district or certified high impact data center project; an

(2) Counties and municipalities from imposing or enforcing local laws and ordinances concerning the creation or regulation of any certified microgrid district or certified high impact data center therein.

(d) In accordance with §5B-2-21(b) and §5B-2-21(c) of this code, and notwithstanding any provision of this code to the contrary, or any municipality's home rule powers with respect to ordinances and ordinance procedures, including any authority pursuant to the Municipal Home Rule Program under §8-1-5a of this code, certified microgrid districts and certified high impact data centers may not be subject to the following:

- 1) County or municipal zoning, horticultural, noise, viewshed, lighting, development, or
- 2) land use ordinances, restrictions, limitations, or approvals;
- 3) County or municipal building permitting, inspection, or code enforcement;
- 4) County or municipal license requirements;
- 5) The legal jurisdiction of the county or municipality in which the certified microgrid district
- 6) or certified high impact data center is entirely or partially located, except as specifically provided
- 7) in this article.

### **Staff Reports and Comments**

Due to the incoming changes to state code, staff would recommend a memo be prepared that requests data center projects provide documents showing the scope, size, layout, and any state issued permits of the project. The intent would be solely be for record keeping of the subject parcels and does not entail any processing through any ordinance. Additionally, by requesting existing documents that are ready for public consumption and not requesting the creation of new documents for this purpose, meeting this request should not be onerous for the developers of the project. If documents are provided at the discretion of the developers of a certified microgrid district or certified high impact data center project, staff will be able to accurately answer questions from the public regarding the project.

This memo could also be prepared in the event that a certified microgrid district or certified high impact data center approaches the County regarding suggestions for development. These suggestions for certified microgrid districts or certified high impact data centers could be to follow the lighting ordinance, implement landscaping along the project, applying for a zoning certificate, and reducing the use of lights affixed to the top of buildings.

## **Subdivision & Land Development Regulations (amended 2024) Process:**

**Note that West Virginia State Code §8A-4-5. Amendments to the subdivision and land development ordinance:** “After the enactment of the subdivision and land development ordinance by the governing body, all amendments to the subdivision and land development ordinance shall be made by the governing body after holding a public hearing with public notice.”

### **Note that Jefferson County Subdivision and Land Development Regulations (amended 2024):**

#### **“Sec. 23.201 County Commission**

The County Commission is responsible for setting in place a means of administering these Subdivision and Land Development Regulations and ensuring enforcement of the County's Zoning Ordinance. As such it has the following powers and duties:

- A. Adoption and Amendment. As specified in Chapter 8A of the West Virginia Code, the County Commission has sole responsibility for the adoption and amendment of the subdivision and site development regulations. It is advised in these matters by staff and the Planning Commission.”

## **Zoning and Land Development Ordinance (amended 2022) Process:**

**Note that West Virginia State Code §8A-7-8a. Amendments to the zoning ordinance by the governing body:** “a) 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. If the amendment is inconsistent, then the governing body with the advice of the planning commission, must find that there have been major changes of an economic, physical or social nature within the area involved which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area.”

### **Note that Jefferson County Zoning and Land Development Ordinance (amended 2022):**

#### **“Section 12.4 Procedure for Initiating a Zoning Ordinance Text Amendment**

##### **C. Text Amendments by the Planning Commission**

If the Planning Commission determines that a text amendment to the Zoning Ordinance is required in accordance with its work plan, for the purpose of improving or clarifying the ordinance, or for consistency with adopted policies, the Planning Commission will develop a draft of the proposed amendment, receive public input, conduct a Public Hearing in accordance with Section 12.2D, and make a recommendation for action to the County Commission through a regular agenda request process. Any such amendment proposal will include the background and reasoning of the proposed amendment as well as a discussion of consistency with the adopted Comprehensive Plan.

With its recommendation, the Planning Commission will request that the County Commission schedule a workshop, if necessary, and a Public Hearing at dates to be determined by the County Commission to receive comment and take action on the proposed amendment.

##### **D. Text Amendments by the Planning Commission by Petition**

The Planning Commission may alternatively submit a text amendment by petition to the County Commission. The procedure for processing a formal text amendment petition initiated by the Planning Commission shall be as dictated in §8A-7-9 et seq of the West Virginia State Code, as amended. Petitions for a text amendment initiated by the Planning Commission shall be presented to the County Commission

and submitted to the County Clerk for filing on the same date. Such petitions for a text amendment shall be clearly labeled as “§8A-7-9 Petition” in the heading and contain the following information:

1. Substantiation for the request;
2. Notation that said text amendment applies county-wide;
3. Discussion on why such proposal is consistent with the adopted Comprehensive Plan.

The County Commission is required to set a public hearing on the proposed Zoning Text amendment within 60 days of the date upon which the petition is presented to the County Commission at a County Commission meeting. The petition and related agenda request form must be submitted to the County Commission office for placement on a County Commission agenda at least one (1) week prior to the meeting date or in accordance with the agenda request procedure of the County Commission.”

If the Planning Commission chooses to move forward with this proposed text amendment, a Public Hearing will be required before both the Planning commission and the County Commission.

#### **Attachments**

- Data Centers – Draft Text Amendment
- 2045 Comprehensive Plan Data Center Extract
- West Virginia House Bill 2014 - Enrolled Committee Substitute
- West Virginia House Bill 2014 - Bill History

# DRAFT TEXT AMENDMENTS - DATA CENTERS (04/29/25)

## Section 2.2 – Terms Defined (Add):

**Data Center:** A facility used primarily for the storage, management, processing, and transmission of digital data. Data centers may include server rooms, backup power supplies, cooling systems, cybersecurity systems, and network infrastructure. Ancillary office and support uses are permitted.

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## Amend Appendix C – Principal Permitted and Conditional Uses Table:

<b>Institutional Uses</b>	<b>NC</b>	<b>GC</b>	<b>HC</b>	<b>LI</b>	<b>MI</b>	<b>PND</b>	<b>OC</b>	<b>R</b>	<b>RG</b>	<b>RLIC</b>	<b>IC</b>	<b>V</b>
Data Center	NP	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP

Additional Standards: Sec. 8.21

---

## ADD

### Section 8.21 – Data Centers

**A. Applicability:** These standards apply to all new or expanded data center facilities.

### B. Site Design & Operational Standards

- Setbacks:** Minimum 200 feet from all residential property lines. Parking setbacks will remain consistent with underlying zoning.
- Height:** Maximum building height shall not exceed 60 feet unless otherwise allowed by zoning.
- Screening:** Mechanical equipment (including HVAC, backup generators, and substations) shall be screened from adjacent properties and roads using architectural treatments and evergreen landscaping unless the adjacent properties are compatible with industrial uses. The buffer shall be either one or a combination of the following:
  - A staggered triple row of native evergreen trees that are a minimum of 8 feet in height at the time of planting and are spaced to provide a minimum 75% visual opacity year-round within two years of installation. The use of fast-growing species in combination with slower-maturing native trees is encouraged to achieve both immediate impact and long-term screening.

- Maintenance Requirements: A landscape maintenance agreement must be submitted with the Concept Plan and recorded with the property deed. This agreement must outline the property owner's responsibility to inspect, replace, and maintain vegetative buffers to ensure continued compliance. Dead, diseased, or dying plant material shall be replaced within 60 days of identification with plantings that meet or exceed the initial installation size and opacity requirements. Failure to maintain the buffer shall constitute a zoning violation and be subject to enforcement action, including fines and potential suspension of operational permits.

Existing natural vegetation may be used to meet these buffer requirements only if a certified arborist or landscape architect provides documentation verifying that the existing vegetation meets or exceeds the above opacity and height standards and can be sustained with normal maintenance practices.

- An 8-foot-tall opaque fence may be used in lieu of or in addition to vegetative buffering. Fences must be dark-colored and non-reflective.
4. **Noise:** All equipment must comply with the county noise ordinance. Generators must use sound attenuation and be tested only during designated hours.
  5. **Lighting:** Lighting shall be full cut-off and downward-directed to minimize off-site glare. Lighting levels must meet dark sky standards.
  6. **Cooling and Water Use:**
    - Use of closed-loop or air-cooled systems is required.
    - Water use shall be quantified at site plan review, and systems evaluated for efficiency.

### C. Traffic and Access

- Access roads must be paved and capable of handling occasional heavy equipment transport.
- Delivery and service traffic must be confined to daylight hours unless emergency maintenance is required.

### D. Emergency Power

- Backup generators shall be subject to screening and noise compliance requirements.
- Fuel storage must comply with applicable state and federal environmental safety standards.

### E. Submittal Requirements

- Site plan shall include a **power and cooling systems narrative**, noise mitigation plan, and landscape plan.

---

## SUBDIVISION & LAND DEVELOPMENT REGULATIONS AMENDMENTS

ADD

## **Section 21.106 – Data Center Design Standards**

A. Site plans for data centers must address:

1. Power infrastructure layout
2. Emergency generator location and screening
3. Cooling system type and placement
4. Access circulation for equipment delivery and emergency service
5. Vegetative screening for all structures and equipment yards

B. Subdivisions creating industrial parcels intended for future data center use shall:

1. Provide for utility corridors and electrical service stubs
  2. Design internal circulation for industrial truck and service access
- 

## **Appendix A – Plan and Plat Standards:**

### **Section 1.3 – Preliminary Site Plan Requirements:**

- 38 For data centers, the preliminary site plan must include:
- Acoustic analysis
  - Cooling system schematic
  - Generator and battery storage layout
  - Landscaping and screening cross-sections

# Land Use Planning

The Shepherdstown Growth Management Boundary (GMB) is not considered an area for future Urban Development if it remains unincorporated with the exception of the Shepherdstown PGA.

In 2018 the JCBOE acquired 101 acres along Shepherdstown Pike for the purpose of establishing the new Shepherdstown Campus including Shepherdstown Elementary and Shepherdstown Middle Schools. While the importance of walkability for students has been noted elsewhere in this Plan, a change in land use classifications or the creation of a new Preferred Growth Area around the new Shepherdstown Campus is not suitable based on the lack of water and sewer service. In the event that water and sewer service is extended to the Shepherdstown Campus, traffic safety will need to be evaluated before considering higher intensity development. This location is a rural gateway that encourages tourism and supports the historic and cultural resources in the greater Shepherdstown area.

As data centers have developed in the region it is important to address where such development would be appropriate in Jefferson County. Data centers require large amounts of power and may require large amounts of water for their essential operation and cooling. Data centers require large buildings with cooling operations and generators, which have the potential to generate noise that most closely aligns to industrial land uses. Due to the nature of data centers, this Plan supports the development of data centers in the Industrial Commercial and Major Industrial zoning districts.

## Objective 2.1

Encourage and support the adaptive reuse of existing buildings, previously used sites, dilapidated structures, and vacant buildings within Jefferson County, paying particular attention to brownfield and greyfield sites.

1. Collaborate with stakeholders to recruit new and existing businesses and industries to use existing buildings and previously used parcels for new development including business parks and commercial sites.

JCDA | 6-10 years

2. Create, publish, and maintain a directory of previously used sites, including brownfield and greyfield sites, that are good candidates for redevelopment.

JCDA • HLC | Yearly

# **WEST VIRGINIA LEGISLATURE**

**2025 REGULAR SESSION**

**ENROLLED**

**Committee Substitute**

**for**

**House Bill 2014**

BY DELEGATES HANSHAW (MR. SPEAKER), RILEY,  
FEHRENBACHER, ANDERSON, ZATEZALO, AKERS AND  
HORNBUCKLE

(BY REQUEST OF THE EXECUTIVE)

[Passed April 12, 2025; in effect 90 days from  
passage (July 11, 2025)]



1 AN ACT to amend and reenact §5B-2-21, §24-2-1d, §24-2-1q, §24- 2-15, §24-2-19, and §24-2-  
2 21a of the Code of West Virginia, 1931, as amended; to amend the code by adding four  
3 new sections, designated §5B-2-21a, §5B-2-21b, §5B-2N-2a, and §11B-2- 33, and to  
4 amend the code by adding a new article, designated §11-6N-1, §11-6N-2, §11-6N-3, §11-  
5 6N-4, and §11-6N-5, all relating to the generation and consumption of electric power;  
6 establishing the certified microgrid development program; providing for microgrid  
7 certification requirements; providing for microgrid electric service requirements; providing  
8 for microgrid customer eligibility; providing for microgrid special contracts; prohibiting  
9 microgrids from participating in Pilot and tax increment financing programs; defining  
10 microgrid property subject to property tax; providing for microgrid letter of intent, notice  
11 period and negotiation; providing for microgrid special contracts; establishing the high  
12 impact data center program; providing for notification, certification, and recordkeeping;  
13 authorizing certain agencies to assist certified microgrid districts and certified high impact  
14 data centers; prohibiting local jurisdiction regulation of microgrid districts and high impact  
15 data centers; providing for payment of certain fees and taxes; providing for certain services  
16 to microgrid districts and certified high impact data centers; establishing the electric grid  
17 stabilization and security fund and its purpose; creating new article relating to special  
18 method for valuation of certain high technology property; defining terms; providing for  
19 microgrid districts and certified high impact data centers property returns to be filed with  
20 Board of Public Works; providing for special rules for tax distribution; establishing certain  
21 funds to receive distributions; terminating article; establishing the personal income tax  
22 reduction fund and providing for purpose; providing for additional duties of public service  
23 commission 2 relating to future electric generating capacity, base fuel coal supply for  
24 electric grid resiliency, consumer rate relief bonds, and automatic adjustment clauses,  
25 price indexes, or fuel adjustment; providing for rulemaking; and providing that certain  
26 funds may not be used by a public utility to close or cease operations at an electric  
27 generating plant.

*Be it enacted by the Legislature of West Virginia:*

## **CHAPTER 5B. ECONOMIC DEVELOPMENT ACT OF 1985.**

### **ARTICLE 2. DEPARTMENT OF ECONOMIC DEVELOPMENT.**

#### **§5B-2-21. Certified Microgrid Development Program.**

1           (a) *Program established.* — The Certified Microgrid Development Program is hereby  
2 created and is to be administered as a program within the Division of Economic Development to  
3 encourage the continued development, construction, operation, maintenance, and expansion in  
4 West Virginia of high impact i plants and facilities, in certain circumstances where the availability  
5 of electricity generated is demonstrated to be necessary. In order to effectuate the purposes of  
6 this section, the Division of Economic Development, or any agency, division, or subdivision  
7 thereof, may propose for promulgation of legislative rules, including emergency rules, in  
8 accordance with §29A-3-1 *et seq.* of this code.

9           (b) *District certification.* — The Secretary of the Department of Commerce may identify  
10 and certify microgrid districts in this state upon a finding that the following requirements are met:

11           (1) Certification of the microgrid district and location of new or expanded businesses within  
12 the microgrid district will have a significant and positive economic impact on the state;

13           (2) Certification of the microgrid district is necessary to attract at least two businesses to  
14 locate or expand in this state;

15           (3) The area to be certified as a microgrid district shall be no greater than 2,250 acres and  
16 nearly contiguous;

17           (4) The electricity generated within the microgrid district will be used only within the  
18 microgrid district or delivered to the wholesale market;

19           (5) The information described in §5B-2-21(h) of this code has been provided to the  
20 Department of Commerce;

21           (6) The requirements of §5B-2-21(i) of this code have been satisfied; and

22 (7) The requirements of §5B-2-21(b)(5) and (6) of this code may not apply to microgrid  
23 districts certified on or before January 1, 2024;

24 (8) The requirements of subsections (d), (e), (g), (h), and (j) of this section enacted during  
25 the regular session of the Legislature, 2025, shall not apply to any microgrid district certified on  
26 or before January 1, 2024, or any special contract entered into and approved by the Public Service  
27 Commission on or before January 1, 2025. No amendments to this section enacted during the  
28 regular session of the Legislature, 2025, shall be interpreted to remove an existing microgrid  
29 district certification.

30 The Secretary of the Department of Commerce may not certify more than two microgrid  
31 districts: *Provided*, That this limit on certifying microgrid districts shall not apply to any microgrid  
32 district wherein greater than 70% of the electricity generated within the microgrid district is  
33 consumed by one or more high impact data centers, as defined in §11-6N-2 of this code, or will  
34 be consumed by one or more high impact data centers, when such data centers are completed  
35 and fully operational. A designation made pursuant to this section by the secretary as to the  
36 certification of a microgrid district is final.

37 (c) *Providing electric service within a certified microgrid district.* — Within a microgrid  
38 district, any person, firm, corporation, or entity or their lessees and tenants seeking to provide  
39 electric service through the generation or distribution of electricity within the microgrid district to  
40 businesses locating within the microgrid district may:

41 (1) Not be subject to the jurisdiction of the Public Service Commission with respect to  
42 rates, obtaining a certificate of convenience and necessity, conditions of service or complaints  
43 pursuant to chapter 24 of this code;

44 (2) Not be subject to the net metering and interconnection standards as set forth in §24-  
45 2F-8 of this code;

46 (3) Elect to qualify as an exempt wholesale generator under federal law for purposes of  
47 furnishing electric service through the generation of electricity to a utility or regional transmission

48 organization without being subject to the Public Service Commission's siting certificate  
49 requirements as set forth in §24-2-1(d), §24-2-11c, or §24-2-1o of this code;

50 (4) Provide any such electric service to businesses making a capital investment in a new  
51 or expanded facility located within the certified microgrid district;

52 (5) Not provide any such electric service for purposes of encouraging businesses already  
53 receiving electric service from a regulated utility in this state to relocate to the certified microgrid  
54 district; and

55 (6) Not deliver outside the microgrid district more than 10% of the electricity generated  
56 within the certified microgrid district and only delivered to the wholesale market.

57 (d) *Microgrid customers; eligibility.* — In order to take advantage of the provisions of this  
58 section, a plant or facility choosing to locate and operate within a microgrid district must constitute  
59 new electric load. Any owner, lessee, or tenant of a plant or facility that has not previously received  
60 electric service from a regulated public electric utility located within this state, or who is making a  
61 capital investment in a new facility within the microgrid district shall be considered eligible new  
62 electric load. Electric service to any such plant or facility shall be considered new electric load so  
63 long as any customer making a new capital investment within the microgrid district does not  
64 decrease the load of an existing facility outside the microgrid district in this state in conjunction  
65 with the new capital investment within the microgrid district, and regardless of whether or not a  
66 person or entity previously received service from a public electric utility at or near the same  
67 location prior to the certification of the microgrid district.

