

Meeting Minutes  
Jefferson County Planning Commission  
July 8, 2025

The Jefferson County Planning Commission met on July 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; Tim Smith; J Ware; Donnie Fisher; Bruce Chrisman; and Daniel Hayes were present in person.

Staff members present included Luke Seigfried, Chief County Planner; Jonathan Saunders, County Engineer; Andy Beall, Zoning Administrator, Nathan Cochran, County Attorney; Colin Uhry, Planning & Zoning Clerk; and Charles Cain, Planning Intern.

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

**1. Approval of Meeting Minutes:** June 10, 2025 meeting

Mr. Howell noted one correction to the June 10, 2025 meeting minutes. Mr. Shepp moved the minutes were approved as amended, which carried unanimously.

**2. Request for postponement**

None.

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

**3. Public Hearing:** Request for a Final Plat Amendment to lift the single family restriction for a detached accessory dwelling unit for a farm caretaker. See Note #3 on the Garrot Minor Subdivision Final Plat (PB 9/PG 26). Property Owner: Steven Lashley. Property Location: Garrot Minor Subdivision, Lot 1, 273 Job Corp Road, Shenandoah Junction, WV. Parcel ID: 02000300110000; Size: 10.10 ac; Zoning District: Rural (File # 25-2-FPA).

Mr. Seigfried provided an overview of the staff report for File # 25-2-FPA.

Mr. Steven Lashley, applicant, was present in person. Mr. Lashley explained the history of the property.

Mr. Shepp opened the floor for public comment. The following members were signed up to provide public comment: Colin Stein.

Mr. Shepp closed the floor for public comment.

Mr. Hayes motioned to approve the subdivision waiver request for a Final Plat Amendment to lift the single family restriction for a detached accessory dwelling unit for a farm caretaker.

Mr. Fisher seconded the motion, which carried unanimously.

**4. Public Hearing:** Waiver from Section 20.203B.2 of the Subdivision Regulations that requires the proposed project to process as a Limited Site Plan. The project consists of the installation of a 14,861 sq/ft gravel parking lot. Property Owner: Trustee of the Mission Tabernacle Holiness Church. Property Location: Vacant parcel North of 25 Tabernacle Lane, Harpers Ferry, WV. Parcel ID: 02021A00140001; Size: 0.36 ac; Zoning District: Rural (File # 25-20-PCW).

Mr. Seigfried provided an overview of the staff report for File # 25-20-PCW.

Mr. Shepp confirms with Staff that the applicant was at the time of the meeting in violation of the Subdivision Ordinance.

Mr. Justin Mobley, applicant from The Trustees of Mission Tabernacle Church, was present in person. Mr. Mobley explained the previous variance granted and the nature of the new request.

Mr. Mobley stated runoff has improved since the new development was built.

Mr. Shepp asked if the applicant was aware of the Site Plan requirements.

Mr. Saunders asks if the church had a change in pastor since the site was developed.

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. Seigfried recommended denial of the waiver based on stormwater requirements. Mr. Saunders explained that the size of the parking lot was why a Limited Site Plan should be required.

Mr. Hayes explains stormwater management will always improve runoff conditions on the property.

Mr. Hayes motioned to deny the waiver, which died without a second.

Ms. Keys expresses concern about neighboring properties.

Mr. Saunders responded to Mr. Smith's question regarding the Limited Site Plan process requirements. Mr. Chrisman and Mr. Hayes asked Mr. Saunders about the potential for runoff to impact other neighboring properties.

Mr. Chrisman asks about the features of the property. The applicant describes the previous development and the features of the property.

Mr. Smith mentioned the Planning Commission could be liable if the waiver were approved.

Mr. Hayes motioned to deny the waiver request from Section 20.203B.2 of the Subdivision Regulations that requires the proposed project to process as a Limited Site Plan and recommended the applicant hire an engineer to review the quality of work that is currently on site, stating that having a professional familiar with County Grade Standards would be beneficial should the applicant resubmit.

Mr. Ware seconded the motion, which carried unanimously.

5. **Public Hearing:** Waiver from Section 24.112.C of the Subdivision Regulations to extend the timeframe to submit a sufficient Preliminary Plat for the Orchard Springs Subdivision to July 11, 2026. Property Owner: Alharmoosh Development Group, LLC. Consultant: Civil & Environmental Consultants, Inc. / Attn: Chris Waddell. Property Location: 257 & 263 Ride Road, Shenandoah Junction, WV. Parcel IDs: 02000100290000 and 02000100450000; Size ~76.22 combined acres; Zoning District: Residential Growth (File # 25-21-PCW).

Ms. Keys recused herself for the duration of the agenda item.

Mr. Seigfried provided an overview of the staff report for File # 25-21-PCW.

The applicant Mr. Lane Tobin, Project Consultant from Civil & Environmental Consultants, Inc, was present in person. Mr. Tobin 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. Seigfried recommended approval of the waiver with the condition any new Preliminary Plat submitted must be in compliance with any updates to the Zoning Ordinance and Subdivision and Land Development Ordinance that occur during that time.

