

MINUTES
JEFFERSON COUNTY PLANNING & ZONING COMMISSION
AUGUST 26, 2003

The Jefferson County Planning & Zoning Commission met on Tuesday, August 26, 2003 with Arnold Dailey, President, presiding. Other Planning Commission members present were: Renny Smith, William Lewandowski, Russell Roper, Mark Schiavone, Rusty Morgan, Richard Childs and Barbara Humes. Staff members present were Paul Raco, Roger Goodwin, Michael Stevens and Sherry Cole.

Sam Donley, Rosella Kern, and David Mills were absent with notification. Douglas Vaira and David Kemnitzer were absent without notification.

Mr. Dailey called the meeting to order at 7:00 P.M.

Mr. Schiavone motioned to accept the Minutes of the August 12, 2003 regular meeting. Ms. Smith seconded the motion which carried unanimously.

1. Postponed from the May 27, 2003 meeting. Declaration of violation for Mr. and Mrs. Bruce Moler of the Jefferson County Improvement Location Permit Ordinance for location of 2 sheds located on property designated as Parcel 108 on Tax Map 10A of the Charles Town District as found in Deed Book 928 at Page 480. Mr. Dailey stated this item has been postponed.

4. Postponed from the August 12, 2003 meeting. Community Impact Statement Review for the Blue Ridge View Subdivision. Staff recommended to direct the developer to submit an addendum by the next meeting or this item would be taken off the agenda. Ms. Smith motioned to postpone action on this item until the September 9, 2003 meeting and directed staff to write a letter to applicant stating that if they do not appear at the September 9, 2003 meeting that this item will be heard. Mr. Childs seconded the motion which failed with a vote of 3 for (Ms. Smith, Mr. Childs and Mr. Dailey and 4 opposed. The item was left on the agenda.

7. Community Impact Statement Review for the Spruce Hill Subdivision. The developer asked for a postponement until the September 23, 2003 meeting. Mr. Schiavone motioned to postpone the Community Impact Statement until the September 23, 2003 meeting. Mr. Roper seconded the motion which carried unanimously.

2. Postponed from the August 12, 2003 meeting. Final Plat Public Hearing for the Scott Henry Minor Subdivision, Lots 1, 2 & 3 Residue. Mr. Raco read a letter from legal counsel regarding restrictive covenants. Staff recommended approval with signed copies of final plat and recordation within 90 days. Mr. Schiavone motioned to approve the Final Plat. Mr. Childs seconded the motion which carried unanimously.

3. Final Plat Public Hearing for the Garnett Payne Minor Subdivision, Lots 1, 2 and 3-Residue. Staff recommended approval of the Final Plat. There was no public comment. The Public Hearing was closed. Mr. Childs motioned to approve the Final Plat. Mr. Roper seconded the motion which carried unanimously.

4. Postponed from the August 12, 2003 meeting. Community Impact Statement Review for the Blue Ridge View Subdivision. There was no representative for Blue Ridge View Subdivision present. There was public comment from Sherry Duncan and Lewis Meadows. The Public Hearing was closed. Mr. Schiavone motioned to deny the Community Impact Statement due to insufficient information. Mr. Morgan seconded the motion which carried unanimously.

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5. Postponed from the August 12, 2003 meeting. Community Impact Statement Review for the Breckenridge East Subdivision. Jerry Connelly, Dan Anderston, Dick Keller and Lori Stilley presented the project. There was public comment from Greg Lance, Margo Kletter, Pat Master, Mike Hanscomb, Dave Bussard, Patricia Sholtice, Bob Adams, Philip Foote, Barbara Bilmeyer, George Benford, Sherry Duncan, Dick Latterell, Leigh Koonce, David Wilkes and Beth Haney. The Public Hearing was closed. Staff recommended public testimony remain open for two weeks with a written testimony deadline date of Monday, September 8, 2003, at 5:00 and redocket this item for the Planning Commission Meeting on September 23, 2003. Staff was not satisfied with the capacity letter from the City of Charles Town. Staff also recommended asking for authority letters from the City of Charles Town, DEP, PSD and PSC and a sewer study investigation be conducted on the weekends. Ms. Smith motioned to have all the items raised by the Planning Commission addressed and the Community Impact Statement redocketed for September 23, 2003. Mr. Morgan seconded the motion which carried unanimously.

6. Community Impact Statement Review for McMurrin Farm Subdivision. Eric Lewis and Annette Van Hilst presented the project. There was public comment from Sherry Duncan, Lori Stilley and Paul Burke. The public hearing was closed. Staff recommended acceptance of the Community Impact Statement. Ms. Smith motioned to approve the Community Impact Statement. Mr. Childs seconded the motion which passed with a vote of 6 for and 1 opposed (Mr. Lewandowski).

8. Request by Claymont Society for Continuous Education to lift the single family restriction on one of the lots in a proposed 3 lot subdivision and advancement to the final plat stage for the subdivision. Ellen Arrison presented the request. Staff recommended approval of the request. Mr. Schiavone motioned to approve the request and advance to the final plat stage. Mr. Lewandowski seconded the motion which carried unanimously.

9. Comprehensive Plan. Staff stated the Comprehensive Plan was back in the hands of the County Commission.

10. Correspondence. None.

11. Chief Planner. The meeting adjourned at 11:52 p.m. on August 26, 2003 for Executive Session. Ms. Smith motioned to go into Executive Session. Mr. Lewandowski seconded the motion. Ms. Smith motioned to come out of Executive Session. Mr. Schiavone seconded the motion. Mr. Schiavone motioned to offer the Chief Planner position to the committee's recommendation. Mr. Lewandowski seconded the motion which carried unanimously.

The meeting adjourned at 12:02 on August 27, 2003. A detailed transcript of this meeting can be found on Tapes # 87, #88, #89 and #90. These minutes were prepared by Sherry Cole.