68 An eligible plant or facility choosing to locate and operate within a microgrid district is not  
69 required to connect with and use any public electric utility: *Provided*, That any connection with  
70 and use of a public electric utility for purposes of the initial construction and development within  
71 the microgrid district shall not impact a plant or facility's status as new electric load in order to  
72 take advantage of the provisions of this section.

73           (e) *Microgrid customers; special contracts and rates.* — After certification of a microgrid  
74 district, the Public Service Commission may approve special contracts for a a microgrid customer  
75 within the microgrid district. For purposes of this section, a “special contract” is:

76           (1) a written agreement between an electric utility and an eligible retail electric microgrid  
77 customer within the microgrid district that is filed with the Public Service Commission and that  
78 provides that an eligible retail electric microgrid customer will receive utility service on terms and  
79 conditions, including rates, that vary from the utility’s tariff on file with the Public Service  
80 Commission, or

81           (2) electric utility service terms and conditions, including rates, ordered by the Public  
82 Service Commission that vary from the electric utility’s tariff to be in effect between a utility and  
83 an eligible retail electric microgrid customer when the electric utility and the eligible retail electric  
84 microgrid customer are unable to negotiate a written agreement.

85           A microgrid customer seeking a special contract shall first enter into negotiations with the  
86 utility within whose service territory the microgrid district is located regarding the terms and  
87 conditions of a mutually agreeable special contract. If the negotiations result in an agreement  
88 between the microgrid customer and the utility within 120 days, the microgrid customer and the  
89 utility shall jointly file with the Public Service Commission the special contract. If the negotiations  
90 are unsuccessful in the 120-day period, the microgrid customer may file a petition with the Public  
91 Service Commission to consider establishing a special contract. The Public Service Commission  
92 shall consider all relevant factors in establishing a special contract. Upon the filing of a petition  
93 pursuant to this section, the Public Service Commission shall establish a special contract for the  
94 provision of requested service, including backup and supplemental service to a microgrid  
95 customer within the microgrid district. Microgrid customers’ load within the microgrid district not  
96 covered by a contract for back up and supplemental service shall be considered non-firm and  
97 interruptible. The Public Service Commission shall establish a special contract upon the filing of  
98 a petition pursuant to this section and shall do so within 90 days of filing.

99           (f) *Electrical infrastructure costs.* — Regulated electric utility customers shall not bear any  
100 costs including, but not limited to, construction, operational, ancillary services, grid-related,  
101 energy-related, or capacity-related costs, associated with any electricity generation, transmission  
102 or distribution facilities that provide electrical service to a microgrid district. Any costs of this nature  
103 are to be borne by the generator or electricity consumers situated within the microgrid district.

104           (g)(1) *Payment In Lieu Of Taxes Electricity Generation and Distribution.* — Notwithstanding  
105 the provisions of §5D-1-14, §7-5-13, §7-11B-3(b), §7-11B-8(c)(4), §7-11B-15(a)(7), §7-11B-  
106 15(a)(15), §7-11B-18, §8-19-4, §8-29A-7, §8A-12-12, §11-13-2p, §11-13C-5(l)(1)(A), §16-13A-  
107 21, §16-15-18(b)(6), §17-16A-16(b), §17-16B-20(b), §18-9A-12(c), § 31-21-5, and §31-21-15 of  
108 this code, or any other provision of this code, no payment in lieu of taxes shall be entered into  
109 with relation to the property of any electricity generating plant, facility, or generating unit or any  
110 property comprising, in whole or in part, any electricity distribution apparatus, equipment, lines or  
111 facilities (A) located in the county and (B) directly or indirectly dedicated to providing electric power  
112 to any plant, facility or property subject to this subsection. Nor shall any payment in lieu of taxes  
113 be entered into with relation to any leasehold interest or any other property interest related thereto.

114           (2) *Tax Increment Financing.* — Notwithstanding the provisions of §7-11B-1 *et seq.* of this  
115 code, or any other provision of this code, no tax increment financing project, plan or arrangement  
116 shall be entered into or undertaken with relation to any electricity generation or distribution  
117 property subject to this subsection.

118           (3) For purposes of this subsection, an electricity generating plant, facility, or generating  
119 unit or electricity distribution apparatus, equipment, lines, or facilities shall be deemed to be  
120 "dedicated" to providing electric power to any plant, facility, or property subject to this subsection  
121 if not less than 75% of the output of the electricity generation property or electricity distribution  
122 property, measured in kilowatt hours, are used to supply electricity to a facility, project, or series  
123 of related or integrated facilities within the county or counties subject to this subsection.

124 (4) For purposes of this section, property includes all real property, all buildings and  
125 structures affixed to land, and all tangible personal property, including, but not limited to  
126 equipment, inventories and mobile equipment, and also including property subject to special  
127 salvage valuation under §11-6A-1 *et seq.*, §11-6E-1 *et seq.*, §11-6H-1 *et seq.*, §11-6J-1 *et seq.*,  
128 §11-6F-1 *et seq.*, and §11-6L-1 *et seq.* of this code, or any other special *ad valorem* property  
129 valuation provision of this code; *Provided*, That property subject to special valuation shall be  
130 allowed that special valuation as authorized by law, for purposes of calculating and determining  
131 the *ad valorem* property tax imposed with relation thereto, notwithstanding being otherwise  
132 subject to the provisions of this section.

133 (h) *Microgrid District Development; Letters of Intent.* — To become a certified microgrid  
134 district under this section, the person or entity must present the Secretary of the Department of  
135 Commerce with a confidential letter of intent. The letter of intent shall include sufficient economic,  
136 financial, and engineering information concerning the proposed project with sufficient detail to  
137 adequately inform the department of the size, scope, and nature of the target customers of the  
138 project, including, without limitation, the approximate proposed acreage and location, estimated  
139 capital investment, evidence of financial capacity, estimated project completion date, major  
140 project milestones, estimated generation capacity, estimated power loading internal to the  
141 microgrid, estimated power, including backup power, needed from the local distribution electric  
142 utility, estimated power supplied to the wholesale market, and the types or sources of each electric  
143 power generation unit. The letter of intent and all supplied information shall be held in confidence  
144 pursuant to §5B-2-21a(e) of this code by the department.

145 (i) *Microgrid District Development; Notice Period and Negotiation.* — At least 120 days  
146 before submitting a letter of intent and other materials to the department, an applicant seeking a  
147 microgrid district certification must make good faith efforts to negotiate for the supply of all or part  
148 of its electricity needs for the project from the local distribution electric utility. The letter of intent  
149 must also include documentation evidencing the good faith efforts to negotiate. This time-period

150 limitation and negotiation requirement does not apply to microgrid districts proposing to produce  
151 300 megawatts or more of electricity or for microgrid districts that are proposing to not be  
152 connected in any way to the local distribution electric utility after completion of all construction.

153 (j) *Microgrid District Development; Special Contracts and Power Rates.* — (1) A certified  
154 microgrid district seeking a special contract from a local distribution electric utility located in the  
155 state shall first enter negotiations for not more than 120 days with the local distribution utility  
156 regarding the terms and conditions of a special contract. The microgrid district shall provide  
157 reasonable access and terms to the local distribution utility to enable the electric utility's  
158 transmission and/or distribution facilities to tie into those of the microgrid district. The 120-day  
159 negotiation period required by this section may be satisfied by the precertification negotiation  
160 period required by §5B-2-21(i) of this code.

161 (2) If the negotiations result in a mutually agreeable special contract, the contracting  
162 parties shall jointly file the special contract pursuant to the rules of the commission.

163 (3) If negotiations for a special contract with the local distribution utility are unsuccessful,  
164 a certified microgrid district may file a petition with the commission to establish a special contract.

165 (4) The commission shall establish a special contract upon the filing of a petition pursuant  
166 to this section. The Public Service Commission shall consider all relevant factors in establishing  
167 special contracts. The Public Service Commission shall establish a special rate for the requested  
168 service, including backup and supplemental service to a microgrid district. The microgrid district's  
169 load not covered by a contract shall be considered non-firm and interruptible. The commission  
170 shall issue a final order determining the terms of a special contract within 90 days of filing of a  
171 petition.

**§5B-2-21a. Data Centers.**

1 (a) *Findings and purpose.* — The Legislature hereby finds and declares the following:

2 (1) Data centers represent a significant and growing sector of the economy, generating  
3 substantial economic activity, including jobs, infrastructure investments, and technological  
4 innovation.

5 (2) Data centers are critical national infrastructure that require abundant, low-cost energy  
6 to protect sensitive data, operate high-level computation assets, and ensure the resilience of the  
7 digital economy.

8 (3) The People's Republic of China is positioning itself to be the global leader of data  
9 centers and is investing in technology to encourage the flow of data toward China instead of  
10 toward the United States.

11 (4) It is in the United States' national security interests to limit the flow of data to China  
12 and to protect the flow of data and maximize computational power inside the United States. The  
13 President has declared that it is the policy of the United States "to sustain and enhance America's  
14 global AI dominance in order to promote human flourishing, economic competitiveness and  
15 national security." Removing Barriers to American Leadership in Artificial Intelligence, Executive  
16 Order 14179 (Jan 23, 2025).

17 (5) As of early 2025, the highest concentration of high-level computational power and data  
18 centers in the world is located in Loudoun County, Virginia. This severe concentration of data  
19 centers in one location is a national security vulnerability because it invites the potential for  
20 cyberattacks and espionage against the Nation's critical data infrastructure.

21 (6) Data centers have historically obtained their electricity from the electric grid. Some  
22 data center developers now seek or require the use of microgrids to provide their primary and  
23 backup power.

24 (7) West Virginia is strategically positioned as the best location in the United States to  
25 place data centers due to: (A) its close proximity to Washington, D.C., and the federal government;  
26 (B) its close proximity to the majority of the Nation's population; (C) its low tax rates; (D) it having  
27 the least restrictive regulatory environment in the Nation; (E) its supply of abundant energy and

28 natural resources to power the data centers; (F) its supply of resources, such as coal mine  
29 methane blended with natural gas, to assist data centers locating in West Virginia to meet their  
30 energy needs and environmental goals; and (G) its skilled and loyal workforce that has some of  
31 the lowest turnover rates in the Nation.

32 As such, the state has a significant interest in encouraging the development and  
33 expansion of data centers, which can serve as drivers of broader economic growth. The  
34 Legislature finds that these externalities transcend local borders, including environmental  
35 concerns, energy consumption, and regional economic growth. Additionally, the provisions in this  
36 section align with the Legislature's goal of fostering a competitive, forward-thinking economy that  
37 benefits all residents.

38 (b) *Program established.* — The High Impact Data Center Program is hereby created and  
39 is to be administered as a program within the Division of Economic Development to encourage  
40 the continued development, construction, operation, maintenance, and expansion in West  
41 Virginia of high impact data centers. In order to effectuate the purposes of this section, the Division  
42 of Economic Development, or any agency, division, or subdivision thereof, may promulgate  
43 legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

44 (c) *Notification.* — Any data center shall compare its current or planned operations against  
45 the definition of "high impact data center" established in §11-6N-2 of this code and provide  
46 notification to the Division of Economic Development when the data center becomes aware that  
47 it will satisfy or has satisfied that definition. The notification will include information addressing  
48 the elements of that definition, including known or expected power consumption of the data  
49 center. This notification shall be made (1) within 30 days after the data center determines that it  
50 meets these requirements, or (2) when the data center reasonably anticipates that it will, at some  
51 future date, meet these requirements, in which case the data center may provide that anticipated  
52 future date in its notification.

53           (d) *Certification.* — The Secretary of the Department of Commerce shall identify and certify  
54 high impact data centers in this state upon a finding that a data center satisfies the requirements  
55 for the definition of "high impact data center" set forth in §11-6N-2 of this code. The Secretary  
56 shall issue confirmation of certification to a high impact data center within 14 days following receipt  
57 of the notification from the data center required by this section.

58           (e) *Recordkeeping.* — Any information provided by a data center pursuant to this section  
59 that is identified by the data center as confidential business information shall be exempt from the  
60 Freedom of Information Act. The Secretary shall take reasonable and appropriate steps to protect  
61 this information. Notwithstanding the foregoing, the Secretary shall maintain a complete list of all  
62 certified high impact data centers and all relevant information that can be made available to the  
63 Governor and Legislature, removing specifically identifying information to ensure confidentiality  
64 of any such information as identified by any high impact data center.

**§5B-2-21b. Authority to assist certified microgrid district projects and certified high impact  
data center projects; legislative findings.**

1           (a) *Findings and purpose.* — The Legislature hereby finds and declares the following:

2           (1) The findings and purpose set forth in §5B-2-21a(a) (2025), except to the extent  
3 expressly modified herein, are hereby incorporated herein by reference with the same force and  
4 effect as though fully set forth herein.

5           (2) It is in the best interests of the state to induce and assist in development of these  
6 projects, in order to advance the public purposes of relieving unemployment by preserving and  
7 creating jobs, and preserving and creating new and greater sources of revenue for the support of  
8 public services provided by the state and local government.

9           (3) It is the intent of the Legislature to occupy the whole field of the creation and regulation  
10 of certified microgrid districts and certified high impact data centers. The stated purpose of this  
11 section is to promote uniform and consistent application of the act within the state.

12 (b) The Department of Commerce shall assist projects developing or operating a certified  
13 microgrid district pursuant to §5B-2-21 of this code or a certified high impact data center pursuant  
14 to §5B-2-21a of this code. The Secretary of Commerce shall designate one of their personnel as  
15 "Data Economy Liaison" to serve as a single point-of-contact for certified microgrid districts and  
16 high impact data centers to assist coordinate and expedite their development and operation,  
17 including, but not limited to site selection and permitting. A "certified microgrid district" is a  
18 microgrid project, regardless of stage of development or operation, that has been certified by the  
19 Secretary of the Department of Commerce as set forth in §5B-2-21 of this code. A "certified high  
20 impact data center" is a data center project, regardless of stage of development or operation, that  
21 has been certified by the Secretary of the Department of Commerce as set forth in §5B-2-21a of  
22 this code.

23 (c) This section prohibits:

24 (1) Counties and municipalities, whether by ordinance, resolution, administrative act, or  
25 otherwise, from enacting, adopting, implementing, or enforcing ordinances, regulations, or rules  
26 which limit, in any way, the creation of, and acquisition, construction, equipping, development,  
27 expansion, and operation of any certified microgrid district or certified high impact data center  
28 project; and

29 (2) Counties and municipalities from imposing or enforcing local laws and ordinances  
30 concerning the creation or regulation of any certified microgrid district or certified high impact data  
31 center therein.

32 (d) In accordance with §5B-2-21(b) and §5B-2-21(c) of this code, and notwithstanding any  
33 provision of this code to the contrary, or any municipality's home rule powers with respect to  
34 ordinances and ordinance procedures, including any authority pursuant to the Municipal Home  
35 Rule Program under §8-1-5a of this code, certified microgrid districts and certified high impact  
36 data centers may not be subject to the following:

37 (1) County or municipal zoning, horticultural, noise, viewshed, lighting, development, or  
38 land use ordinances, restrictions, limitations, or approvals;

39 (2) County or municipal building permitting, inspection, or code enforcement;

40 (3) County or municipal license requirements;

41 (4) The legal jurisdiction of the county or municipality in which the certified microgrid district  
42 or certified high impact data center is entirely or partially located, except as specifically provided  
43 in this article;

44 (5) Any requirement under state law for the consent or approval of the municipality in which  
45 a certified microgrid district or certified high impact data center is entirely or partially located of  
46 any state or county action pursuant to this code, specifically including, but not limited to, §7-11B-  
47 1 *et seq.* of this code, for formal consent of the governing body of a municipality for county or  
48 state action regarding the establishment of tax increment financing development or  
49 redevelopment districts or the approval of tax increment financing development or redevelopment  
50 plans.

51 (e) Notwithstanding the creation of a certified microgrid district or a certified high impact  
52 data center, the owner, operator, or manager, as applicable, and all tenants, lessees or licensees  
53 thereof, of a certified microgrid district or a certified high impact data center shall:

54 (1) Pay business and occupation tax, if applicable, pursuant to §8-13-5 of this code, to the  
55 municipality in the same manner as any other business or commercial venture located within the  
56 municipality;

57 (2) Collect and remit municipal sales and service tax and municipal use tax, if applicable,  
58 pursuant to §8-1-5a, §8-13C-4, and §8-13C-5 of this code, to the municipality in the same manner  
59 as any other business or commercial venture located within the municipality;

60 (3) Pay ad valorem real and personal property tax pursuant to the same millage rates as  
61 any other business or commercial venture located within the county and municipality;

62 (4) Pay all municipal service fees enacted pursuant to §8-13-13 of this code, including, but  
63 not limited to, fire, police, sanitation, or city service fees;

64 (5) Pay all utility rates, fees, and charges for utilities used or consumed during construction  
65 and operation of premises within the certified microgrid district or certified high impact data center,  
66 including, but not limited to, water, sewer, stormwater, and garbage and recycling collection:  
67 *Provided, That (A) The rates, fees, and charges for such services shall be based on the cost of*  
68 *providing such service and the utility shall enter into a contract under the rules of the Public*  
69 *Service Commission for each such service with the developer and file the special contract with*  
70 *the Public Service Commission; and (B) the developer shall only be required to pay any capacity*  
71 *improvement fee or impact fee to the extent that capital additions, betterments, and improvements*  
72 *must be designed, acquired, constructed, and equipped by the utility to provide such service to*  
73 *the project; Utility customers outside of the microgrid district shall not bear any construction or*  
74 *operational costs associated with any new utility property built solely to provide service within a*  
75 *microgrid district;*

76 (6) Be entitled to municipal police protection and municipal fire protection, if available, in  
77 the same manner as any other business or commercial venture located within the municipality;  
78 and

79 (7) Design, acquire, construct, and equip the certified microgrid district or certified data  
80 center pursuant to the State Building Code in accordance with §8-12-13 of this code and the  
81 corresponding State Rule 87 CSR 4.