Mr. Fisher moved to approve the waiver from Section 24.112.C of the Subdivision Regulations to extend the timeframe to submit a sufficient Preliminary Plat for the Orchard Springs Subdivision to July 11, 2026 with the following condition:

- Any new Preliminary Plat submitted must be in compliance with any updates to the Zoning Ordinance and Subdivision and Land Development Ordinance that occur during that time.

Mr. Smith seconded the motion, which carried unanimously.

- 6. Public Hearing:** Hallmark Glen Preliminary Plat for a Major Subdivision. The proposal consists of a Major Residential Subdivision with 20 lots and associated infrastructure. Property Owners: Harvest Homes, LLC. Property Location: 4001 Engle Molers Rd, Harpers Ferry, WV. Parcel ID: 09001800250000; Size: 100 acres; Zoning District: Rural (File #25-4-SD).

Ms. Keys rejoined the meeting.

Mr. Seigfried provided an overview of the staff report for File # 25-4-SD.

Mr. Paul Raco, consultant from P.J Raco Consulting, and Mr. Dave Lutman, developer and applicant, and Connor Hill, Project Manager from Integrity Federal Services, were present in person. Mr. Raco explained the applicant's request.

Mr. Shepp opened the floor for public comment. The following members were signed up to provide public comment: David Tabb.

Mr. Shepp closed the floor for public comment.

Mr. Seigfried recommended approval of the Preliminary Plat.

Mr. Hayes requested clarification on the Final Plat process. Mr. Saunders clarified the Preliminary Plat timeline and that the applicant's Final Plat will not come before the Planning Commission

Mr. Chrisman moved to approve the Preliminary Plat.

Mr. Hayes seconded the motion, which carried unanimously.

- 7. Public Hearing:** Waiver from Section 20.102B of the Subdivision Regulations to allow site grading to commence prior to site plan approval for the proposed Hallmark Glen Subdivision (File: 25-4-SD). Property Owners: Harvest Homes, LLC. Property Location: 4001 Engle Molers Rd, Harpers Ferry, WV. Parcel ID: 09001800250000; Size: 100 acres; Zoning District: Rural (File #25-22-PCW).

Mr. Seigfried provided an overview of the staff report for File # 25-22-PCW.

Mr. Paul Raco, consultant from P.J Raco Consulting, and Mr. Dave Lutman, developer and applicant, and Connor Hill, Project Manager from Integrity Federal Services, were present in person. Mr. Raco explained the nature of the request.

Mr. Shepp questioned the project timetables should the waiver be denied. Mr. Raco noted there would be a 90 day addition to processing should the waiver be denied.

Mr. Shepp opened the floor for public comment. The following members were signed up to provide public comment: David Tabb.

Mr. Shepp closed the floor for public comment.

Mr. Saunders explained the context of staff's recommendation for approval with conditions, specifically noting the Erosion and Sediment Control would need to be on its own plan submitted to the Planning & Zoning Office, Mr. Shepp emphasized the applicant would be at their own risk when early grading.

Mr. Smith motioned to approve to waive Section 20.102B of the Subdivision Regulations to allow site grading to commence prior to site plan approval as presented. Mr. Hayes seconded the motion, which carried unanimously.

There is no public comment for the following items.

**8. Discussion and Action on the Hoxton Center (General Commercial) Zoning Map Amendment**

**Request:** Planning Commission review and recommendation to the County Commission regarding whether the petition for a Zoning Map Amendment to rezone the 1.07 acre Hoxton Center, LLC Property from Rural(R) to General Commercial (GC) is consistent with the *2045 Comprehensive Plan*. Property Owners: Hoxton Center, LLC. Property Location: 8516, 8524, and 8530 Shepherdstown Pike, Shepherdstown WV. Parcel ID: 09008B01300000; Size: 100 acres; Zoning District: Rural (File #25-2-Z)

Ms. Keys recused herself for the remainder of the item

Mr. Seigfried provided an overview of the staff report for File # 25-2-Z.

Mr. Paul Raco, consultant from P.J Raco Consulting, and Mr. Rob Hoxton, property owner, were present in person. Mr. Raco explained the nature of the request.

Mr. Seigfried provided the recommendation from staff.

Mr. Shepp moved to find the rezoning proposal consistent with the 2045 Comprehensive Plan, Mr. Howell seconded the motion, which carried unanimously.

**9. Discussion and Possible Action:** Draft amendments to the Zoning and Land Development Ordinance and Subdivision and Land Development Regulations regarding the creation of the proposed Rural Residential zoning district.

Mr. Cain provided an overview of the draft text amendment.

Mr. Shepp questioned the need for establishing cluster developments in the Rural Residential zoning district, Mr. Cain noted the developments would follow the same processes as the Rural zoning district.

Mr. Cain explained the changes and additions made to the Subdivision Regulations and Zoning Ordinance, as well as the density updates within the cluster developments.

