

MINUTES
JEFFERSON COUNTY PLANNING COMMISSION
MARCH 23, 2010

The Jefferson County Planning Commission met on Tuesday, March 23, 2010, with the following Commission members present: John Maxey, President; Frances Morgan, Steve Alemar, Gene Taylor, Ellen May, Arnold Dailey, Robert Reynolds, and Thomas Trumble. Staff members present included Jennifer Brockman, Director of Planning and Zoning; Seth Rivard, Planner; Jonathon Saunders, Engineer; Stephen Groh, Assistant Prosecuting Attorney; Julie Quodala, Office Manager; and Amy Puetz, Office Assistant.

Mr. Maxey called the meeting to order at 7:00 PM.

1. **Approval of minutes for March 9, 2010 meeting.** Mr. Taylor moved to approve the minutes of March 9, 2010. Mr. Alemar seconded the motion which carried 6 for and 2 abstentions (Mr. Dailey and Mr. Reynolds).
2. **Citizen Communications.** None.
3. **A call for postponements.** None.

Mr. Maxey asked that item #10 be heard before item #4.

10. Overview of HEPMPO Long Range Transportation Plan.

Ms. Lyn Widmyer, County Commission President, gave a presentation on the Hagerstown Eastern Panhandle Metropolitan Planning Organization's (HEPMPO) draft for a safe and efficient multimodal transportation network for the region. Ms. Widmyer notified the Planning Commission of a public meeting held Wednesday, March 31 in the Charles Town Library meeting room at 7 PM to discuss better planning for greenways and bicycle and pedestrian trails.

4. Final Plat Public Hearing for the Kensington Townhome Subdivision (PC file #06-41).

Mr. Rivard read from the staff report and recommended approval. Mr. Saunders read from his staff report and discussed the delay in getting an entrance permit number from the Department of Highways. Mr. Saunders recommended approval with the condition of having the permit number on the plat before recordation of the project.

Mr. Ryan Perks, Engineer for the Kensington Townhome Subdivision, was available for questions.

Mr. Maxey opened the public hearing. There was no public comment. Mr. Maxey closed the public hearing.

Mr. Reynolds moved to approve the Final Plat with the staff recommended motion (attached). Mr. Taylor seconded the motion which carried unanimously.

5. Final Plat Hearing for the Daniels Forest Subdivision (PC file #02-01).

Mr. Rivard read from his staff report and recommended approval. Mr. Saunders read from his staff report and recommended approval.

Mr. Peter Chakmakian, Attorney representing the applicant, was available for questions.

Discussion ensued on issue of phasing.

Mr. Maxey opened the public hearing. There was no public comment. Mr. Maxey closed the public hearing.

Mr. Reynolds moved to approve with staff recommended motion (attached). Mr. Dailey seconded the motion which carried unanimously.

6. Request by Shentel (Shenandoah Mobile Company) for Approval of the Mitigation of the Visual Impact for the Shannondale Telecommunications Tower (PC file #S09-03).

Ms. May recused herself on grounds that her residence is in the area being mitigated. Ms. May left the room at 7:30 PM.

Mr. Rivard read from the staff report and recommended approval with condition of providing a 15' buffer around the perimeter between the fencing and the edge of the leased area, or just outside the leased area, for the purpose of reserving existing trees or to plant trees if existing trees are cleared. Mr. Saunders read from his staff report and deferred to the Zoning Administrator.

Lynn Koerner, consultant for Shentel, was available for questions. Discussion ensued on maximum height of tower and how the height affects the addition of other carriers.

Mr. Maxey opened the public hearing. Ms. Sandra Stokes, area resident, spoke in support of the project. There were no further public comments. Mr. Maxey closed the public hearing.

Mr. Reynolds moved approval of mitigation with staff recommendation of a 15' buffer. Mr. Taylor seconded the motion which carried 7 for and 1 abstention (Ms. May).

7. Discussion and vote policy to have Site Plans come before the Planning Commission.

Ms. Brockman presented the Planning Commission with a draft redline revision to the departmental Site Plan policy allowing minor site plans to be approved at staff level.

Mr. Reynolds moved approval of the revised policy for the minor site plan process. Ms. May seconded the motion which carried 7 for and 1 opposed (Mr. Trumble).