82 (f) The Department of Commerce, Department of Environmental Protection, and  
83 Department of Transportation may take actions necessary in support of the development of any  
84 certified microgrid district or certified data center, including, but not limited to, the development or  
85 improvement of such highways, roads, thoroughfares, and sidewalks within any county or

86 municipality in which the certified microgrid district or certified data center is partially or entirely  
87 located.

88 (g) In order to effectuate the purposes of this section, the Department of Commerce, or  
89 any agency, division, or subdivision thereof, may promulgate legislative rules, including  
90 emergency rules, in accordance with §29A-3-1 *et seq.* of this code.

## **ARTICLE 2N. GRID STABILIZATION AND SECURITY ACT OF 2023.**

### **§5B-2N-2a. Creating the Electric Grid Stabilization and Security Fund.**

1 (a) The Electric Grid Stabilization and Security Fund is hereby created. The fund shall be  
2 administered by the Department of Commerce and shall consist of all moneys made available for  
3 the purposes and from the sources set forth in this section of the code.

4 (b) The fund consists of moneys received from the following sources:

5 (1) All moneys received pursuant to §11-6N-4(b)(4)(C) of this code;

6 (2) All appropriations provided by the Legislature;

7 (3) Any moneys available from external sources; and

8 (4) All interest and other income earned from investment of moneys in the fund.

9 (c) The Department of Commerce shall use moneys in the fund to provide support for  
10 electric grid stabilization for regulated utilities and grid security, including development, efficiency,  
11 and environmental upgrades, but not decommissioning and replacement of existing facilities;  
12 maintenance of utility owned and operated coal and natural gas electric generation, regardless of  
13 unit or plant ownership by different regulatory jurisdictions; and transmission resources which  
14 solely serve West Virginia rate payers.

15 (d) Any balance, including accrued interest and any other returns, in the Electric Grid  
16 Stabilization and Security Fund at the end of each fiscal year may not expire to the General  
17 Revenue Fund but remain in the fund and be expended for the purposes provided by this section.

18 (e) Fund balances may be invested with the state's Consolidated Investment Fund.  
19 Earnings on the investments shall be used solely for the purposes defined in §5B-2-16(c) of this  
20 code.

21 (f) In order to effectuate the purposes of this section, the Department of Commerce may  
22 promulgate legislative rules, including emergency rules, in accordance with §29A-3-1 *et seq.* of  
23 this code.

## CHAPTER 11. TAXATION.

### ARTICLE 6N. SPECIAL METHOD FOR VALUATION OF CERTAIN HIGH- TECHNOLOGY PROPERTY.

#### §11-6N-1. Legislative findings and purpose.

1 The Legislature hereby finds and declares the following:

2 The findings and purpose set forth in §5B-2-21a(a) (2025) (except to the extent expressly  
3 modified herein) are hereby incorporated herein by reference with the same force and effect as  
4 though fully set forth herein.

#### §11-6N-2. Definitions.

1 (a) *General* — When used in this article, words defined in §11-6N-2(b) of this code have  
2 the meanings ascribed to them in this section, except in those instances where a different  
3 meaning is provided in this article or the context in which the word is used clearly indicates that a  
4 different meaning is intended by the Legislature.

5 (b) *Definitions* — For purposes of this section, the following terms shall mean:

6 (1) "Affiliated group" means one or more chains of corporations, limited liability entities, or  
7 partnerships, or any combination thereof, connected through the ownership of stock or ownership  
8 interests with a common parent which is a corporation, limited liability entity, or partnership, but  
9 only if the common parent owns directly, or indirectly, a controlling interest in each of the members  
10 of the group.

11 (2) "Base assessed value" means the taxable assessed value of all data center property  
12 of a high impact data center as shown upon the landbooks and personal property books of the  
13 assessor on July 1 of the calendar year preceding certification as a high impact data center.

14 (3) "Current assessed value" means the annual taxable assessed value of all data center  
15 property of a high impact data center as shown upon the landbook and personal property records  
16 of the assessor.

17 (4) "Critical IT load" means that portion of electric power capacity, expressed in terms of  
18 megawatts, which is reserved solely for owners or tenants of a data center to operate their  
19 computer server and required supporting equipment.

20 (5) "Data center property" means property used exclusively at a data center to construct,  
21 outfit, operate, support, power, cool, dehumidify, secure, or protect a data center and any  
22 contiguous dedicated substations. The term includes, but is not limited to, construction materials,  
23 component parts, machinery, equipment, computers, servers, installations, redundancies, and  
24 operating or enabling software, including any replacements, updates and new versions, and  
25 upgrades to or for such property, regardless of whether the property is a fixture or is otherwise  
26 affixed to or incorporated into real property.

27 (6) "High Impact Data Center" means a facility or group of facilities that:

28 (A) Consists of one or more parcels in this state, along with the buildings, substations  
29 and other infrastructure, fixtures, and personal property located on the parcels;

30 (B) Is owned, operated, or leased by an entity or affiliated group of entities;

31 (C) Is used to house and operate equipment that receives, stores, aggregates, manages,  
32 processes, transforms, retrieves, researches, or transmits data; or that is necessary for the proper  
33 operation of equipment that receives, stores, aggregates, manages, processes, transforms,  
34 retrieves, researches, or transmits data;

35 (D) Has a critical IT load in the aggregate of 90 megawatts total or higher; and

36 (E) Is placed into service on or after July 1, 2025.

37 (7) "Incremental value", for any high impact data center, means the difference between  
38 the base assessed value and the current assessed value. The incremental value will be positive  
39 if the current value exceeds the base value, and the incremental value will be negative if the  
40 current value is less than the base assessed value.

41 (8) "Microgrid power generator" includes any entity supplying power under the rules  
42 provided in §5B-2-21 of this code to a high impact data center.

43 (9) "Microgrid power generator property" means and includes any and all property used  
44 by microgrid power generator within a certified microgrid district.

45 (10) "Situs county" means the county or counties in which any High Impact Data Center  
46 property subject to tax is located, in relative proportion to the amount of data center property  
47 located therein.

48 (11) "Tax increment" means the amount of regular levy property taxes attributable to the  
49 amount by which the current assessed value of real and tangible personal property that is data  
50 center property of a high impact data center exceeds the base assessed value of the property.

**§11-6N-3. Returns of property of high impact data centers to Board of Public Works.**

1 (a) On or before May 1 in each year, a return in writing shall be filed with the Board of  
2 Public Works: By the owner or operator of any company holding data center property of a high  
3 impact data center or a microgrid power generator supplying microgrid power to a high impact  
4 data center.

5 (b) The words "owner or operator," as applied herein to high impact data centers, shall  
6 include any owner or operator of a high impact data center or microgrid power generator.

7 (c) The return shall be signed and sworn to by the owner or operator if a natural person,  
8 or, if the owner or operator shall be a corporation, shall be signed and sworn to by its president,  
9 vice president, secretary, or principal accounting officer.

10 (d) The return required by this section of every owner or operator shall cover the year  
11 ending on December 31, next preceding, and shall be made on forms prescribed by the Board of

12 Public Works, which board is hereby invested with full power and authority and it is hereby made  
13 its duty to prescribe the forms required from any owner or operator herein mentioned information  
14 as in the judgment of the board may be of use to it in determining the true and actual value of the  
15 properties of the owners or operators.

16 (e) Except for the special rules for tax distribution provided in §11-6N-4 of this code, the  
17 provisions of this article are subject to the Assessment of Public Service Businesses, set forth in  
18 §11-6-1, *et seq.* of this code, as if the provisions thereof were set forth in extenso in this article.

**§11-6N-4. Special Rules for Tax Distribution of High Impact Data Centers.**

1 (a) On and after July 1, 2025, any property subject to valuation under §11-6N-3 of this  
2 code shall be subject to the rules on tax distribution provided under this section.

3 (b) The State Auditor shall maintain a separate and discrete accounting of each High  
4 Impact Data Center project regarding tax distribution provided in this section and any distribution  
5 to which a county is entitled as provided by this section shall be distributed directly to the situs  
6 county for each project.

7 (c) *Ad Valorem* Property Tax Distribution — The provisions of this subsection are  
8 applicable to all data center property of a high impact data center upon certification as a high  
9 impact data center per §11-6N-2 of this code.

10 (1) For so long as the high impact data center exists, the State Auditor shall divide the *ad*  
11 *valorem* property tax revenue collected, with respect to taxable data center property of a high  
12 impact data center as follows:

13 (A) The amount of *ad valorem* property tax revenue that should be generated by  
14 multiplying the assessed value of the property for the then current tax year by the aggregate of  
15 applicable levy rates for the tax year;

16 (B) The amount of *ad valorem* property tax revenue that should be generated by  
17 multiplying the base assessed value of the property by the applicable regular ad valorem levy  
18 rates for the tax year;

19 (C) The amount of *ad valorem* tax revenue that should be generated by multiplying the  
20 base assessed value of the property for the current tax year by the applicable levy rates for  
21 general obligation bond debt service for the tax year;

22 (D) The amount of *ad valorem* property tax revenue that should be generated by  
23 multiplying the current assessed value of the property for the current tax year by the applicable  
24 excess levy rates for the tax year; and

25 (E) The amount of *ad valorem* property tax revenue that should be generated by  
26 multiplying the incremental value by the applicable regular levy rates for the tax year.

27 (2) The State Auditor shall determine from the calculations set forth in subdivision (1) of  
28 this subsection the percentage share of total *ad valorem* revenue for each levying body according  
29 to paragraphs (B) through (D), inclusive, of said subdivision by dividing each of such amounts by  
30 the total *ad valorem* revenue figure determined by the calculation in paragraph (A) of said  
31 subdivision; and

32 (3) On each date on which *ad valorem* tax revenue is to be distributed to the levying  
33 bodies, such revenue shall be distributed by:

34 (A) Applying the percentage share determined according to paragraph (B), subdivision (1)  
35 of this subsection to the revenues received and distributing such share to the levying bodies  
36 entitled to such distribution pursuant to current law;

37 (B) Applying the percentage share determined according to paragraph (C), subdivision (1)  
38 of this subsection to the revenues received and distributing such share to the levying bodies  
39 entitled to such distribution by reason of having general obligation bonds outstanding;

40 (C) Applying the percentage share determined according to paragraph (D), subdivision (1)  
41 of this subsection to the revenues received and distributing such share to the levying bodies  
42 entitled to such distribution by reason of having excess levies in effect for the tax year; and

43 (D) Applying the percentage share determined according to paragraph (E), subdivision (1)  
44 of this subsection to the revenues received and distributing such share to a fund dedicated at the  
45 time of construction of a high impact data center.

46 (4) In each year for which there is a positive tax increment, the State Auditor shall remit  
47 that portion of the *ad valorem* property taxes collected that consists of the tax increment and shall  
48 be distributed as follows:

49 (A) 50 percent of the increment shall be placed in the Personal Income Tax Reduction  
50 Fund provided in §11B-2-33 of this code;

51 (B) 30 percent of the increment to the situs county as defined in this article;

52 (C) 10 percent of the increment to all counties on a per capita basis according to the most  
53 recent census;

54 (D) 5 percent of the increment shall be placed Economic Enhancement Grant Fund  
55 administered by the Water Development Authority provided in §22C-1-6a; and

56 (E) 5 percent of the increment shall be placed in the Electric Grid Stabilization and Security  
57 Fund provided in §5B-2N-2a.

58 (5) (A) *Payment In Lieu Of Taxes, Increment Property* — Notwithstanding the provisions  
59 of §5D-1-14, §7-5-13, §7-11B-3(b), §7-11B-8(c)(4), §7-11B-15(a)(7), §7-11B-15(a)(15), §7-11B-  
60 18, §8-19-4, §8-29A-7, §8A-12-12, §11-13-2p, §11-13C-5(l)(1)(A), §16-13A-21, §16-15-18(b)(6),  
61 §17-16A-16(b), §17-16B-20(b), §18-9A-12(c), §31-21-5, and §31-21-15 of this code, or any other  
62 provision of this code, no payment in lieu of taxes shall be entered into with relation to any property  
63 subject to this section or any leasehold interest related thereto, or any other property interest  
64 related thereto.

65 (B) *Tax Increment Financing, Increment Property* — Notwithstanding the provisions of §7-  
66 11B-1 *et seq.* of this code, or any other provision of this code, no tax increment financing project,

67 plan or arrangement shall be entered into or undertaken with relation to any property subject to  
68 this section.

**§11-6N-5. Termination.**

1 The provisions of this article shall sunset, expire, and be of no force and effect on or after  
2 December 31, 2055.

**CHAPTER 11B. DEPARTMENT OF REVENUE**

**ARTICLE 2. STATE BUDGET OFFICE.**

**§11B-2-33. Personal Income Tax Reduction Fund.**

1 (a) The personal income tax reduction fund is hereby established. The personal income  
2 tax reduction fund shall be funded continuously and on a revolving basis in accordance with this  
3 section, with all interest or other earnings on the moneys therein credited to the fund. The personal  
4 income tax reduction fund shall be funded as provided in §11-6N-4(b)(4) of this code. Moneys in  
5 the personal income tax reduction fund may be expended solely for the purposes set forth in this  
6 section.

7 (b) Notwithstanding any other provision of this code to the contrary, on or before the last  
8 day of any fiscal year, the net proceeds of the personal income tax reduction fund will be certified  
9 and included as a portion of adjusted general revenue fund collections under the provisions of  
10 §11-21-4h of this code for that fiscal year.

11 (c) Not later than 60 days following the certification, the Secretary of Revenue shall  
12 transfer the certified amount determined in subsection (b) of this section to the general revenue  
13 fund. The amounts transferred will not be included as a portion of adjusted general revenue fund  
14 collections under the provisions of §11-21-4h of this code for the fiscal year in which the money  
15 is transferred.

16 (d) The moneys in the income tax reduction fund shall be made available to the West  
17 Virginia Board of Treasury Investments and to the West Virginia Investment Management Board  
18 for management and investment of the moneys in accordance with the provisions of §12-6C-1 *et*  
19 *seq.* of this code in such amounts as may be directed in the discretion of the Secretary of

20 Revenue. Any balance of the income tax reduction fund, including accrued interest and other  
21 return earned thereon at the end of any fiscal year, shall not revert to the General Fund but shall  
22 remain in the income tax reduction fund for the purposes set forth in this section.

23 (e) Termination – Upon the certification of a reduction in the personal income tax under  
24 the provisions of §11-21-4h of this code that results in the elimination of the personal income tax,  
25 or if the personal income tax provided for under §11-21-1 *et seq.* is eliminated by separate  
26 enactment of the Legislature, this fund will be thereby eliminated and any monies dedicated  
27 thereto shall be dedicated to the general revenue of the state.

## **CHAPTER 24. PUBLIC SERVICE COMMISSION.**

### **ARTICLE 2. POWERS AND DUTIES OF PUBLIC SERVICE COMMISSION.**

#### **§24-2-1d. Future electric generating capacity requirements.**

1 (a) In order to maximize the use of electricity generated within the state by using coal or  
2 natural gas produced within the state, the Public Service Commission shall by order, no later than  
3 December 31, 1989, establish the schedule and amount of future electric generating capacity  
4 additions required by each West Virginia electric utility, for the next ten years, taking into account:  
5 (i) Projected load growth; (ii) existing generating capacity; (iii) existing contractual commitments  
6 to sell or purchase capacity; (iv) planned retirement and life extensions of existing capacity; (v)  
7 planned construction of capacity; (vi) availability of capacity from generating units of affiliated  
8 companies; (vii) capacity factors for existing generation; and (viii) such other reasonable factors  
9 as the commission may deem relevant and appropriate to consider. For purposes of this section,  
10 "capacity factor" shall mean the ratio of the actual energy produced by a power plant over a  
11 specific period to the maximum possible energy it could have produced if running at full capacity  
12 during that same period.

13 (b) If the commission determines after considering all such named and other relevant and  
14 appropriate factors that a utility will be required to purchase electric generating capacity beyond  
15 those agreements approved by the Federal Energy Regulatory Commission or the West Virginia  
16 Public Service Commission in order to serve its West Virginia customers, the amount of such

17 required additional purchased capacity so identified by the commission will for purposes of this  
18 section be referred to as the utility's "projected deficient capacity": *Provided*, That this subsection  
19 shall not include power generating facilities whose total production of electricity is sold outside  
20 the State of West Virginia.

21 (c) In the interests of: Keeping utility rates of residential customers as low as possible;  
22 keeping utility rates for commercial and industrial customers competitive with those of other  
23 states; attracting new industry for which electric power costs are a major factor in location  
24 determinations; and of not placing any greater cost burden on government than is absolutely  
25 necessary for its electric power needs, each utility shall acquire, if reasonable, its projected  
26 deficient capacity from electric generation situated in West Virginia which burns coal or gas  
27 produced in West Virginia and which will provide the most reliable supply of capacity and energy  
28 at the least cost to those customers of the utility who will be served by such electric generation:  
29 *Provided*, That all power purchase contracts executed prior to the effective date of this section  
30 which satisfy the following requirements, regardless of location, shall be considered, for the  
31 purposes of this subsection, as electric generation situated in West Virginia: (1) Said contracts  
32 were negotiated in accordance with procedures and priced according to methodologies of other  
33 contracts which the commission has ordered approved; (2) said contracts either guarantee or are  
34 substantially amended to guarantee for the life of the contract the use of an amount of West  
35 Virginia fuel which equals or exceeds the amount which would be required, on a percentage of  
36 output basis, to produce the amount of electric power to be consumed in West Virginia; and (3)  
37 said contracts meet the requirements for a qualifying facility established by the Federal Energy  
38 Regulatory Commission pursuant to the Public Utility Regulatory Policies Act of 1978.

39 (d) The commission shall evaluate each capacity auction conducted by PJM  
40 Interconnection, LLC, or its successor and, to the maximum extent permitted by law, encourage  
41 the coordination of the voluntary participation of every electric generating unit in the state in each  
42 capacity auction for the benefit of ratepayers in the state.

