



Agenda

Jefferson County Planning Commission

Tuesday, December 9, 2025 at 7:00 PM

**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 main level of the Jefferson County Government Complex (entrance on East side of the building)
393 North Lawrence Street, Charles Town, WV 25414

ZOOM Broadcast Information*: Meeting ID: 846 6270 2265
Meeting Link: <https://us02web.zoom.us/j/84662702265>

**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:** November 4, 2025 meeting, November 5, 2025 meeting, and November 13, 2025 meeting
2. **Request for postponement**
 - a. **Item Postponed to January 13, 2026:** Discussion and Possible Action Regarding Zoning Determination Notice

The following items are open for public comment

3. **Item Rescheduled from November 4, 2025: Public Hearing:** Waiver from Section 20.201 of the Subdivision Regulations, requesting to process a 6-Lot Subdivision as a minor subdivision instead of as a Major Cluster Subdivision development. Property Owner: Vincent & Alicia Secatello. Property Location: 132 Autumn Ridge Lane, Kearneysville, WV. Parcel ID: 07000500020002; Size: 37.43 acres; Zoning District: Rural (File #25-28-PCW).
4. **Public Workshop:** Concept Plan for the Willow Camp Site Plan. The proposal consists of a Minor Site Plan for a 25 unit campsite, associated amenities, and associated infrastructure. Property Owner: Andrian Peceriga and Elena Dubrovskaya. Property Location: Vacant 11.65 acre lot located along the eastern side of the Shenandoah River, south of the intersection of Charles Town Road and Wilt Road, Charles Town, WV Parcel ID: 02001900430000; Size: 11.65 ac. Zoning District: Rural (File #25-7-SP).
5. **Public Hearing:** Waiver from Section 21.402D of the Subdivision Regulations to allow for fencing to be placed within the proposed Stormwater Management Easement (Basin C) located on proposed Lot 99 of the Media Farm Subdivision. Property Owner: Harvest Homes, LLC. Property Location: 261, 278, and 391 Media Farm Lane, Ranson, WV 25438; Parcel IDs: 02000400110000, 02000400130000, and 02000400110001; Combined Size: ~126 acres; Zoning District: Residential Growth (File #25-29-PCW).
6. **Public Hearing:** Waiver from Section 20.201.C.2 of the Subdivision Regulations to allow a proposed non-residential subdivision to access off of an existing 100' right-of-way not built to county grade road standards. The proposed lot will establish a utility water tower operated by West Virginia American Water. Property Location: Vacant parcel located at the northern end of Northport Avenue, Kearneysville, WV 25430; Parcel IDs: 07000300350000C; Size: ~ 44.06 acres; Zoning District: Light Industrial (File #25-30-PCW).

There is no public comment for the following items.

7. Reports from Legal Counsel

8. Planner's Memo

- a. Planning Commission Email Expectations – Memo (*to be distributed at meeting*)
- b. WV 9 Path Public Workshop December 16, 2025

9. President's Report

10. Actionable Correspondence

11. Nonactionable Correspondence

- a. David Tabb
 - b. Rebecca Thompson
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Draft Meeting Minutes
Jefferson County Planning Commission
November 4, 2025

The Jefferson County Planning Commission met on November 4, 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; Donnie Fisher; J Ware; Bruce Chrisman; and Daniel Hayes were present in person.

Staff members present included Luke Seigfried, Chief County Planner; Jonathan Saunders, County Engineer; Nathan Cochran, County Attorney; Colin Uhry, County Planner; and Patti Richardson, Planning Clerk.

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

1. Approval of Meeting Minutes: September 23, 2025 and October 14, 2025 meetings

Mr. Howell noted one correction to the September 23, 2025 meeting minutes. Mr. Shepp moved the minutes were approved as amended, which carried unanimously.

2. Request for postponement

Mr. Seigfried noted receipt of a request to postpone Agenda Item #5: File #25-28-PCW to the December 9, 2025 meeting.

3. Planning Commission Email Training:

Mr. Seigfried requested to hold Item #3 awaiting Mr. Areizaga's arrival.

4. Public Hearing: Variance from Article 6; Section 6.3 of the 1979 Subdivision Ordinance, which requires a Final Plat Public Hearing every two years for the Aspen Greens Subdivision. The applicant is asking for an extension to January 11, 2028. Property Owner: Roderick Planes, LLC / Attn: Maurice Gladhill. Property Location: Northeasterly Old Country Club Road & Flowing Springs Road Intersection, Charles Town, WV. Parcel ID: 02000400190000; Size: 55 acres; Zoning District: Rural (File #25-2-PCV).

Mr. Shepp introduced Agenda Item #4

Mr. Shepp recused himself for the remainder of the Agenda Item.

Mr. Uhry provided an overview of the staff report for File # 25-2-PCV.

Mr. Fred Gates from Gates Associated in Shepherdstown was present in person to state the nature of the request. Mr. Gates noted that the developer Maurice Gladhill was also present in person.

Mr. Howell opened the floor for public comment. The following members were signed up to provide public testimony: Colin Stine. Mr. Howell closed the floor for public comment.

Mr. Uhry stated that due to the applicant not requesting any lot changes, staff's recommendation is approval of the extension to January 11, 2028. Mr. Hayes requested clarification that the applicant is asking to extend their preliminary plat for two additional years. Mr. Uhry clarified that this item is for the final plat. Mr. Hayes clarified that the final plat will expire in January and they are requesting an extension of two years.

Ms. Keys moved to approve the extension to January 11, 2028. Mr. Fisher seconded the motion, which carried unanimously.

Ms. Keys inquired if the Director of IT was now present for the Planning Commission to go back to Item # 3. Mr. Seigfried stated that the Director of IT was now present.

Mr. Shepp rejoined the meeting.

3. Planning Commission Email Training:

Mr. Areizaga provided the Planning Commission with new E-mail information. The E-mail information packets for Mr. Chrisman, Ms. Keys, and Mr. Louthan were missing. Mr. Areizaga noted that the passwords are only good for 15 days and requested the Planning Commissioners please sign in before the temporary passwords expire. Mr. Areizaga asked Staff to distribute the remaining E-mail information packets outside of the meeting.

5. Public Hearing: Waiver from Section 20.201 of the Subdivision Regulations, requesting to process a 6-Lot Subdivision as a minor subdivision instead of as a Major Cluster Subdivision development. Property Owner: Vincent & Alicia Secatello. Property Location: 132 Autumn Ridge Lane, Kearneysville, WV. Parcel ID: 07000500020002; Size: 37.43 acres; Zoning District: Rural (File #25-28-PCW).

Mr. Shepp noted that Item #5 has been postponed.

6. Public Hearing: STA25-03 is a proposed text amendment to Section 20.201, Section 20.203C, Section 21.105C, Section 22.208A, Section 22.208B, and Appendix B, Division 5.1 of the Subdivision Regulations. ZTA25-03 is a proposed text amendment to the Table of Contents, Article 2, Section 4.10B, Section 5.1, Section 5.5, Section 5.7, Section 6.3, Section 8.14, Section 9.5, Section 10.5, Section 11.2, Appendix A, Appendix B, and Appendix C of the Zoning Ordinance. The purpose of these amendments are to establish and create the necessary criteria regarding the proposed Rural Residential Zoning District. (File #STA25-03 & File #ZTA25-03).

Mr. Shepp introduced Agenda Item #6.

Mr. Seigfried provided an overview of the draft text amendment. Mr. Seigfried noted that the Planning Commission, at the September meeting, had directed staff to schedule a public hearing to read over this text amendment and to make a recommendation to the County Commission. Mr. Seigfried stated that Planning Commission must find the Zoning Text Amendment to be consistent with the Comprehensive Plan prior to recommending approval to County Commission.

Ms. Keys referenced page 76 of the packet and inquired if the Subdivision Regulations would prevent further subdivision or allow further development of greenspace.

Mr. Seigfried stated that preserved greenspace is meant to stay as greenspace into the future.

Mr. Shepp opened the floor for public comment. The following members were signed up to provide public testimony: David Tabb, Jacquelyn Milliron, Colin Stine.

Mr. Shepp closed the floor for public comment.

Ms. Keys offered some context regarding this amendment stating it is a good way to steward these rural areas from becoming high density in her opinion. Ms. Keys noted that the County currently does not have a Zoning District between high density residential and rural and the proposed Zoning District would provide a middle ground.

Mr. Seigfried provided the Planning Commission with direction that could be taken regarding the proposed text amendments, to recommend the changes to the County Commission or instruct Staff to make edits.

Mr. Howell moved to send this amendment to the County Commission for adoption and to find that it is consistent with the Comprehensive Plan. Mr. Hayes seconded the motion which carried unanimously.

- 7. Public Hearing:** STA25-04 is a proposed text amendment to Section 21.105 and Section 22.208B of the Subdivision Regulations. ZTA25-03 is a proposed text amendment to the Table of Contents, Section 4.6, Section 5.1, Section 5.9, Section 9.5, Appendix A, Appendix B, and Appendix C of the Zoning Ordinance. The purpose of these amendments are to establish and create the necessary criteria regarding the proposed Residential Commercial Zoning District. (File #STA25-04 & File #ZTA25-04).

Mr. Shepp introduced Agenda Item #7

Mr. Seigfried provided an overview of the draft text amendment and noted the process is the same as the prior item.

Mr. Fisher inquired if this amendment was replacing the Residential-Light Industrial-Commercial Zoning District (RLIC). Mr. Seigfried stated RLIC is currently in existence and will continue to be in existence unless a much larger change is made. The intent of proposing and adopting this text amendment is to move away from using the RLIC district in the future by offering an alternative. Mr. Seigfried clarified that the proposed text amendment does not remove the existing Zoning from any area and does not remove RLIC from the zoning ordinance. Mr. Hayes inquired if all the grammar and spelling issues were handled under Item #6. Mr. Seigfried stated it is his understanding that we have handled all the grammar and spelling issues. Mr. Hayes asked for clarification if this item has any grammar and spelling issues. Mr. Seigfried stated that in his recollection it does not.

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

In response to public comment, Ms. Keys made a clarification about data centers in County zoning districts. Ms. Keys clarified that the past legislative session passed HB2014 which gave Charleston and the Legislature complete authority to put data centers in any zone in the County and all 55 counties without any local controls. Mr. Louthan suggested residents could go down to the Capital and voice their opinions on data centers.

Mr. Fisher moved to send this amendment to the County Commission for adoption and to find it consistent with the 2045 Comprehensive Plan. Mr. Louthan seconded the motion, which carried unanimously.

- 8. Public Hearing:** ZTA25-05 is a proposed text amendment to Section 5.17 and Appendix C of the Zoning Ordinance. The purpose of this amendment is to update the Office Commercial portion of the Zoning Ordinance and its connectivity to the Subdivision Regulations. (File #ZTA25-05).

Mr. Shepp introduced Agenda Item #8

Mr. Seigfried provided an overview of the draft text amendment and noted there have not been any edits by staff since the September 23rd meeting. The process is essentially the same for the motions that need to be made as well as the Public Hearing components.

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

Mr. Howell moved to send this amendment to the County Commission for adoption and to find it consistent with the 2045 Comprehensive Plan. Mr. Hayes seconded the motion, which carried unanimously.

9. Discussion and Approval: FY 2027 Planning and Zoning Budget Memo for submission to the County Commission.

Mr. Shepp introduced Agenda Item #9

Mr. Seigfried presented the FY 2027 Planning and Zoning Budget Memo noting there are three main things staff is asking for as priorities

1. The digitization of records
2. Updates to land development regulations
3. Continuation of the Summer Intern program

There are some small adjustments for training and some limited travel. Mr. Seigfried stated the next step would be to direct staff to forward this to the Director of Engineering, Planning, and Zoning as well as the Financial Director for their presentation.

Mr. Louthan moved to approve the budget as submitted. Mr. Smith seconded the motion, which carried unanimously.

10. Discussion and Approval: Planning and Zoning 1st Quarterly Report for FY 2025-2026 for the County Commission. *(To be distributed at the meeting)*

Mr. Shepp introduced Agenda Item #10

Mr. Uhry provided the Planning Commission with a summary of the 1st Quarterly Report for FY 2025-2026. A further breakdown of projects that came in, was distributed to each Planning Commissioner.

Mr. Hayes moved to approve. Mr. Louthan seconded the motion, which carried unanimously.

11. Reports from Legal Counsel:

Mr. Shepp introduced Agenda Item #11

Mr. Cochran stated in light of the special meeting that is set for November 5, 2025 he had nothing to report.

12. Planner's Memo

Mr. Shepp introduced Agenda Item #12

Mr. Seigfried provided the Planning Commission with the following upcoming meeting dates:

1. November 5, 2025 Special Meeting at 6:00 PM
2. November 13, 2025 Special Meeting at 7:00 PM
3. December 09, 2025 Regular Meeting at 7:00 PM

13. President's Report

None

14. Actionable Correspondence

None

15. Non-Actionable Correspondence

None

Mr. Hayes motioned to adjourn the meeting at 8:12 pm. Mr. Louthan seconded the motion, which carried unanimously.

These minutes were prepared by Patti Richardson, Planning Clerk.

Draft Meeting Minutes
Jefferson County Planning Commission
November 5, 2025

The Jefferson County Planning Commission met on November 5, 2025, at 6:00 pm with the following Planning Commission members present: Mike Shepp, President; Wade Louthan, Secretary; Cara Keys, County Commission Liaison; Tim Smith; Donnie Fisher; J Ware; and Daniel Hayes were present in person. Aaron Howell, Vice President; and Bruce Chrisman were both absent with notice.

Staff members present included Colin Uhry, County Planner; and Nathan Cochran, County Attorney.

Mr. Shepp called the meeting to order at 6:00 pm and confirmed a quorum was present.

1. Consider issues from the mediation of Jefferson County Circuit Court Case # CC-19-2025-C-93 (RE: Sidewinder Enterprises, LLC v. Jefferson County Planning Commission).

- a. Consider potential proffers that may be made by the developer as possible settlement offer for Jefferson County lawsuit. Consider acceptance of proffers and providing direction consistent with proffers if accepted.

Mr. Shepp introduced Agenda Item #1.

Mr. Shepp moved to bring the meeting into executive session at 6:01 p.m., Ms. Keys seconded the motion, which carried unanimously.

Mr. Hayes moved to bring the meeting out of executive session at 6:36 p.m., Mr. Louthan seconded the motion, which carried unanimously.

Ms. Susan Snowden, Attorney from Jackson Kelly, PLLC, was present in person to state the following proffers to the Planning Commission:

1. “The applicant makes the following proffers with respect to restrictions upon the withdrawal of groundwater:
 - A. The maximum withdrawal of groundwater will be limited to 1,000 gallons per minute and 1,440,000 gallons per day, consistent with the approved West Virginia Office of Environmental Health Services permit numbered 21258. Only a single well shall operate for groundwater withdrawal at a time, with the primary well for groundwater withdrawal being Well B, located on Tax Map 22, Parcel 34. Well C, located on Tax Map 22, Parcel 33.9, will act as the backup well for groundwater withdrawal if Well B is inoperable at any time. Well A, located on Tax Map 22, Parcel 33.0 will serve as only a monitoring well and will not be used for groundwater withdrawal.
 - C. Withdrawal of groundwater will be subject to the following limitations:
 1. In Zone A, the zone of strata beginning at the level of groundwater, measured at the Well A monitoring well on December 31st of the year prior to the commencement of groundwater withdrawal operations known at baseline level and extending downward to and including the stratum 10 feet below the baseline level, measured at the Well A monitoring well 10-foot level. In Zone B, the zone of strata beginning immediately below the 10-foot level extending downward to and including the stratum 15 feet below the baseline level, measured at the well lay monitoring well known as the 15-foot level. In Zone C, the zone of strata beginning immediately below the 15-foot level and extending downward.
 2. When the level of groundwater is above or within Zone A, Sidewinder may withdraw groundwater without limitation.
 3. When the level of groundwater is within Zone B, the applicant shall reduce its withdrawal of groundwater until either A) the groundwater level stabilizes in Zone B, in which case, the

withdrawal of groundwater at the reduced rate resulting in stabilization shall be continued or B) the groundwater level rises in Zone A, in which case the previous limitations apply.

4. When the level of groundwater is within Zone C, the applicant shall cease withdrawal of groundwater except for a maximum of 50,000 gallons per day to be provided exclusively to the PSC-regulated utility operating the raw water pipeline and water treatment plant for the use of its customers, until the groundwater level is within Zone B. At this time the previous limitations apply. The proffers contained a drawing summarizing the foregoing pumping limitations and was previously presented to the Planning Commission, and the drawing may be found at page 4649 of the certified record filed by the Planning Commission in the circuit court proceeding.
 - D. The foregoing restrictions shall be subject to order or requirement to the contrary of governmental agency or authority in the event of emergency, disaster, or other circumstances.
 - E. The applicant will conduct real-time monitoring of the water levels in the Well A monitoring well, and make the data available to the public via internet site. The applicant will also conduct real-time monitoring of flows in Turkey Run and make those data available in the same way.
 - F. The applicant understands Jefferson County intends to have the USGS conduct a water resources study and will contribute 50% of the cost of that study, up to a total contribution from the applicant of \$350,000. 50% of that contribution will be due within 60 days of the approved building permit for the construction of the beverage packing facility project, provided there is no administrative or judicial restriction on the use of the building permit. The remaining 50% will be due 30 days after commercial operations commence.
 - G. The applicant agrees not to file a claim against any farmer arising from or related to any water flow reduction or fluctuation in the water table causes by reasonable and ordinary agricultural activities adjacent to the water withdrawal location.
2. The applicant makes the following proffers with respect to the groundwater contamination plume underlying Parcel 9 on Tax Map 22:
 - A. During the construction of the beverage packing facility, the applicant will:
 1. In consultation and in coordination with WVDEP, develop an agreed plan for monitoring the groundwater underlying the parcel for the following contaminants: Trichlorethane, CS1, 2 Dichlorethine, and 1, 2, and 4 Trimethylbenzene, the contaminants, and the possible migration of the contaminants.
 2. Have been installed at the applicant's cost such as monitoring wells or other monitoring methods as specified in the Groundwater Monitoring Plan, collectively known as the Monitoring Wells.
 - B. Following commencement of operations of the applicant's beverage packaging facility, the applicant shall monitor by means of monitoring wells the groundwater underlying the parcel for the contaminants, specifically with respect to indicia of migration of the plume as a result of groundwater withdrawal from Well B. The West Virginia DEP and Jefferson County personnel or the staff of the Department of Engineering, Planning, and Zoning may participate in monitoring as each may elect, and will have access at reasonable times to the monitoring wells and data from monitoring performed by the applicant.
 - C. The applicant shall also identify and offer to sample up to 20 residential wells located within 0.25 miles of the beverage packing facility boundary for the same contaminants identified above as follows:

1. It shall conduct a round of baseline sampling before commencing construction of the beverage packaging facility.
 2. It shall continue sampling the wells quarterly for two years after commencement of construction and thereafter sample in accordance with the schedule agreed upon with the West Virginia DEP.
- D. In the event that such monitoring indicates within a reasonable degree of certainty as determined by the West Virginia DEP, that the plume is migrating due to the withdrawal of groundwater from Well B, the applicant will, in coordination with the West Virginia DEP and at the applicant's expense, undertake further on-site remediation of the contaminants or other actions as determined.
3. The applicant makes the following proffers with respect to groundwater wells of community residents:
 - A. To expand the groundwater level monitoring beyond monitoring Well A identified above, the applicant will conduct water level monitoring at a representative set of residential or agricultural groundwater wells and other water features as identified by a certified professional geologist, CPG, or a professional geologist, PC, licensed through a state program recognized by the Association of State Boards of Geology, ASBOG., selected by the applicant within a 3-mile radius of its withdrawal well on a tier basis using the following criteria:
 1. Tier 1 – Zero to one mile from the withdrawal well, select representative wells in all directions, especially along the strike and near known faults.
 2. Tier 2 – One to two miles, focusing on wells along and aligned with the strike and known faults or conduits.
 3. Tier 3 – Two to three miles, including wells in sensitive area (*e.g.: near springs, surface water bodies, or know contamination sites*). It is anticipated that the monitoring plan will consist of 20 to 40 wells, and 5 to 10 other water features (*ponds, springs, or streams*).
 - B. Upon written request of the owner of any parcel within a three mile radius of the withdrawal well, the applicant will pay the usual and ordinary costs of installation of a comparable replacement well, serving the parcel, and drilled to a depth adequate to provide groundwater if both:
 1. The yield of existing well upon the parcel has been reduced due to the withdrawal of groundwater from Well B
 2. The reduced yield is not reasonably sufficient for the existing residential or other use of the well
 - C. The applicant will create a fund of initially of \$1,000,000 to be used to discharge any obligation that occurs under 3B placing a well before it starts to withdraw water for commercial purposes. Starting 3 years after the start of commercial operations, the applicant may withdraw funds so long as it leaves an amount equivalent to 3 times the amount spent from the fund in the previous 3 years. That process may be repeated every 3 years.
 4. The applicant makes the following proffers with respect to improvements of state roads:

Prior to commencement of operations at the beverage packing facility, the applicant will coordinate with the West Virginia Department of Highways (WVDOH) to ensure the completion of improvements at the intersection of Leetown Road and West Virginia Route 51 as directed by the WVDOH. Said improvements are anticipated to include a traffic circle or roundabout, but the WVDOH will determine and be responsible for the specific improvements to be undertaken.
 5. The applicant makes the following proffers with respect to mitigation of traffic and related noise:
 - A. Following commencement of operations at the beverage packing facility, the applicant shall limit trips to or from beverage packing facility by trucks, as defined in West Virginia Code Section 11-14-A-2, which are proceeding to or from the facility for the purpose of loading or carrying package

beverages from the facility by means of Grace Street and Queen Street to maximum of 145 round trips per day, which represents a reduction from 160 planned round trips, provided that this restriction shall be subject to order or requirement to the contrary of governmental agency or authority in the event of emergency, disaster, or other circumstances. This provision shall not apply during construction of the beverage packing facility. The applicant will, Monday through Friday, restrict the number of trucks dispatched from its facility for the purposes of carrying packaged beverages, to 5 miles per hour, between the hours of 7:00 a.m. to 8:45 a.m. and 3:00 p.m. to 5:25 p.m. to minimize truck traffic during the hours of potential school bus operations. This restriction shall apply only so long as the trucking route is through Middleway by the means of Grace Street and Queen Street.