Mr. Ware questioned the purpose of establishing parkland in the Rural Residential cluster, Mr. Fisher noted that a residue parcel can be sold and subdivided, where a parkland can only be established as public green space for a community.

Ms. Keys questioned the green space requirements as they relate to public vs private utilities, as well as the need for triplexes and quadplexes, emphasizing a fear of too dense areas in the county. Mr. Seigfried noted the letter submitted by Ms. Keys prior to the meeting and emphasized the need for a buffer density zoning district between Rural and Residential Growth. Mr. Fisher also noted the sliding scale proposed rewarded density for those who rezoning to Rural Residential.

Mr. Beall clarified that parking standards can be set for the Rural Residential district.

Mr. Chrisman, Ms. Keys, Mr. Louthan, and Mr. Fisher all provided staff with recommendations for edits to the proposed text amendment.

**10. Discussion and Possible Action:** Staff review of proposed text amendment regarding Data Centers.

Mr. Seigfried provided an overview of the relevant state legislation and the nature of the amendments the Staff could propose.

Mr. Hayes asked the Planning Commission if passing an amendment regulating data centers was possible. Mr. Cochran recommended against passing an amendment and suggested to create a draft.

Ms. Keys expanded on the scope of the state legislation and noted the County does not have the authority to oversee the development of a data center that uses over 90 megawatts of power.

Mr. Hayes asked counsel if passing an amendment was possible without enforcement. Mr. Cochran rejected the idea based on the language of the law.

Mr. Shepp moved to direct staff to pursue drafting a memo that could potentially allow regulating data centers depending on the future of legislation currently processing at a statewide level.

**11. Discussion and Possible Action:** Staff review of proposed text 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.

Mr. Beall provided an overview of the draft text amendment and an overview of Mr. Hayes's previous draft amendment. Mr. Beall noted the previous draft text amendment restricted solar to industrial zones only.

Mr. Shepp explained the County Commission directed the Planning Commission to create a text amendment regulating solar farms. Mr. Shepp also explained that regulations for solar farms were requested by the farming community. Mr. Shepp supported more conditional use permits, site plan requirements, and larger buffers or screens.

Ms. Keys noted that other counties do not allow large-scale solar development in Rural areas, and require upzoning to industrial districts to allow these developments. Ms. Keys also mentions residents do not generally approve of Rural land used for solar, and mentions an alternative measure, a cap on types of development in the County.

Mr. Smith expressed concern at the idea to require upzoning of proposed areas for solar development.

Mr. Shepp suggested waiting for further direction from County Commission and suggests stricter development requirements for solar in general.

Mr. Beall asked the Planning Commission if the difference in scale of a solar farm would allow different scales to be permitted or conditional use in different zones. Mr. Beall also suggested allowing solar developments in the Rural District by Conditional Use Permit.

Mr. Saunders suggested amendments could be made to the Subdivision Regulations regarding allowed maximums for mass grading and the proportion of a parcel disturbed.

Mr. Shepp confirms enough direction had been given to staff regarding further changes to a solar text amendment.

**12. Discussion and Possible Action:** Review of draft Planning Commission Public Meetings Policy

Mr. Seigfried provided an overview of the existing Public Hearing Procedure for Applications policy.

Mr. Shepp asked staff to explain why the Public Meetings Policy had been brought back to the Planning Commission, Mr. Seigfried noted that for changes to policies, staff has always brought back edits to clarify if the intent of the motion was met.

Mr. Smith expressed concerns regarding a proposed edit staff recommended. Mr. Hayes clarified that the public comment period should not be to ask the applicant questions, as they can only be answered in the rebuttal period.

Mr. Uhry explained the process of how certain organizations are creating template emails to send to both staff and Planning Commissioners, as well as how staff retains all public comments for future purposes.

Mr. Uhry questioned concerns regarding the 90 minute comment period to each Agenda Item and what does or does not be included in the 90 minutes. Mr. Smith clarified that 90 minutes pertains only to the speaking moments, with the overall elapsed time pausing as members of the public walk to and from the microphones provided.

Mr. Smith moved to approve the Planning Commission Public Meetings Policy as dictated on the June 10, 2025 meeting. Mr. Shepp seconded the motion, which carried unanimously. Mr. Shepp signed the policy, which can be found on the Planning Commission's page on the Jefferson County, West Virginia website.

**13. Reports from Legal Counsel**

None.

**14. Planner's Memo**

Mr. Seigfried provided the Planning Commission an update regarding potential trainings for the Commission to partake in. Mr. Shepp requested staff provide the Planning Commission with training regarding Robert's Rules of Order and Ex Parte communications at the September 23, 2025 Planning Commission meeting.

**15. President's Report**

None.

**16. Actionable Correspondence**

None.

**17. Non-Actionable Correspondence**

None.

Mr. Smith motioned to adjourn the meeting at 10:07 pm. Mr. Chrisman seconded the motion, which carried unanimously.

Planning Commission Minutes

July 8, 2025

Page 7 of 7

These minutes were prepared by Colin Uhry, Planning & Zoning Clerk and Charles Cain, Planning Intern.