43 (e) In order to ensure the state's existing generating units can continue to meet future  
44 generation needs, the commission shall conduct a review of each generating unit's current  
45 consumer economic dispatch. Factors to be considered by the commission in reviewing consumer  
46 economic dispatch shall include, but not be limited to: (1) current capacity factors; (2)  
47 management of fuel supplies and contracts; (3) overall plant operation and maintenance; (4)  
48 placement of bids in the PJM Interconnection, LLC, or its successor's day-ahead and real-time  
49 energy markets; (5) utilization of the PJM Interconnection, LLC, or its successor's Reliability  
50 Pricing Model (RPM) or Fixed Resource Requirement (FRR); and (6) the utilization of automatic  
51 adjustment clauses, price indexes, or fuel adjustment clauses by the utilities. For purposes of  
52 this section, "consumer economic dispatch" shall mean the process of operating generation  
53 facilities to produce electricity at the lowest cost while reliably meeting consumer demand,  
54 considering the operational limits of generation and transmission facilities.

55 (f) Electric utilities shall be prepared to maximize the production of electricity from their  
56 generating units when such self-generation will result in reduced energy costs for West Virginia  
57 ratepayers. The commission shall require the utilities to maintain their thermal baseload  
58 generating units in a manner to allow them to be able to self-generate and achieve at least a sixty-  
59 nine percent capacity factor. Nothing herein shall require a utility to operate a generating unit at  
60 a sixty-nine percent capacity if doing so will cause an increase in the charge or charges for electric  
61 energy over and above the established and published tariff, rate, joint rate, charge, toll or  
62 schedule. The commission shall propose rules for legislative approval in accordance with the  
63 provisions of §29A-3-1 *et seq.* of this code to carry out its duties and obligations as set forth  
64 herein.

**§24-2-1q. Base fuel coal supply requirements for electric grid resiliency.**

1 Recognizing that coal inventories at coal-fired power plants may increase and decrease  
2 over time, in order to ensure grid resiliency and homeland security, each generating public utility  
3 shall plan incoming and outgoing coal so as to maintain an average annual minimum 30-day  
4 aggregate coal supply on site at each coal-fired power plant. The commission may propose rules

5 for legislative approval in accordance with the provisions of §29A-3-1 *et seq.* of this code to carry  
6 out its duties and obligations as set forth herein.

**§24-2-15. Certain Automatic adjustment clauses, price indexes or fuel adjustment.**

1           The commission shall not enforce, originate, continue, establish, change or otherwise  
2 authorize or permit an increase in the charge or charges for electric energy over and above the  
3 established and published tariff, rate, joint rate, charge, toll or schedule as the result of any  
4 automatic adjustment clause, fuel supply price index, or fuel adjustment clause. Automatic  
5 adjustment clauses, fuel supply contract price indexes, or fuel adjustment clauses that do not  
6 create a net increase in the charge or charges for electric energy over and above the established  
7 and published tariff, rate, joint rate, charge, toll, or schedule shall be permitted by the commission.  
8 For purposes of this section, a "net increase" in the charge or charges for electric service shall  
9 mean that for the calendar year in which the automatic adjustment clause, fuel supply contract  
10 price index, or fuel adjustment clause is utilized, the average charge or charges for electric energy  
11 are higher than they would have been if the adjustment clause, fuel supply contract price index,  
12 or fuel adjustment clause were not utilized. The commission shall encourage the use of permitted  
13 automatic adjustment clauses, fuel supply contract price indexes, or fuel adjustment clauses as  
14 a means of increasing the generation of coal-fired power plants within the state. The Commission  
15 shall promulgate procedural rules governing the utilization of automatic adjustment clauses, fuel  
16 supply contract price indexes, and fuel adjustment clauses.

**§24-2-19. Integrated Resource Planning Required.**

1           (a) Not later than March 31, 2015, the Public Service Commission shall issue an order  
2 directing any electric utility that does not have an existing requirement approved by the Public  
3 Service Commission that provides for the future review of both supply side and demand side  
4 resources to develop an initial integrated resource plan to be filed not later than January 1, 2016,  
5 in conjunction with other similar deadlines required by other states or entities of the electric  
6 utilities. This order may include guidelines for developing an integrated resource plan.

7 (b)(1) Any electric utility that has an existing requirement approved by the Public Service  
8 Commission that provides for the future review of both supply side and demand side resources is  
9 exempt from this initial integrated resource plan filing until such time as that existing requirement  
10 has been satisfied. Thereafter, such electric utility is required to file an integrated resource plan  
11 pursuant to §24-2-19(a) of this code.

12 (2) Each electric utility that has filed the initial integrated resource plan shall file an updated  
13 plan at least every five years after the initial integrated resource plan has been filed. Any electric  
14 utility that was exempt from filing an initial integrated resource plan shall file an integrated  
15 resource plan within five years of satisfying any existing requirement and at least every five years  
16 thereafter. All integrated resource plans shall comply with the provisions of any relevant order of  
17 the Public Service Commission establishing guidelines for the format and contents of updated  
18 and revised integrated resource plans.

19 (c) The Public Service Commission shall analyze and review an integrated resource plan.  
20 The Public Service Commission may request further information from the utility, as necessary.  
21 Nothing in this section affects the obligations of utilities to obtain otherwise applicable commission  
22 approvals.

23 (d) The Commission may consider both supply-side and demand-side resources when  
24 developing the requirements for the integrated resource plans. The plan shall compare projected  
25 peak demands with current and planned capacity resources in order to develop a portfolio of  
26 resources that represents a reasonable balance of cost and risk for the utility and its customers  
27 in meeting future demand for the provision of adequate and reliable service to its electric  
28 customers as specified by the Public Service Commission.

29 (e) The commission shall by order, entered no later than July 1, 2025, require all electric  
30 utilities operating in the state to supplement their existing integrated resource plans to include a  
31 detailed plant upgrade and maintenance plan, improvement compliance schedule, and cost  
32 estimate for ensuring the operation of each generating unit through their planned retirement date.  
33 The supplemental integrated resource plan shall also include an analysis of the action necessary

34 to extend the life of each generating unit beyond their planned retirement date. Subject to notice  
35 and comment from interested parties, the commission may approve the supplemental integrated  
36 resource plan without modification or require modification of the supplemental plan before it is  
37 approved. The commission shall promulgate rules requiring the supplementation of integrated  
38 resource plans as required by this provision. The rules shall also provide a procedure for utilities  
39 to submit an independent evaluation of any modification required by the commission hereunder  
40 or to challenge such required modification.

**§24-2-21a. Commission authority required when closing an electric generating plant and  
circumstances of closure in another jurisdiction.**

41 (a) A public electric utility may not retire, abandon, close, or otherwise permanently render  
42 incapable of operating, any electric generating plant or unit without the prior consent and approval  
43 of the commission. No funds obtained from (1) the Grid Stabilization and Security Fund set forth  
44 in 5B-2N-2a, (2) an environmental control bond issued pursuant to 24-2-4e, (3) a consumer rate  
45 relief bond issued pursuant to 24-2-4f, (4) or a utility consumer rate relief bond issued pursuant  
46 to 24-2-4h shall be used by a public utility to retire, abandon, close, or otherwise permanently  
47 render incapable of operating, any electric generating plant or unit.

48 (b) If an electric utility serving customers in both West Virginia and in an area not subject  
49 to the jurisdiction of the commission is ordered to cease operations of a generating plant or unit  
50 by the regulating authority of the other jurisdiction and the costs of the plant or unit had been  
51 shared through an allocation process for rate making purposes and after a commission  
52 proceeding and determination that a generating plant or unit should continue to operate, then the  
53 utility shall recover all of the capital, operating and maintenance costs of the electric generation  
54 plant or unit from its West Virginia customers to the extent that such costs are no longer allocable  
55 to the other jurisdiction, and all of the associated capacity, energy, and environmental attributes  
56 shall be assigned to its customers and operations in West Virginia.

The Clerk of the House of Delegates and the Clerk of the Senate hereby certify that the foregoing bill is correctly enrolled.

.....  
*Clerk of the House of Delegates*

.....  
*Clerk of the Senate*

Originated in the House of Delegates.

In effect 90 days from passage.

.....  
*Speaker of the House of Delegates*

.....  
*President of the Senate*

\_\_\_\_\_

The within is ..... this the.....  
Day of ....., 2025.

.....  
*Governor*





# JEFFERSON COUNTY, WEST VIRGINIA

## Office of Planning and Zoning

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### MEMO

**TO:** Planning Commission of Jefferson County  
**FROM:** Luke Seigfried, Chief County Planner  
**DATE:** May 13, 2025  
**RE:** Proposed Text Amendment to Section 2.2, Appendix C – Principal Permitted and Conditional Use Table, Section 4.18: Solar Energy Facility Screening and Maintenance Standards (ADD), and Section 8.20: Solar Energy Facilities of the Zoning and Land Development Ordinance (amended 2022) and Proposed Text Amendment to Section 20.302.J.3, Section 20.303.F.3, addition of Section 21.106.A and Section 21.106.B, and Amendment to Appendix A of the Subdivision & Land Development Regulations (amended 2024).

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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.

At the November 12, 2024 meeting, staff presented Planning Commission with are three possible amendments. Planning Commission directed staff to prepare text amendments to this effect.

#### 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.

At their April 29, 2025 meeting, Planning Commissioner Daniel Hayes requested to propose revisions to the Zoning and Land Development Ordinance (amended 2022) at the next available Planning Commission meeting. The proposed revisions to better define Solar Facility guidelines is for the Planning Commission's discussion and consideration (see attached).

### **Staff Reports and Comments**

Due to staff turnover this project is ongoing. Prior to beginning, staff would like to receive clear direction on specific changes the Planning Commission would like incorporated into the text amendments.

It should be noted that 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.

### **Subdivision & Land Development Regulations (amended 2024) Process:**

**Note that West Virginia State Code §8A-4-5. Amendments to the subdivision and land development ordinance:** "After the enactment of the subdivision and land development ordinance by the governing body, all amendments to the subdivision and land development ordinance shall be made by the governing body after holding a public hearing with public notice."

### **Note that Jefferson County Subdivision and Land Development Regulations (amended 2024):**

#### **"Sec. 23.201 County Commission**

The County Commission is responsible for setting in place a means of administering these Subdivision and Land Development Regulations and ensuring enforcement of the County's Zoning Ordinance. As such it has the following powers and duties:

- A. Adoption and Amendment. As specified in Chapter 8A of the West Virginia Code, the County Commission has sole responsibility for the adoption and amendment of the subdivision and site development regulations. It is advised in these matters by staff and the Planning Commission."

### **Zoning and Land Development Ordinance (amended 2022) Process:**

**Note that West Virginia State Code §8A-7-8a. Amendments to the zoning ordinance by the governing body:** "a) 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. If the amendment is inconsistent, then the governing body with the advice of the planning commission, must find that there have been major changes of an economic, physical or social nature within the area involved which were not anticipated when the comprehensive plan was adopted and those changes have substantially altered the basic characteristics of the area."

### **Note that Jefferson County Zoning and Land Development Ordinance (amended 2022):**

#### **"Section 12.4 Procedure for Initiating a Zoning Ordinance Text Amendment**

#### **C. Text Amendments by the Planning Commission**

If the Planning Commission determines that a text amendment to the Zoning Ordinance is required in accordance with its work plan, for the purpose of improving or clarifying the ordinance, or for consistency with adopted policies, the Planning Commission will develop a draft of the proposed amendment, receive public input, conduct a Public Hearing in accordance with Section 12.2D, and make a recommendation for action to the County Commission through a regular agenda request process. Any such amendment proposal will include the background and reasoning of the proposed amendment as well as a discussion of consistency with the adopted Comprehensive Plan.

With its recommendation, the Planning Commission will request that the County Commission schedule a workshop, if necessary, and a Public Hearing at dates to be determined by the County Commission to receive comment and take action on the proposed amendment.

#### **D. Text Amendments by the Planning Commission by Petition**

The Planning Commission may alternatively submit a text amendment by petition to the County Commission. The procedure for processing a formal text amendment petition initiated by the Planning Commission shall be as dictated in §8A-7-9 et seq of the West Virginia State Code, as amended. Petitions for a text amendment initiated by the Planning Commission shall be presented to the County Commission and submitted to the County Clerk for filing on the same date. Such petitions for a text amendment shall be clearly labeled as “§8A-7-9 Petition” in the heading and contain the following information:

1. Substantiation for the request;
2. Notation that said text amendment applies county-wide;
3. Discussion on why such proposal is consistent with the adopted Comprehensive Plan.

The County Commission is required to set a public hearing on the proposed Zoning Text amendment within 60 days of the date upon which the petition is presented to the County Commission at a County Commission meeting. The petition and related agenda request form must be submitted to the County Commission office for placement on a County Commission agenda at least one (1) week prior to the meeting date or in accordance with the agenda request procedure of the County Commission.”

If the Planning Commission chooses to move forward with this proposed text amendment, a Public Hearing will be required before both the Planning commission and the County Commission.

#### **Attachments**

- Solar Facilities – Draft Text Amendment
- 2045 Comprehensive Plan Solar Facility Extract
- Solar Memo Staff Report from 11.12.24 Planning Commission Meeting

# DRAFT TEXT AMENDMENTS - SOLAR FACILITY (04/29/25)

## Section 2.2: Terms Defined (ADD)

**Solar Energy Facility:** A facility primarily used to convert sunlight into electricity for sale to a public utility or for use off-site. Includes photovoltaic arrays, inverters, substations, battery storage, access roads, and related infrastructure.

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## Amend Appendix C – Principal Permitted and Conditional Uses Table:

<b>Institutional Uses</b>	<b>NC</b>	<b>GC</b>	<b>HC</b>	<b>LI</b>	<b>MI</b>	<b>PND</b>	<b>OC</b>	<b>R</b>	<b>RG</b>	<b>RLIC</b>	<b>IC</b>	<b>V</b>
Solar Energy Facility	NP	NP	NP	P	P	NP	NP	NP	NP	NP	P	NP

Additional Standards: Sec. 8.20

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## Section 4.18: Solar Energy Facility Screening and Maintenance Standards (ADD)

### A. Screening Requirements

#### 1. Perimeter Buffer

- **Composition:** A continuous vegetative buffer consisting of native, non-invasive evergreen species.
- **Width:** Minimum of 30 feet.
- **Planting Specifications**
  - Trees planted in staggered rows, spaced no more than 10 feet apart.
  - Initial planting height of at least 8 feet, achieving a mature height sufficient to screen the facility within 3 years.

#### 2. Fencing

- If fencing is installed, it shall be located interior to the vegetative buffer and constructed of materials that blend with the natural surroundings.

#### 3. Topography Consideration

- In areas where natural topography provides adequate screening, the Planning Commission may modify buffer requirements accordingly.

### D. Maintenance Requirements

#### 1. Maintenance Plan

- Applicants must submit a maintenance plan detailing:
  - Regular inspection schedules.

- Procedures for replacing dead or diseased vegetation within 60 days.
- Control measures for invasive species.

## 2. Financial Assurance

- A performance bond or other financial assurance may be required to ensure ongoing maintenance of the screening measures.

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### SECTION 8.20 (REVISE)

#### 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 A. ~~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.~~

#### A. 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; **and must include the following additional details for all Solar Energy Facilities:**

1. **Location and dimensions of all proposed solar arrays, structures, fences, and access roads.**
2. **Buffer Plan showing:**
  - **Location, width, and extent of all required landscape buffers.**
  - **Species, height, and spacing of proposed vegetation.**
  - **Existing vegetation is to be preserved and how it contributes to the required screening.**
  - **Opacity calculations demonstrating 75% opacity at planting and 90% within 2 years.**
3. **Screening Cross-Sections at the property lines adjacent to residences, roads, and sensitive uses to demonstrate compliance with visual screening requirements.**
4. **Fence details if fencing is used as part of or in lieu of screening, including material, height, color, and design.**
5. **Maintenance Plan for landscaping, including irrigation (if applicable), replacement timelines, and responsible parties.**
6. **Visual Impact Assessment or line-of-sight renderings for properties and roads within 500 feet of the facility boundary.**

~~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.~~

~~1. The Concept Plan shall be submitted pursuant to Section 4.10 and must include the following additional details for all Solar Energy Facilities:~~

~~7. Location and dimensions of all proposed solar arrays, structures, fences, and access roads.~~

~~8. Buffer Plan showing:~~

- ~~○ Location, width, and extent of all required landscape buffers.~~
- ~~○ Species, height, and spacing of proposed vegetation.~~
- ~~○ Existing vegetation is to be preserved and how it contributes to the required screening.~~
- ~~○ Opacity calculations demonstrating 75% opacity at planting and 90% within 2 years.~~

~~9. Screening Cross Sections at the property lines adjacent to residences, roads, and sensitive uses to demonstrate compliance with visual screening requirements.~~

~~10. Fence details if fencing is used as part of or in lieu of screening, including material, height, color, and design.~~

~~11. Maintenance Plan for landscaping, including irrigation (if applicable), replacement timelines, and responsible parties.~~

~~12. Visual Impact Assessment or line-of-sight renderings for properties and roads within 500 feet of the facility boundary.~~

## 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 shall provide a minimum 30-foot-wide vegetative buffer. This buffer shall contain a staggered triple row of native evergreen trees that are a minimum of 8 feet in height at the time of planting and are spaced to provide a minimum 75% visual opacity year-round within two years of installation.

b. No clear-cutting shall occur within the buffer zone unless specifically approved by the Zoning Administrator. Buffer vegetation shall be located as close as practicable to the solar panels while maintaining long-term survivability and

effectiveness. The use of fast-growing species in combination with slower-maturing native trees is encouraged to ensure immediate impact and long-term screening.

c. An 8-foot-tall opaque fence may be used in lieu of or in addition to vegetative buffering. Fences must be dark-colored and non-reflective.

d. Maintenance Requirements

i. A landscape maintenance agreement must be submitted with the Concept Plan and recorded with the property deed. This agreement must outline the property owner's responsibility to inspect, replace, and maintain vegetative buffers to ensure continued compliance.

ii. Dead, diseased, or dying plant material shall be replaced within 60 days of identification, with plantings that meet or exceed the initial installation size and opacity requirements.

iii. Failure to maintain the buffer shall constitute a zoning violation and be subject to enforcement action, including fines and potential suspension of operational permits.