- C. Prior to the applicant's commencement of operations at the beverage packing facility, the applicant shall, in coordination and in cooperation with the WVDOH and Jefferson County, at their expense, have completed appropriate traffic controls, including:
1. To the extent directed and approved by the WVDOH to reduce speed limits on Grace Street, Queen Street, and Leetown Road within village limits as reflected by appropriate signage.
 2. To the extent directed and approved by the WVDOH, prohibition of use of compression braking within village limits as reflected by appropriate signage
 3. Such other traffic controls as proposed by the applicant and approved by the WVDOH.

The applicant makes the following proffer with respect to construction of the raw water pipeline:

The applicant will contractually require its contractors to, prior to commencement of excavation for and construction of the World Water Pipeline, and when consented to by the owner, conduct pre-construction surveys of structures that are both:

1. Within 100 feet of the proposed raw water pipeline
2. Contributing structures, i.e., those structures identified in the approved nomination form to the National Register of Historic Places for the Middleway Historic District, within the Middleway Historic District's collectively relevant structures. The applicant will contractually obligate its contractors to utilize means and methods that mitigate potential damage from vibration to relevant structures as determined by the subject contractor."

Should the proffers be accepted by the Planning Commission, the applicant would be authorized to submit the Site Plan for File #24-6-SP and the Planning Commission's motion to deny would be rescinded, finding the application to be in compliance with the Zoning and Land Development Ordinance.

The Planning Commission questioned Ms. Snowden for further clarification regarding the differences and uses of Wells A, B, and C, and the impact they will have once in operation. The Planning Commission also questioned the company operations after the appropriate proffers have completed their time-sensitive requirements. Ms. Snowden further elaborated on the requests from the Planning Commission.

Mr. Shepp noted that should the Planning Commission deny the proposed proffers and the case be escalated to the West Virginia Supreme Court, all proffers would be off the table and this is the only time the Planning Commission would be able to have control regarding development.

Ms. Keys moved to deny the proffers and the mediation and uphold the Planning Commission's decision made on March 12, 2025. Mr. Fisher seconded the motion, which carried five in favor (Hayes, Louthan, Keys, Ware, Fisher) and two opposed (Shepp, Smith).

Planning Commission Minutes

November 5, 2025

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Mr. Hayes motioned to adjourn the meeting at 7:24 pm. Mr. Louthan seconded the motion, which carried unanimously.

These minutes were prepared by Colin Uhry, County Planner.

Draft Meeting Minutes
Jefferson County Planning Commission
November 13, 2025

The Jefferson County Planning Commission met on November 13, 2025, at 7:00 pm with the following Planning Commission members present: Mike Shepp, President; Wade Louthan, Secretary; Cara Keys, County Commission Liaison; Donnie Fisher; J Ware; Bruce Chrisman; and Daniel Hayes were present in person. Aaron Howell, Vice President; and Tim Smith were both absent with notice.

Staff members present included Luke Seigfried, Chief County Planner; and Colin Uhry, County Planner. Nathan Cochran, County Attorney was present via ZOOM.

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

1. Request for postponement.

No items were postponed from this meeting.

- 2. Hearing for the Media Farm Preliminary Plat.** The proposal consists of a Major Residential Subdivision with 99 lots and associated infrastructure. Property Owner: Harvest Homes, LLC. Property Location: 261 Media Farm Lane, 278 Media Farm Lane, 391 Media Farm Lane, Ranson, WV. Parcel IDs: 02000400110000, 02000400130000, 02000400110001; Size: ~126 acres; Zoning District: Residential Growth (File #25-5-SD).

Mr. Shepp introduced Agenda Item #6.

Mr. Seigfried provided an overview of the staff report for File #25-5-SD, explaining that due to a missed legal deadline the Preliminary Plat hearing is scheduled for a special meeting.

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

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

Mr. Shepp expressed concern with public notification regarding Zoning Administrator determinations to provide members of the public to provide the Planning Commission public comments. This discussion was continued at the end of the meeting.

Mr. Hayes moved to approve the Preliminary Plat and send the proposed subdivision to the Final Plat stage of the Major Subdivision Process with the following condition of approval:

- Addition of the following note to both the Preliminary Plat and Final Plat for the Media Farm Subdivision: “NO PERMANENT STRUCTURES, ENCROACHMENTS, LANDSCAPING, OR FENCES SHALL BE PERMITTED WITHIN EXISTING OR PROPOSED EASEMENTS WITHOUT AN APPROVED WAIVER FROM THE JEFFERSON COUNTY PLANNING COMMISSION.”

Mr. Fisher seconded the motion, which carried unanimously.

3. Reports from Legal Counsel

None.

4. Planner’s Memo

None.

5. President's Report

None.

6. Actionable Correspondence

None.

7. Non-Actionable Correspondence

None.

Mr. Seigfried requested further clarification on the Planning Commission's concern regarding the Zoning Administrator's determination for projects. Mr. Shepp directed staff to discuss ways to better notify the public on determinations made by staff at a future Planning Commission meeting.

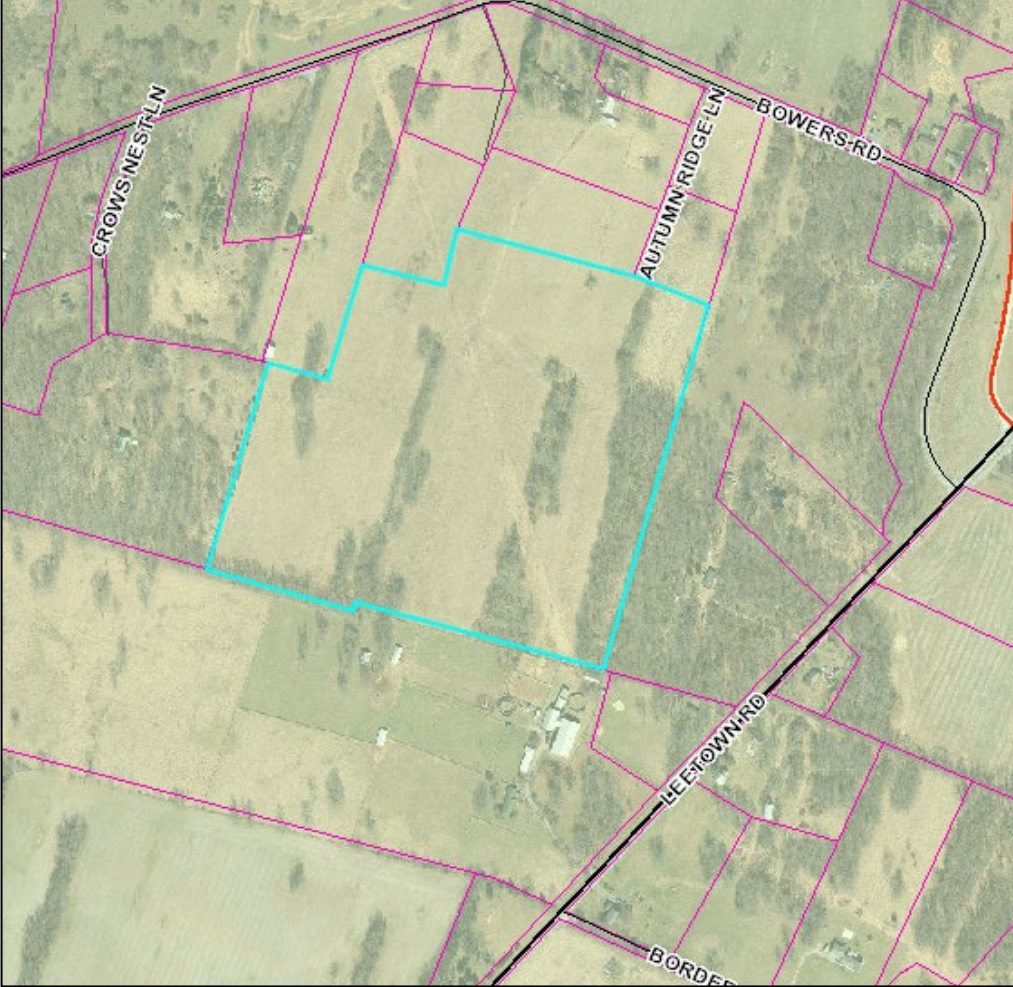
Mr. Hayes motioned to adjourn the meeting at 7:24 pm. Mr. Louthan seconded the motion, which carried unanimously.

These minutes were prepared by Colin Uhry, County Planner.

Staff Report
 Jefferson County Planning Commission Meeting
 December 9, 2025

Secatello MSD Waiver Request (File #25-28-PCW)

Item #3: Item Rescheduled from November 4, 2025: Public Hearing: Waiver from Section 20.201 of the Subdivision Regulations, requesting to process a 6-Lot Subdivision as a Minor Subdivision instead of as a Major Cluster Subdivision development.

Owner/Applicant	Vincent T. & Alicia A Secatello
Consultant	P.J. Raco Consulting, LLC
Property Location & Information	<p style="text-align: center;">132 Autumn Ridge Lane, Kearneysville, WV Parcel ID: 07000500020002; Size: 37.43 acres; Zoning District: Rural</p> 
Surrounding Zoning	<i>North, South, East & West: Rural</i>
Proposed Activity:	Request to process as a 6 Lot Subdivision as a Minor Subdivision instead of as a Major Cluster Subdivision.
History	<p>07/08/1998: Boundary Line Adjustment merged 9.871 acres from Parcel 1.2 into Parcel 2. Final configuration: Parcel 1.2 = 8.129 acres. Parcel 2 = 48.15 acres (DB 904 / PG 184)</p> <p>12/14/2021: Waiver to process a Major Cluster Subdivision as a Minor Subdivision for the first five out of eight total lots (File # 21-21-PCW).</p>

Staff Report
Jefferson County Planning Commission Meeting
December 9, 2025

Secatello MSD Waiver Request (File #25-28-PCW)

	<p>04/15/2022: Two Boundary Line Adjustments were recorded to create the following:</p> <ul style="list-style-type: none">File #22-1-M: To merge 8.8745 acres from Parcel 2 into Parcel 1.3. Final configuration: Parcel 1.3 = 17.8549 acres. Parcel 2 = 39.3018 acres (PB 26 / PG 372).File #22-5-M: To merge 11.7563 acres from Parcel 2 into Parcel 1.3. Final configuration: Parcel 1.3 = 6.0986 acres. Parcel 2 = 51.0581 acres (PB 26 / PG 373). <p>05/27/2022: Bowers Road Minor Subdivision (File # 22-1-SD) (Plat Book 26 / PG 395) – Subdivision of Parcel 1.3 into Lots 1A (1.52 acres), Lot 1B (1.57 acres), and Lot 1.3-Residue (3.00 acres).</p> <p>05/27/22: Bowers Road Cluster Subdivision (File # 22-2-SD) (Plat Book 26 / PG 394) – Subdivision of Parcel 2 into Lots 2A (5.92 acres) , 2B (2.00 acres), 2C (2.00 acres), 2D (3.71 acres), & 2E Residue (37.43 acres)</p>
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Summary of the Request:

The applicant is requesting a waiver from Section 20.201 of the Subdivision Regulations (see excerpt below) to process one additional lot of the maximum of eight (8) lots permitted under Section 5.7D.2 of the Zoning Ordinance as a Minor Subdivision rather than as a Major Cluster Subdivision.

Relevant Site Information:

In order to calculate the density of a property, Section 20.201 of the Subdivision Regulations and Section 5.7D of the Zoning Ordinance state that the calculations must be based on the acreage of the property as of October 5, 1988 (the adoption of zoning). As of October 5, 1988, the subject parcel consisted of approximately 38 acres. Using this acreage, Section 5.7D.2 of the Zoning Ordinance would allow a total of eight lots (seven and a residue) to be divided from the property using the cluster provisions, which also requires 19 acres to be retained as green space.

Although the Zoning Ordinance requires all Cluster developments to process as a Major Subdivision, because the Subdivision Regulations classify a subdivision with five (5) or less residential lots and no off-site infrastructure as a Minor Subdivision, Cluster Subdivisions with a maximum of density of five (5) lots have been permitted to process as a Minor Subdivision. Cluster Subdivisions on properties which have density rights allowing more than five (5) lots are required to process the Concept Plan and then may process the first five (5) lots as a Minor Subdivision. As noted earlier, this 48-acre property, which consisted of 38 acres in 1988, could have a full build out of seven (7) lots plus a residue with a required 19 acres to be retained as greenspace.

The applicant was granted a waiver in 2021 to allow the first five out of eight total lots to be processed as a Minor Subdivision without having to process the Concept Plan. Four of these lots currently access Bowers Road through the 50’ access easement named Autumn Ridge Lane. The required greenspace is located on the existing residue parcel.

Cluster Provisions of Zoning Ordinance/Subdivision Regulations

Section 5.7D.2.b.iv (a) of the Zoning Ordinance, under *Procedures*, states that all parcels utilizing the Cluster Provision must process as a Major Subdivision, which requires a Concept Plan.

Staff Report
Jefferson County Planning Commission Meeting
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iv. Procedures²³

- (a) Concept Plan. For the subdivision of tracts eligible for cluster lots, a concept plan must be submitted pursuant to the requirements of the Jefferson County Subdivision and Land Development Regulations. All cluster developments must be processed as a Major Subdivision.^{17, 21, 23}

Section 20.201 of the Subdivision Regulations allow a total of five lots to be divided from a property using the Minor Subdivision process and requires all additional lots to process as a Major Subdivision.

Sections of Subdivision Regulations under Consideration:

Sec. 20.201 Minor Subdivisions

Minor subdivisions are those that do not require the development of new off-tract infrastructure, the extension of existing off-tract infrastructure, or the creation of common areas, and result in the creation of five (5) residential lots or less, or two (2) nonresidential lots or less, including the parent parcel or residue, from contiguously owned parcels of record. Such subdivisions are approved by the staff. Further subdivision of a parent parcel beyond the maximum lots allowed to be created via the minor process after October 5, 1988 shall be classified as a Major subdivision and processed accordingly, unless a waiver is applied for and approved by the Planning Commission. A list of all deed transfers since October 5, 1988 shall be submitted with each plat.

A. Residential

All minor residential subdivisions shall conform with the following:

1. A minor residential subdivision divides the property into lots and a residue parcel. The subdivision of the lots creates the residue parcel out of the original parcel.
2. All lots, regardless of the zoning district, shall have motor vehicle access via a 50' access easement, provided that the access easement serves no more than 5 lots to either:
 - a. A WV DOH road right-of-way or easement; or
 - b. A road in a major subdivision that meets county roadway design standards (Table 2.2-1) However, in the Rural District, lots having a minimum road frontage of 200 feet may have a single access onto an existing WV DOH right-of way or easement or a road in a major subdivision that meets county roadway design standards (Table 2.2-1). Shared driveway access on the adjoining property lines may be required if the distance between the driveways is less than 200 feet
3. Potable water and sanitary sewer service shall be provided according to the requirements of Appendix B, *Engineering Standards*. All submissions shall provide a plat approved by the Department of Health or letters of water and sewer availability, as applicable.

Staff Discussion:

Per Section 20.201 of the Subdivision Regulations, any subdivision of land that creates more than five (5) residential lots is classified as a Major Subdivision. The applicant is requesting a waiver to process a sixth residential lot as a Minor Subdivision. The proposed sixth lot would be out of the maximum of eight (8) lots that are permitted under the Cluster provisions that the original Bowers Rd Cluster Subdivision processed under. The proposed sixth lot would access onto Autumn Ridge Lane, a 50' Access Easement that currently serves as access for four (4) residential lots.

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The subdivision plat will need to include a note that states the plat is processing under Section 5.7D.2 Cluster provisions. If the waiver is denied, the applicant can proceed with the eight (8) lot Major Cluster Subdivision and the Concept Plan required by the Zoning Ordinance.

Staff Recommendation:

As Autumn Ridge Lane currently only serves four (4) lots and the proposed minor subdivisions meets all other standards of the Minor Subdivision provisions, staff recommends that the waiver be approved for the applicant to proceed with processing one (1) additional lot as a Minor Subdivision.

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, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 35-28-PCW
 Mtg Date: 11-4-25
 Date Rec'd: 10-14-25
 Fees Paid: 150.00
 Staff Int: PR
 List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
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: Vincent and Alicia Secatello
 Business Name: _____
 Mailing Address: 132 Autumn Ridge Lane, Kearneysville, WV 25430
 Phone Number: Paul 304/676-8256 Email: Paul's email on file at office

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: P.J. Raco Consulting, LLC
 Mailing Address: P.O. Box 548, Charles Town, WV 25414
 Phone Number: 304/676-8256 Email: Email on File at Office

Physical Property Details

Physical Address: 132 Autumn Ridge Lane Kearneysville Vacant Lot:
 Tax District: Middleway Map No: 5 Parcel No: 2.2
 Parcel Size: 37.43+- Acres Deed Book: 1343 Page No: 178
 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?

20.20I Minor Subdivision for the 6th Lot as an additional lot in this Cluster Subdivision. 19 acres is already preserved as Open Space on this Residue.

Briefly Describe the Nature of Your Waiver Request:

The Ordinance allows up to 5 lots out of a parcel to be considered a Minor Subdivision, Any more than 5 lots on the same easement/ROW is also considered a Major Subdivision. In this case, this lot will be the 6th lot out of this original parcel, but will only be the 5th Lot on this Easement that is improved by a good road. The owner of the property is the original developer of the 5 lots and in fact lives on the Residue where this new lot is proposed. The parcel is entitled to process three lots, but the owner/applicant is only processing this additional one lot. As a Cluster Subdivision, there is already 19 acres preserved as Open/Green Space.

