

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 Kline, engineer from Alpha Associates, Inc, and Mr. Raymond Johnson, the property owner, were present in person. Mr. Kline 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. Kline 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. Kline 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.