~~a. Existing natural vegetation may be used to meet these buffer requirements only if a certified arborist or landscape architect provides documentation verifying that the existing vegetation meets or exceeds the above opacity and height standards and can be sustained with normal maintenance practices.~~  
~~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 108 of 136 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. **Buffer Enforcement:** All landscape buffers must be fully installed prior to final inspection and operation of the facility. Temporary fencing or screening may be required to meet initial opacity standards.
2. **Ongoing Maintenance:** Landscape screening shall be maintained in good health and shall meet the required visual opacity thresholds throughout the life of the facility. The Planning and Zoning Department shall have the authority to inspect screening at any time and require replacement or remediation if the buffer is compromised.

3. **Financial Surety:** A performance bond, escrow, or letter of credit equal to 125% of the total buffer installation cost shall be required to ensure completion and survival of all screening elements for a period of five (5) years following final approval.
4. **Annual Certification:** The operator shall submit an annual affidavit or third-party inspection report verifying compliance with landscape and screening requirements, including a photographic record from designated locations.
5. **Violation:** Failure to maintain required screening shall constitute a zoning violation and may result in daily fines, suspension of use permits, or other enforcement measures until compliance is restored.
6. **Less than 10% of the soil can be disturbed on a site for development of solar farm facilities.** This includes utilities, roadways, accessories, fencing, batteries, and solar panels.

- ~~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. 109 of 136~~
- ~~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.~~

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## **SUBDIVISION & LAND DEVELOPMENT REGULATIONS AMENDMENTS**

### **Amend Section 20.302 – Subdivision Plat General Review Standards**

#### **Subsection J: Landscaping (ADD)**

3. For subdivision plats involving solar energy facilities, required landscaping shall:
  - Include a minimum 30-foot-wide buffer with staggered triple rows of native evergreen trees, each a minimum of 8 feet at planting, to achieve 75% opacity at time of planting and 90% within two years.
  - Be supported by a landscape maintenance plan that includes seasonal inspections, invasive species control, and replacement of dead or diseased plantings within 60 days.
  - Allow the use of fencing only in combination with vegetative screening unless a waiver is granted. Fencing shall be opaque, dark, and no higher than 8 feet.
  - Be incorporated into stormwater best management practices where feasible (e.g., bio-swales, infiltration zones).

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### **Amend Section 20.303 – Site Plan General Review Standards**

#### **Subsection F: Landscaping (ADD)**

3. For solar energy facilities, landscaping shall:
  - Be located to fully screen the facility from adjoining parcels and public rights-of-way within two years of installation.
  - Incorporate a mix of evergreen species, native grasses, and/or berms where terrain or adjacent uses require additional screening.

- Include a permanent access plan and enforceable maintenance schedule for vegetation and fencing.  
Be bonded at 125% of installation cost for a period of five (5) years to ensure establishment and survival.
- 

### **Add Section 21.106 – Screening Standards for Solar Energy Facilities**

#### A. Screening Standards:

1. A 30-foot-wide buffer is required around all solar facilities adjacent to residential, institutional, historic, or conservation lands.
2. Plantings shall consist of staggered rows of native evergreen trees, 8 feet minimum height at installation, spaced no more than 10 feet apart.
3. A visual screen shall be established to block at least 90% of the facility from view within 2 years from all public rights-of-way and adjacent parcels.
4. Berms and fencing may be used in combination with vegetation but not as a standalone method unless approved by the Planning Commission.

#### B. Maintenance and Enforcement:

1. A landscape maintenance agreement must be recorded with the site plan.
  2. All plantings must be inspected annually and maintained to sustain opacity. Dead or failing vegetation shall be replaced within 60 days or next planting season.
  3. Failure to maintain required screening shall constitute a zoning violation and may result in fines, permit suspension, or required remediation.
  4. A performance bond shall be held for five (5) years post-installation to ensure survival and performance of all landscape elements.
- 

### **Appendix A – Plan & Plat Standards**

- **Section 1.2 – Concept Plan:** Add requirement for visual simulation/renderings of proposed screening from adjacent roads and parcels.
- **Section 1.3 – Preliminary Site Plan:** Add submittal of landscape and screening plan with species, spacing, opacity calculations, and maintenance schedule.

last several decades, newer subdivisions and commercial developments are increasingly built to a level of density that requires water and sewer services. The population growth of Jefferson County and the development pattern that has occurred has resulted in additional demands placed on the County's water resources and wastewater facilities. At the same time, federal and state regulations limit discharges into and from Jefferson County's water bodies, which eventually flow into the Chesapeake Bay. These guidelines and regulations have created additional demands for water and sewer suppliers to upgrade their facilities. While many of the County's utilities have upgraded their facilities to meet Chesapeake Bay Watershed Protection program requirements, it may be difficult to finance future upgrades to the County's water and sewer infrastructure.

Jefferson County's residents and businesses expect infrastructure capacity, facilities, and services to be available to meet current needs while ensuring the ability to accommodate future expansion of the services.

Businesses considering relocation or expansion to Jefferson County are able to better plan for their needs knowing that infrastructure and services are in place, or that documentation for plans to expand services exist. Coordination of future land use plans with water and sewer plans allows local residential and business development to be targeted to areas where water and sewer services and other infrastructure and services are readily available. Local utility and service providers will have a reasonable expectation of where growth will occur and what the potential maintenance and operating costs of expanding services would be. Encouraging the utility and service providers to coordinate the creation of their service plans for infrastructure and service improvements with the growth areas identified in the Future Land Use Guide would enhance the providers planning efforts and local land use planning efforts.

In January 2022, a text amendment was made to the Envision Jefferson 2035 Plan by County Commission on the permitting of solar energy facilities in the

County. The process laid out in that text amendment defined solar energy facilities as principally permitted uses within the UGB and PGA and as conditional uses outside of a UGB or PGA. This Plan supports the reassessment of the solar energy facility development process and recommends requiring a site plan and additional stipulations on vegetative buffers, setbacks, and agrovoltaics. This Plan also supports the installation and use of renewable energy sources by residents and businesses.

development program and small business coaching efforts, which focus on cultivating the talent that resides in Jefferson County. Creating opportunities that allow residents with a variety of skills and talents to be employed at jobs located in Jefferson County will also continue to be of importance. With the increasing number of highly skilled workers that have relocated into the community and the presence of Shepherd University, American Public University System (APUS), and other educational facilities, Jefferson County has workforce that is attractive to a wide variety of employers. In order to continue to attract and maintain employers, it is imperative to expand opportunities for residents of all ages to obtain the skills that would attract employers and for employers to find and retain a highly skilled, local workforce available to meet their needs by improving and expanding connections and mentoring programs between educational institutions, residents and employers. Such networks provide a chance for employers to work closely with both educational institutions and potential workers. Co-op or mentorship

programs can be an important factor in improving both the quality of Jefferson County's workforce and encouraging residents to stay in the County, working for employers that are a part of this program.

A robust transportation network is also important to the economic vitality of a community. With the improvements to the local and regional transportation and infrastructure networks that upcoming or in progress, the atmosphere for attracting a diversity of businesses to the County is constantly refining. As transportation access to and through Jefferson County has improved in recent years, it has become increasingly easier to move goods and people to and from the County. In the past several years, Jefferson County has worked to reduce unnecessary regulatory barriers which were impacting the viability of economic development in the County, allowing 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 will be available to support these uses.

Within the unincorporated area, the County's industrial park and properties zoned industrial are also important to the economic growth of the County. Within the municipalities, public and private reinvestment in the urban cores has occurred and is continuing to grow. The County's downtown concentrations of local and regional government agencies, small offices, shops and boutiques, restaurants, and services attract visitors and residents alike. These unique features help make downtown areas of Jefferson County a place for community.

Due to the rising growth in the County, there has been an increasing need to assess the viability of alternative and renewable energy sources that may assist in maintaining the quality of life of Jefferson County's residents and businesses. Alternative and renewable energy sources ranging from water, solar, and wind power to various biofuels, plant crops, and geothermal systems might be used to complement or replace existing power sources. There are efforts underway at the local and state level to encourage the conservation of energy

and the utilization of alternative energy sources, notably some projects incorporated into the expansion of the American Public University System (APUS) in Charles Town and Ranson. These projects include the use of solar collectors that serve as cover for parked cars, electric car charging stations, and building improvements and materials that limit the use of energy needed for heating, cooling, and lighting. The improvements undertaken by APUS can serve as a role model to new development in Jefferson County and to the redevelopment of existing structures and sites. Another option for energy sourcing is natural gas, which an increasing number of businesses are using in their manufacturing process due to the lower costs and cleaner emissions. The expansion of natural gas into Jefferson County would aid economic development efforts while providing an alternative to electricity for residential and commercial purposes.

**The Jefferson County Development Authority (JCDA) works to encourage and assist the development and growth of businesses and industry in the County.**

**Small businesses, which can range from restaurants and artisan cottage industries to small technology and service firms, are an integral part of the local economy and will need opportunities to grow stronger. Building on these assets will give the County a strong identity in its core business strengths.**





# Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

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## 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**

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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.





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**2<sup>nd</sup> Quarter Report for Planning and Zoning**  
**FY 2025 (October 1, 2024 – December 31, 2024)**

Attached is an electronically generated report of all applications submitted and reviewed within the 2<sup>nd</sup> Quarter of FY2025. This data is being provided as a part of the 2<sup>nd</sup> 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**

<b>Planning Commission Meetings:</b>	<b>3 Meetings</b>
<b>Comprehensive Plan Work Sessions:</b>	<b>none this quarter</b>
<b>Comprehensive Plan Public Hearing:</b>	<b>1 this quarter</b>
<b>Comp Plan Special PC Meeting:</b>	<b>1 Special Meeting</b>
<b>Subdivision Regulations Text Amendments</b>	<b>none this quarter</b>
<b>Zoning Ordinance Text Amendments</b>	<b>none this quarter</b>
<b>Zoning Map Amendments/Rezoning</b>	<b>none this quarter</b>
<b>Concept Plan Public Workshops</b>	<b>1</b>

#24-6-SP 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 Owner/Applicant: Sidewinder Enterprises, LLC.  
 Property Location: 1 Grace Street, Kearneysville, WV;  
 Size: ~260 acres; Zoning District: Industrial-Commercial.  
*Public Workshop 11/12/24; PC approved a motion to deny 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:** 12 Total (6 Subdivision & 6 Site Plan)  
**Information Request Forms (IRFs) -- general inquiries from the public:** 38 Total  
**Zoning and Land Development Fees Collected:** \$ 52,283.36

<b>Regional Transportation Planning Meetings</b>	
Eastern Panhandle Transit Authority (EPTA) Board Meetings	10/28/24, 11/18/24
EPTA Committee Meetings	10/30/24
Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Technical Advisory Committee (TAC) Meetings	none
West Virginia Infrastructure Hub team Workshop	none

<b>Local and Regional Planning Meetings (all remote)</b>	
WV APA Legislative Committee	10/3/24, 11,7,24
WV APA Biannual Chapter Meeting	None
WV APA Professional Development Committee	None



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**3rd Quarter Report for Planning and Zoning**  
**FY 2025 (January 1, 2025 – March 31, 2025)**

Attached is an electronically generated report of all applications submitted and reviewed within the 3<sup>rd</sup> Quarter of FY2025. This data is being provided as a part of the 3<sup>rd</sup> 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**

<b>Planning Commission Meetings:</b>	<b>4 Meetings</b>
<b>Comprehensive Plan Work Sessions:</b>	<b>none this quarter</b>
<b>Comprehensive Plan Public Hearing:</b>	<b>1 this quarter</b>
<b>Comp Plan Special PC Meeting:</b>	<b>none this quarter</b>
<b>Subdivision Regulations Text Amendments</b>	<b>none this quarter</b>
<b>Zoning Ordinance Text Amendments</b>	<b>none this quarter</b>
<b>Zoning Map Amendments/Rezoning</b>	<b>none this quarter</b>
<b>Concept Plan Public Workshops</b>	<b>4</b>

#24-6-SP 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 Owner/Applicant: Sidewinder Enterprises, LLC.  
 Property Location: 1 Grace Street, Kearneysville, WV;  
 Size: ~260 acres; Zoning District: Industrial-Commercial.  
*Public Workshop 03/25/25; PC approved a motion to deny the Concept Plan as presented.*

#25-3-SD Harvest Meadows Concept Plan for a Major Subdivision. The proposal consists of a Major Residential Subdivision with 62 lots and associated infrastructure.  
 Property Owner/Applicant: Billy Kaye Moores, II.  
 Developer: William Fulk Lane, LLC  
 Property Location: 235 William Fulk Lane, Kearneysville, WV  
 Size: ~211 acres; Zoning District: Rural.  
*Public Workshop 03/25/25; PC approved a motion to authorize the Concept Plan to proceed to the Preliminary Plat stage.*

#25-4-SD The proposal consists of a Major Residential Subdivision with 20 lots and associated infrastructure.  
 Property Owner/Applicant: Harvest Homes, LLC.  
 Property Location: 4001 Engle Molers Road, Harpers Ferry, WV;  
 Size: ~100 acres; Zoning District: Rural.  
*Public Workshop 03/25/25; PC approved a motion to authorize the Concept Plan to proceed to the Preliminary Plat stage.*

#25-5-SD The proposal consists of a Major Residential Subdivision with 99 lots and associated infrastructure.  
 Property Owner/Applicant: Harvest Homes, LLC.  
 Property Location: 261 Media Farm Lane, 278 Media Farm Lane, 391 Media Farm Lane, Ranson, WV.  
 Size: ~126 acres; Zoning District: Residential Growth  
*Public Workshop 03/25/25; PC approved a motion to authorize the Concept Plan to proceed to the Preliminary Plat stage.*

**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:** 23 Total (8 Subdivision, 11 Site Plan, 4 other)  
**Information Request Forms (IRFs) -- general inquiries from the public:** 29 Total  
**Zoning and Land Development Fees Collected:** \$ 32,663.57

<b>Regional Transportation Planning Meetings</b>	
Eastern Panhandle Transit Authority (EPTA) Board Meetings	none
EPTA Committee Meetings	none
Hagerstown Eastern Panhandle Metropolitan Planning Organization (HEPMPO) Technical Advisory Committee (TAC) Meetings	none
West Virginia Infrastructure Hub team Workshop	none

<b>Local and Regional Planning Meetings (all remote)</b>	
WV APA Legislative Committee	1/2/25, 2/6/25, 3/6/25
WV APA Biannual Chapter Meeting	none
WV APA Professional Development Committee	none



# Jefferson County, West Virginia

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## Planner's Memorandum Planning Commission Meeting May 27, 2025

### 1) Department of Engineering, Planning and Zoning County Offices Contact Information

BUILDING PERMITS & INSPECTIONS 304-725-2998 [permits@jeffersoncountywv.org](mailto:permits@jeffersoncountywv.org)

IMPACT FEES 304-728-3331 - [mmason@jeffersoncountywv.org](mailto:mmason@jeffersoncountywv.org)

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GIS & ADDRESSING 304-724-6759 - [gis@jeffersoncountywv.org](mailto:gis@jeffersoncountywv.org)

### 2) Upcoming PC meetings

❖ Next Regular meeting date: **June 10, 2025**

○ 7:00 pm Planning Commission Meeting



## **Text Amendments Actionable Correspondence Public Comment Index**

- 1) Text Amendments Actionable Correspondence\_2025-05-04 - Adams
- 2) Text Amendments Actionable Correspondence\_2025-05-04 - Bario
- 3) Text Amendments Actionable Correspondence\_2025-05-04 - Bellacosa
- 4) Text Amendments Actionable Correspondence\_2025-05-04 - Bennett
- 5) Text Amendments Actionable Correspondence\_2025-05-04 - Benson
- 6) Text Amendments Actionable Correspondence\_2025-05-04 - Berzinskaskas
- 7) Text Amendments Actionable Correspondence\_2025-05-04 - Bisher
- 8) Text Amendments Actionable Correspondence\_2025-05-04 - Blair
- 9) Text Amendments Actionable Correspondence\_2025-05-04 - Brady
- 10) Text Amendments Actionable Correspondence\_2025-05-04 - Briers
- 11) Text Amendments Actionable Correspondence\_2025-05-04 - Casserley
- 12) Text Amendments Actionable Correspondence\_2025-05-04 - Catt
- 13) Text Amendments Actionable Correspondence\_2025-05-04 - Cunningham
- 14) Text Amendments Actionable Correspondence\_2025-05-04 – Degenhardt, L
- 15) Text Amendments Actionable Correspondence\_2025-05-04 – Degenhardt, T
- 16) Text Amendments Actionable Correspondence\_2025-05-04 - Dillon
- 17) Text Amendments Actionable Correspondence\_2025-05-04 - Discini
- 18) Text Amendments Actionable Correspondence\_2025-05-04 - Drish
- 19) Text Amendments Actionable Correspondence\_2025-05-04 - Farrell
- 20) Text Amendments Actionable Correspondence\_2025-05-04 - Fisher
- 21) Text Amendments Actionable Correspondence\_2025-05-04 - Fry
- 22) Text Amendments Actionable Correspondence\_2025-05-04 - Fuller
- 23) Text Amendments Actionable Correspondence\_2025-05-04 - Glover
- 24) Text Amendments Actionable Correspondence\_2025-05-04 - Hill
- 25) Text Amendments Actionable Correspondence\_2025-05-04 - Hook
- 26) Text Amendments Actionable Correspondence\_2025-05-04 - Howell
- 27) Text Amendments Actionable Correspondence\_2025-05-04 – Jack
- 28) Text Amendments Actionable Correspondence\_2025-05-04 - Jones
- 29) Text Amendments Actionable Correspondence\_2025-05-04 - Keller
- 30) Text Amendments Actionable Correspondence\_2025-05-04 - Lo
- 31) Text Amendments Actionable Correspondence\_2025-05-04 - Mullis
- 32) Text Amendments Actionable Correspondence\_2025-05-04 - Murphy
- 33) Text Amendments Actionable Correspondence\_2025-05-04 - Ontiveros
- 34) Text Amendments Actionable Correspondence\_2025-05-04 - Piedrahita
- 35) Text Amendments Actionable Correspondence\_2025-05-04 - Printz
- 36) Text Amendments Actionable Correspondence\_2025-05-04 - Pullen
- 37) Text Amendments Actionable Correspondence\_2025-05-04 - Reifer
- 38) Text Amendments Actionable Correspondence\_2025-05-04 - Roberts
- 39) Text Amendments Actionable Correspondence\_2025-05-04 - Roby
- 40) Text Amendments Actionable Correspondence\_2025-05-04 - Rodis
- 41) Text Amendments Actionable Correspondence\_2025-05-04 - Salladay
- 42) Text Amendments Actionable Correspondence\_2025-05-04 - Schenider
- 43) Text Amendments Actionable Correspondence\_2025-05-04 - Topping
- 44) Text Amendments Actionable Correspondence\_2025-05-04 – von Heijne
- 45) Text Amendments Actionable Correspondence\_2025-05-04 - Walsh
- 46) Text Amendments Actionable Correspondence\_2025-05-04 - Walter
- 47) Text Amendments Actionable Correspondence\_2025-05-04 - Welch
- 48) Text Amendments Actionable Correspondence\_2025-05-04 - Wood
- 49) Text Amendments Actionable Correspondence\_2025-05-05 - Allen