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.

[Handwritten Signature]

Property Owner Signature

10/14/25
Date

[Handwritten Signature]

Property Owner Signature

10/14/25
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.

11-04-25

Public Hearing Date

10-21-25

Date Placard Posted

10-16-25

Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

Date: ___ / ___ / ___

Vincent and Alicia Secatello
Waiver Request
Section 20.201 Minor Subdivision
Jefferson County Subdivision and Land Development Ordinance
October 14, 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 Autumn Ridge Lane is a private access and is required to be maintained by the Applicant and the lots that are being created. In fact, the Applicant/Owner constructed Autumn Ridge Lane and lives at the end of the road. There will be no public maintenance costs involved as the Easement and Road within the easement since it will be maintained privately.

Regarding open space, this lot is part of a cluster subdivision where the Applicant has already preserved 19 acres on the residue for Open/Green Space as shown on the Plat.

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 Minor Subdivision standards of the Subdivision Ordinance including the standard that limits a Minor Subdivision to only 5 Lots accessing Autumn Ridge Lane. Also, the approvals will include current Health Department approval and updated 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 Subdivision. The other lots on Autumn Ridge Lane were created by the Applicant as a Cluster Subdivision and the Plat contained a note that informed the public and future lot owners that an additional 3 lots could be created on the Road as part of the Cluster. In this case, the Applicant is only proposing one additional lot.

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 Subdivision, since this will only be the 5th lot on Autumn Ridge Lane and the road is already built to this proposed lot since the Applicant's residue with their house is next to the proposed parcel. The residue lot is 37 acres with this proposed lot to be 2 acres which will leave 35 acres with 19 acres remaining in the approved Open/Green Space. Autumn Ridge Lane is already in place and there are no drainage issues. The additional lot will not cause a harmful impact on the road, and the new lot does not exceed the allowed 5th lot as a Minor Subdivision on the Road/Easement. A county grade subdivision road is not required either way, and the existing road is a well-constructed road that serves the Applicant's homeplace. The existing road will continue to be maintained as it is presently.

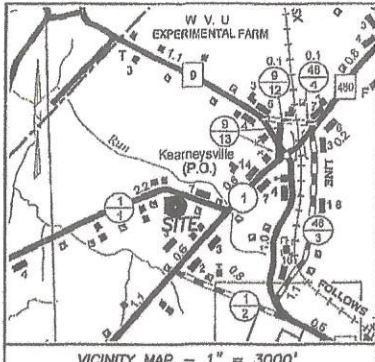
Furthermore, the DOH will ultimately decide if the additional lot will need an entrance permit or if they believe that none is necessary for the new lot. That will be presented to the Highway Department during the Minor Subdivision process.

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 50' easement and existing Autumn Ridge Lane that serves four lots including the Applicant's home. This additional lot on Autumn Ridge qualifies as a Minor Subdivision and does not require any road upgrade. However, the road is already a well-built road as it serves the Applicant's own home. The Zoning Ordinance allows an additional 3 lots in this subdivision as a Cluster Subdivision. However, since this lot will make the 6th total lot out of the property since 1988, it would technically be considered a Major Subdivision even though it is just one additional lot. No new infrastructure is required, and the property owners were all informed with a note on the plat when they purchased the other parcels that there could be up to 3 more parcels on this road. The Applicant/Owner is only pursuing the one additional lot, and this lot will be next to their own house at the end of Autumn Ridge Lane. Furthermore, the new house will most likely be built by the Applicant/Owner who built the other houses along the lane, thus assuring a quality built house with compatible and consistent architecture with the

neighborhood. It will, of course, be built to all Building Code Standards and it will not Impact the existing preserved 19 acres of Cluster Open/Green Space on the Residue.

Accordingly, the Applicants respectfully ask that the Planning Commission approve the waiver so that the Minor Subdivision process can continue and allow one additional lot in this Cluster Subdivision as permitted along Autumn Ridge Lane. Thank you for your consideration.



VICINITY MAP - 1" = 3000'

GENERAL NOTES

- SUBJECT PROPERTY IS CURRENTLY ZONED "RURAL". BUILDING SETBACK LIMITS FOR LOTS: 25' FRONT, 12' SIDE AND 20' REAR, PER JOPZC. STORAGE SHEDS UNDER 150 SQUARE FEET IN SIZE SHALL HAVE A 5' SETBACK LIMIT. ATTACHMENTS TO LOTS MAY NOT PROJECT INTO THE REQUIRED YARD MORE THAN 4" WITH A MAXIMUM OVERALL LENGTH OF 10', EXCEPT AS PROVIDED FOR IN EXCEPTIONS WITHIN ARTICLE 8 OF THE JEFFERSON COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE.
- THIS SUBDIVISION IS A PORTION OF A CLUSTER SUBDIVISION IN ACCORDANCE WITH DENSITY RIGHTS AS DEFINED IN SECTION 5.703 OF THE JEFFERSON COUNTY ZONING ORDINANCE ADOPTED 07-27-08 AND AMENDED THROUGH 12-02-21 AND PER THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS, ADOPTED 10-09-08 AND AMENDED 02-01-18. 19.0 ACRES OF THE RESERVE WILL BE RETAINED AS PERMANENT OPEN SPACE. ADDITIONAL LOTS MAY BE PROCESSED UNDER THE CLUSTER PROVISIONS AS A MAJOR SUBDIVISION.
- OMITTED
- THE PROPERTY SHOWN HEREON IS NOT LOCATED IN THE MAPPED 100 YEAR FLOOD PLAIN AS DELINEATED BY F.E.M.A. FLOOD INSURANCE RATE MAP NUMBER 4307C 0202, EFFECTIVE DATE OF DECEMBER 16, 2003. THE PROPERTY IS LOCATED OUT OF FLOOD PLAIN.
- THE LOTS CREATED HEREON ARE TO BE SERVED BY PRIVATE, INDIVIDUAL WELL AND SEPTIC SYSTEMS. REFERENCE IS MADE TO JEFFERSON COUNTY HEALTH DEPARTMENT PERMIT NUMBER SD4-10-2122-016.
- PRIVATELY OWNED ROADS AND COMMON LAND SHALL BE MAINTAINED BY THE PROPERTY OWNERS. THE COST AND EXPENSE OF MAINTAINING THE PRIVATE ROAD EASEMENT, INCLUDING SNOW REMOVAL, SHALL BE SHARED BY THE LOT OWNERS BENEFITING BY SAID PRIVATE ROAD AND SHALL NOT BE A PUBLIC RESPONSIBILITY OF JEFFERSON COUNTY, WV. LOTS 2B, 2C, 2D AND LOT 2E-RESIDUE SHALL ACCESS BY SEC. RT. 1/1 VIA 50' ACCESS EASEMENT (AUTUMN RIDGE LANE), AS SHOWN HEREON.
- THERE ARE NO RESTRICTIVE COVENANTS PROPOSED WITH THIS APPLICATION.
- THERE ARE NO UNDEVELOPED PARCELS CREATED BY THIS MAJOR SUBDIVISION. THERE ARE NO RESERVATIONS FOR PUBLIC LAND OR SEMI-PUBLIC USE.
- NO STRUCTURES, FENCES, OR LANDSCAPING SHALL BE LOCATED IN THE EASEMENTS.
- THE SELLER OF ANY LOT WITHIN THIS SUBDIVISION SHALL PROVIDE BUYER WITH A REASONABLE OPPORTUNITY, BEFORE SETTLEMENT, TO DETERMINE THAT THE LOT IS SUITABLE FOR CONSTRUCTION OF A SEPTIC SYSTEM. IF, BEFORE SETTLEMENT, THE BUYER IS DENIED A SEPTIC SYSTEM CONSTRUCTION PERMIT BY THE JEFFERSON COUNTY HEALTH DEPARTMENT, THE BUYER MAY REFUSE TO PURCHASE THE PROPERTY WITHOUT PENALTY.
- ALL RESIDENTIAL AND NON-RESIDENTIAL BUILDING LOTS SHALL HAVE A STABILIZED CONSTRUCTION ENTRANCE INSTALLED PRIOR TO BEGINNING CONSTRUCTION ON THE LOT.
- THE PUBLIC SERVICE DISTRICT MAY REQUIRE IN THE FUTURE EACH PROPERTY OWNER TO ABANDON EXISTING WELL AND SEPTIC SYSTEMS AND TO CONNECT TO A CENTRALIZED SYSTEM WHEN AND IF IT BECOMES AVAILABLE.
- VERIFICATION FROM A WELL DRILLER THAT A PRESSURE CHARGED WELL IS DRILLED AND IS PRODUCING WATER AT A QUANTITY APPROVED BY THE JEFFERSON COUNTY HEALTH DEPARTMENT AND/OR THE WEST VIRGINIA BUREAU OF HEALTH SHALL BE SUBMITTED TO THE PLANNING COMMISSION PRIOR TO THE COMMENCEMENT OF AN IMPROVEMENT LOCATION PERMIT. CERTIFICATION THAT THE WATER IS POISSABLE MUST BE SUBMITTED TO THE PLANNING COMMISSION OFFICE WITHIN 6 MONTHS OF THE ISSUANCE OF ANY IMPROVEMENT LOCATION PERMIT.
- ALL EXISTING AND PROPOSED EASEMENTS ARE SHOWN AND THERE ARE NO PLANNED FUTURE EASEMENTS.
- A DRAINAGE EASEMENT IS GRANTED TO THE APPROPRIATE PUBLIC SERVICE DISTRICT IN ALL ROAD RIGHT-OF-WAYS FOR FUTURE CONSTRUCTION AND MAINTENANCE OF WATER AND SANITARY SEWER LINES.
- ANY DRIVEWAY CULVERT WILL NEED TO BE A MINIMUM SIZE OF 15 INCHES
- HYDROX ENTRANCE PERMIT NUMBERS 05-2022-0353 AND 05-2022-0354.
- THE JEFFERSON COUNTY EDI ADDRESSING ORDINANCE STATES THAT ANY EASEMENT OR RIGHT-OF-WAY LEGALLY ACQUIRED BY 1/2 OR MORE ADDRESSABLE STRUCTURES (NOT LOTS) SHALL BE MAINTAINED. THE GR/ADDRESSING OFFICE SHALL COORDINATE AND OVERSEE THE NAMING OF THE COMMON EASEMENT OR RIGHT-OF-WAY UPON CONSTRUCTION OF THE 3RD ADDRESSABLE STRUCTURE THAT ACCEDES THE PREVIOUSLY UN-NAMED EASEMENT OR RIGHT-OF-WAY.
- NO NEW EASEMENTS OR RIGHT-OF-WAYS OTHER THAN ACCESS EASEMENT AS SHOWN.

SURVEYOR'S CERTIFICATION

I, MICHAEL S. ROBERTS, A WEST VIRGINIA PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SEALED PLAT IS ACCURATE, COMPLETE AND REASONABLY MEETS OR EXCEEDS MINIMUM ACCEPTABLE SURVEYING STANDARDS AND THESE STATE AND OR COUNTY CODE PROVISIONS APPLICABLE ON SAID DATE; THAT THE PERIMETER AND ALL LOT BOUNDARIES SHOWN HEREON HAVE BEEN ESTABLISHED BY A NETWORK OF TRANSVERSE CONTROL, HAVING A RELATIVE ERROR OF CLOSURE OF 1:7,500 OR BETTER.

05/21/22
MICHAEL S. ROBERTS, P.S. DATE

SECTION OF ORDINANCE	DESCRIPTION OF WAIVER	DATE GRANTED
20.201	#21-21-PCW FIRST 5 LOTS AS MINOR SUBDIVISION	12-14-21

LEGEND

- CAPPED REBAR (FOUND)
- CAPPED REBAR (SET)
- FENCE POST
- REBAR (FOUND)
- POINT
- TEST PIT
- PETIC HOLE
- UTILITY POLE
- OVERHEAD UTILITY LINES

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	281.29	188.02'	185.40'	S 86°29'47" E	36°24'47"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 22°22'36" W	15.00'
L2	S 17°05'17" W	106.83'
L3	S 05°22'58" E	71.05'
L4	S 17°15'29" W	33.02'

EVA M. HERMAN
TAX MAP 5, PARCEL 1.2
D.B. 1074 PG. 347

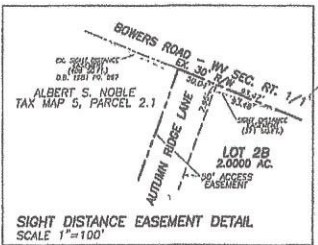
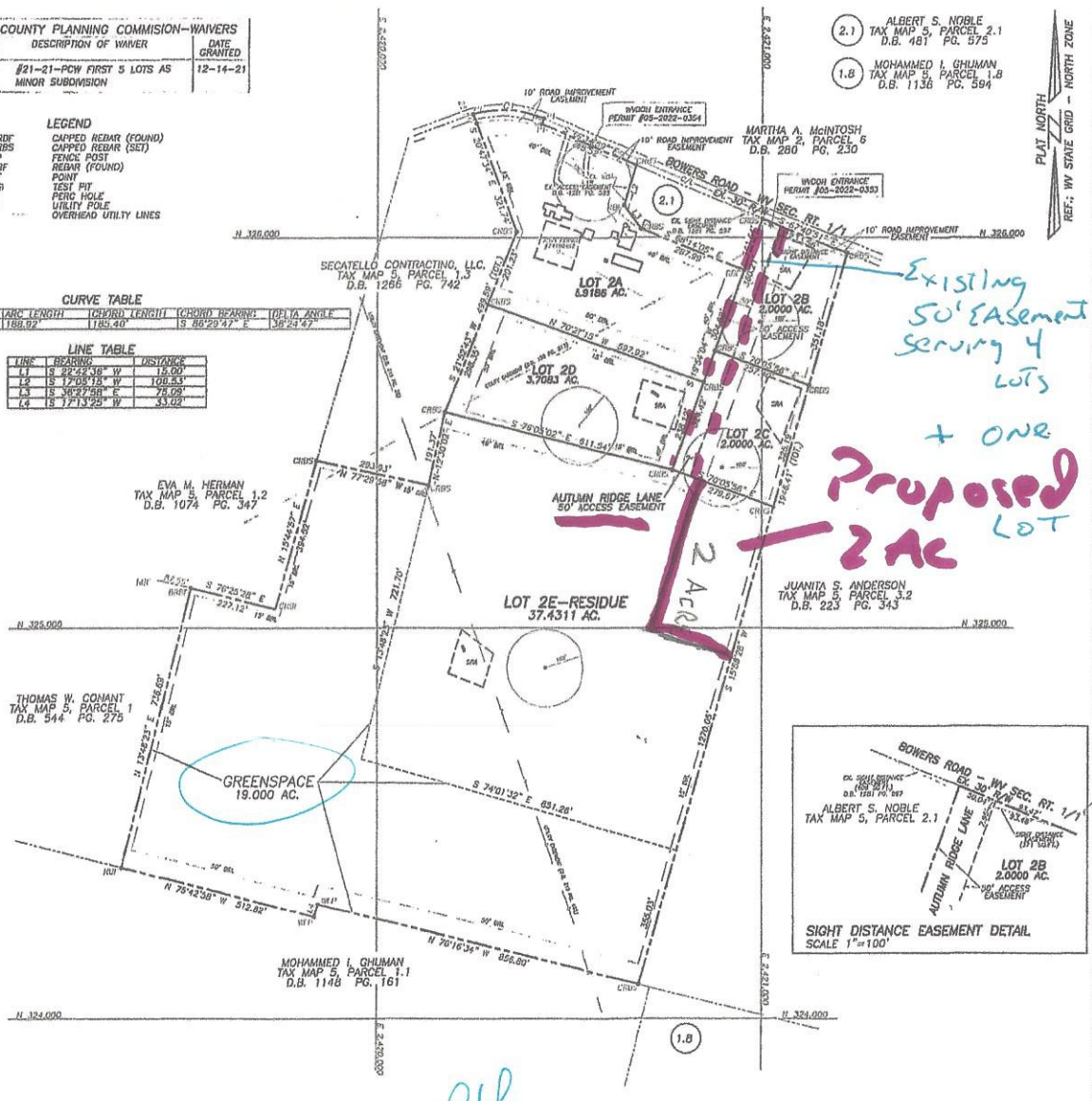
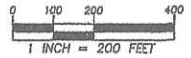
THOMAS W. COHNT
TAX MAP 5, PARCEL 1
D.B. 544 PG. 275

MOHAMMED I. GHUMAN
TAX MAP 5, PARCEL 1.1
D.B. 1148 PG. 161

AREA TABULATION

PARCEL	ACRES
PARCEL 2	51.0581
LOT 2A	5.9186
LOT 2B	2.0000
LOT 2C	2.0000
LOT 2D	3.7083
LOT 2E-RESIDUE	37.4312
TOTAL	51.0581
GREENSPACE	19.0000

*PSK
10/13/25*



BOWERS ROAD CLUSTER SUBDIVISION - 2
LOTS 2A, 2B, 2C, 2D & 2E-RESIDUE
PARCEL 2
 PROPERTY OF
SECATELLO CONTRACTING, LLC
 187 OLD LEETOWN PIKE
 KEARNEYSVILLE, WV 25430
 DEED BOOK 1266 PAGE 742
 TAX MAP 5, PARCEL 2
 MIDDLEWAY DISTRICT ~ JEFFERSON COUNTY, WV

DATE: 10-14-21
 REV: 04-20-22
 REV: 08-09-22
 REV: 08-24-22
 DRAWN: JMR
 CHECKED: MGR
 SCALE: 1"=200'
 DWG NO.: 21-165
 SHEET 1 OF 1

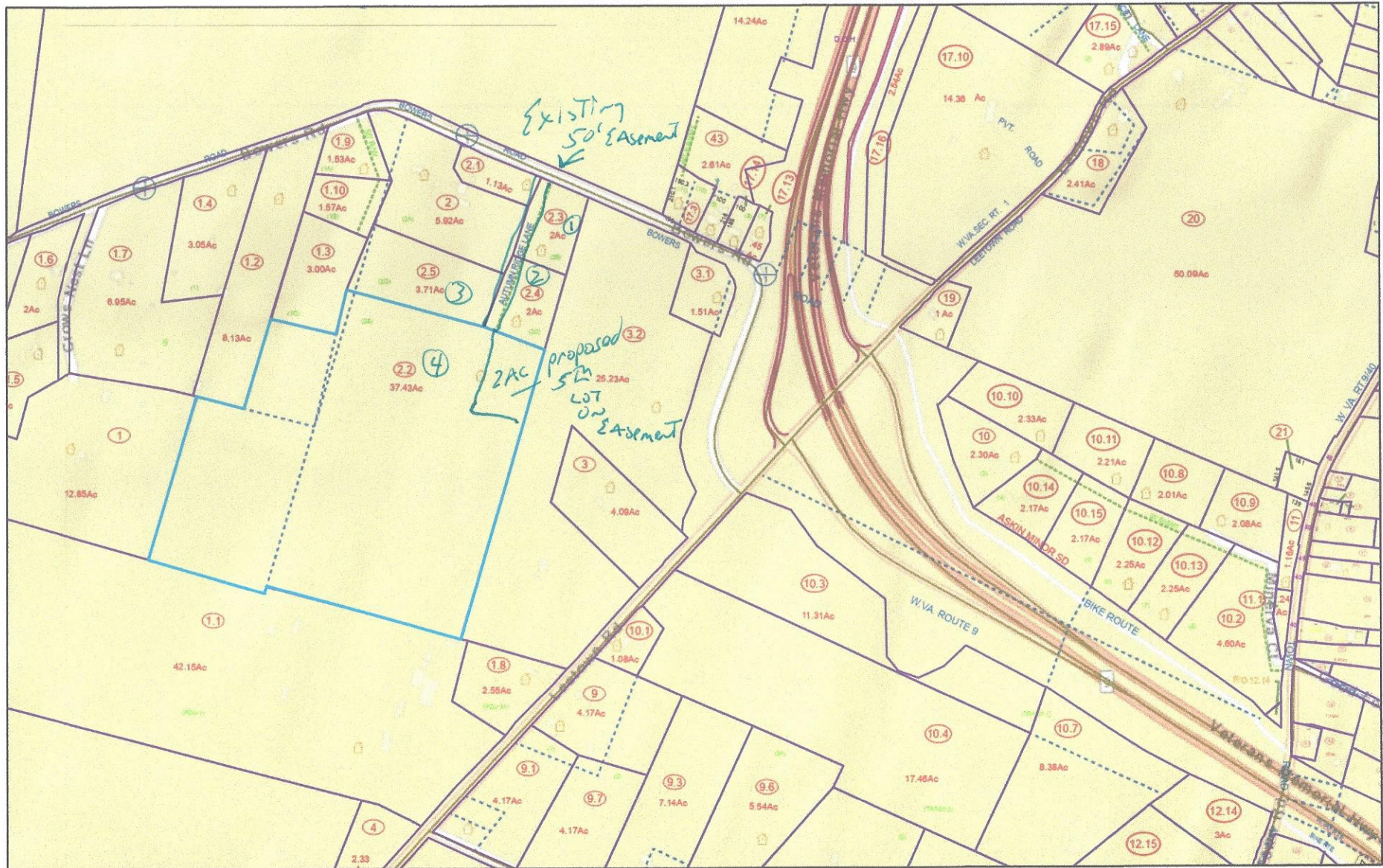
APPROVED
 JEFFERSON COUNTY PLANNING COMMISSION
 204 Section 20.201 A

