

MINUTES
JEFFERSON COUNTY PLANNING COMMISSION
JANUARY 11, 2011

The Jefferson County Planning Commission met on Tuesday, January 11, 2011, with the following Commission members present: Thomas Trumble, President; Daniel Hayes, Vice President; Morgan Etters, Secretary; Gene Taylor, John Maxey, Kelly Baty, and Walt Pellish. Staff members present included Jennifer Brockman, Director of Planning and Zoning; Seth Rivard, Planner; Jonathon Saunders, County Engineer; Julie Quodala, Office Manager; and Stephen Groh, Assistant Prosecuting Attorney.

Gene Taylor, Eric Smith, and Arnold Dailey were absent with notification.

Mr. Maxey called the meeting to order at 7:16 PM.

Mr. Maxey introduced Mr. Walt Pellish, County Commissioner and newly appointed liaison to the Planning Commission. Mr. Pellish gave a history of his past career experience and discussed the role of the Planning Commission's involvement in economic development.

1. Election of Officers.

For President, Mr. Hayes nominated Mr. Trumble. Because there were no other nominations or objections to the nomination, Mr. Trumble assumed the position of President.

For Vice-President, Mr. Maxey nominated Mr. Hayes. Because there were no other nominations or objections to the nomination, Mr. Hayes assumed the position of Vice-President.

For Secretary, Mr. Maxey nominated Ms. Etters. Because there were no other nominations or objections to the nomination, Ms. Etters retained the position of Secretary.

2. Approval of the minutes for the December 14, 2010 meeting.

Mr. Hayes moved to approve the minutes for the December 14, 2010 meeting as written. Mr. Baty seconded the motion. Mr. Maxey asked Mr. Groh if, in his review of the minutes, the reasons for denial of the Far Away Farms variance were accurate. Mr. Groh distributed an order that he had written. Mr. Groh stated that he had added a sentence to his order regarding the applicant's failure to show progress with the project and waiting until 5 days before the expiration of the Community Impact Statement to submit a variance request as a reason for denial, although that reason may not have been reflected in the minutes. Mr. Maxey moved to table acceptance of these minutes to the next meeting to give the Attorney and Staff an opportunity to revise the minutes, if necessary, to more closely correspond to the events that evening and to the legal document that the attorney was preparing. Discussion ensued. Mr. Hayes seconded the motion to table acceptance of the minutes which carried 5 for and 1 abstention (Ms. Etters).

Approval of minutes for the December 21, 2010 meeting.

Mr. Trumble moved to approve the minutes as written. Mr. Hayes seconded the motion which carried 5 for and 1 abstention (Ms. Etters).

3. **Citizens Communication:** None.
4. **Request for postponement:** None.
5. **Request by Global Tower Assets, LLC for Approval of the Mitigation of the Visual Impact for the Summit Point Telecommunications Tower (PC file #S10-07).** This project consists of a 199 foot monopole tower. The property is located on the southern portion of the property owned by Summit Point Motor Sports Park with access to the site from Hardesty Road along an existing access road and is designated as Tax District: Kabletown; Map: 17; Parcel: 2 & 3.

Ms. Brockman gave a brief presentation on the visual impact of the telecommunications tower to be mitigated and recommended approval of visual mitigation with the condition that a 15' buffer be included around the perimeter between the fencing and the edge of the leased area, or just outside the leased area, for the purpose of preserving trees in this area or planting trees if the existing trees are cleared. Mr. Maxey asked that more information be provided on the agenda for the next mitigation to make clear that the public is invited to attend and give input.

Mr. Lynn Koerner, Contractor for Global Tower Assets, described the proposed tower, proposed location, and the visual effects on surrounding properties. Mr. Koerner had provided the Planning Staff with several maps, photos, and studies to be used for supporting information. These documents were provided to the Planning Commissioners in the agenda packets.

Mr. Trumble opened the public hearing. Mr. Paul Rosa, citizen of Charles Town, commented that Section 4B.3 of the Zoning Ordinance requires that a fall zone of 100% height of the tower plus 10 feet be provided and that he believed it should be reflected on the site plan. He also questioned whether the tower possibly needed to be 199'. Mr. Rosa stated that he was in favor of approval. Mr. Trumble closed the public hearing.

Mr. Maxey moved to approve the visual mitigation with the staff recommended motion (attached). Mr. Hayes seconded the motion. Mr. Baty offered a friendly amendment to add a provision to include a fall zone. Mr. Maxey did not accept the amendment stating that the project should not be delayed and that the project had met the visual mitigation requirements. Mr. Hayes also did not accept the friendly amendment. Mr. Trumble called to question. The motion carried unanimously.

6. **Discussion and vote on Planning Commission meeting schedule for 2011.**
This item was postponed to the January 25, 2011 meeting.
7. **Discussion and vote on Submittal of Applications and Supporting Information Draft Policy.**
This item was postponed to the January 25, 2011 meeting.
8. **Review of Revised Land Development Fees.**
This item was postponed to the January 25, 2011 meeting.

9. Reports from Legal Counsel and legal advice to PC.

- **Report on Old Standard, LLC.**
- **Report on who is responsible for setting the work plan.**
- **Report on digitization of files, making them searchable.**

This item was postponed to the January 25, 2011 meeting.

10. Director's Report.

This item was postponed to the January 25, 2011 meeting.

11. County Commission Liaison Report.

This item was postponed to the January 25, 2011 meeting.

12. Planning Commission Exchange.

- **Report from the Health Department Meeting Liaison.**
- **Report from the Public Service District Meeting Liaison.**
- **Report from the Jefferson County Development Authority Meeting Liaison.**
- **Report from the Water Advisory Committee Meeting Liaison.**

This item was postponed to the January 25, 2011 meeting.

13. President's Report.

This item was postponed to the January 25, 2011 meeting.

14. Actionable Correspondence. None.

15. Non-Actionable Correspondence. None.

Mr. Pellish moved to adjourn at 8:25 PM. Mr. Maxey seconded the motion, which carried unanimously. A detailed transcript of the meeting, which was recorded by Julie Quodala, Office Manager, may be found on our website. These minutes were prepared by Amy Puetz, Planning Clerk.