## **Text Amendments Actionable Correspondence Public Comment Index**

- 50) Text Amendments Actionable Correspondence\_2025-05-05 - Bergman
- 51) Text Amendments Actionable Correspondence\_2025-05-05 - Cebulski
- 52) Text Amendments Actionable Correspondence\_2025-05-05 - Christopher
- 53) Text Amendments Actionable Correspondence\_2025-05-05 - Hagberg
- 54) Text Amendments Actionable Correspondence\_2025-05-05 - Higgins
- 55) Text Amendments Actionable Correspondence\_2025-05-05 - Humes
- 56) Text Amendments Actionable Correspondence\_2025-05-05 - Johnson
- 57) Text Amendments Actionable Correspondence\_2025-05-05 - Lloyd
- 58) Text Amendments Actionable Correspondence\_2025-05-05 - Manuputy
- 59) Text Amendments Actionable Correspondence\_2025-05-05 - Marshall
- 60) Text Amendments Actionable Correspondence\_2025-05-05 - Martin
- 61) Text Amendments Actionable Correspondence\_2025-05-05 - Rice
- 62) Text Amendments Actionable Correspondence\_2025-05-05 - White
- 63) Text Amendments Actionable Correspondence\_2025-05-06 – Hobday
- 64) Text Amendments Actionable Correspondence\_2025-05-06 - Rowley
- 65) Text Amendments Actionable Correspondence\_2025-05-06 - Thompson
- 66) Text Amendments Actionable Correspondence\_2025-05-09 - Cebulski
- 67) Text Amendments Actionable Correspondence\_2025-05-09 – Kavaldjian-Liskey
- 68) Text Amendments Actionable Correspondence\_2025-05-09 - Printz
- 69) Text Amendments Actionable Correspondence\_2025-05-09 - Reifer
- 70) Text Amendments Actionable Correspondence\_2025-05-09 - Roth
- 71) Text Amendments Actionable Correspondence\_2025-05-09 - Weshinsky

**From:** [Planning Department](#)  
**To:** "[Nancy Adams](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:09:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Nancy Adams <Redd69bugg@aol.com>  
Sent: Sunday, May 4, 2025 1:34 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely, Nancy Adams

--

Nancy Adams  
Redd69bugg@aol.com

**From:** [Planning Department](#)  
**To:** ["Joanne Bario"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:56:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:joannebario@gmail.com)>  
Sent: Sunday, May 4, 2025 4:28 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated. Our voice belongs in the decisions made in our community.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Joanne Bario  
[joannebario@gmail.com](mailto:joannebario@gmail.com)

**From:** [Planning Department](#)  
**To:** "[Kathryn Bellacosa](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:34:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Kathryn Bellacosa <[kbella21@gmail.com](mailto:kbella21@gmail.com)>  
Sent: Sunday, May 4, 2025 1:12 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Kathryn Bellacosa  
[kbella21@gmail.com](mailto:kbella21@gmail.com)

**From:** [Planning Department](#)  
**To:** "[Cheryl Bennett](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:53:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Cheryl Bennett <Cherben44@gmail.com>  
Sent: Sunday, May 4, 2025 1:52 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Cheryl Bennett  
Cherben44@gmail.com

**From:** [Planning Department](#)  
**To:** ["Kraig Benson"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:04:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Kraig Benson <warp2speed@aol.com>  
Sent: Sunday, May 4, 2025 6:40 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Kraig Benson  
warp2speed@aol.com

**From:** [Planning Department](#)  
**To:** ["STEPHEN BERZINSKAS"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:37:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 1:17 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

STEPHEN BERZINSKAS  
sberzinskas@comcast.net

**From:** [Planning Department](#)  
**To:** "[Marlyn Bisher](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:07:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Marlyn Bisher <Marlynb30@gmail.com>  
Sent: Sunday, May 4, 2025 7:54 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Marlyn Bisher  
Marlynb30@gmail.com

**From:** [Planning Department](#)  
**To:** "[Angela Blair](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:52:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Angela Blair <Healthnut970@gmail.com>  
Sent: Sunday, May 4, 2025 4:05 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Angela Blair  
Healthnut970@gmail.com

**From:** [Planning Department](#)  
**To:** "[Nancy Brady](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:07:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Nancy Brady <[Dovebrady@frontiernet.net](mailto:Dovebrady@frontiernet.net)>  
Sent: Sunday, May 4, 2025 9:49 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Nancy Brady  
[Dovebrady@frontiernet.net](mailto:Dovebrady@frontiernet.net)

**From:** [Planning Department](#)  
**To:** "Mike Briers"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 3:13:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Mike Briers <MB8210@yahoo.com>  
Sent: Sunday, May 4, 2025 1:35 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Mike Briers  
MB8210@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Nigel Casserley](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:10:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Nigel Casserley <nigel@necomms.com>  
Sent: Sunday, May 4, 2025 2:32 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Nigel Casserley  
nigel@necomms.com

**From:** [Planning Department](#)  
**To:** ["Donna Catt"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:33:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Donna Catt <djcatt11@gmail.com>  
Sent: Sunday, May 4, 2025 1:12 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Donna Catt  
djcatt11@gmail.com

**From:** [Planning Department](#)  
**To:** ["Marilee Cunningham"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:42:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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@icloud.com>  
Sent: Sunday, May 4, 2025 1:28 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Marilee Cunningham  
modonnell05@icloud.com

**From:** [Planning Department](#)  
**To:** ["Laura Degenhardt"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:54:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 4:17 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Laura Degenhardt  
lmeadva@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Toby Degenhardt](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:01:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:Tobydegenhardt@hotmail.com)>  
Sent: Sunday, May 4, 2025 5:49 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Toby Degenhardt  
[Tobydegenhardt@hotmail.com](mailto:Tobydegenhardt@hotmail.com)

**From:** [Planning Department](#)  
**To:** "[Kathleen Dillon](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 3:10:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Kathleen Dillon <Mamakath123@gmail.com>  
Sent: Sunday, May 4, 2025 9:58 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Kathleen Dillon, resident and tax payer

--  
Kathleen Dillon  
Mamakath123@gmail.com

**From:** [Planning Department](#)  
**To:** ["Sonny Discini"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:02:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 5:57 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Sonny

--  
Sonny Discini  
thehorse13@gmail.com

**From:** [Planning Department](#)  
**To:** ["Nora Drish"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:50:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Nora Drish <[ndrish@frontiernet.net](mailto:ndrish@frontiernet.net)>  
Sent: Sunday, May 4, 2025 3:31 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Nora Drish  
[ndrish@frontiernet.net](mailto:ndrish@frontiernet.net)

**From:** [Planning Department](#)  
**To:** ["Julia Farrell"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:40:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Julia Farrell <[Jfarrell5000@gmail.com](mailto:Jfarrell5000@gmail.com)>  
Sent: Sunday, May 4, 2025 1:17 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Julia Farrell  
[Jfarrell5000@gmail.com](mailto:Jfarrell5000@gmail.com)

**From:** [Planning Department](#)  
**To:** "Jennifer Fisher"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:58:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Jennifer Fisher <missonethousandspringblossoms@gmail.com>  
Sent: Sunday, May 4, 2025 4:53 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

It is important for you to hear from the people you represent. The more the people participate, the easier your job will be, as it will increase awareness and let you know many different perspectives. It will also allow you to have help---those who participate will volunteer, and possibly step up to the commission in the future.

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Jennifer Fisher  
missonethousandspringblossoms@gmail.com

**From:** [Planning Department](#)  
**To:** "[Gabrielle Fry](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:50:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Gabrielle Fry <[gabriellefry@yahoo.com](mailto:gabriellefry@yahoo.com)>  
Sent: Sunday, May 4, 2025 3:24 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Gabrielle Fry  
[gabriellefry@yahoo.com](mailto:gabriellefry@yahoo.com)

**From:** [Planning Department](#)  
**To:** "John Fuller"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:48:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: John Fuller <jwfu@comcast.net>  
Sent: Sunday, May 4, 2025 2:03 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
John Fuller  
jwfu@comcast.net

**From:** [Planning Department](#)  
**To:** ["Matthew Glover"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:40:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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, May 4, 2025 1:18 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Matthew Glover

--  
Matthew Glover  
4glovers@comcast.net

**From:** [Planning Department](#)  
**To:** ["Anita Hill"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:09:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Anita Hill <[dhill20@frontiernet.net](mailto:dhill20@frontiernet.net)>  
Sent: Sunday, May 4, 2025 12:58 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Anita Hill  
[dhill20@frontiernet.net](mailto:dhill20@frontiernet.net)

**From:** [Planning Department](#)  
**To:** ["Holland Hook"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:49:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Holland Hook <[hollandhook8@gmail.com](mailto:hollandhook8@gmail.com)>  
Sent: Sunday, May 4, 2025 3:07 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

I respectfully urge you to allow public comment during each meeting where the proposed amendments to the Zoning Ordinance and Subdivision Regulations are discussed. Providing space for public input at every stage of the process ensures that community members can raise concerns or insights early—potentially highlighting issues that may not yet have been considered by staff or the Planning Commission. Early engagement not only strengthens transparency but also allows public suggestions to be more easily and effectively incorporated into the evolving drafts.

Thank you for your thoughtful consideration of this request to include public comment opportunities at each relevant meeting.

--

Holland Hook  
[hollandhook8@gmail.com](mailto:hollandhook8@gmail.com)

**From:** [Planning Department](#)  
**To:** "Melissa Howell"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:05:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Melissa Howell <mhowelljp@yahoo.com>  
Sent: Sunday, May 4, 2025 6:55 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Melissa Howell  
mhowelljp@yahoo.com

**From:** [Planning Department](#)  
**To:** "Hannah Jack"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:59:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Hannah Jack <[hannah.jack24@gmail.com](mailto:hannah.jack24@gmail.com)>  
Sent: Sunday, May 4, 2025 5:24 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

It is so important to convey trust to your constituents. Allowing public comment is critical to ensuring the fairness and safety of Jefferson County infrastructure.

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Hannah Jack

--  
Hannah Jack  
[hannah.jack24@gmail.com](mailto:hannah.jack24@gmail.com)

**From:** [Planning Department](#)  
**To:** ["Reba Jones"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Wednesday, May 7, 2025 9:02:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Reba Jones <bpestun@aol.com>  
Sent: Sunday, May 4, 2025 12:51 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Reba Jones

--  
Reba Jones  
bpestun@aol.com

**From:** [Planning Department](#)  
**To:** "[Cindy Keller](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:57:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Cindy Keller <wvprius@gmail.com>  
Sent: Sunday, May 4, 2025 4:33 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Cindy Keller

--  
Cindy Keller  
wvprius@gmail.com

**From:** [Planning Department](#)  
**To:** "Hilary Lo"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:26:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 12:49 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Hilary Lo  
lo.family.wv@gmail.com

**From:** [Planning Department](#)  
**To:** ["Diana Mullis"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:08:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 10:18 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Diana Mullis  
dianamullis7@gmail.com

**From:** [Planning Department](#)  
**To:** "Ellen Murphy"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:28:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 12:51 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Ellen Murphy  
Ellen.L.Murphy@comcast.net

**From:** [Planning Department](#)  
**To:** ["Steven Ontiveros"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:06:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Steven Ontiveros <Steveopdx@gmail.com>  
Sent: Sunday, May 4, 2025 7:15 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Steven Ontiveros  
Steveopdx@gmail.com

**From:** [Planning Department](#)  
**To:** "Amy Piedrahita"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:45:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 1:48 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Dear Planning Commissioners,

I ask you: Who is your customer? Is it the developer or the citizens? Do you represent property rights or people rights? You have a tremendous responsibility in shaping the future of our precious community. Please do not corrupt the process.

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Amy Piedrahita  
A Concerned Citizen of 34 years

--  
Amy Piedrahita  
Piedrahita@frontiernet.net

**From:** [Planning Department](#)  
**To:** "Ali Printz"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:29:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 1:01 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Ali Printz  
aliprintz@gmail.com

**From:** [Planning Department](#)  
**To:** "[Cheryl Pullen](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:03:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Cheryl Pullen <ccpullen@verizon.net>  
Sent: Sunday, May 4, 2025 6:17 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Cheryl Pullen  
ccpullen@verizon.net

**From:** [Planning Department](#)  
**To:** "James Reifer"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:04:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 4:50 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely, James Reifer

--

James Reifer  
james.reifer@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Linda Roberts](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:41:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:llr5504@gmail.com)>  
Sent: Sunday, May 4, 2025 1:18 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Linda Roberts  
[llr5504@gmail.com](mailto:llr5504@gmail.com)

**From:** [Planning Department](#)  
**To:** ["Carol Roby"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 10:02:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Carol Roby <Carolaroby@gmail.com>  
Sent: Sunday, May 4, 2025 6:04 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Carol Roby

--  
Carol Roby  
Carolaroby@gmail.com

**From:** [Planning Department](#)  
**To:** ["Carolyn Rodis"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:53:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 2:03 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Carolyn Rodis  
cjrodis@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Philip Carter Salladay](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:42:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Philip Carter Salladay <[philsalladay@yahoo.com](mailto:philsalladay@yahoo.com)>  
Sent: Sunday, May 4, 2025 1:46 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Philip Carter Salladay  
[philsalladay@yahoo.com](mailto:philsalladay@yahoo.com)

**From:** [Planning Department](#)  
**To:** ["william schneider"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:32:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: william schneider <willschneider49@yahoo.com>  
Sent: Sunday, May 4, 2025 1:04 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
william schneider  
willschneider49@yahoo.com

**From:** [Planning Department](#)  
**To:** ["Susan W Topping"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:47:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Susan W Topping <suesilver104@gmail.com>  
Sent: Sunday, May 4, 2025 1:57 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Susan W Topping

--  
Susan W Topping  
suesilver104@gmail.com

**From:** [Planning Department](#)  
**To:** ["Sonia von Heijne"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:48:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Sonia von Heijne <[Sonia.heijne@gmail.com](mailto:Sonia.heijne@gmail.com)>  
Sent: Sunday, May 4, 2025 2:17 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckey@jeffersoncountywv.org](mailto:ckey@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Although it may sometimes be inconvenient, safeguards are there for a reason. Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Sonia von Heijne  
[Sonia.heijne@gmail.com](mailto:Sonia.heijne@gmail.com)

**From:** [Planning Department](#)  
**To:** ["AnnaMary Walsh"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:33:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: AnnaMary Walsh <amwalsh222@yahoo.com>  
Sent: Sunday, May 4, 2025 1:10 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Many voices provide common sense comments of common goals in keeping our county safe and of a size that remains manageable for our services, resources, and water supply.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

AnnaMary Walsh  
amwalsh222@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Dale Walter](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:59:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Dale Walter <[Dalewalter@icloud.com](mailto:Dalewalter@icloud.com)>  
Sent: Sunday, May 4, 2025 5:18 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Dale Walter  
[Dalewalter@icloud.com](mailto:Dalewalter@icloud.com)

**From:** [Planning Department](#)  
**To:** ["Samuel Welch"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:55:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Samuel Welch <Et1welch@yahoo.com>  
Sent: Sunday, May 4, 2025 4:20 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Samuel Welch  
Et1welch@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Carol Wood](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 9:58:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Carol Wood <cwood453@aol.com>  
Sent: Sunday, May 4, 2025 4:59 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Carol Wood  
cwood453@aol.com

**From:** [Planning Department](#)  
**To:** "Laurie Allen"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 3:00:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Laurie Allen <lovejoy444@aol.com>  
Sent: Monday, May 5, 2025 10:31 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Laurie Allen  
lovejoy444@aol.com

**From:** [Planning Department](#)  
**To:** ["Windsong Bergman"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 8:57:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:bergmanwindsong@yahoo.com)>  
Sent: Monday, May 5, 2025 9:21 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

I am a concerned citizen. Please make it easy for members of our community to be involved.

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Windsong Bergman  
[bergmanwindsong@yahoo.com](mailto:bergmanwindsong@yahoo.com)

**From:** [Planning Department](#)  
**To:** ["Susan Cebulski"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 2:58:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Susan Cebulski <susanc710@gmail.com>  
Sent: Monday, May 5, 2025 8:47 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Susan Cebulski  
susanc710@gmail.com

**From:** [Planning Department](#)  
**To:** ["Kathryn Christopher"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 8:58:00 AM

---

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This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Kathryn Christopher <Kathrynchristopher@gmail.com>  
Sent: Monday, May 5, 2025 9:54 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Kathryn Christopher  
Kathrynchristopher@gmail.com

**From:** [Planning Department](#)  
**To:** "Brian Hagberg"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 2:59:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Brian Hagberg <fyreteacher@hotmail.com>  
Sent: Monday, May 5, 2025 10:12 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

Brian Hagberg  
Shepherdstown

--

Brian Hagberg  
fyreteacher@hotmail.com

**From:** [Planning Department](#)  
**To:** ["Lisa Higgins"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 2:57:00 PM

---

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This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Lisa Higgins <lisa.higgins@sheppardpratt.org>  
Sent: Monday, May 5, 2025 7:57 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Lisa Higgins  
lisa.higgins@sheppardpratt.org

**From:** [Planning Department](#)  
**To:** ["Barbara Humes"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 3:02:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:bhumes1@comcast.net)>  
Sent: Monday, May 5, 2025 12:24 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Barbara Humes  
[bhumes1@comcast.net](mailto:bhumes1@comcast.net)

**From:** [Planning Department](#)  
**To:** "[Deborah Johnson](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 2:59:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Deborah Johnson <[wv2johnson@gmail.com](mailto:wv2johnson@gmail.com)>  
Sent: Monday, May 5, 2025 8:56 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

I am a Jefferson County resident of 43 years (my husband is a lifelong resident). We are being impacted by the explosion of housing development in the area (Huntwell West borders our property). Our daughter and her family, who moved from Ohio back to Jefferson County 8 years ago and purchased a home in the Fairfax Crossing development, are also being impacted by the over-development. We are experiencing in real time the construction companies hired by the developer blast, burn, jackhammer, and create dust storms with abandon, to our detriment. Zoning Ordinances are in place for a reason, one of which is to protect the current residents' quality of life. Our quality of life has been negatively impacted first by Rockwool being installed in an area between two elementary schools, to our unfortunate surprise, and second by over-development of housing communities. Our roads, in addition to other necessary infrastructure, can't handle all the new people moving to this area. Being aware of changes to Zoning Ordinances that impact our quality of life is a right of the citizens of this County (governance of the people, by the people, for the people), as is the ability to comment and protest those changes. It appears that the Planning Commission is favoring the developers over the residents, again.