JEFFERSON COUNTY DEPT. OF PLANNING
OFFICIAL SEAL
 PLANNING AND ZONING DIVISION

STATEMENT OF ACCEPTANCE
 THE OWNER/DEVELOPER, IN SIGNING THIS PLAT, AGREES TO ABIDE BY ALL CONDITIONS, TERMS AND SPECIFICATIONS PROVIDED HEREON.
 OWNER/DEVELOPER: *Michael S. Roberts*
 DATE: *05/21/22*

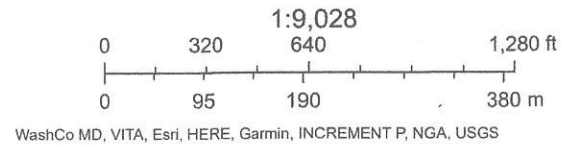
ROBERTS LAND SURVEYING
 2088 PALMER ROAD - HEDGESVILLE, WV 25427
 304-671-5406
 miker002395@frontier.com

Viewer Map



October 13, 2025

PSK 10/13/25



Planning Department

From: Planning Department
Sent: Friday, November 7, 2025 2:30 PM
To: 'Eva Sanchez'
Subject: RE: Public hearing on application PJ RACO Consulting, LLC , Secatello Nov 4, 2025

Good afternoon,

Please note that due to the applicant requesting postponement to the December 9, 2025 Planning Commission your late public comment submission is now on time to include in the Agenda Packet for this meeting. The packet will be posted to our website by the close of the business day on December 5, 2025.

Thank you and have a nice day!

Colin Uhry
County Planner
Office of Planning and Zoning
304-728-3228

From: Planning Department
Sent: Wednesday, October 29, 2025 10:11 AM
To: 'Eva Sanchez' <evamariesanchez.es@gmail.com>
Subject: RE: Public hearing on application PJ RACO Consulting, LLC , Secatello Nov 4, 2025

Good morning,

This email is to confirm receipt of your submission. Unfortunately the submission was received after the deadline to include it in the Planning Commission's packet, however, we will print off your submission for our Commissioners to review. Please note, late submissions may not receive full consideration due to the lack of time for proper review by the Commissioners.

Thanks!

Colin Uhry
County Planner
Office of Planning and Zoning
304-728-3228

From: Eva Sanchez <evamariesanchez.es@gmail.com>
Sent: Tuesday, October 28, 2025 6:20 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Public hearing on application PJ RACO Consulting, LLC , Secatello Nov 4, 2025

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Good evening,

I am the owner of the adjacent property at 4462 Bowers Road, Kearneysville, WV.

We are against the granting of a waiver from Section 20.2 of the Subdivision Regulations, requesting to process a 6 Lot Subdivision as a minor subdivision at the property at 132 Autumn Ridge Lane, Kearneysville, WV. The rural atmosphere of the surrounding area to include 2 National Historic Properties as well as the natural habitats for Monarch Butterflies, White-tailed Deer and other animals and plants in the ecosystem are more compromised with this request. The rural area should be preserved.

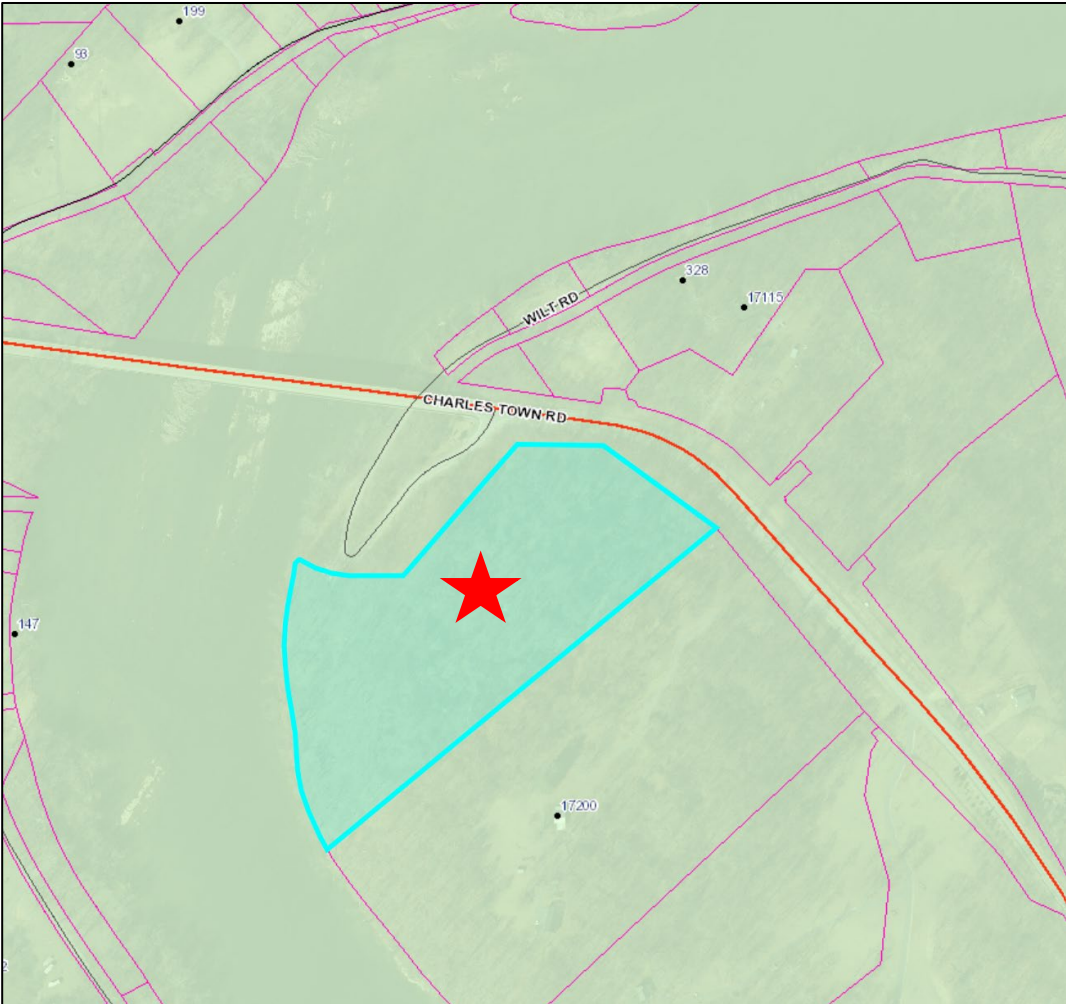
As we understood when the buyers purchased the property adjacent, they were granted building access to account for 7 lots. This building has been completed.

The request for new zoning and processing of more subdivision of this land should be denied.

Sincerely,
Eva M Sanchez, formerly Herman
703-623-7338

Staff Report
 Jefferson County Planning Commission
 December 9, 2025
Willow Camp Concept Plan (PC File: 25-7-SP)

Item #4: Concept Plan Public Workshop: Concept Plan for the Willow Camp Site Plan. The proposal consists of a Minor Site Plan for a **20 unit campsite** (originally 25 unit campsite), associated amenities, and associated infrastructure.

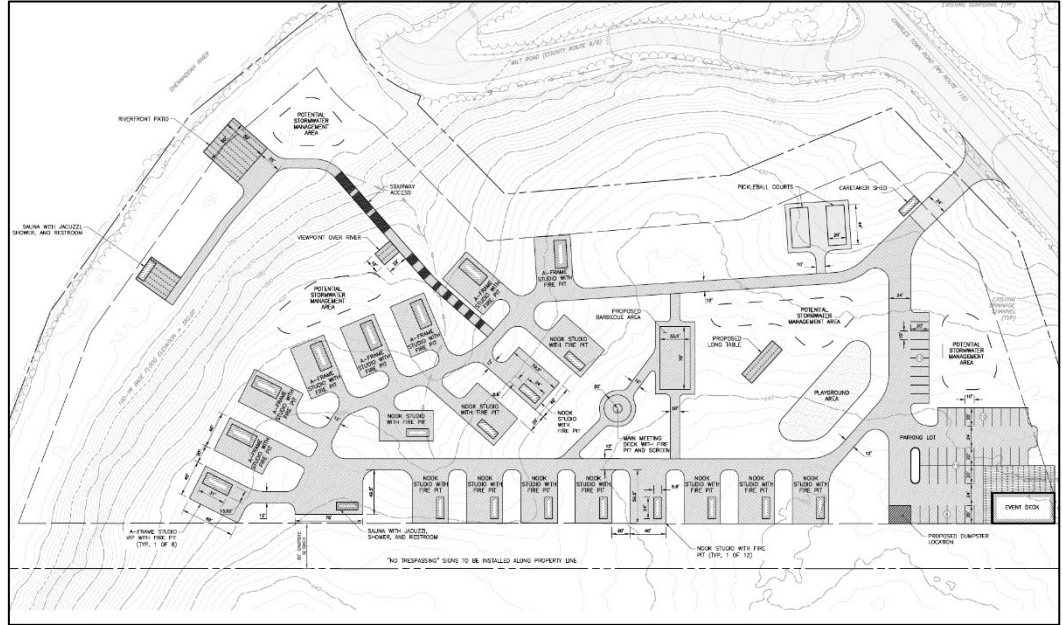
Owners/Applicants:	Andrian Peceriga and Elena Dubrovskaya
Consultant:	SAR Consulting
Property Location & Legal Description	<p>Vacant parcel located along the eastern side of the Shenandoah River, south of the intersection of Charles Town Road and Wilt Road, Charles Town, WV, Parcel ID: 02001900430000; Size: ~11.65 ac; Zoning District: Rural</p> 
Adjacent Zoning:	<i>North, South, & East: Rural; West: Shenandoah River</i>
Proposed Activity:	Minor Site Plan for a 20 unit campsite (originally 25 unit campsite), associated amenities, and associated infrastructure.
Concept Plan Status:	Submitted: 10/24/2025 Sufficiency Letter, with comments: 10/31/2025

Staff Report
Jefferson County Planning Commission
December 9, 2025
Willow Camp Concept Plan (PC File: 25-7-SP)

Introduction and Summary of Request

The Concept Plan for Willow Camp Site Plan consists of the following:

- 20 pad campground for parking trailers and mobile studios*
- Pickleball courts
- Playground equipment
- An event center with associated parking
- Riverfront patio
- Sauna with a jacuzzi, shower, and restroom
- Stormwater management facilities



*Please note that since submitting the Legal Ad to the Spirit of Jefferson reflecting the **25 unit campsite**, the applicant has since adjusted the proposal to include only **20 units** on the campsite to meet floodplain management requirements.

Site Plan Category

Section 8.1B from Division 8.0 Campgrounds of the Subdivision Regulations requires all campgrounds process as a Minor Site Plan, as well as any campground with more than ten (10) lots process a Concept Plan and hold a Public Workshop in front of the Planning Commission.

Therefore, a Minor Site Plan, with a Concept Plan, will need to be processed that includes the proposed pad layouts, as well as engineered stormwater management areas. The first step in processing this Site Plan is this Concept Plan and the required Public Workshop. The graphic above depicts the proposed campground layout.

Campground Standards

The Site Plan will be required to comply with all the requirements set forth in the Zoning Ordinance and Subdivision Regulations. The Concept Plan is intended to provide an overview of the proposed project without the full engineering details. The overall proposed outdoor recreation development is located on a site of approximately 11.65 acres, exceeding the 10 acre requirement. Please note that the floodplain is located on this property and should it expand, any future proposed development will have to be approved by the Floodplain Management Officer.

The proposed development includes 20 pad sites primarily in the center of the parcel, as well as along the southern property setback. Division 8.0 of the Subdivision Regulations allows a maximum of 15 campsites

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per acre, this proposal has 2.14 campsites per acre. The details of dimensional requirements, access, parking, sanitation, landscaping/buffers, and other Zoning Ordinance requirements will be required on the Site Plan.

Staff Determination of Application Sufficiency and Concept Plan Completeness Review

In accordance with the current Subdivision Regulations, the Minor Site Plan Concept Plan process incorporates a sufficiency and completeness review in a single step. Upon submission and review of the applicant’s Concept Plan, Staff found the submitted plan “sufficient” (i.e. meeting all requirements of Section 24.106 of the Jefferson County Subdivision and Land Use Regulations). These requirements, as well as the current review status for each requirement for the proposed Willow Camp application, are provided below:

	Description	Status
1. General Location	A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.	Provided
2. Concept Plan	In accordance with the content and formatting guidelines provided in Appendix A, <i>Plan & Plat Standards</i> .	Provided
3. Zoning Information	a) Zoning District in which the proposed development is located. b) Density calculations. c) Site resource map d) Use designation for all adjoin and confronting parcels	Provided
4. Proposal Description	A written description of the proposal with general identification of the number of dwelling units or floor area proposed, commentary, zoning, and development option selected if the development is residential.	Provided on the Concept Plan
5. Traffic Impact Data	a) Average Daily Trip (ADT) figures for the adjoining or accessible State road. b) Trip generation figures c) Nearest key intersection that will serve the proposed project as classified by the current Comprehensive Plan. d) “Highway Problem Areas” according to the current Comprehensive Plan that falls within a one-mile radius of the project.	<u>ADT</u> is approx., 5,281 along Charles Town Road <u>Trip Generation</u> : Peak Hour Trips est. to be 12; Average Daily trips: 80; <u>Key intersection</u> : Charles Town Road and Berryville Pike; <u>Problem Area w/in one mile</u> : None
6. Traffic Study	A traffic study may be required only at the request and direction of the West Virginia Division of Highways. Any required traffic study or a letter from the West Virginia Division of Highways outlining the proposed improvements shall be received with the first submission of the Site Plan.	Jefferson County defers to the WV DOH regarding whether a Traffic Impact Study (TIS) is required

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<p>7. Agency Reviews</p>	<p>The applicant shall distribute the concept plan to all reviewing agencies found in Section 23.203 and 23.204 no later than 7 days after the review.</p>	<p>Letters to required agencies provided. Responses were received from the Jefferson County Historic Landmarks Commission, who raised no concerns, and the Health Department, who expressed concern regarding previous approvals for a 15 pad campsite. There was also concerns regarding the Concept Plan not being included in the letters, which the applicant later resolved by forwarding the Plan to the Reviewing Agencies.</p>
<p>D. Department</p>	<p>The Department review shall include the following:</p> <ol style="list-style-type: none"> 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 Concept Plan submission and any zoning issues the developer shall address in a Site Plan submittal. 2. Staff opinion as to whether the plan meets the Site Plan criteria of these Regulations. The Department shall review the Concept Plan for modifications that would improve the plan. 	<p>Staff determined that the proposed Concept Plan meets the requirements of the Zoning Ordinance and the Subdivision Regulations as a Minor Site Development with a Concept Plan.</p>
<p>E./F. WVDOH</p>	<p>WVDOH shall submit a letter to the Office of Planning and Zoning indicating issues and data requirements or notice that there are no issues or data requirements. If WVDOH determines that a Traffic Impact Study (TIS) is needed, parameters shall be provided. The review shall indicate whether a TIS will be required based on analysis required in Section 24.106.B.5.</p>	<p>No response has been received from WV DOH at this time.</p>
<p>G. Public Service</p>	<p>The review shall indicate whether there are existing water and sewer systems in place that can handle the development. If not, the review shall indicate the type or extent of a system that shall be proposed by the developer to best meet the County's needs in that area of the County.</p>	<p>This project is proposed to be served water by an on-site well; and be served by a septic system. Final design will occur with the Site Plan.</p>
<p>H. Recommended Conditions</p>	<p>All reviews shall contain recommended conditions for moving forward to a site plan or reasons why the plan should be denied.</p>	<p>See below</p>

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Concept Plan Review

1. External Agency Reviews

Jefferson County Historic Landmarks Commission commented that the project raised no concerns. The Jefferson County Health Department noted that the applicant requested permit approval for a 15 pad campground and are currently requesting 20 pads. The applicant will need to receive Health Department approval at the Site Plan stage.

2. Staff Recommendation related to Concept Plan

County Staff made several recommendations to the applicant during the review process including locating the entrance to a less steep part of the property and location of parking. The applicant has made the recommended changes. Therefore, staff does not have any further recommendations.

Staff has received one written public comment at time of writing that has been included in the agenda packet. A number of concerns are identified but no recommended direction is noted.

The Subdivision Regulations state that unless there are reviews indicating that the development cannot conform to the Zoning Ordinance, be serviced by public services, or provide its own utilities, or other factors that make the development impossible, Planning staff is required to accept or deny the Concept Plan as complete. Upon accepting the application as complete, Planning staff is required to place it on the next possible Planning Commission agenda as a public workshop, which is advertised at least fourteen (14) days in advance of the meeting and posted on the property.

The Office of Planning and Zoning Staff finds the Concept Plan for the proposed Willow Camp, located at the intersection of Charles Town Road and Wilt Road, to be “complete” based on the information provided related to the criteria above; however, the following standards will need to be addressed prior to approval of the Site Plan:

- a. WV DOH approval for the proposed entrance, and any Traffic Impact Study recommendations, if required, will be required in conjunction with the Site Plan.
- b. Jefferson County Health Department approval must be provided for the operation of the on-site well and septic in conjunction with the Site Plan.

3. Planning Commission Direction

The Concept Plan Public Workshop allows for the Planning Commission and the general public to comment on the proposed plan before complete engineering design and cost are incurred. The Subdivision and Land Development Regulations outline the procedure:

1. The applicant makes a short presentation.
2. Staff explains outside agency comments and whether the plan can meet the standards of the Zoning Ordinance.
3. Public comment is solicited.

Following the applicant’s presentation, staff’s explanation, and the solicitation of public comment, the Planning Commission shall provide direction to the applicant as required under Concept Plan Direction outlined in the Subdivision Regulations. The Planning Commission has the option of providing this direction at the same meeting during which the Concept Plan public workshop takes place, or at a

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subsequent meeting that occurs within 14 days of the meeting at which the Concept Plan public workshop is closed.

Section 24.108 of the Subdivision and Land Development Regulations outlines the direction to be provided to the applicant during a Minor Site Plan Concept Plan review:

“The Planning Commission shall direct the preparation of a Site Plan subject to conditions to be addressed in the site plan application. The purpose of this review is to guide the developer so that when the site plan application is formally reviewed by the staff, there should not be a whole range of issues being raised for the first time. The developer shall cite conditions and demonstrate that they have been met or otherwise addressed.”

