

MINUTES
JEFFERSON COUNTY PLANNING COMMISSION
MARCH 27, 2007

The Jefferson County Planning Commission met on Tuesday, March 27, 2007 with Paul Burke, President presiding. Todd Baldau, Russell Roper, Arnie Dailey, Ellen May and Jim Surkamp were present. Staff members present were Sherry Kelly, Kim Shrader and Jennilee Hartman.

Tom Kane and Lynne Deming were absent with notification. John Sidor arrived at the meeting late (8:18 p.m.) with prior notification.

Mr. Burke called the meeting to order at 7:00 p.m.

Mr. Baldau stated he was not present at the last meeting therefore he must abstain. Ms. May motioned to approve the minutes of the March 13, 2007 Planning Commission meeting contingent upon the following changes: 1) “(5) Page 4, 5th paragraph ~~3rd sentence, Item # 10 beginning:~~ add a sentence to read: Mr. Baldau stated that he would like the limited site plan to be modified so that the handicapped parking spaces were located closer to the entrance of the Food Lion (at the end of aisle #3 or aisle #4), rather than at the end of ~~aisle number in~~ aisle #6;” 2) “3. Continued from the February 27, 2007 meeting. Review of Hillside Development, Forest Management, density as a result of merger, and satisfaction of community service letters, for Beacon Hill Estates, Section II (PC File#05-19). Ms Kelly recommended ~~preliminary plat approval of the 4 items.~~”; 3) “15. Legal representation, advice and possible action. Some or all the discussion may be closed to the public. Any decision will be made in open session. Mr. Casimiro stated the County Commission ~~voted~~ asked whether to send Plan B of the Subdivision Ordinances to Lane Kendig for review and comment on Plan B. Ms. May seconded the motion which passed with a vote 5 for and 2 opposed (Mr. Kane and Mr. Roper).”

Mr. Dailey seconded the motioned, which passed 5 for and 1 abstention (Mr. Baldau).

2. Requests for postponements. None.

3. Final Plat Public Hearing for the Terry L. and Margaret R. Walker Minor Subdivision, Lots 1& 2-Residue. Staff recommended approval of the final plat pending submission of originally signed plats and recordation within 90 days. Mr. Burke asked for public comment. There was none. Mr. Baldau motioned to approve the final plat with staff contingencies. Ms. May seconded the motion, which carried unanimously.

4. Community Impact Statement Public Hearing for the Longfield Subdivision - 25 single family lots and 3 existing single lots and 3 single family residue lots on 266.6223 acres. Sherry Kelly, Acting Chief Planner/Zoning Administrator, stated there was a small strip of land designated as Lot 25. If this strip were renamed or turned into an easement than she would recommend approval of the Community Impact Statement. Ms. Kelly did mention this correction could be done at the preliminary plat stage. Matt Powell with Potomac Professional Services represented the project stating they would correct the supposed “Lot 25.” Mr. Baldau stated he did not see the social impact letters in the Community Impact Statement. Mr. Powell stated they did receive letters from the agencies and the Planning Commission must have

DRAFT MINUTES PLANNING COMMISSION

MARCH 27, 2007

PAGE 2 of 5

inadvertently been given the wrong copy of the Community Impact Statement. Mr. Powell also relayed that he had personally been in contact with the agencies and that they were aware of the project. Mr. Burke questioned the use of the word public verses private. Patricia Sanderson and Bob Denton were also present to answer questions. Mr. Burke asked for public comment. Bill Mason, adjacent property owner, had questions regarding the newly designed entrance and road name. Ed Johnson spoke in favor of the project. Ms. May motioned to approve the Community Impact Statement with staff contingencies. Mr. Roper seconded the motioned, which passed 4 for and 2 opposed (Mr. Burke and Mr. Baldau).

5. Community Impact Statement Public Hearing for the Angus View Subdivision (formerly known as Timber Ridge) - 6 single family lots on 46.628 acres and 1 single family residue lot on 57.4 acres. Staff recommended approval of the Community Impact Statement. Annette van Hilst from Dewberry was present to answer Commissioner's questions. Mr. Burke asked for public comment. Alice Suthis, Mark Butcher, Lind Butler, Mark Butler and Jack Mitchell spoke regarding the project. Mr. Baldau motioned to approve the Community Impact Statement. Mr. Dailey seconded the motion, which carried unanimously.

6. Public Hearing to consider public comments on the proposed petition to amend the Jefferson County Zoning and Land Development Ordinance/Map. Jim Crawford, Attorney, was present to answer Commissioner's questions. Mr. Roper motioned to send the petition to the County Commission. Mr. Dailey seconded the motioned. The vote passed 4 for and 2 opposed (Mr. Burke and Ms. May).

7. Request by Douglas Stolipher for a variance to allow the existing 30' access easement (currently serving 6 lots) to provide access to two lots proposed in a minor subdivision application. Ms. Kelly stated the road was too narrow and that she had concerns of additional lots being created in the future. Kim Shrader, County Engineer, recommended approval of the variance and advancement to the Final Plat stage contingent on the submission of a plan locating the bioretention facilities, design and construction specifications for the bioretention facilities and all required permits. Kristin Ringstaff and Mark Dyck with William H. Gordon and Associates were present to answer Commissioner's questions. Doug Stolipher was also present.

The CD was changed at 8:18 p.m. during which John Sidor arrived at the meeting. The meeting resumed at 8:19 p.m.

Mr. Dailey motioned to approve the variance with staff contingencies. Mr. Roper seconded the motion. The vote passed 5 for, 1 opposed (Mr. Burke) and 1 abstention (Mr. Sidor did not vote because he was not present for the entire Item).

Mr. Burke called for a brief recess starting at 8:25 p.m. The meeting resumed at 8:33 p.m.