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Deborah Johnson  
578 Lone Oak Road  
Ranson, WV. 25438

--  
Deborah Johnson  
[wv2johnson@gmail.com](mailto:wv2johnson@gmail.com)

**From:** [Planning Department](#)  
**To:** "[Kathleen Lloyd](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 2:56:00 PM

---

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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](mailto:Sweens1205@gmail.com)>

Sent: Monday, May 5, 2025 6:15 AM

To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>

Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Kathleen Lloyd  
[Sweens1205@gmail.com](mailto:Sweens1205@gmail.com)

**From:** [Planning Department](#)  
**To:** ["Barbara Manuputy"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 8:59:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Barbara Manuputy <manuputymail@yahoo.com>  
Sent: Monday, May 5, 2025 8:38 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Barbara Manuputy  
manuputymail@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Christine Marshall](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 8:56:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:Balmertmarshall@icloud.com)>  
Sent: Monday, May 5, 2025 10:53 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Good Day Commissioners,

Good government promotes public engagement and input. We all win when citizens and property owners cooperate in government and land use planning. Please allow all to participate in the creation of rule making.

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

Christine Marshall

--

Christine Marshall  
[Balmertmarshall@icloud.com](mailto:Balmertmarshall@icloud.com)

**From:** [Planning Department](#)  
**To:** ["joseph martin"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 3:02:00 PM

---

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Thank you and have a nice day.

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

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

From: joseph martin <foei@msn.com>  
Sent: Monday, May 5, 2025 11:56 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

I stand today to request the Planning Commission to please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Public servants should welcome input from the public. Seems reasonable to me. Certainly, bringing issues to the forefront earlier in any process allows for incorporation of same more easily and efficiently.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

Joseph Martin  
Charles Town

--  
joseph martin  
foei@msn.com

**From:** [Planning Department](#)  
**To:** ["George M Rice"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 8:58:00 AM

---

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This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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, May 5, 2025 10:21 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

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Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

George M Rice  
mrice21@frontiernet.net

**From:** [Planning Department](#)  
**To:** "Joseph White"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Monday, May 5, 2025 3:00:00 PM

---

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Thank you and have a nice day.

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

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

From: Joseph White <jjcwhite@gmail.com>  
Sent: Monday, May 5, 2025 10:29 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Joseph White  
jjcwhite@gmail.com

**From:** [Planning Department](#)  
**To:** "[Amber Hobday](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 3:12:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Amber Hobday <Myemailshelf@gmail.com>  
Sent: Tuesday, May 6, 2025 11:00 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Amber Hobday  
Myemailshelf@gmail.com

**From:** [Planning Department](#)  
**To:** "pam rowley"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Wednesday, May 7, 2025 9:01:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: pam rowley <pamelakrowley@gmail.com>  
Sent: Tuesday, May 6, 2025 4:43 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
pam rowley  
pamelakrowley@gmail.com

**From:** [Planning Department](#)  
**To:** ["Rebecca Thompson"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 6, 2025 3:11:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Rebecca Thompson <[beccatmail@gmail.com](mailto:beccatmail@gmail.com)>  
Sent: Tuesday, May 6, 2025 10:54 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

The public deserves to have a say in any changes being considered to zoning ordinances. The public will be directly affected by any zoning ordinance changes and will have to live with these changes, therefore, they should certainly be allowed to provide input through public comments.

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Rebecca Thompson

--  
Rebecca Thompson  
[beccatmail@gmail.com](mailto:beccatmail@gmail.com)

**From:** [Planning Department](#)  
**To:** ["David Cebulski"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Friday, May 9, 2025 3:40:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Thank you and have a nice day.

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

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

From: David Cebulski <dmc730@comcast.net>  
Sent: Wednesday, May 7, 2025 9:25 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
David M Cebulski

--  
David Cebulski  
dmc730@comcast.net

**From:** [Planning Department](#)  
**To:** "[Tamar Kavaldjian-Liskey](#)"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Friday, May 9, 2025 3:34:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Thank you and have a nice day.

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

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

From: Tamar Kavaldjian-Liskey <tamarkliskey@gmail.com>  
Sent: Wednesday, May 7, 2025 6:25 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Dear Planning Commission Members,

I am writing as a concerned citizen whose family owns and operates a farm in Middleway, WV. I am very concerned that the Planning Commission is not providing the opportunity for public comments regarding the Zoning Ordinance and Subdivision amendments that are being proposed at the upcoming meeting and potentially future meetings. Having the opportunity to review proposals, and possibly identify issues or concerns in the early stages of planning, is very valuable for the community and citizens. This type of early engagement is transparent and helpful in resolving issues early on in the planning process.

My request is for you to please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

Tamar Kavaldjian-Liskey

--

Tamar Kavaldjian-Liskey  
tamarkliskey@gmail.com

**From:** [Planning Department](#)  
**To:** ["Donna Printz"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Tuesday, May 13, 2025 4:12:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of receiving your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

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: Monday, May 5, 2025 12:29 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckey@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Donna Printz  
Wvbiker98@aol.com

**From:** [Planning Department](#)  
**To:** "Edward Reifer"  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Friday, May 9, 2025 3:41:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Thank you and have a nice day.

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

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

From: Edward Reifer <[e\\_reifer@yahoo.com](mailto:e_reifer@yahoo.com)>  
Sent: Wednesday, May 7, 2025 10:36 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Dear Commissioners:

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Edward J.Reifer

--  
Edward Reifer  
[e\\_reifer@yahoo.com](mailto:e_reifer@yahoo.com)

**From:** [Planning Department](#)  
**To:** ["Trudy Roth"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Friday, May 9, 2025 3:41:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Thank you and have a nice day.

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

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

From: Trudy Roth <trudyroth@citlink.net>  
Sent: Friday, May 9, 2025 11:28 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Trudy Roth

--  
Trudy Roth  
trudyroth@citlink.net

**From:** [Planning Department](#)  
**To:** ["Anne Weshinsky"](#)  
**Subject:** RE: Actionable correspondence: Public Comment on Zoning Ordinance Amendments  
**Date:** Friday, May 9, 2025 3:32:00 PM

---

Good morning,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Thank you and have a nice day.

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

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

From: Anne Weshinsky <thewondercabinet@gmail.com>  
Sent: Tuesday, May 6, 2025 8:05 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence: Public Comment on Zoning Ordinance Amendments

Dear Planning Commissioners,

Please allow public comment on the Zoning Ordinance and Subdivision Regulation amendments at each meeting where they are discussed. This allows the public to bring issues forward early in the process that the staff or Planning Commission may not have identified. Also, at these early stages the public's comments may be more efficiently incorporated.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Anne Weshinsky  
thewondercabinet@gmail.com



## **Route 340 Waivers Actionable Correspondence Public Comment Index**

- 1) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Adams
- 2) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Bario
- 3) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Bellacosa
- 4) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Bennett
- 5) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Benson
- 6) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Berzinskas
- 7) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Bisher
- 8) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Blair
- 9) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Briers
- 10) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Casserley
- 11) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Cunningham
- 12) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Degenhardt, T
- 13) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Discini
- 14) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Drish
- 15) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Farrell
- 16) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Fisher
- 17) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Fry
- 18) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Fuller
- 19) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Hill
- 20) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Howell
- 21) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Jack
- 22) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Jones
- 23) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Kellerr
- 24) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Lo
- 25) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Mullis
- 26) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Murphy
- 27) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Piedrahita
- 28) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Pullen
- 29) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Reifer
- 30) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Roberts
- 31) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Roby
- 32) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Rodis
- 33) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Rosen
- 34) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Salladay
- 35) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Schenider
- 36) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Topping
- 37) Route 340 Waivers Actionable Correspondence\_2025-05-04 - von Heijne
- 38) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Walsh
- 39) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Welch
- 40) Route 340 Waivers Actionable Correspondence\_2025-05-04 - Wood
- 41) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Allen
- 42) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Bergman
- 43) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Cebulski
- 44) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Christopher
- 45) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Hagberg
- 46) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Higgins
- 47) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Humes
- 48) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Lloyd
- 49) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Manuputy

## **Route 340 Waivers Actionable Correspondence Public Comment Index**

- 50) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Marshall
- 51) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Martin
- 52) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Printz
- 53) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Rice
- 54) Route 340 Waivers Actionable Correspondence\_2025-05-05 - Smith
- 55) Route 340 Waivers Actionable Correspondence\_2025-05-05 - White
- 56) Route 340 Waivers Actionable Correspondence\_2025-05-06 - Hobday
- 57) Route 340 Waivers Actionable Correspondence\_2025-05-06 – Lo
- 58) Route 340 Waivers Actionable Correspondence\_2025-05-06 - Lotze
- 59) Route 340 Waivers Actionable Correspondence\_2025-05-06 - Thompson
- 60) Route 340 Waivers Actionable Correspondence\_2025-05-06 - Cebulski
- 61) Route 340 Waivers Actionable Correspondence\_2025-05-06 – Kavaldjian-Liskey
- 62) Route 340 Waivers Actionable Correspondence\_2025-05-06 - Reifer
- 63) Route 340 Waivers Actionable Correspondence\_2025-05-06 - Roth
- 64) Route 340 Waivers Actionable Correspondence\_2025-05-06 - Weshinsky

**From:** [Planning Department](#)  
**To:** "[Nancy Adams](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 4:12:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Nancy Adams <Redd69bugg@aol.com>  
Sent: Sunday, May 4, 2025 4:09 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Nancy Adams  
Redd69bugg@aol.com

**From:** [Planning Department](#)  
**To:** ["Joanne Bario"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:48:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:joannebario@gmail.com)>  
Sent: Sunday, May 4, 2025 4:32 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission to consider regarding the effect of the waivers. This affects the due process rights of the public by denying their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Joanne Bario  
[joannebario@gmail.com](mailto:joannebario@gmail.com)

**From:** [Planning Department](#)  
**To:** "[Kathryn Bellacosa](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:31:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Kathryn Bellacosa <[kbella21@gmail.com](mailto:kbella21@gmail.com)>  
Sent: Sunday, May 4, 2025 1:13 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Kathryn Bellacosa  
[kbella21@gmail.com](mailto:kbella21@gmail.com)

**From:** [Planning Department](#)  
**To:** "[Cheryl Bennett](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:46:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Cheryl Bennett <Cherben44@gmail.com>  
Sent: Sunday, May 4, 2025 1:52 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Cheryl Bennett  
Cherben44@gmail.com

**From:** [Planning Department](#)  
**To:** "Kraig Benson"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:53:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Kraig Benson <warp2speed@aol.com>  
Sent: Sunday, May 4, 2025 6:40 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckey@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Kraig Benson  
warp2speed@aol.com

**From:** [Planning Department](#)  
**To:** ["STEPHEN BERZINSKAS"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:32:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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 <sberzinkas@comcast.net>  
Sent: Sunday, May 4, 2025 1:17 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
STEPHEN BERZINSKAS  
sberzinkas@comcast.net

**From:** [Planning Department](#)  
**To:** "[Marlyn Bisher](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:55:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Marlyn Bisher <Marlynb30@gmail.com>  
Sent: Sunday, May 4, 2025 9:04 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Marlyn

--  
Marlyn Bisher  
Marlynb30@gmail.com

**From:** [Planning Department](#)  
**To:** "[Angela Blair](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:44:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Angela Blair <Healthnut970@gmail.com>  
Sent: Sunday, May 4, 2025 4:05 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Angela Blair  
Healthnut970@gmail.com

**From:** [Planning Department](#)  
**To:** ["Mike Briers"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Wednesday, May 7, 2025 9:03:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Mike Briers <MB8210@yahoo.com>  
Sent: Sunday, May 4, 2025 1:37 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Mike Briers  
MB8210@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Nigel Casserley](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:57:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Nigel Casserley <[Casserley@ditc.org](mailto:Casserley@ditc.org)>  
Sent: Sunday, May 4, 2025 2:31 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckey@jeffersoncountywv.org](mailto:ckey@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Nigel Casserley  
[Casserley@ditc.org](mailto:Casserley@ditc.org)

**From:** [Planning Department](#)  
**To:** "[Marilee Cunningham](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:34:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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@icloud.com](mailto:modonnell05@icloud.com)>  
Sent: Sunday, May 4, 2025 1:28 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Marilee Cunningham  
[modonnell05@icloud.com](mailto:modonnell05@icloud.com)

**From:** [Planning Department](#)  
**To:** "[Toby Degenhardt](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:51:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:Tobydegenhardt@hotmail.com)>  
Sent: Sunday, May 4, 2025 5:50 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckey@jeffersoncountywv.org](mailto:ckey@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Toby Degenhardt  
[Tobydegenhardt@hotmail.com](mailto:Tobydegenhardt@hotmail.com)

**From:** [Planning Department](#)  
**To:** "Sonny Discini"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:51:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 5:57 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Sonny

--  
Sonny Discini  
thehorse13@gmail.com

**From:** [Planning Department](#)  
**To:** "Nora Drish"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:42:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Nora Drish <[ndrish@frontiernet.net](mailto:ndrish@frontiernet.net)>  
Sent: Sunday, May 4, 2025 3:31 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Nora Drish  
[ndrish@frontiernet.net](mailto:ndrish@frontiernet.net)

**From:** [Planning Department](#)  
**To:** "Julia Farrell"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:33:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Julia Farrell <Jfarrell5000@gmail.com>  
Sent: Sunday, May 4, 2025 1:18 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Julia Farrell  
Jfarrell5000@gmail.com

**From:** [Planning Department](#)  
**To:** "Jennifer Fisher"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:53:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Jennifer Fisher <missonethousandsspringblossoms@gmail.com>  
Sent: Sunday, May 4, 2025 6:20 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Why would we give strangers who have no vested interest in our future the ability to plan for our community? How is it we hand over power for planning to those who think of growth and safety in terms of their own ease of operation and profit??

Inspect what you expect. Reasonable good growth doesn't happen at the hand of national cookie cutter developers who'll be gone after the build is done, come what may.

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

Jen Fisher

--

Jennifer Fisher  
missonethousandsspringblossoms@gmail.com

**From:** [Planning Department](#)  
**To:** "[Gabrielle Fry](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:39:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Gabrielle Fry <[gabriellefry@yahoo.com](mailto:gabriellefry@yahoo.com)>  
Sent: Sunday, May 4, 2025 3:25 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeyes@jeffersoncountywv.org](mailto:ckeyes@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Gabrielle Fry  
[gabriellefry@yahoo.com](mailto:gabriellefry@yahoo.com)

**From:** [Planning Department](#)  
**To:** "John Fuller"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:38:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: John Fuller <jwfu@comcast.net>  
Sent: Sunday, May 4, 2025 2:03 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
John Fuller  
jwfu@comcast.net

**From:** [Planning Department](#)  
**To:** ["Anita Hill"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 9:02:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Anita Hill <[dhill20@frontiernet.net](mailto:dhill20@frontiernet.net)>  
Sent: Sunday, May 4, 2025 12:59 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Anita Hill  
[dhill20@frontiernet.net](mailto:dhill20@frontiernet.net)

**From:** [Planning Department](#)  
**To:** "[Melissa Howell](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:55:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Melissa Howell <mhowelljp@yahoo.com>  
Sent: Sunday, May 4, 2025 6:55 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Melissa Howell  
mhowelljp@yahoo.com

**From:** [Planning Department](#)  
**To:** "Hannah Jack"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:50:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Hannah Jack <hannah.jack24@gmail.com>  
Sent: Sunday, May 4, 2025 5:29 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

This is a major liability for taxpayers. There is no reason to grant blank checks, let's be fair to ALL businesses and to the taxpayers of Jefferson County!!!