- 8. Request for Planning Commission Letter of Support for funding for the Water Advisory Committee's Stream Water Monitoring Project.** Mr. Roger Ethier, Chairman of the Water Advisory Committee in Jefferson County, approached the Planning Commission and described the Stream Water Monitoring Project. Mr. Ethier requested the Planning Commission's endorsement for this project. Mr. Maxey moved resolution that the Jefferson County Planning Commission supports the Water Advisory Committee's request for funding for the Stream Water Monitoring Program and that the resolution be communicated to the County Commission. Ms. May seconded the motion. Discussion ensued. Mr. Maxey and Ms. May rescinded the motion. Mr. Reynolds moved to direct Mr. Maxey, President, to express support of the Stream Water Monitoring Project in the form most feasible. Mr. Trumble seconded the motion which carried unanimously.

Mr. Maxey called for a break at 8:13 PM to allow staff to change the CD. Mr. Maxey called the meeting back to session at 8:17 PM.

- 9. Blue Ridge Mountain Community Plan's Discussion and vote on Citizen's Committee Members.** Letters of intent and names of applicants to the Citizen's Committee were provided to the Planning Commission before the meeting. Mr. Maxey passed out Voter's Registration information including proportional representation of the Citizen's Committee based on Voter Registration. Mr. Maxey moved to have the Planning Commission adopt the proportional representation for appointment of members to the Citizen's Advisory Committee. Ms. May seconded the motion. Discussion ensued on whether a mission statement had been created for the committee and the possibility of accepting all applications. Ms. Morgan moved to postpone further consideration of the rules relating to the composition of the committee and the size of the committee until a mission statement is drafted based upon the terms of the grant. Mr. Reynolds seconded the motion. Discussion ensued on time frames and deadlines in regards to the grant. Ms. Morgan and Mr. Reynolds rescinded the motion to postpone consideration. Mr. Maxey rescinded original motion to adopt the proportional representation for appointment of committee members. Discussion continued. Ms. Brockman also presented concerns of the lack of response to the Request for Proposals (RFP), revising it for clarity, and extending the deadline until March 29, 2010. Mr. Maxey moved to accept all 23 applicants for the Citizen's Committee. Mr. Alemar seconded the motion which carried unanimously. Mr. Maxey appointed a sub-committee consisting of himself, Ms. Morgan, and Mr. Trumble to meet Tuesday March 30, 2010 to review any RFP applications received. Ms. Morgan directed staff to provide a draft mission statement at that meeting.

Mr. Maxey requested to hear item # 12 before item # 11. There was unanimous consent.

- 12. Reports from Legal Counsel and Legal Advice to Planning Commission.** Mr. Ralph Lorenzetti, Prosecuting Attorney, requested Executive Session to discuss legal representation. Mr. Reynolds moved to go into Executive Session. Mr. Taylor seconded the motion which carried unanimously.

Executive Session began at 8:51 PM. Mr. Reynolds moved to come out of Executive Session at 9:50 PM. Ms. Morgan seconded the motion which carried unanimously.

Mr. Groh presented the Planning Commission with an amendment to the bylaws to allow County Commissioners serving on the Planning Commission to recuse themselves from voting on any item that may also come before the County Commission. Mr. Groh agreed to provide the bylaws with the included amendment to the Planning Commissioners. There was unanimous consent to discuss and adopt this item at the next Planning Commission meeting.

11. Director's Report.

- **Activity Report.** A schedule of staff events for the two weeks prior to the meeting were provided in the agenda packets.
- **County Commission Actions.**
 - Ms. Brockman provided the Planning Commission with a revised budget approved by the County Commission.
 - Ms. Brockman informed the Planning Commission of the approval of a new copier.
 - Ms. Brockman relayed that appointment of Planning Commission vacancies, the fee schedule, and the Annual Report would all be discussed at the next County Commission meeting held March 25, 2010.
- **Status of Subdivision Regulation Amendments and Outreach Efforts.**

Ms. Brockman handed out a schedule detailing the dates and times for public outreach meetings regarding the Subdivision Regulation Amendments. She requested that a Planning Commissioner be present for each.

13. County Commission Liaison Report. Ms. Morgan stated the County Commission is continuing to work on budget matters.

14. Planning Commission Exchange.

15. President's Report. Mr. Maxey requested that Mr. Groh review Senate Bill 595 and provide the Planning Commission with a briefing on that bill.

16. Actionable Correspondence. None.

17. Non-Actionable Correspondence. None.

Mr. Alemar moved to adjourn at 10:12 PM. Mr. Taylor seconded the motion, which carried unanimously. A detailed transcript of the meeting may be found on CD #____. These minutes were prepared by Amy Puetz, Office Assistant.