It should be noted that the direction provided to the applicant in the Minor Site Plan Concept Plan Public Workshop shall be applicable for a period of two years, with the provision that any amendments to the Subdivision and Land Development Regulations or the Zoning and Land Development Ordinance in the second year shall be applicable.

ATTACHMENTS:

1. Jefferson County Health Department Agency Review Response (11-12-2025)
2. Jefferson County Historic Landmarks Commission Agency Review Response (11-25-2025)

Terrence J. Reidy MD MPH
Health Officer

Brandon M. Rhodes MPH
Local Health Administrator



November 12, 2025

Subject: Response to Proposed Concept Plan for Camp Willow

To Whom It May Concern,

I have reviewed the concept plan for your proposed campground, *Camp Willow*, to be located on Wilt Road in Charles Town, WV. After evaluating your submission, please note the following requirements that must be addressed before your project can move forward:

1. Water and Sewer

Our records indicate there is an active septic permit for this property, currently approved for 15 campsites (attached). Your proposal indicates 25 campsites. If you intend to increase capacity beyond the existing permit, you will need to reapply for a septic permit through our office.

Additionally, the existing septic permit states that there is no current water supply. You will therefore be required to apply for a well permit. Because this well will serve a permitted campground, it will be classified as a public water supply, necessitating installation of a treatment system and ongoing state monitoring and testing. Our office can provide further guidance on these requirements when you are ready to proceed.

2. Campground Operation

Before construction begins, you must apply for a General Sanitation Permit to operate the campground. Please complete the SG-49 application and Campground Plan Review forms and submit them to our office at least 45 days prior to construction.

Approval to operate will not be granted until:

- The required plans have been submitted and reviewed, and
- A final inspection has been conducted and approved by our office.

1948 Wiltshire Road, Suite 1
Kearneysville, WV, 25430
Phone: 304-728-8416
Fax: 304-728-3319
www.jchdvw.org

Terrence J. Reidy MD MPH
Health Officer

Brandon M. Rhodes MPH
Local Health Administrator



3. Jacuzzi/Hot Tub

Your proposal includes the installation of a jacuzzi/hot tub. This feature requires a separate Recreational Water Facility Permit. Please complete and submit the SG-49 form for this permit to our office as well.

Once all required applications, permits, and inspections have been completed and approved, you will be authorized to operate Camp Willow as a licensed campground and your jacuzzi as a Recreational Water Facility. You can find all of our forms on our website <https://jchdvw.org/environmentalhealth/>. If you have any questions or need assistance with the application process, please don't hesitate to contact our office.

Sincerely,

A handwritten signature in black ink that reads "Alex Stotler".

Alex Stotler
Sanitarian II
Jefferson County Health Department
304-728-8416 ext. 3028
Alexandria.A.Stotler@wv.gov

CC: Jefferson County Office of Planning and Zoning

1948 Wiltshire Road, Suite 1
Kearneysville, WV, 25430
Phone: 304-728-8416
Fax: 304-728-3319
www.jchdvw.org



West Virginia Department of Health
Jefferson County Health Department

Map # 19
Parcel # 43

Permit #: STS-19-26-071

PERMIT
ON-SITE SEWAGE DISPOSAL SYSTEM

Owner: Willow Camp LLC
Address: 22 Wilson Blvd Ste 102-33; Arlington, VA 22201
Installer: Norman Corbin Certification Number: 54-98-A-0224

You are hereby issued a permit to install or modify an on-site sewage disposal system located:
Juncture of Charles Town Rd + Wilt Rd; (Mt. Lowery 11.65 Ac)

Coordinates: N 39.252725 ^{15 Camp Sites} W -77.815368

Facility: Campground Design Flow: 15 C.S. Lot Size (ft²/acres): 11.65 Water Source: Private Well/not applied for yet

Based upon review of the information on your submitted application, dated 9/16/2025, and the proper installation of the herein described system, the system shall be in compliance with applicable West Virginia 64 CSR 47 Sewage System Rules and Design Standards.

The sewage system shall consist of the components completed below:

- Septic tank - Capacity: 1500 gallons or more. Constructed of: concrete
 - Soil disposal system with a minimum equivalency of 1500 square feet of conventional gravel trench area.
 - Depth to the bottom of the trench or bed installation shall be 18-24 inches from original ground surface.
- New Owner needs to apply for well*

ABSORPTION FIELD (if applicable)					
Class I System:	Type: Gravel				
Manufacturer:					
	Line 1	Line 2	Line 3	Line 4	Line 5
Length:	ft. 100	ft. 100	ft. 100	ft. 100	ft. 100
Width:	in. 36	in. 36	in. 36	in. 36	in. 36
BED AREA					
Bed Configuration:	Length:	ft.		Width:	ft.

Permit Conditions

- This permit is non-transferable and automatically expires 12 months after issue date.
- Action reveals conditions different than those stipulated on the permit or facts are later found that would indicate non-compliance with applicable rules.
- All systems must be inspected and approved prior to being covered with earth or placed into use.

The applicant or his agent must notify this department 72 hours or more prior to planned inspection time. Health Department Phone Number: 304-728-8416

Construction Drawing as Approved Enclosed

Additional Specifications on Reverse.

Issue Date: 9/22/2025

Expiration Date: 9/22/2026

Health Officer or Sanitarian: Mason Weikle

PERMIT SUPPLEMENT
ON-SITE SEWAGE DISPOSAL SYSTEM

The following specifications are presented as a summary of common minimum design requirements applicable to the installation and approval of an on-site sewage disposal system. This form is intended to be a general supplement to a permit and does not include all conditions relevant to a specific site. Should the owner or certified installer have any concerns, you are encouraged to phone the sanitarian who issued the permit.

1. Conventional on-site sewage disposal systems may be installed by a West Virginia Certified Class I Installer. Conventional systems, including privies, are limited to gravel, chamber or gravelless pipe soil absorption systems, installed no shallower than eighteen (18) inches in the ground, and relying upon gravity flow for distribution. All other systems are to be installed by a Certified Class II Installer.
2. The installation inspection shall be made prior to cover and landscaping. Adequate notification for the final inspection shall be given to the local health department. It is recommended that the final cover and landscaping with seeding be done as soon as possible.
3. No part of the system shall be located within 25 feet of a public water supply line, or within 10 feet of a private water supply line, unless protected by a method approved in advance by the health department.
4. A septic tank, vault privy or other sewage tank shall be located a minimum of 50 feet from a private well or ground water source. A minimum of 100 feet is required if water source is downhill of such units.
5. Absorption fields, serial distribution systems, absorption beds, mound systems and other soil absorption systems shall be located to comply with the following distances:

Minimum Distance	FEATURE
10 feet	Building, foundation, or property line
10 feet	Foundation drain upslope from disposal area
20 feet	Stream banks and other open drainage features, whether manmade or natural
20 feet	Manmade cuts in soil and curtain drains
20 feet	Foundation drains down-slope from the disposal area
50 feet	Manmade cuts which intersect rock or shale
50 feet	Water supply cistern
100 feet	Water supply springs and water supply wells

6. The slope of the piping from the facility to the tank shall be 1/8 inch per foot, or greater. The piping from the tank to the soil absorption field shall have a minimum drop of 6 inches to a level ground system and a minimum of 10 inches to a sloping ground system. The bottom in each trench or bed and the soil absorption field piping or chambers in each trench or bed shall be level, with zero (0) degree slope.
7. Gravel or aggregate, if used, shall fall within a sizing of 1/2 - 2 1/2 inches in diameter. Such media shall not be less than 6 inches under the 4 inch distribution piping, and not less than 2 inches covering the piping. Hay, straw or untreated paper shall be used to cover the gravel or aggregate prior to inspection by the sanitarian.
8. In chamber systems, the sides are to be "walked in," but the ends are not to be backfilled for the inspection. The chambers shall be installed in accordance with the manufacturer's specifications, or equivalent, including appropriate splash blocks, screws to secure sections and ends and similar requirements.
9. Absorption trenches shall approximate the ground surface contour to minimize depth variation.
10. All mechanical sewer systems with surface discharge and all mechanical sewer systems where additional treatment is required for subsurface discharge shall have a perpetual maintenance program approved by the director.

11. _____



JEFFERSON COUNTY HEALTH DEPARTMENT

1948 Wiltshire Road, Suite 1, Kearneysville, WV, 25430

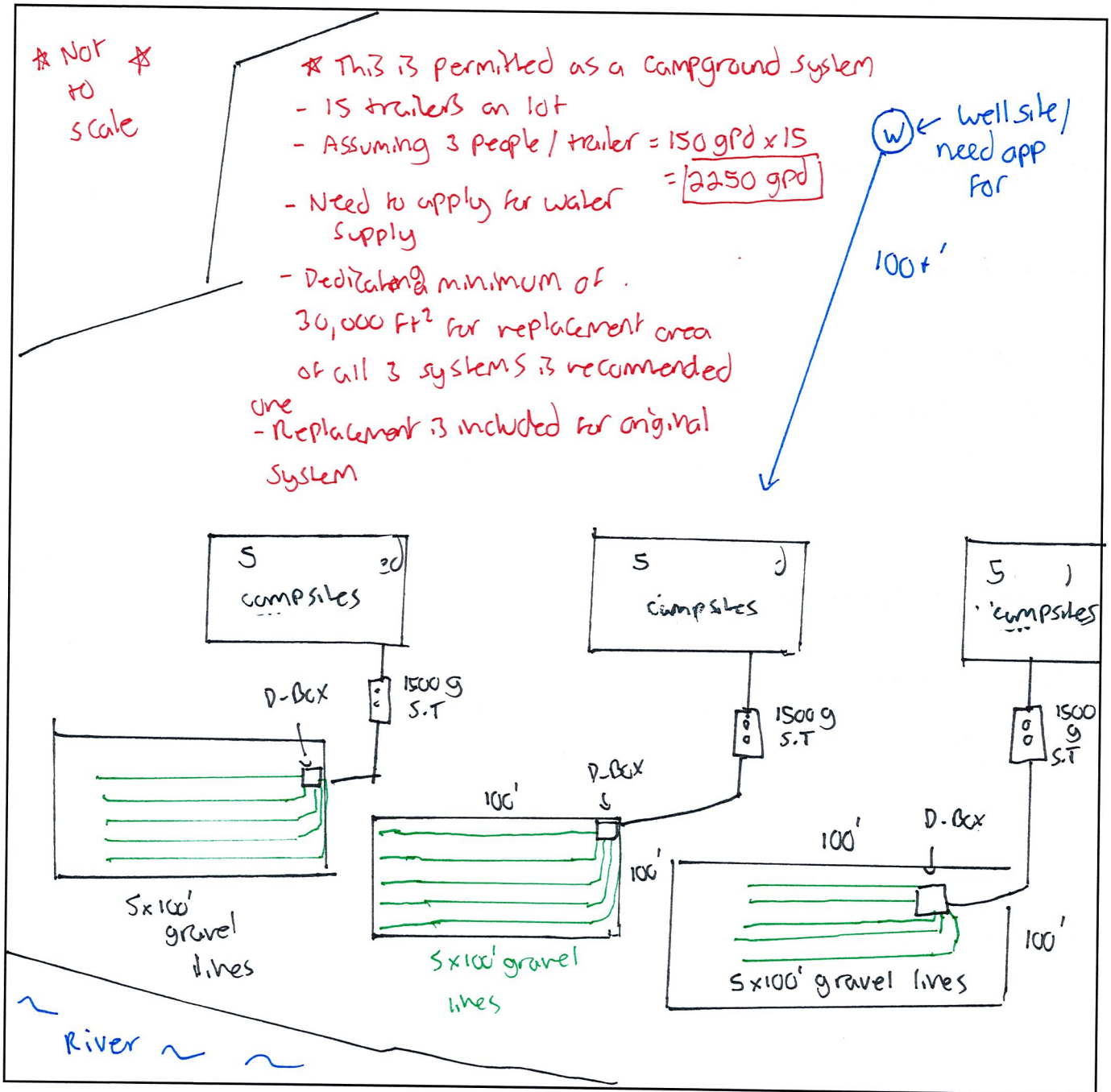
Phone: 304-728-8416

Fax: 304-728-3314

www.jchdvw.org

Septic Permit Number SP-19-26-071

Sketch of System



Colin Uhry

From: Luke Seigfried
Sent: Tuesday, November 25, 2025 5:07 PM
To: Colin Uhry
Subject: FW: Camp Willow Concept Plan

For the staff report.

Best,
Luke

From: Elizabeth Nicholson <e.nicholson@jeffersoncountywv.org>
Sent: Tuesday, November 25, 2025 4:40 PM
To: Luke Seigfried <lseigfried@jeffersoncountywv.org>
Subject: Camp Willow Concept Plan

Luke

I am writing to inform you that the members of the Historic Landmark Commission have no comments regarding the Camp Willow concept plan.

I hope you have a wonderful holiday!

Sincerely,
Elizabeth



Jefferson County, West Virginia
 Department of Engineering, Planning and Zoning
Office of Planning and Zoning
 116 E. Washington Street, 2nd Floor
 Charles Town, West Virginia 25414

File #: 25-7-SP
 Fees Paid: \$300
 Staff Int.: jth
 Date Received: 10/24/25

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Subdivision or Site Development Application

Application Type Concept Plan Final Plat (major/minor) Redline Revision
 Preliminary Plat Site Plan

Project Name: Willow Camp
 Description: 25 Campsites

Primary Contact Phone Number (must be a direct line number) 615-735-7097

Property Owner Information

Owner Name: Andrian Peceriga and Elena Dubrovskaya
 Business Name: Willow Camp
 Mailing Address: 115 W. Congress St. Charles Town, WV 25414
 Phone Number: 301-979-0266 Email: elenadubrovskaya@googlemail.com

Applicant Information

Same as Owner:

Applicant Name: _____
 Business Name: _____
 Mailing Address: _____
 Phone Number: _____ Email: _____

Registered WV Engineer or Surveyor or Consultant Information

Contact Name: Seth Rivard
 Business Name: SAR Consulting
 Mailing Address: PO Box 92 Charles Town, WV 25414
 Phone Number: 615-735-7097 Email: seaari@yahoo.com

Physical Property Details

Vacant Lot:

Physical Address: No Address
 Tax District: 2 Map No: 19 Parcel No: 43
 Parcel Size: 11.65 Deed Book: 1355 Page No: 386
 Zoning District: Rural

Additional Parcels (if any)

Physical Property Details

Vacant Lot:

Physical Address: N/A
 Tax District: _____ Map No: _____ Parcel No: _____
 Parcel Size: _____ Deed Book: _____ Page No: _____
 Zoning District: _____

Physical Property Details

Vacant Lot:

Physical Address: N/A
 Tax District: _____ Map No: _____ Parcel No: _____
 Parcel Size: _____ Deed Book: _____ Page No: _____
 Zoning District: _____

Sec. 24.106 Minor Site Plan Concept Plan – Submission

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 concept plan review.

B. Submission Contents. The submission shall contain the following elements in the number of copies indicated by staff.

1. General location. A map or aerial photograph showing an area of 500 feet around the property. Zoning boundaries shall be located on this document.

- Zoning is Rural for this lot and all adjacent lots. See Zoning Map below.

2. Concept Plan. A Concept Plan shall be submitted in accordance with the content and formatting guidelines provided in Appendix A, Plan & Plat Standards. Show or note if all features are addressed.

- Contour lines – see concept plan and topographic maps below
- Woods – see topographic maps below
- Watercourses – see topographic maps below
- Hillsides – see concept plan
- Prominent rock outcroppings – see topographic maps below
- Sinkholes – not applicable
- Quarries – not applicable

3. Zoning Information. This shall include:

a. Determination of the zoning district in which the proposed site plan project is situated.

- Zoning is Rural. See Zoning Map below.

b. Density calculations.

- Property is 11.65 acres.
- 15 campsites are permitted per acre
- $11.65 \text{ acres} \times 15 \text{ campsites/acre} = 174.75 \text{ campsites permitted}$
- Proposed 20 Units

c. Site resource map. (See definition)

- This is not considered a hillside development as it is exempted from 8.17(B)(6) of Zoning Ordinance.
- Slopes of 15%-25%
- No riparian buffer requirements, as it exempted from 8.17(B)(6) of Zoning Ordinance.
- Property is in a floodplain. See Concept Plan and floodplain map below.

d. Use designations for all adjoining and confronting parcels.

- All properties to the north, east, and south are all residential. To the west is the Shenandoah River.

4. 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, and development option selected if the development is multifamily residential.

The proposed use of this property is a campground, which is a permitted use in the Rural district. Access to the upper area will be from Route 115. No public access from Wilt Road will be provided. Depicted are 20 campsites that will have camper trailers on the site and parking at each site. Each campsite area has a minimum of 1,200 sq. ft. of area and will have a frontage of 20 feet along the internal road. Each campsite will have individual fire pits. A stairway will provide access from the upper and lower units. Main entrance will be paved, and all internal roads are proposed to be gravel. Stormwater management requirements will be met.

Other proposed amenities on the site:

- Two parking areas on the upper level
- Two saunas with jacuzzi and changing room and public restroom
- Riverfront patio
- Proposed stairs from the upper level to the lower level
- 2 pickleball courts
- Playground
- Barbeque area
- Long table
- Deck with fire pit and screen
- Event deck/area
- 1 caretaker sheds
- A dumpster will be located on site.
- A public restroom will be by each sauna and jacuzzi. No other public restrooms will be available.

5. Traffic Impact Data. This shall include:

a. ADT figures for the adjoining or accessible State road.

- ADT is 5,281

b. Trip generation figures based on the following table

USE	PEAK HOUR	AVERAGE DAILY
Townhouse	0.6	7.0 per d.u.
Mobile Home	0.6	5.0 per d.u.
Light Industrial	1.2	5.5 per 1000 s.f.
Industrial Park	0.99	7.0 per 1000 s.f.
Warehousing	1.63	4.9 per 1000 s.f.
Mini-warehousing	0.29	2.8 per 1000 s.f.
Office	2.82	17.7 per 1000 s.f.
Small Shopping Center	15.51	118.0 per 1000 s.f.
Convenience Market	54.80	625/1000 leasable s.f.

- ITE Manual, 12th Edition. Land Use Code 330 – Resort Hotel.
- Trip Generation is probably over projected based on type of use.
- Using this land Use Code:
 - 80 trips per day
 - 12 trips at peak hour.

c. Nearest key intersection that will serve the proposed project. A “key intersection” is defined as any intersection with a primary or secondary highway as classified by the current Comprehensive Plan.

- Intersection of Charles Town Rd and Berryville Pike

d. “Highway Problem Areas” according to the current Comprehensive Plan that falls within a one-mile radius of the project.

- None within 1 mile.

e. If a use is not listed in the table above, the most current edition of the Institute of Transportation Engineers Trip Generation Manual or Handbook shall be referenced to determine appropriate trip generation figures.

6. In the event trip generation in the peak hour exceeds 100 or the limitation designated in the most current DOH Traffic Engineering Directive, a traffic study will be required which includes generators, etc. or unless the West Virginia Division of Highways has created an agreement with the applicant to provide site access improvements that are typically required by a traffic study, the traffic study shall not be required. This type of study should be

performed by a traffic engineering consultant. The effect of phasing the subdivision shall be cumulative. The traffic study or a letter from the West Virginia Division of Highways outlining the proposed improvements shall be received with the first submission of the site plan.

7. Agency Reviews. The reviewing agencies shall conduct reviews of the proposed concept plan. Agency comments shall be received by the Department fourteen (14) days prior to the scheduled public workshop. The applicant shall distribute the concept plan to all reviewing agencies no later than 7 days after the review. Reviewing agencies are found in Sections 23.203 and 23.204. Applicant shall provide copy of letter sent to outside agencies to the Office of Planning and Zoning within seven (7) days of submission of Concept Plan. If any review agency failed to respond, they shall be deemed by these Regulations to have approved the plan.

- Will send notices within 7 days of submission of Concept Plan.