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Hannah Jack

--  
Hannah Jack  
hannah.jack24@gmail.com

**From:** [Planning Department](#)  
**To:** "Reba Jones"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:57:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Reba Jones <bpestun@aol.com>  
Sent: Sunday, May 4, 2025 12:51 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Reba Jones

--  
Reba Jones  
bpestun@aol.com

**From:** [Planning Department](#)  
**To:** "[Cindy Kellerr](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:48:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Cindy Kellerr <Wvprius@gmail.com>  
Sent: Sunday, May 4, 2025 4:33 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Cindy Kellerr

--  
Cindy Kellerr  
Wvprius@gmail.com

**From:** [Planning Department](#)  
**To:** "Hilary Lo"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:28:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 12:50 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Hilary Lo  
lo.family.wv@gmail.com

**From:** [Planning Department](#)  
**To:** ["Diana Mullis"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:56:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 10:18 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Diana Mullis  
dianamullis7@gmail.com

**From:** [Planning Department](#)  
**To:** ["Ellen Murphy"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:30:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 12:51 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Ellen Murphy  
Ellen.L.Murphy@comcast.net

**From:** [Planning Department](#)  
**To:** "Amy Piedrahita"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:37:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 1:49 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Amy Piedrahita

--  
Amy Piedrahita  
Piedrahita@frontiernet.net

**From:** [Planning Department](#)  
**To:** "[Cheryl Pullen](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:52:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Cheryl Pullen <ccpullen@verizon.net>  
Sent: Sunday, May 4, 2025 6:17 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Cheryl Pullen  
ccpullen@verizon.net

**From:** [Planning Department](#)  
**To:** "James Reifer"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:54:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 4:51 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely, James Reifer

--  
James Reifer  
james.reifer@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Linda Roberts](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:33:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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 <llr5505@gmail.com>  
Sent: Sunday, May 4, 2025 1:18 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Linda Roberts  
llr5505@gmail.com

**From:** [Planning Department](#)  
**To:** "[Carol Roby](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:52:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Carol Roby <Carolaroby@gmail.com>  
Sent: Sunday, May 4, 2025 6:07 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Carol Roby

--  
Carol Roby  
Carolaroby@gmail.com

**From:** [Planning Department](#)  
**To:** "[Carolyn Rodis](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:46:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Sunday, May 4, 2025 2:03 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Carolyn Rodis  
cjrodis@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Andrew Rosen](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:49:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Andrew Rosen <[rosenandrew2016@gmail.com](mailto:rosenandrew2016@gmail.com)>  
Sent: Sunday, May 4, 2025 4:41 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please approve the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be approved once the concept plan for this development has been submitted and it meets all required laws and ordinances.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Andrew Rosen  
[rosenandrew2016@gmail.com](mailto:rosenandrew2016@gmail.com)

**From:** [Planning Department](#)  
**To:** "[Philip Carter Salladay](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:34:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Philip Carter Salladay <[philsalladay@yahoo.com](mailto:philsalladay@yahoo.com)>  
Sent: Sunday, May 4, 2025 1:48 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Philip Carter Salladay  
[philsalladay@yahoo.com](mailto:philsalladay@yahoo.com)

**From:** [Planning Department](#)  
**To:** ["william schneider"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:30:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: william schneider <willschneider49@yahoo.com>  
Sent: Sunday, May 4, 2025 1:04 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
william schneider  
willschneider49@yahoo.com

**From:** [Planning Department](#)  
**To:** ["Susan W Topping"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:37:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Susan W Topping <suesilver194@gmail.com>  
Sent: Sunday, May 4, 2025 1:58 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Susan W Topping

--  
Susan W Topping  
suesilver194@gmail.com

**From:** [Planning Department](#)  
**To:** "[Sonia von Heijne](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:39:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Sonia von Heijne <[Sonia.heijne@gmail.com](mailto:Sonia.heijne@gmail.com)>  
Sent: Sunday, May 4, 2025 2:13 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckkeys@jeffersoncountywv.org](mailto:ckkeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

For me, this doesn't pass the smell test so please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Sonia von Heijne  
[Sonia.heijne@gmail.com](mailto:Sonia.heijne@gmail.com)

**From:** [Planning Department](#)  
**To:** ["AnnaMary Walsh"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:31:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: AnnaMary Walsh <amwalsh222@yahoo.com>  
Sent: Sunday, May 4, 2025 1:10 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Common sense is the common goal. All planning needs to be thoroughly reviewed to prohibit any negative impacts when projects are finalized.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
AnnaMary Walsh  
amwalsh222@yahoo.com

**From:** [Planning Department](#)  
**To:** ["Samuel Welch"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:47:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Samuel Welch <Et1welch@yahoo.com>  
Sent: Sunday, May 4, 2025 4:22 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Samuel Welch  
Et1welch@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Carol Wood](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 10:50:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Carol Wood <cwood453@aol.com>  
Sent: Sunday, May 4, 2025 4:58 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Carol Wood  
cwood453@aol.com

**From:** [Planning Department](#)  
**To:** "[Laurie Allen](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:07:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Laurie Allen <[lovejoy444@aol.com](mailto:lovejoy444@aol.com)>  
Sent: Monday, May 5, 2025 10:31 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Laurie Allen  
[lovejoy444@aol.com](mailto:lovejoy444@aol.com)

**From:** [Planning Department](#)  
**To:** ["Windsong Bergman"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 9:03:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:bergmanwindsong@yahoo.com)>  
Sent: Monday, May 5, 2025 9:22 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

We need to have all the information on the table in order to make good decisions for our community.

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Windsong Bergman  
[bergmanwindsong@yahoo.com](mailto:bergmanwindsong@yahoo.com)

**From:** [Planning Department](#)  
**To:** ["Susan Cebulski"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:05:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Susan Cebulski <susanc710@gmail.com>  
Sent: Monday, May 5, 2025 8:47 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Susan Cebulski  
susanc710@gmail.com

**From:** [Planning Department](#)  
**To:** ["Kathryn Christopher"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 9:01:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Kathryn Christopher <Kathrynchristopher@gmail.com>  
Sent: Monday, May 5, 2025 9:55 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Kathryn Christopher  
Kathrynchristopher@gmail.com

**From:** [Planning Department](#)  
**To:** "[Brian Hagberg](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:06:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Brian Hagberg <[fyreteacher@hotmail.com](mailto:fyreteacher@hotmail.com)>  
Sent: Monday, May 5, 2025 10:21 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

The current process for approving development in Jefferson County is already clearly spelled out in the zoning ordinances and regulations and guided by the 2045 Comprehensive Plan. Please do not let developers try to sidestep or fast track the process by filing for vague waivers that they hope will give them an advantage.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Brian Hagberg  
[fyreteacher@hotmail.com](mailto:fyreteacher@hotmail.com)

**From:** [Planning Department](#)  
**To:** ["Lisa Higgins"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:04:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Lisa Higgins <lisa.higgins@sheppardpratt.org>  
Sent: Monday, May 5, 2025 7:57 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Lisa Higgins  
lisa.higgins@sheppardpratt.org

**From:** [Planning Department](#)  
**To:** ["Barbara Humes"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:09:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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, May 5, 2025 12:22 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Barbara Humes  
bhumes1@comcast.net

**From:** [Planning Department](#)  
**To:** "[Kathleen Lloyd](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:03:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:Sweens1205@gmail.com)>  
Sent: Monday, May 5, 2025 6:16 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Kathleen Lloyd  
[Sweens1205@gmail.com](mailto:Sweens1205@gmail.com)

**From:** [Planning Department](#)  
**To:** ["Barbara Manuputy"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:10:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Barbara Manuputy <manuputymail@yahoo.com>  
Sent: Monday, May 5, 2025 8:38 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Barbara Manuputy  
manuputymail@yahoo.com

**From:** [Planning Department](#)  
**To:** "[Christine Marshall](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 9:02:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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](mailto:Balmertmarshall@icloud.com)>  
Sent: Monday, May 5, 2025 10:46 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Dear Commissioners,

Please follow the rules, which were previously written to promote good planning and community engagement.

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Christine Marshall  
[Balmertmarshall@icloud.com](mailto:Balmertmarshall@icloud.com)

**From:** [Planning Department](#)  
**To:** "joseph.martin"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:09:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: joseph martin <foei@msn.com>  
Sent: Monday, May 5, 2025 11:56 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

I rise again today to request the Commission to deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. Seems to me this is putting carts before horses. Due process is in the news these days, and without denial of these waivers, the public appears to be being denied such which then affects their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

Joseph Martin  
Charles Town

--  
joseph martin  
foei@msn.com

**From:** [Planning Department](#)  
**To:** ["Donna Printz"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 9:01:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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: Monday, May 5, 2025 12:30 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Donna Printz  
Wvbiker98@aol.com

**From:** [Planning Department](#)  
**To:** ["George M Rice"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 9:00:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

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, May 5, 2025 10:21 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
George M Rice  
mrice21@frontiernet.net

**From:** [Planning Department](#)  
**To:** ["Joseph White"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Monday, May 5, 2025 3:07:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Joseph White <jjcwhite@gmail.com>  
Sent: Monday, May 5, 2025 10:30 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Joseph White  
jjcwhite@gmail.com

**From:** [Planning Department](#)  
**To:** "[Amber Hobday](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 3:14:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Amber Hobday <Myemailshelf@gmail.com>  
Sent: Tuesday, May 6, 2025 11:02 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Amber Hobday  
Myemailshelf@gmail.com

**From:** [Planning Department](#)  
**To:** ["Richard Lo"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 3:14:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Richard Lo <[richard.bryan.lo@gmail.com](mailto:richard.bryan.lo@gmail.com)>  
Sent: Tuesday, May 6, 2025 9:49 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeys@jeffersoncountywv.org](mailto:ckeys@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--

Richard Lo  
[richard.bryan.lo@gmail.com](mailto:richard.bryan.lo@gmail.com)

**From:** [Planning Department](#)  
**To:** ["Christian Lotze"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Wednesday, May 7, 2025 9:02:00 AM

---

Good morning,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Christian Lotze <Chrislotze@gmail.com>  
Sent: Tuesday, May 6, 2025 4:35 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Granting the waivers without a concept plan would be like accepting a ride from a person without knowing where they are going!!!!

Thank you for considering adding public comment for these items at each meeting.

Sincerely, Christian D Lotze @ Roxley Farms

--

Christian Lotze  
Chrislotze@gmail.com

**From:** [Planning Department](#)  
**To:** ["Rebecca Thompson"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 6, 2025 3:15:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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

From: Rebecca Thompson <[beccatmail@gmail.com](mailto:beccatmail@gmail.com)>  
Sent: Tuesday, May 6, 2025 11:38 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckey@jeffersoncountywv.org](mailto:ckey@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan, there is not enough information for the public or the Planning Commission to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Approving a waiver prior to a concept plan being submitted has never been done before and it certainly shouldn't start now. A full concept plan is absolutely essential in order to have all the details needed to make an informed decision on a waiver.

THANK YOU for not approving the waivers at the last regular planning commission meeting!! We truly appreciate it!

Now the applicant is requesting the waivers for a second time, but they still have not submitted a concept plan, so nothing has changed, and you still don't have the information that is essential in making an informed decision on the waivers.

Please deny the waivers!

Sincerely,  
Rebecca Thompson

--  
Rebecca Thompson  
[beccatmail@gmail.com](mailto:beccatmail@gmail.com)

**From:** [Planning Department](#)  
**To:** "[David Cebulski](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 13, 2025 4:20:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Should the Planning Commission postpone the two waiver applications to the June 10th, 2025 meeting and open the floor for public comment, we will include your submission in the public comment portion of the packet, rather than correspondence.

Thank you and have a nice day.

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

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

From: David Cebulski <dmc730@comcast.net>  
Sent: Wednesday, May 7, 2025 9:25 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckkeys@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
David M Cebulski

--  
David Cebulski  
dmc730@comcast.net

**From:** [Planning Department](#)  
**To:** ["Tamar Kavaldjian-Liskey"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 13, 2025 4:19:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Should the Planning Commission postpone the two waiver applications to the June 10th, 2025 meeting and open the floor for public comment, we will include your submission in the public comment portion of the packet, rather than correspondence.

Thank you and have a nice day.

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

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

From: Tamar Kavaldjian-Liskey <tamarkliskey@gmail.com>  
Sent: Wednesday, May 7, 2025 6:50 PM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>; michaelshpepp@me.com; louthan@frontiernet.net; jware@greenhorizonsturf.com; donniefisher@yahoo.com; tim@rsdhorseauctions.com; howell.aaron.j@gmail.com; Cara Keys <ckeyes@jeffersoncountywv.org>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Dear Planning Commission Members,

I am providing public comments as a person that is committed to the sustainable growth of Jefferson County and someone who believes in the fair opportunity to provide input on proposals that will affect the quality of life in Jefferson County.

I am specifically writing to request that the Planning Commission delay voting on two waivers that were submitted by DR Acquisitions, LCC for vacant lots located on Somerset Blvd in Charles Town, that are on the Advance Agenda for the May 13 Jefferson County Planning Commission. If a vote is absolutely required, I request that the waivers be denied. Until a Concept Plan is submitted to the Planning Commission and included on a Jefferson County Planning Commission Meeting Agenda, there is not enough information to provide informed comments on the waiver requests. Without having the opportunity to review the Concept Plan, I cannot properly review or comment on the two waivers: 1) waiver from Article 21.101A, which requires the blocks shall not exceed six lots in length on one side of the street and 2) waiver from Article 21.104A, which requires the minimum frontage to be the minimum lot width for the Zoning District or 80 feet, whichever is less. I feel that including these items on the agenda, at this premature stage, does not allow me or members of the public sufficient information to provide meaningful input. This has a negative effect on our due process rights.

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the Concept Plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers.

Please allow for public comments on public hearings on waivers.

Sincerely,

Tamar Kavaldjian-Liskey

--

Tamar Kavaldjian-Liskey  
tamarkliskey@gmail.com

**From:** [Planning Department](#)  
**To:** "[Edward Reifer](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 13, 2025 4:20:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Should the Planning Commission postpone the two waiver applications to the June 10th, 2025 meeting and open the floor for public comment, we will include your submission in the public comment portion of the packet, rather than correspondence.

Thank you and have a nice day.

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

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

From: Edward Reifer <[e\\_reifer@yahoo.com](mailto:e_reifer@yahoo.com)>  
Sent: Wednesday, May 7, 2025 10:36 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeyes@jeffersoncountywv.org](mailto:ckeyes@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Dear Commissioners:

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Edward J.Reifer

--  
Edward Reifer  
[e\\_reifer@yahoo.com](mailto:e_reifer@yahoo.com)

**From:** [Planning Department](#)  
**To:** ["Trudy Roth"](#)  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 13, 2025 4:21:00 PM

---

Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Should the Planning Commission postpone the two waiver applications to the June 10th, 2025 meeting and open the floor for public comment, we will include your submission in the public comment portion of the packet, rather than correspondence.

Thank you and have a nice day.

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

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

From: Trudy Roth <[trudyroth@citlink.net](mailto:trudyroth@citlink.net)>  
Sent: Friday, May 9, 2025 11:30 AM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeyes@jeffersoncountywv.org](mailto:ckeyes@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers. We have to be more diligent in our vetting of new subdivisions and businesses!

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
Trudy Roth

--  
Trudy Roth  
[trudyroth@citlink.net](mailto:trudyroth@citlink.net)

**From:** [Planning Department](#)  
**To:** "[Anne Weshinsky](#)"  
**Subject:** RE: Actionable correspondence for May 13 agenda items 3 and 4  
**Date:** Tuesday, May 13, 2025 3:14:00 PM

---

Good afternoon,

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Should the Planning Commission postpone the two waiver applications to the June 10th, 2025 meeting and open the floor for public comment, we will include your submission in the public comment portion of the packet, rather than correspondence.

Thank you and have a nice day.

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

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

From: Anne Weshinsky <[thewondercabinet@gmail.com](mailto:thewondercabinet@gmail.com)>  
Sent: Tuesday, May 6, 2025 8:05 PM  
To: Planning Department <[PlanningDepartment@jeffersoncountywv.org](mailto:PlanningDepartment@jeffersoncountywv.org)>; [michaelshepp@me.com](mailto:michaelshepp@me.com);  
[louthan@frontiernet.net](mailto:louthan@frontiernet.net); [jware@greenhorizonsturf.com](mailto:jware@greenhorizonsturf.com); [donniefisher@yahoo.com](mailto:donniefisher@yahoo.com); [tim@rsdhorseauctions.com](mailto:tim@rsdhorseauctions.com);  
[howell.aaron.j@gmail.com](mailto:howell.aaron.j@gmail.com); Cara Keys <[ckeyes@jeffersoncountywv.org](mailto:ckeyes@jeffersoncountywv.org)>  
Subject: Actionable correspondence for May 13 agenda items 3 and 4

Dear Planning Commissioners,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,

--  
Anne Weshinsky  
[thewondercabinet@gmail.com](mailto:thewondercabinet@gmail.com)

**From:** [Planning Department](#)  
**To:** "Quinnellabella"  
**Subject:** RE: DR Acquisitions, LLC  
**Date:** Monday, May 5, 2025 3:08:00 PM

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Good afternoon,

This email is to confirm receipt of your submission. We will include your correspondence in the packet to the Planning Commission for the May 13, 2025 meeting. This packet will be made available on the County's webpage by close of business on Friday, May 9, 2025.

Thank you and have a nice day.

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

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**From:** Quinnellabella <quinnellabella@aol.com>  
**Sent:** Monday, May 5, 2025 10:58 AM  
**To:** Planning Department <PlanningDepartment@jeffersoncountywv.org>  
**Subject:** DR Acquisitions, LLC

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

The current process for approving development in Jefferson County is already clearly spelled out in the zoning ordinances and regulations and guided by the 2045 Comprehensive Plan. Please do not let developers try to sidestep or fast track the process by filing for vague waivers that they hope will give them an advantage. Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
John Smith  
Shepherdstown

**From:** [Planning Department](#)  
**To:** ["Angelina Gray"](#)  
**Subject:** RE: DR Acquisition Waivers  
**Date:** Tuesday, May 13, 2025 3:17:00 PM

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Good afternoon,

This email is to confirm receipt of your submission. Due to the lateness of your submission, your correspondence can not be included in the Agenda Packet for the Planning Commission for the May 13, 2025 meeting. Your correspondence will be included in the June 10, 2025 Agenda Packet, which will be posted by the end of the business day on June 6, 2025.

Should the Planning Commission postpone the two waiver applications to the June 10th, 2025 meeting and open the floor for public comment, we will include your submission in the public comment portion of the packet, rather than correspondence.

Thank you and have a nice day.

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

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

From: Angelina Gray <angelinasahm@yahoo.com>  
Sent: Wednesday, May 7, 2025 7:49 AM  
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>  
Subject: DR Acquisition Waivers

Planning Commission,

Please deny the two waivers sought by DR Acquisitions, LLC regarding vacant Lots located on Somerset Blvd. These waivers should be denied until the concept plan for this development has been submitted. Without the full concept plan there is not enough information for the public or the Planning Commission or the public to consider regarding the effect of the waivers. This effects the due process rights of the public by affecting their ability to prepare to provide comment at the public hearing for the waivers.

The current process for approving development in Jefferson County is already clearly spelled out in the zoning ordinances and regulations and guided by the 2045 Comprehensive Plan. Please do not let developers try to sidestep or fast track the process by filing for vague waivers that they hope will give them an advantage.

Thank you for considering adding public comment for these items at each meeting.

Sincerely,  
  
Angelina Gray  
  
Shepherdstown