Stephanie Grove, Assistant Prosecuting Attorney, spoke to the Commission regarding the Benview case. Ms. May motioned to go into executive session under Peters vs. Wood County. Mr. Surkamp seconded the motion which carried unanimously.

DRAFT MINUTES PLANNING COMMISSION

MARCH 27, 2007

PAGE 3 of 5

The CD was stopped for the executive session at 8:42 p.m. The meeting resumed at 9:07 p.m. Mr. Baldau motioned to have the Planning Commission instruct the Prosecuting Attorney to overturn the Planning Commission's decision on the Final Plat of the Benview Subdivision. Ms. May seconded the motion, which carried unanimously.

Mr. Baldau also motioned to instruct the Prosecuting Attorney's office to, whenever possible, to provide the Planning Commission with copies of all legal documents related to litigation involving the Planning Commission when possible in a timely manner to allow members of the Planning Commission to offer input. Mr. Surkamp seconded the motion, which carried unanimously.

8. Chief Planner's report on office activities and questions. Ms. Kelly reported on the Transition Team's progress, which included discussions regarding vehicles, office space, office equipment and shared staff. Mr. Surkamp mentioned the new budget allowed for 2 new planners and 1 new clerical employee. Jack Mitchell stated the office spaces need to be ADA compliant.

9. Changes to the PC Agenda Format. See attached handout submitted by Mr. Sidor entitled, '*Procedure for public hearing of the Jefferson County Planning Commission.*' Ms. May motioned to adopt Mr. Sidor's recommended changes to the agenda contingent upon correcting the two web addresses indicated in paragraph #3.

Mr. Surkamp left the meeting room at 9:35 p.m. stating he had to leave the meeting early. Mr. Surkamp did not return for the duration of the meeting.

10. Planning Commission Budget. Discussion regarding staff salaries was brought up by Mr. Baldau. Fred Blackmer stated the County Commission did decide on a 3.5% raise for all County employees. Mr. Baldau motioned to inform the County Commission that the Planning Commission would strongly support a higher raise than 3.5%. Ms. May seconded the motion. Discussion regarding a certain percentage took place. Mr. Baldau amended his motion to urge the County Commission to adopt a salary beyond 3.5% and to increase it between 7.5% – 10%, taking into account increased workload and responsibilities. Ms. May stated she would still second the motion. Mr. Roper suggested waiting until the County Commission reaches a decision and then ask for more if necessary. Mr. Dailey stated he would want to see what the overall salary increase would be before he approved any motion. The vote was 5 for and 1 opposed (Mr. Dailey). Mr. Burke stated he would e-mail the County Commission regarding this motion since they would be in budget hearings the following day.

Mr. Burke's handout entitled, '*Draft Regulations Pertaining to Administration if Prescribed By the Planning Commission and Adopted by the County Commission [8A-2-11(2)]*' (see attached) was discussed. Mr. Baldau, in reference to Item IV, made a motion to recommend to the County Commission that the Department of Planning, Zoning & Engineering charge \$200 for variances. After some discussion Mr. Baldau withdrew his motion. Mr. Baldau then motioned for the Planning Commission to recommend to the County Commission to impose a fee of \$200 for a request for a variance from the Subdivision Ordinance. In the event the fee creates an undue

hardship, the applicant may write to the County Commission to request a full or partial waiver or refund. The motion died for a lack of a second.

11. Committees and committee reports:

Executive Committee: No action was taken.

Long Range Planner: Final interviews will be conducted throughout the rest of the week with a recommendation possibly next week. Mr. Burke made a request that Ms. May continue to be on the LRP Committee even after her term expires. Fred Blackmer spoke in reference to a County Commission meeting regarding appointees.

TDR: No action was taken.

Bylaws and Procedures Committee: No action was taken.

PSD Committee and Budget Committee: No action was taken.

Mr. Burke made reference back to his handout. Mr. Sidor motioned to send the handout dealing I- Electronic Submissions, II-Agenda Openings, and III- Signs for Final Plats and Variances to the County Commission for their approval.

The CD was changed at 10:14 p.m. and resumed at 10:15 p.m.

Mr. Sidor's motion to send the handout dealing I- Electronic Submissions, II-Agenda Openings, and III- Signs for Final Plats and Variances to the County Commission for their approval passed unanimously.

Ms. May motioned to approve the draft signs for proposed development and variance requests as stated on the back of Mr. Burke's handout and to have them forwarded to the County Commission as well. The motion also passed unanimously.

12. Staff interactions with applicant, public & Planning Commission. Mr. Burke submitted a handout entitle, '*Review Steps for Subdivision.*' James Casimiro, Assistant Prosecuting Attorney, was present to help determine if the proposed changes requires Ordinance amendments. After much discussion, Mr. Sidor motioned to recommend the changes to County Commission with Items 2-5 on the handout. Item # 5 being changed to remove the words, 'at least 14 days before the meeting' and replace them with, 'as soon as possible.' Mr. Baldau seconded the motion, which carried unanimously.

13. Actionable Correspondence. None.

14. Non-Actionable Correspondence. None.

15. Legal representation, advice and possible action. Some or all the discussion may be closed to the public. Any decisions will be made in open session. Mr. Casimiro stated he would put together a packet on labor laws for the Planning Commission.

Mr. Roper motioned to adjourn the meeting. Mr. Dailey seconded the motion, which carried unanimously.

DRAFT MINUTES PLANNING COMMISSION

MARCH 27, 2007

PAGE 5 of 5

The meeting adjourned at 10:37 p.m. on March 27, 2007. A detailed transcript of this meeting can be found on CD # 31, 32 & 33. These minutes were prepared by Jennilee Hartman.