8. Other Data. Any other data or information the applicant believes will assist in the review.

- N/A. See project description.

9. Other Reviews. Any other staff or agency reviews of the plans.

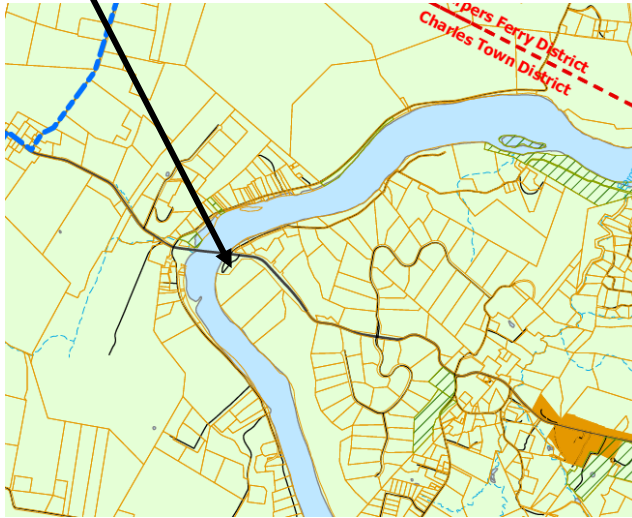
- N/A

10. Adjoining Property. The applicant must provide an accurate list of all properties and owners' addresses adjoining the subject property. The adjoining and Homeowner's Associations shall be notified by staff of the date of the workshop.

- See below.

Zoning Designation

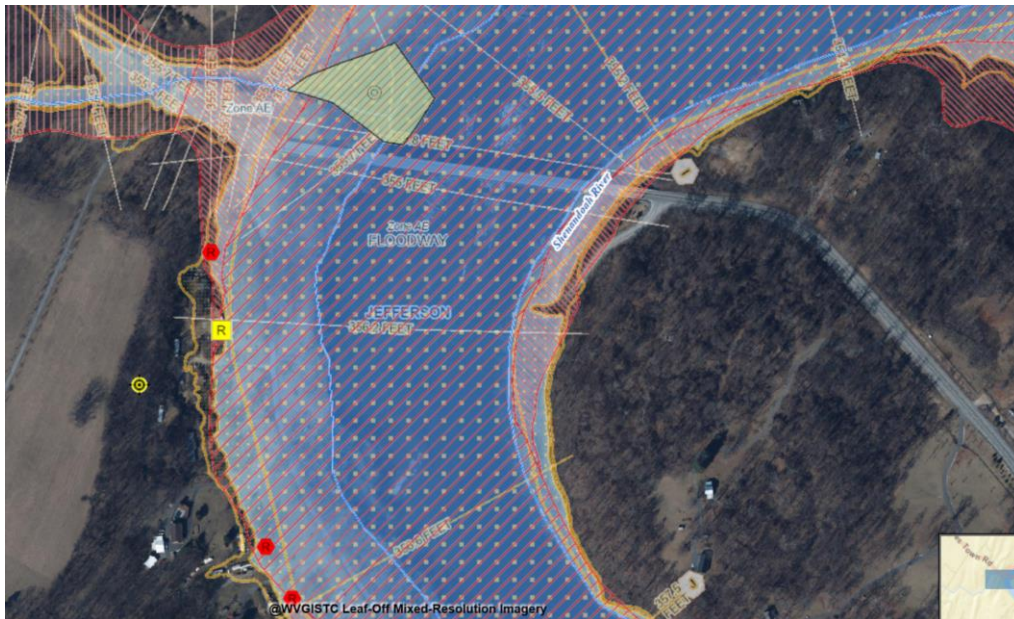
Zoning: Rural



Zoning District

- Major Industrial
- Light Industrial
- Industrial/Commercial
- Office/Commercial Mixed-Use
- General Commercial
- Highway Commercial
- Neighborhood Commercial
- Residential/Light Industrial/Commercial
- Residential Growth
- Planned Neighborhood Development
- Rural
- Village
- Incorporated Town

Floodplain

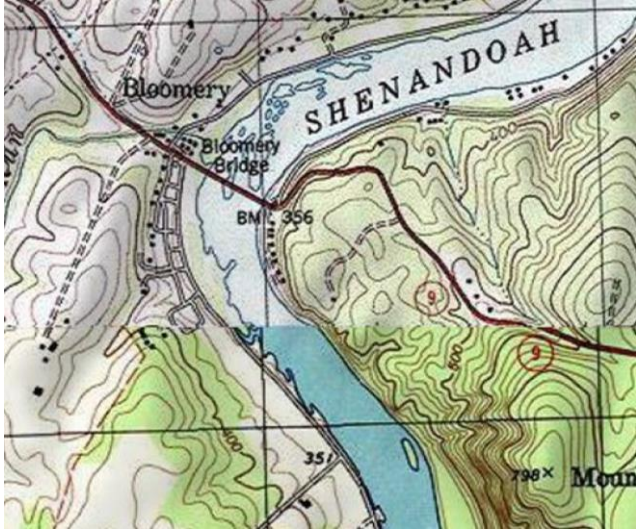


USGS Maps

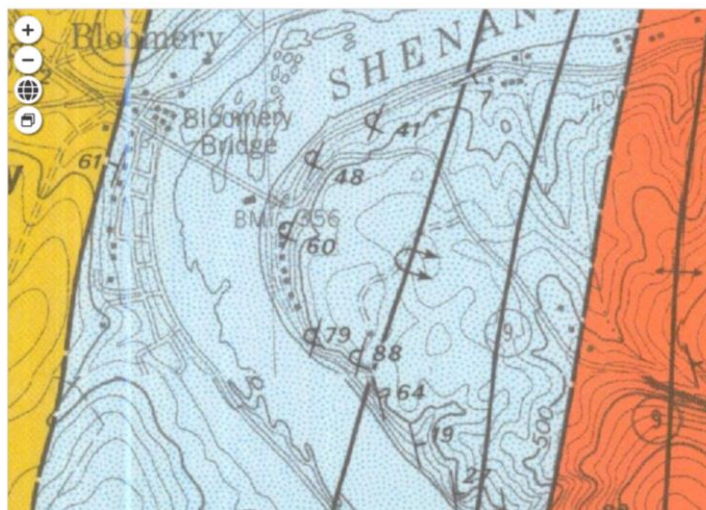
Woods



Topographic Lines
(See also Concept Plan)



Rock Outcroppings National Geologic Map



Ct Tomstown Dolomite (1,000–1,200 ft)

Massive, gray-buff aphanitic dolomite with minor thin-bedded limestone and dolomite; banded, black chert in upper part of formation.

SYMBOLS

---	Contact, dashed where inferred
\swarrow_{45}	Strike and dip of bedding
\swarrow_{45}	Strike and dip of overturned bedding
⊙	Horizontal bedding
\swarrow	Vertical bedding
$\rightarrow \uparrow$	Plunging anticline
$\rightarrow \downarrow$	Plunging syncline
$\rightarrow \uparrow$	Overturned anticline
$\rightarrow \downarrow$	Overturned syncline
$\rightarrow \leftarrow$	Thrust fault
$\rightarrow \rightleftarrows$	Strike slip fault
$\rightarrow \downarrow$	Normal fault

Adjoiners

Owner	# and Street	City, State, Zip
LOWERY AUSTIN JR & ESTHER	211 WILLOW VALLEY SQ C-118	LANCASTER, PA 17602
MITTAL AVINASH & SMRITI SHARMA	38258 WILDFLOWER MEADOW CT	HAMILTON, VA 20158
KINCORA LLC	17115 CHARLES TOWN RD	CHARLES TOWN, WV 25414
SENSENEY JAMES M	17200 CHARLES TOWN RD	CHARLES TOWN, WV 25414

From: [Planning Department](#)
To: "Kevin Hughes"
Subject: RE: Willow Camp Concept Plan Public Workshop (25-7-SP)
Date: Monday, December 1, 2025 10:47:00 AM

Good morning,

Please note that our office is in receipt of your email and your comments will be included in the Planning Commission packet for the upcoming December 9, 2025 Planning Commission meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, December 5, 2025.

Thank you,

Patti Richardson, Planning Clerk
Office of Planning, & Zoning
Jefferson County, WV
304-728-3228

From: Kevin Hughes <kevincollinshughes@gmail.com>
Sent: Saturday, November 29, 2025 10:25 AM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Willow Camp Concept Plan Public Workshop (25-7-SP)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Planning Commission,

I plan to attend the meeting on Dec 9, 2025. I am also sending a written comment today listing my concerns about the development.

- 1- Traffic; as the entrance is directly across from our driveway entrance. With a second access via the gravel road going under the bridge off of Wilt Rd.
- 2- Noise Abatement; as the proposed plan has an event platform (?) and adjacent event parking lot that is inline and elevated above our residential structure.
- 3- Groundwater interference; as concerns of potable water supply to the site that would compromise our existing potable water supply from an inground well with submersible pump.
- 4- Septic and wastewater; as the proposed site plan shows the location of 3 proposed stormwater management areas/ponds, but no proposed area for the septic field that would handle the blackwater from 25 temporary residences.
- 5 Floodplain construction; as the proposed plan lists 25 campsites yet shows 22 campsites with 3 A-Frame cottages. One of these A-Frames and a proposed Sauna/Jacuzzi structure appear to be situated within the floodplain and directly on the riverbank compromising the riparian buffer and further compromising with environmental impacts on the Shenandoah River.
- 6- Public Water Supply Intake; as the proposed project will be developed on property that abuts the Shenandoah River, and said project is within 100' of the submerged freshwater intake for the City of Charles Town water department supply servicing literally thousands of county residents and businesses.

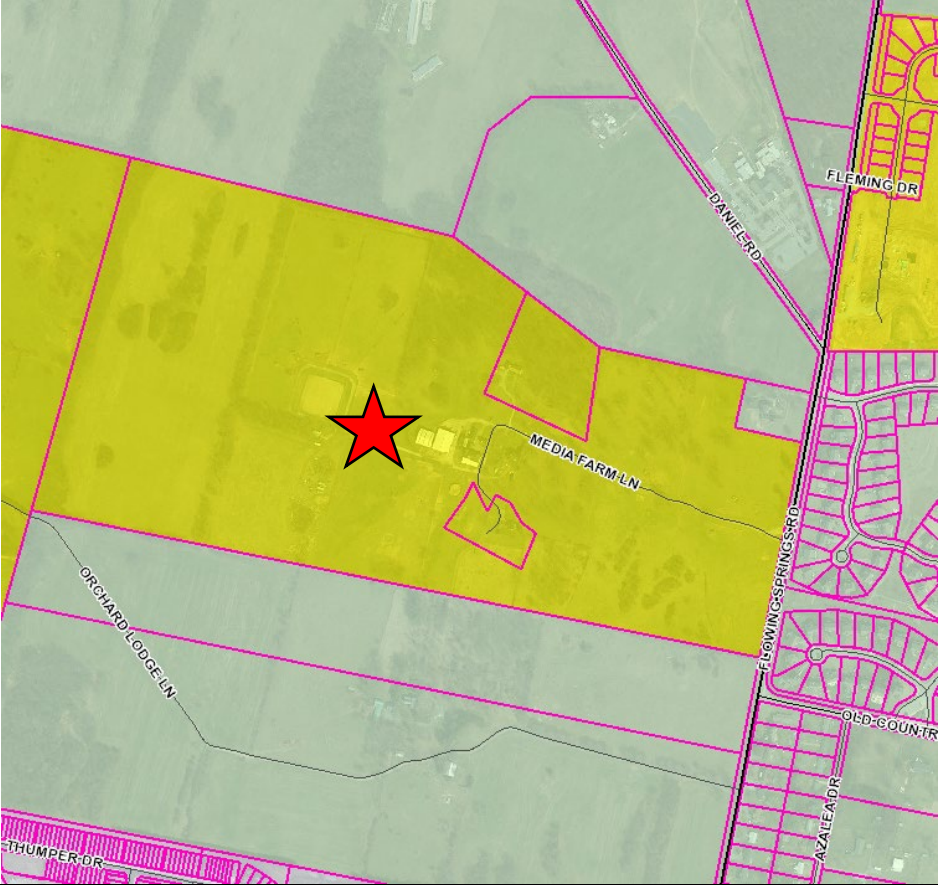
These are my immediate concerns as an adjacent property owner to said proposed Concept Plan. Please take these into consideration.

Thank you,
Kevin C. Hughes
Kincora LLC
17115 Charles Town Rd, Charles Town WV, 25414
(304) 707-5858

Staff Report
 Jefferson County Planning Commission Meeting
 December 9, 2025

Media Farm Fencing Waiver Request (File: 25-29-PCW)

Item # 5: Waiver from Section 21.402D of the Subdivision Regulations to allow for fencing to be placed within the proposed Stormwater Management Easement (Basin C) located on proposed Lot 99 of the Media Farm Subdivision.

Property Owner:	Harvest Homes, LLC
Consultant:	P.J. Raco Consulting, LLC / Attn: Paul Raco
Parcel Information & Zoning District:	<p style="text-align: center;">261, 278, and 391 Media Farm Lane, Ranson; Size: ~126 acres; Parcel ID: 02000400110000, 02000400130000, 02000400110001; Zoning District: Residential Growth</p> 
Surrounding Zoning:	<i>North, South, and East: Rural; West: Residential Growth</i>
Proposed Activity	Single neighborhood access off Flowing Springs Road
History:	<p>04/10/1945: Lot created via DB 162 / PG 429 02/22/2018: Lots sold to Media Farms Stable, LLC via DB 1201 / PG 626 12/5/2024: Lots rezoned from Rural to Residential Growth 03/25/2025: Planning Commission approved Concept Plan for proposed subdivision (25-5-SD) 03/25/2025: Planning Commission approved Waiver from Section 2.3.A.3 of Appendix B of the Subdivision Regulations to allow for the use of a single entrance for the proposed subdivision (25-6-PCW)</p>

Staff Report
Jefferson County Planning Commission Meeting
December 9, 2025

Media Farm Fencing Waiver Request (File: 25-29-PCW)

	<p>03/25/2025: Planning Commission approved Waiver from Section 2.2G of Appendix B and Section 22.206.B.2 of the Subdivision Regulations to allow a 99 lot installation to utilize two primary, disconnected, cul-de-sacs that allows for more than 24 lots to be served (25-7-PCW)</p> <p>09/09/2025: Planning Commission approved request by the applicant via the Amended Completeness Determination Policy Signed 2/27/25 and waiver from Section 24.113, Section 24.113G, and Section 24.113H to allow for the Planning Commission to deem the Preliminary Plat of the proposed Media Farm Subdivision as essentially complete. (File: 25-25-PCW)</p> <p>09/09/2025: Planning Commission approved Waiver from Section 20.102B to allow site grading to commence prior to site plan approval for the proposed Media Farm Subdivision (File: 25-26-PCW)</p> <p>09/09/2025: Planning Commission approved Waiver from Section 24.115C to allow for the Final Plat of the proposed Media Farm Subdivision to process concurrently with the Preliminary Plat. (File: 25-27-PCW)</p> <p>11/13/2025 – Planning Commission approved Media Farms Preliminary Plat Public Hearing</p>
--	---

Summary of the Request:

The subject property, located along Flowing Springs Rd, has an approved Final Plat through the Planning & Zoning Department that is currently pending recordation at the County Clerk’s Office.

As a Major Subdivision, the proposed subdivision must process a Concept Plan, Preliminary Plat, and Final Plat. The required Concept Plan was presented on March 25, 2025 to the Planning Commission along with a waiver of entrance requirements and cul-de-sac service. Planning Commission deemed the Preliminary Plat essentially complete on September 23, 2025 and approved waivers to commence site grading prior to approval and allowing the Final Plat to process concurrently with the Preliminary Plat. The required Preliminary Plat Public Hearing was held on November 13, 2025 and approved by the Planning Commission. The Phase 1 Final Plat was approved on November 26, 2025 and Staff is currently waiting on the bonding for the subdivision to be approved for stamping and recordation.

Part of the Phase 1 Final Plat includes the creation of Lot 99, the intended use of which being a horse farm, which the applicant has been open about since the Concept Plan stage of the project. Stormwater Basin C is located on Lot 99 of the Subdivision and the applicant’s desire is to establish fencing all along the perimeter, cutting through Basin C.

Subdivision Regulation Requirements:

Section 21.402D of the Subdivision Regulations states that no permanent encroachments, structures, fences, or landscaping shall be allowed to be located within any easement area. Section 21.402B of the Subdivision Regulations also note that stormwater easements shall be run in favor of the homeowner’s association. This request is to waive the requirement of Section 21.401D and to allow for a fence to be located within the easement area of Stormwater Basin C.

Staff Report
Jefferson County Planning Commission Meeting
December 9, 2025

Media Farm Fencing Waiver Request (File: 25-29-PCW)

Zoning Ordinance:

Section 9.5 Projections Into Yards⁸

- B. Fences and walls over six feet in height shall meet building lines and yard requirements. A building permit is required before construction. Fences and walls six feet and under in height shall be exempt from building lines and yard requirements unless obstructions to vision at an intersection as referenced in Section 4.9.²³

Staff Comments:

As there is currently no homeowner’s association formed and no lots have been created or sold at this time, the applicant is requesting the waiver to allow for the fencing to follow the perimeter of Lot 99, which includes crossing into a Stormwater Management Easement. One of the conditions of approval for the Preliminary Plat was as follows:

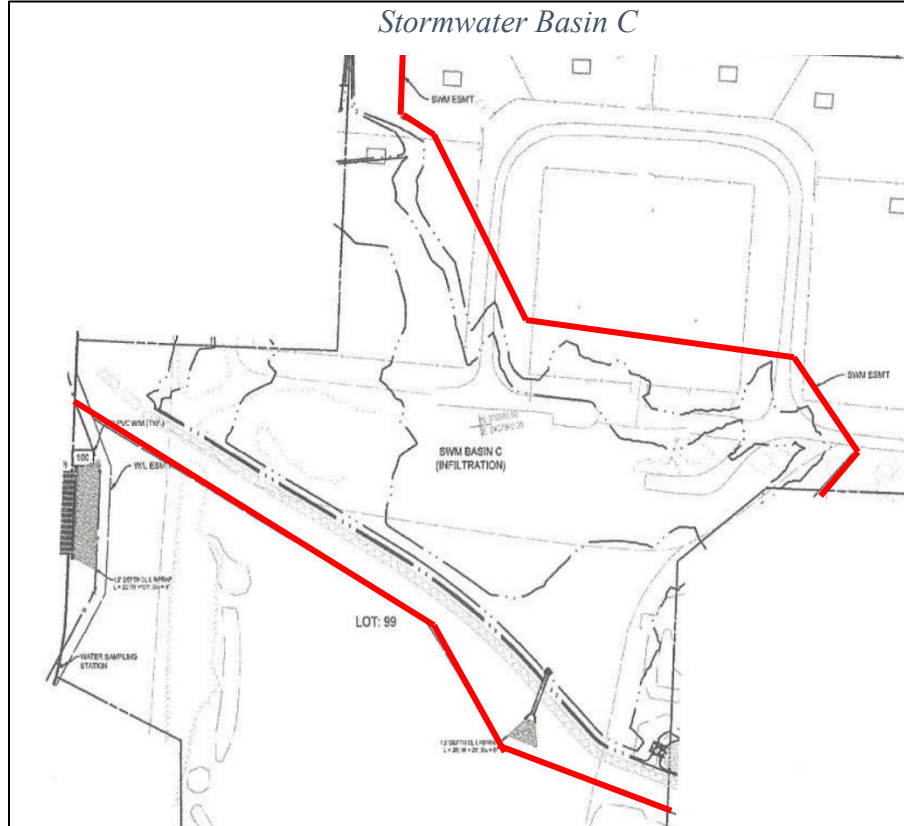
- Addition of the following note to both the Preliminary Plat and Final Plat for the Media Farm Subdivision: “NO PERMANENT STRUCTURES, ENCROACHMENTS, LANDSCAPING, OR FENCES SHALL BE PERMITTED WITHIN EXISTING OR PROPOSED EASEMENTS WITHOUT AN APPROVED WAIVER FROM THE JEFFERSON COUNTY PLANNING COMMISSION.”

The applicant has since added the approved note to both the Preliminary Plat and Final Plat and are now seeking an approved waiver to allow for fencing within an easement.

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;



Staff Report
Jefferson County Planning Commission Meeting
December 9, 2025

Media Farm Fencing Waiver Request (File: 25-29-PCW)

- (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:

Planning, Zoning, and Engineering staff recommends that waiver 25-29-PCW be granted to allow for fencing to pass through Stormwater Basin C located within the Media Farm Subdivision. Please note that obstructions within a SWM easement may create a ponding affect and over flow the capacity of the SWM facility. Typically, an engineer should evaluate the type of fence being used.

If Planning Commission is inclined to grant the waiver with conditions, Engineering staff would recommend that Planning Commission add as a condition of approval the following:

- 1. Approval of the Waiver provided a professional engineer evaluate the material and placement of the fence located within the easement. The engineer shall provide a letter stamped and sealed explaining the effect of the fence and whether the fence would obstruct the Stormwater Management facility or not in a manner affecting adjacent land owners.



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

File #: 25-29-PCW
 Mtg Date: 12-09-2025
 Date Rec'd: 11-18-2025
 Fees Paid: 150.00
 Staff Int: PR
 List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
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: Harvest Homes, LLC
 Business Name: _____
 Mailing Address: 67 Lutmans Lane, Suite 100, Shenandoah Junction, WV 25442
 Phone Number: 304/702-2500 Email: Paul pjraco.consulting@gmail.com

Applicant Contact Information

Applicant Name: Harvest Homes, LLC Same as owner:
 Business Name: _____
 Mailing Address: Same as Owner
 Phone Number: _____ Email: _____

Consultant Information

Name: Paul J Raco Consultant Engineer Connor Hill, P.E.
 Business Name: P.J. Raco Consulting, LLC Integrity Federal Services
 Mailing Address: P.O. Box 548, Charles Town, WV 25414 148 S Queen Street, Suite 201, Martinsburg, WV 25401
 Phone Number: 304/676-8256 Email: pjraco.consulting@gmail.com

Physical Property Details

Ranson

Physical Address: 261 Media Farm Lane, ~~Charles Town~~, WV 25414 Vacant Lot:
 Tax District: Charles Town Map No: 4 Parcel No: 11, 11.1, 13
 Parcel Size: 119.05+-, 2+-, and 5.35 acres Deed Book: 1330 and 1331 Page No: 743 and 1
 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?

See Submitted Preliminary Plat for Sketch
 Sections 24.402.D. Fence in Easements
21.402 D

Briefly Describe the Nature of Your Waiver Request:

See Attached

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.

There will be no change in design and the Development will continue at the current density if granted. There will be no County Maintenance Cost if this is granted. The project has been processed from the beginning with the intent to retain the Residue (Lot 99) as a Horse Farm and other Agricultural Uses. Up to now, the Applicant and Design Consultants never thought about the need for a Fence in the SWM Easement on Lot 99. This waiver will allow for Maintenance of the SWM area while allowing a Fence to keep the horses on the property.

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.

It will have no adverse effect on Public Health, safety, or welfare, as this waiver will allow the property to continue to allow horses on Lot 99 Residue. In fact, the horse fence will protect both the community and the horses from getting off the property.

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

The Waiver will allow Lot 99/Residue to continue as an Agricultural Use. The fence will allow the separation of the Agricultural Uses, specifically the Horses from the balance of the subdivision. The intent of this subdivision from the Rezoning through the Final Plat has always been to allow this lot to have horses. The fence in the SWM Easement was overlooked and this waiver will allow the intent of the subdivision to be fulfilled.

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

If granted, this lot will be able to be maintained as a horse farm. The fence will be a horse fence, most likely a 3 or 4 Board Horse Fence that will allow the SWM area to function while keeping the horses protected. The covenants will allow for the maintenance of the SWM Easement as required by the Ordinance. The proposed language is found in the Brief Description. This just allows for proper notice so that the horses can be moved or otherwise secured and allow for the fence to be reinstalled in a timely manner.

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.

Public Hearing Date

Date Placard Posted

Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

Date: ___ / ___ / ___

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.

	<u>11-18-25</u>		
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.

<u>12-09-2025</u>	<u>11-25-2025</u>	<u>11-25-2025</u>
Public Hearing Date	Date Placard Posted	Date Adjoiners Mailed

Planning Commission Determination

Approved Denied Date: ___ / ___ / ___

Media Farm Subdivision
Harvest Homes, LLC
Waiver Request
Section 21.402.D Fences in Easement
Jefferson County Subdivision and Site Development Ordinance
November 18, 2025

Brief Description

As explained to the Planning Commission at the Preliminary Plat Approval for Media Farm Subdivision at the last meeting, the need for a horse fence in the SWM Easement on Lot 99/Residue was overlooked. Since the beginning of this project at the Rezoning Hearing and continuing through the process through the Concept Plan stage and then the Preliminary Plat stage, the Applicant's intention with the Planning Commission and County Commission's approval has been to retain the existing Horse Farm on the 20 + Acre Residue. In order to achieve this preservation of the Agricultural Use within the subdivision, it is vital that a horse fence is permitted on this lot, including in the areas where there is a SWM Easement. Section 21.402.D of the Subdivision Ordinance does not allow fences within easements and requires that SWM Easements be maintained by the HOA.

This waiver requests permission to allow Horse Fences, such as a three or four Board Fence, within the Easement on Lot 99/Residue, provided that it is monitored to prevent water flow obstruction in the fence line within the easement. To meet the second part of the provision (allowance for HOA Maintenance), it is important to build in Notice requirements and both temporary and permanent replacement instructions within the Covenants so that both the future owner of Lot 99 and the HOA are informed of these parameters. Although neither the PC nor the Staff enforce the covenants, below are the proposed covenants that are intended to provide transparency to both the owners and the HOA. They are provided to show compliance with the provision requiring the HOA to maintain the SWM areas.

1.1.1.1 Units Storm Water Management Easement (also referred to as SWM)

1.1.1.1.1

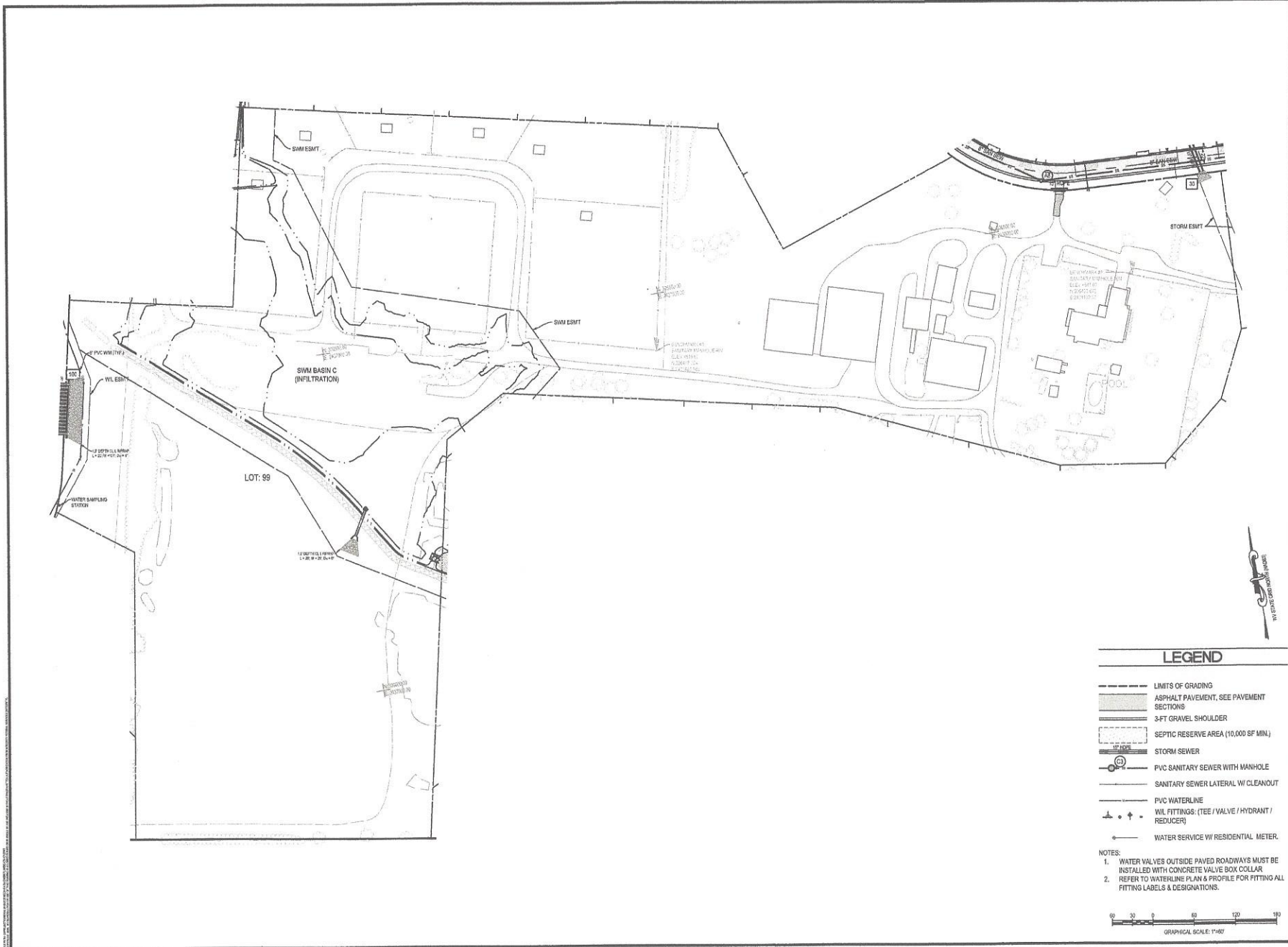
If a specific Unit is encumbered by a SWM as designated on the Plat and or Preliminary, said Unit shall be subject to said SWM easements and not alter change, or create any change to the design or construction of SWM feature.

1.1.1.1.2

Lot 99 shall be permitted to construct and maintain fencing in SWM Easements for agricultural purpose, so long as the fences do not affect the flow of stormwater. Lot 99 shall permit

developer, HOA or assigns access to maintain SWM features via a gate. Should the HOA or Developer need to remove fence in connection with maintaining or constructing a required SWM features, the developer or HOA shall provide owner of lot 99, 10 days' notice, maintain temporary fencing, and erect identical fencing, so long as it does not interfere with water flow. When SWM maintenance or construction is completed, developer, assign or HOA must reconstruct fence within 10 days. Lot 99 shall not be permitted to grade or alter a SWM feature, without the consent and approval of HOA and Jefferson County, WV Planning Commission.

Accordingly, the Applicant/Owner respectfully requests the Planning Commission to approve the waiver as requested. Thank you.



LEGEND

	LIMITS OF GRADING
	ASPHALT PAVEMENT. SEE PAVEMENT SECTIONS
	3-FT GRAVEL SHOULDER
	SEPTIC RESERVE AREA (10,000 SF MIN.)
	STORM SEWER
	PVC SANITARY SEWER WITH MANHOLE
	SANITARY SEWER LATERAL W/ CLEANOUT
	PVC WATERLINE
	W/L FITTINGS: (TEE / VALVE / HYDRANT / REDUCER)
	WATER SERVICE W/ RESIDENTIAL METER.

NOTES:

1. WATER VALVES OUTSIDE PAVED ROADWAYS MUST BE INSTALLED WITH CONCRETE VALVE BOX COLLAR.
2. REFER TO WATERLINE PLAN & PROFILE FOR FITTING LABELS & DESIGNATIONS.

GRAPHICAL SCALE: 1"=60'

**INTEGRITY
FEDERAL SERVICES**

CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE • PLANNING
1411 S. Queen Street, Suite 101 • Phoenix, AZ 85046
Meridenburg, WI 53041 • www.ifso.com

SEAL:

NO.	REVISIONS

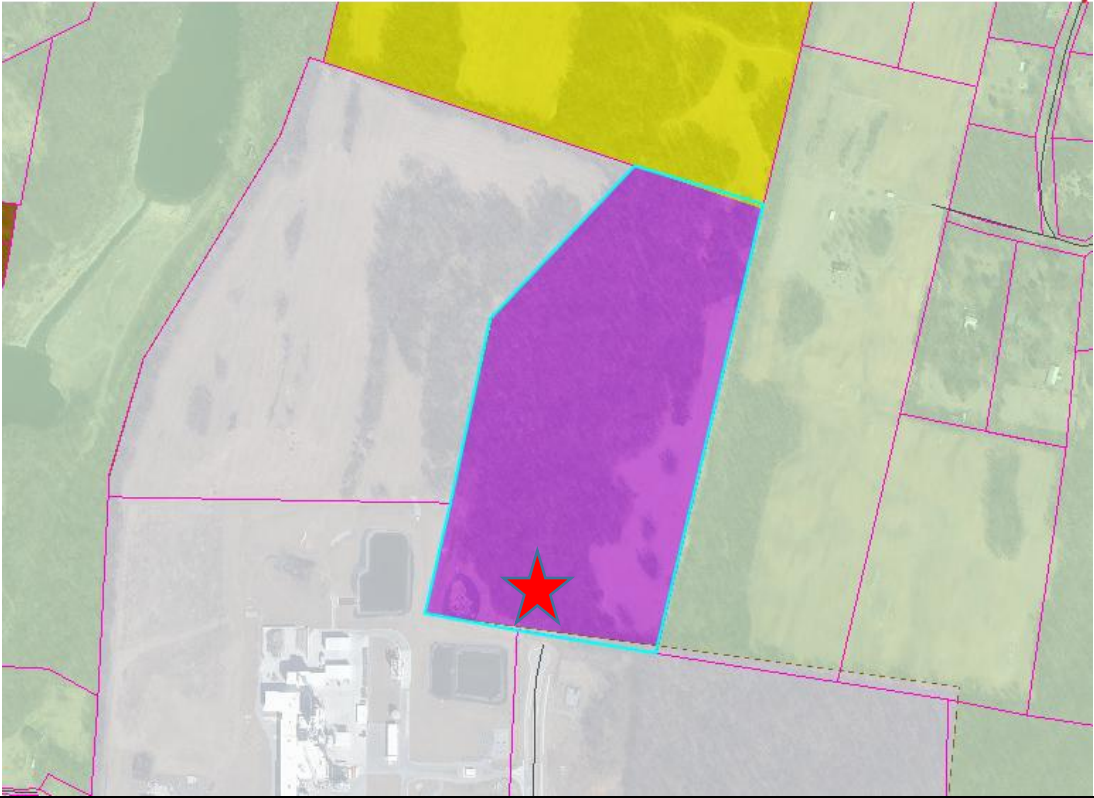
LOT 99 SITE & UTILITY PLAN EXHIBIT
**MEDIA FARM SUBDIVISION
PRELIMINARY PLAT**
 TAX MAP OR PARCEL: 11.8.1.1 D.B. 1330 P.67 743 PARCEL 13 D.B. 1331 PG. 1
 CHARLES TOWN TAX DISTRICT
 JEFFERSON COUNTY, WEST VIRGINIA

SCALE: HORIZ:	
SCALE: VERT:	
DATE:	MAY 2025
JOB:	8100-0101
DRAWN:	JCH
CHECK:	JPS
CADD:	C-CS-101.DWG
NS:	

Staff Report
 Jefferson County Planning Commission Meeting
 December 9, 2025

West Virginia American Water (Access) Waiver (25-30-PCW)

Item #6: Waiver from Section 20.201.C.2 of the Subdivision Regulations to allow a proposed non-residential subdivision to access off of an existing 100' right-of-way not built to county grade road standards. The proposed lot will establish a utility water tower operated by West Virginia American Water

Applicant/Owner:	Jefferson Orchard Inc.
Consultant:	Integrity Federal Services, Inc.
Property Location & Information:	<p>Vacant parcel located at the northern end of Northport Avenue, Kearneysville Size: ~ 44.06 acres; Parcel ID: 07000300350000; Zoning District: Light Industrial</p> 
Surrounding Zoning:	<i>North: Residential-Growth, South and West: Incorporated Town, and East: Rural</i>
Proposed Activity:	Non-residential minor subdivision for establishment of a water tower.
History:	09/28/22: Boundary Line Adjustment of Map 3 Parcel 29, leading to the relocation Parcel 29 to the south of Parcel 35 at DB 1291/PG 381 and PB 26/PG 456 .

Summary of the Request:

The applicant is requesting a waiver from Sec. 20.201 Minor Subdivisions, C. Non-Residential to process a Minor Subdivision for one additional lot on 2-3 acres to establish a water tower.

West Virginia American Water (Access) Waiver (25-30-PCW)

Sections of the Subdivision Regulations under Consideration:

Sec. 20.201 Minor Subdivisions: C. Non-Residential

2. Access. All lots shall front on an existing internal subdivision road built to county grade road standards and having a minimum right-of-way width of 50 feet. Lots having direct access to a state road are not permitted to process as a minor, except for those proposals utilizing the non-residential permitted uses in the Rural District.

Zoning Determination:

Section 4.7 Essential Utility Equipment

Essential utility equipment, as defined in Section 2.2, shall be permitted in any district, as authorized and regulated by law and ordinances of Jefferson County, it being the intention hereof to exempt such essential utility equipment from the application of this Ordinance. Wireless telecommunication towers, however, shall conform to the requirements of Article 4B.

Per the definition of “Essential Utilities or Equipment” in Section 2.2 of the Jefferson County Zoning and Land Development Ordinance, water towers are exempt from the application of the Ordinance.

Staff Discussion:

Access onto a road that meets county grade road standards is designed to minimize the conflict point of any vehicles entering the state highway system and to layout the entrance in a manner to accommodate the type of vehicle to utilize the entrance. The reason for an internal subdivision road for non-residential use is to build to a standard that will accommodate most of the intended uses. If a use exceeds the road standard originally built for, the proposed use will need to upgrade the internal subdivision road access to the state highway system. In this instance, Northport Avenue was designed to a different governmental entity standards. The access supports an industrial operation. The applicant is proposing a use less demanding than the current use.

Staff Recommendation:

If the Planning Commission is inclined to grant the waiver, Engineering recommends approval of the waiver with the condition of approval that the applicant receives written acceptance to access Northport Avenue by the owner.

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;

Staff Report
Jefferson County Planning Commission Meeting
December 9, 2025

West Virginia American Water (Access) Waiver (25-30-PCW)

- 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, 2nd Floor
 P.O. Box 716
 Charles Town, West Virginia 25414

File #: 25-30-PCW
 Mtg Date: 12-09-25
 Date Rec'd: 11-18-25
 Fees Paid: \$150.00
 Staff Int: PR
 List of Adjoiners:

Email: planningdepartment@jeffersoncountywv.org
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: Jefferson Orchards Inc.
 Business Name: Jefferson Orchards Inc.
 Mailing Address: PO Box 700, Kearneysville WV, 25430
 Phone Number: 214-808-4375 Email: mralston@fishmanjackson.com

Applicant Contact Information

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

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: Off Northport Avenue Vacant Lot:
 Tax District: 7 Map No: 3 Parcel No: 35
 Parcel Size: 44.0648 Deed Book: 1291 Page No: 381
 Zoning District: Light Industrial

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 20.201.C.2 (Access): All lots shall front on an existing internal subdivision road built to county grade road standards and having a minimum right-of-way width of 50 feet.

Briefly Describe the Nature of Your Waiver Request:

Section 20.201.C.2 (Access): waive all county grade road standards and allow the proposed parcel to be served by Northport Avenue as it currently exists. Northport Avenue was built to WVDOH standards for the purpose of eventually becoming a WVDOH road. WVDOH has not yet taken ownership over the entire road, but they currently own the first 650'+ of Northport Avenue past the CSX bridge. It is still the intention for WVDOH to take ownership in the future.

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.

Mark H. Ralston, President Digitally signed by Mark H. Ralston, President
Date: 2025.11.18 11:14:19 -06'00' 11/18/2025

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.

12-09-2025

Public Hearing Date

11-25-2025

Date Placard Posted

11-25-2025

Date Adjoiners Mailed

Planning Commission Determination

Approved

Denied

Date: ___ / ___ / ___

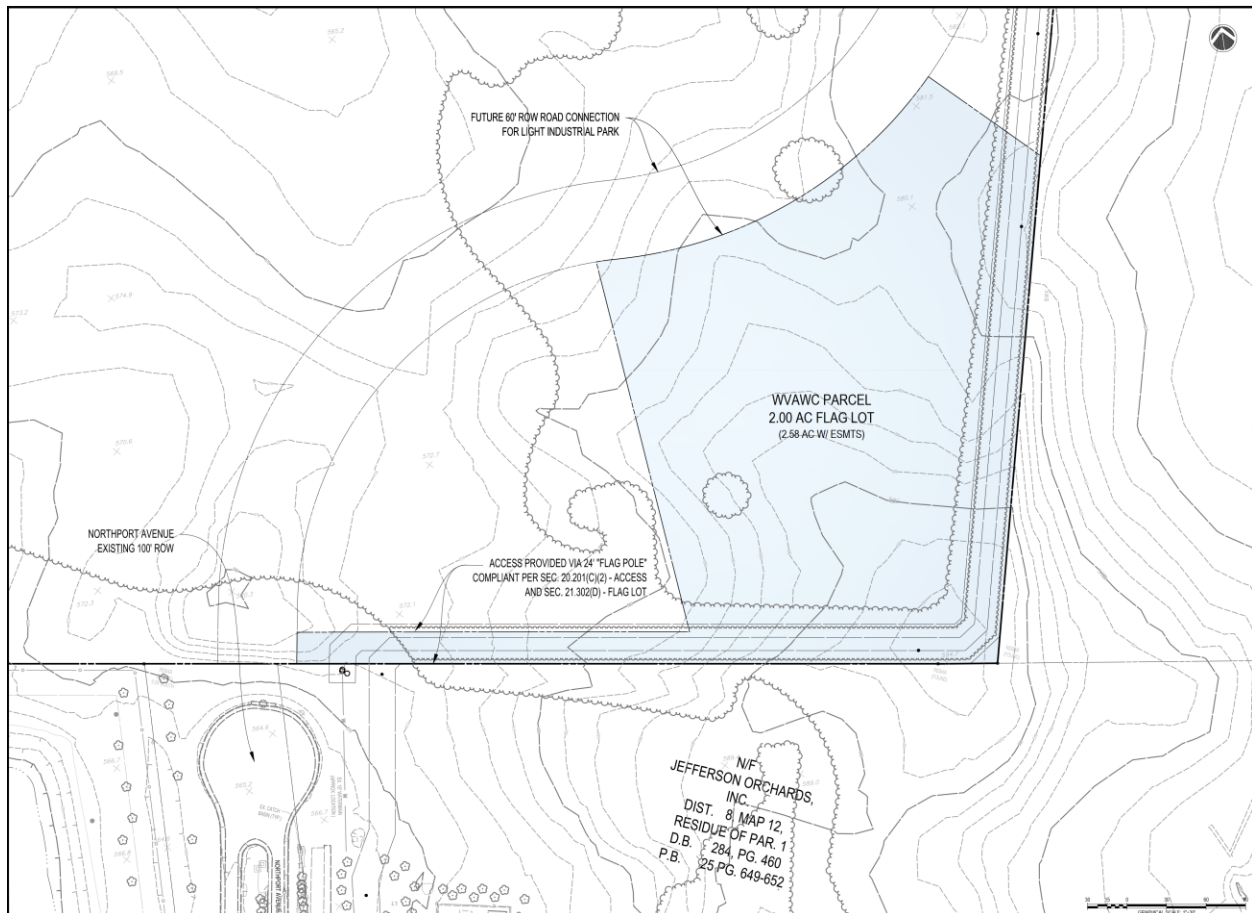
Jefferson Orchards

Waiver Request Addendum (Access)

November 18, 2025

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

Section 20.201.C.(2) Access. *All lots shall front on an existing internal subdivision road built to county grade road standards and having a minimum right-of-way width of 50 feet. Lots having direct access to a state road are not permitted to process as a minor, except for those proposals utilizing the non-residential permitted uses in the Rural District.*



Briefly describe the narrative of your waiver request:

It is the opinion of Integrity Federal Services that the request meets the intent of the ordinance because access is provided off a 100' right of way, on a road that was designed and constructed to WVDOH specifications and is intended for WVDOH ownership; therefore, a waiver should not be necessary to allow the proposed parcel to be created under the minor subdivision plat process. Upon the recommendation of County Staff, IFS has provided this waiver application to the access requirement for a non-residential minor subdivision, waiving the requirement that the access is built to county grade road standards.

The plat proposes the creation of a single non-residential parcel of approximately 2.58 acres, to be subdivided off the parent tract and sold, for the purpose of constructing a water tower to be owned and operated by West Virginia American Water. The water tower use is defined as “Essential Utility Equipment” per the Zoning Ordinance. This use is allowed by right in all Zoning Districts, indicating that the anticipated future use is compatible with the area.

The proposed parcel adjoins the existing Northport Avenue Right of Way via a “pipestem” or “flag lot” condition. Northport Avenue has a right of way of 100’ wide, far exceeding the 50’ minimum right of way width requirement. Northport Avenue is located on land that lies within the City of Ranson, and therefore was not designed to match the county grade road standards.

It is requested that all county grade road standards are waived to allow the proposed parcel to be served by Northport Avenue, as it currently exists. Northport Avenue was built to West Virginia Division of Highways standards for the purpose of eventually becoming a WVDOH roadway. WVDOH currently owns the first 650'+ of Northport Avenue past the CSX bridge. It is the intention for WVDOH to take ownership over the remainder of Northport Avenue in the future.

Northport Avenue was designed and constructed through a joint effort by the West Virginia Economic Development Authority (WVEDA), West Virginia Division of Highways (WVDOH), and the City of Ranson to facilitate the Rockwool industrial site development in the City of Ranson. WVDOH spearheaded the design on behalf of Rockwool (via Toole Design Group and Thrasher) and the City of Ranson lead the processing and coordination efforts. The objective has always been for WVDOH to take ownership of the entire Northport Avenue right of way.

The WVDOH standards that Northport Avenue was designed and constructed to are in accordance with heavy industrial use and planned for future development, and therefore sufficient to serve a 2.58 acre parcel intended for a water tower characterized as an Essential Utility. The intent of the ordinance is met to provide adequate site access to the proposed parcel.



1. Northport Avenue, North Bound

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 waiver to allow this subdivision to proceed as a minor subdivision plat with access provided by Northport Avenue provides a benefit to the County as it relates to costs, by streamlining resources leading to more efficient utilization of the review staff, while meeting the intent of the ordinance to provide sufficient access to any proposed lot.

Northport Avenue is intended for final ownership by WVDOH, and was designed and constructed in accordance with their specifications to support heavy industrial traffic. This road is more than sufficient to accommodate access to a water tower on the proposed parcel. The existing right of way exceeds the minimum required width by 100%.

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

Allowing the non-residential subdivision of this parcel to proceed as a minor subdivision plat will not impact the public's health, safety or welfare, nor will it impact adjacent property owners and/or residents' rights. The proposed access provided by Northport Avenue will provide adequate access for the anticipated future use, fire access, emergency service, and police protection.

Public health, safety or welfare is not impacted by this waiver to the access requirement, to allow this parcel to proceed with access provided via Northport Avenue. This road is constructed over land that lies within the City of Ranson and is subject to the City's Ordinances. The Section 20.201.C.(2) reference to "county grade road standards" does not contemplate access being provided by roads located in adjoining jurisdictions.

Northport Avenue was designed and constructed for final ownership by WVDOH, to support heavy industrial traffic, through a joint effort by governmental agencies. The road is more than sufficient to accommodate access to the proposed parcel. The existing right of way exceeds the minimum required width by 100%.

Additionally, the plat proposes the creation of a single non-residential parcel of 2.58 acres, for the purpose of constructing a water tower. The water tower use is defined as "Essential Utility Equipment" per the Jefferson County Zoning Ordinance. This use is allowed by right in all Zoning Districts, indicating that the anticipated use is also compatible with public health, safety and welfare, and the rights of adjacent property owners and residents.

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 ensure adequate access to proposed parcels and provide allocation guidance on the appropriate level of county resources to be dedicated to each level of subdivision application. The language used in *Section 20.201.C.(2) Access* is intended to set minimum level of service expectations for the access to any lot proposed to be subdivided under the minor subdivision plat process.

The metric used is “county grade road standards” and does not contemplate access being provided by roads located in adjoining jurisdictions. The existing subject parcel is “land locked” if not accessed through the City of Ranson, via Northport Avenue.

Regardless of the subdivision mechanism, Northport Avenue will be the future access to this lot. Waiving the access requirement to allow this proposed subdivision to continue as a minor plat, aligns with the intent of the ordinance to provide sufficient access for any new parcel proposed within the county.

As discussed in response to the public health & safety section of this document, the proposed access provided by Northport Avenue will provide adequate access for the anticipated future use, fire access, emergency services, and police protection. Granting this waiver will not provide any decrease in the required right of way width or increase to the number of lots proposed.

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

The waiver to allow this subdivision to proceed as a minor subdivision plat provides a benefit to the County by streamlining resources leading to more efficient utilization of the review staff, while meeting the intent of the ordinance to provide sufficient access to any proposed lot.

Northport Avenue was designed through a joint effort by the West Virginia Economic Development Authority (WVEDA), West Virginia Division of Highways (WVDOH), and the City of Ranson.

The road was designed and constructed to support heavy industrial traffic, per WVDOH standards. Northport Avenue is more than sufficient to accommodate access to the proposed parcel. The existing right of way exceeds the minimum required width by 100%, is lined with street trees, lighting, and public sidewalk. The existing road and right of way is intended for final ownership by WVDOH, and was designed and constructed in accordance with their design specifications in conjunction with the City of Ranson.

Conclusion

On behalf of the applicant, I respectfully request that a waiver to Section 20.201.C.(2) is approved by the planning commission for the proposed minor subdivision.

“All lots shall front on an existing internal subdivision road built to county grade road standards and having a minimum right-of-way width of 50 feet...”

Access to the proposed parcel is provided via Northport Avenue, which is an existing roadway located within the City of Ranson with a 100’ right of way. The road is a boulevard style median separated roadway with turning lanes, that is lined with trees, street lighting, and public sidewalk. Northport Avenue was designed and constructed for final ownership by WVDOH to support heavy industrial traffic as well as future growth, through a joint effort by governmental agencies. Therefore, IFS is of the professional opinion that the existing road is more than sufficient to accommodate access to the proposed parcel, and meets the intent of the ordinance.



Jefferson County, West Virginia

Department of Engineering, Planning, and Zoning

Office of Planning and Zoning

116 East Washington Street, 2nd Floor

Charles Town, WV 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: (304) 728-3228

Email: zoning@jeffersoncountywv.org

Fax: (304) 728-8126

Planner's Memorandum Planning Commission Meeting December 9, 2025

1) Department of Engineering, Planning and Zoning County Offices Contact Information

BUILDING PERMITS & INSPECTIONS 304-725-2998 permits@jeffersoncountywv.org

IMPACT FEES 304-728-3331 - mmason@jeffersoncountywv.org

ENGINEERING 304-728-3257 - engineering@jeffersoncountywv.org

PLANNING & ZONING 304-728-3228 - planningdepartment@jeffersoncountywv.org, zoning@jeffersoncountywv.org

GIS & ADDRESSING 304-724-6759 - gis@jeffersoncountywv.org

2) Planning Commission Email Expectations – Memo (to be distributed at meeting)

3) WV 9 Path Public Workshop December 16, 2025

4) Upcoming PC meetings

- Next Regular meeting date: **January 13, 2026**
 - 7:00 pm Planning Commission Meeting

FEHR PEERS

Michael Baker
INTERNATIONAL



HEPMPO

WV 9 Bike Path Connectivity Plan

December 16, 2025, 6:00-7:30pm

Jefferson County Commission Meeting Room - 393 North Lawrence Street, Charles Town

Public Workshop



Nonactionable Correspondence

**Public Comment for Jefferson County Planning Commission
meeting for November 4, 2025**

RECEIVED

NOV 04 2025

I, **David Tabb**, a lifelong resident/taxpayer make the following comments:

PUBLIC COMMENT –

JEFFERSON COUNTY PLANNING
ZONING & ENGINEERING

It has been stated by Commissioner Majdi that the Jefferson County Commission (JCC) has little authority (20%) over building and density. However, the County Commission appoints the Boards and hires the Planning and Zoning personal. Planning and Zoning is allowing more development to include density whereas, the JCC is supposedly promoting less development and a reduction in density. The personal that was appointed and hired need to have a meeting with the County Commissioners to align with the Commission's statements.

Public Hearing #5

With this request of variance, it will take a minor subdivision and increase the number of lots from 5 to 6. So, what is the reason to change a requirement that has already be established? 37.43 acres divided by 5 would be 7.486 per lot, if allowed 6 lots would be 6.239 acres per lot, which increases the number of homes and a higher density. This variance would not align with the County Commission's statements to reduce the number of homes being built and their density.

Public Hearing #6, #7 and #8

The prosed text amendment 5.5 (reserved) *Rural Residential (RR) District* is not a text amendment but is a newly created section that is not in line with the 2045 Comprehensive Plan. It appears to be a fancy way to increase density and suggest that there will be more open green space to be utilized for agriculture. There has not been a general guideline or description of how the green space would be adjoined to be utilized by agriculture.

There is no place listed for reduction of structures and an increase of green space that would be adjoined. This appears to be an attempt to change rural districts to residential districts!

You cannot have a non-residential agriculture use in a Rural Residential (RR) District that is clearly stated in the same rules. They are conflicting terms. The text amendment cannot haphazardly be "Rural Residential". There are too many changes in the description to understand how this all works. There is a need of a physical description to include artistry (layout) to illustrate the requested amendments. This amendment proposal is mixing apples and oranges even though it would make a nice fruit salad, these amendments do not align with Jefferson's County agriculture heritage.

Once again, this does not align with the 2045 Comprehensive Plan nor to the County Commission's statements of less development and a reduction in density (within the Planning and Zoning proposed text amendments).

Now come David Tabb, and submit a document with an affidavit attached.

To comply with this Commission's wishes not to consume their time, I David Tabb, have submitted this document to be entered into each agenda item as a complete document.

AFFIDAVIT:

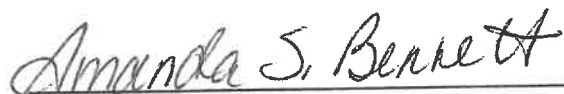
David C. Tabb came and appeared before me, the undersigned notary, Amanda S. Bennett, resident of Berkeley Co., in the State of West Virginia made his statement and affidavit upon affirmation of belief that the facts set forth are true and correct to the best of his knowledge.

DATED this 4th day of November, 2025



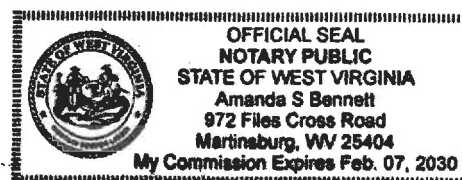
David C. Tabb

Sworn and subscribed before me this 4th day of November, 2025



Notary

My Commission expires 2/7/2030



From: [Planning Department](#)
To: ["Rebecca Thompson"](#)
Subject: RE: Thank You For Not Settling
Date: Monday, December 1, 2025 1:47:00 PM

Good afternoon,

Please note that our office is in receipt of your email and your comments will be included in the Planning Commission packet for the upcoming December 9, 2025 Planning Commission meeting. This packet will be made available on the County's [webpage](#) by close of business on Friday, December 5, 2025.

Thank you,

Patti Richardson, Planning Clerk
Office of Planning, & Zoning
Jefferson County, WV
304-728-3228

From: Rebecca Thompson <beccatmail@gmail.com>
Sent: Monday, December 1, 2025 1:02 PM
To: Planning Department <PlanningDepartment@jeffersoncountywv.org>
Subject: Thank You For Not Settling

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Planning Commissioners,

You have been on my mind for awhile, and having just celebrated Thanksgiving, I wanted to formally thank you for not agreeing to Sidewinders proffers and settling the case! I, along with so many other people, are extremely grateful to you and for you!

I am especially grateful to Cara Keys, who found the courage and fortitude to stand up and vote with her conscience for what she knows is the right thing to do. And for Donnie Fisher for doing the same! It takes a lot of guts to do that and we are so very appreciative of you.

A big thank you to Daniel Hayes and Wade Louthan as well. We know it was a hard decision, but we are so appreciative that after a great deal of thought, you voted to not accept the proffers and not allow Sidewinder to build the water bottling plant!

It means so very much when you stand up for what is right and for the good of the people and the county. Actually, it means everything! Please know, it has not gone unnoticed!

I know that some or most of you may feel that the proffers Sidewinder was willing to make in order to get approval to build, were decent and you should accept them because that's the best outcome we could possibly get. Perhaps you thought that if/when it goes to the supreme court that there is no chance at all that it will be denied and we'll lose out on any proffers they are dangling in front of you right now. But, I respectfully disagree. I think it is completely worth it not to settle and let it go to the supreme court.

First of all, at first glance, the proffers may seem like Sidewinder is improving a few things from their original plan, but if you look a bit closer at the complicated and confusing proffers, you'll see that the conditions are really not better. They are just trying to convince you that

they are.

For example, they stated they will monitor a few nearby residential wells for two years to monitor whether the pollution plume becomes dislodged. This sounds good, however, they state that the two years of monitoring will begin at the commencing of construction. The construction of the water bottling plant may end up taking two years or a good part of it to complete, thus, water extraction may not even begin until after they have fulfilled their two year obligation of monitoring wells.

Also, they state that they will monitor well A and live stream it in real time so that everyone can keep an eye on it and be able to see when the water level drops too much, forcing Sidewinder to reduce the amount of water extraction until the water level returns to an acceptable level. Again, at first this sounds excellent, HOWEVER, I have learned that well A does not appear to be connected to Lake Louise and the underground flow of water to it. Well B, on the other hand, does appear to be connected to Lake Louise and its underground water flow. Well B will be highly affected by Sidewinder's water extraction, and will show a much clearer picture of the impact the water extraction is having on the groundwater and people's wells, NOT WELL A! So, why are they monitoring and live streaming well A, when they should actually be monitoring and live streaming well B?!!!

In reality, by the time the depth of water in well A drops to the amount they stated that would cause them to greatly reduce the amount of water extracted until water levels return to an acceptable level, the water level in well B could potentially easily have dropped far, far lower than well A ! It appears that they are trying to convince you that they have good intentions and are trying to put in measures to safeguard the groundwater and wells in the county, when actually they are not!

These are just two examples of many instances that show how their proffers don't really mean much, if anything. It seems like it should be the job of the planning commission's lawyer to break everything down and explain to all of you how and why the proffers are actually not helpful and do nothing to improve the disastrous effects of the groundwater bottling plant if built. I urge you to go back yourself, and review the proffers and analyze exactly what Sidewinder is, and is not promising!

And, of course, there's the fact that Judge Cohee sided in favor on all counts with the planning commission!

On behalf of so many people in the county, I urge you to please stay strong and do not settle!
Please do not accept Sidewinders menial proffers and allow them to build! WE STAND WITH YOU!
IT IS WORTH THE FIGHT TO STAND UP FOR AND PROTECT THE PEOPLE AND THE COUNTY! AND WE ARE SO VERY GRATEFUL TO YOU!

Sincerely,
Rebecca Thompson