

October 22, 2008

Mr. Herb Jonkers, Manager
Old Standard LLC
P.O. Box 341
Millwood, VA 22646

Re: Water Availability to Old Standard

Dear Herb:

I am writing in response to your request for water service for the development of the Old Standard Property at Millville, West Virginia.

Jefferson Utilities will be pleased to provide water service to the Old Standard Development. As you know, a 16" water line has been extended to the edge of the property. Jefferson Utilities has ample capacity to serve the proposed development of the entire property which we understand is to include a 250 unit extended stay hotel, a 100,000 square foot data center, a resort hotel, 200 condo units, additional data centers, and 2,000,000 square feet of office park/ research and development facilities.

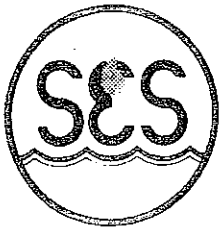
The extension of water service through the project will be in accordance with the Alternate Main Line Extension Agreement which is in place between Jefferson Utilities and Old Standard LLC.

We look forward to working with Old Standard to provide water service to a successful project.

With best wishes,



Lee Snyder, President



SNYDER ENVIRONMENTAL SERVICES, INC.

270 Industrial Boulevard
Kearneysville, WV 25430
(304) 725-9140
FAX 728-7326

-180-

Contractors License
WV000270

October 22, 2008

Mr. Herb Jonkers, Manager
Old Standard LLC
P.O. Box 341
Millwood, VA 22646

Re: Sewer Service for Old Standard

Dear Herb:

I am writing in response to your request that I review the sewer service availability to the Old Standard Property at Millville, West Virginia.

As you know, Snyder Environmental Services constructed the Old Standard Waste Water Treatment Plant (WWTP) and continues to operate the WWTP.

Presently, the existing operating WWTP has a design capacity, with its present compliment of membranes, to treat 50,000 gallons of wastewater per day. The present plant can be readily expanded to treat 125,000 gallons per day by simply adding additional membrane cassette units in the existing tank with no other mechanical modification.

Old Standard has a load allocation to allow a discharge of up to 250,000 gallons per day by constructing an additional treatment facility adjacent to the existing WWTP. Actually, there is ample space and pipe capacity to expand the treatment capacity to a much higher capacity of easily 500,000 gallons per day. If anyone has questions regarding the present or future capacity of the Old Standard WWTP, please have them call me.

With best wishes,

Lee Snyder, President



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Highways

1900 Kanawha Boulevard East • Building Five • Room 110
Charleston, West Virginia 25305-0430 • 304/558-3505

Joe Manchin III
Governor

December 18, 2006

Mr. Herbert Jonkers
Manager, Old Standard LLC
201 North George Street, Suite 202
Charles Town, West Virginia 25414

Dear Mr. Jonkers:

Enclosed is a proposed two-party agreement between the West Virginia Division of Highways and Old Standard LLC for the future installation of a new traffic signal system and future roadway improvements on US 340 at the intersection of US 340 with CR 27. These improvements, when built, will serve a 405 acres business park-hotel conference center complex, to be built adjacent to CR 27 (Millville Road) in Jefferson County.

The agreement sets forth the joint responsibilities of Old Standard LLC and the Division of Highways regarding the traffic signal and roadway work along US 340 and CR 27 (Millville Road). All three copies of the agreement should be executed and returned to this office for final execution by the Division of Highways. The date of the agreement will be the date it is executed by the Division; therefore, *the date space at the top of the first page of the agreement is to be left blank*. After the appropriate officials of the Division have affixed the necessary signatures, we will return one copy of the fully executed agreement for your files.

Should you have any questions regarding this matter, please feel free to contact Mr. Barry Warhafftig, Director of Traffic Engineering Division, at telephone (304) 558-3063.

Very truly yours,

Marvin G. Murphy, P. E., P.L.S.
State Highway Engineer

MGM:Ww

Enclosure

THIS AGREEMENT, made this 4th day of January, 2002, by and between the WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, a Corporation, hereinafter referred to as "Department;" and OLD Standard LLC, hereinafter referred to as "Developer."

WITNESSETH

THAT WHEREAS, Developer will be requesting that a new traffic signal be installed in accordance with the traffic impact study submitted by the Developer and approved by the Department for the intersection of US 340 with CR 27,

WHEREAS, Developer will be requesting that Department design and construct roadway improvements on US 340 at its intersection with CR 27 in accordance with the traffic impact study, submitted by the Developer and approved by the Department,

WHEREAS, due to the fact that the necessity for constructing the traffic signal system at the above described location arises from traffic flowing into and out of the development and regulation of said traffic will benefit the patrons of said facilities, the Developer has indicated a desire to pay for the construction costs of installing such a traffic signal system, said contribution to be in the form of a donation to the State Road Fund and to be conditioned upon use of the entire amount thus donated for purposes hereinafter set forth; and

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, that for and in consideration of the mutual covenants herein entered into and mutual benefits to be derived by parties hereto, said Department and Developer do hereby agree that the following will be the duties and responsibilities of each party, respectively.

DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT

The Department agrees:

1. To construct the left turn lane improvements along US 340 identified in the approved traffic impact study.

2. To prepare plans and specifications necessary for a project for the construction of the new traffic signal system described earlier, to let a contract for the erection thereof, and to supervise the installation of the same.
3. To program the intersection controller.
4. To perform properly all maintenance of the traffic signal system.

DUTIES AND RESPONSIBILITIES OF THE DEVELOPER

The Developer agrees:

1. To contribute, prior to the Department's approval to the contractor to proceed, a donation to the State Road Fund a sum of money equal to two hundred thousand dollars (\$200,000).
2. To construct all roadway improvements along CR 27 (Millville Road) identified in the traffic impact study approved by the Department prior to the traffic signal system being installed and activated.
3. That the terms of the agreement shall be binding upon successors and assigns.

IT IS FURTHER UNDERSTOOD AND AGREED BETWEEN DEPARTMENT AND DEVELOPER:

1. That the work agreed to be done by the Department in connection with the overall installation of the aforesaid traffic signal system shall be done in three phases, to wit:
 - a. The preparation of plans and specifications for a contract letting;
 - b. The advertising and acceptance of competitive bids on the contract;
 - c. The awarding of a contract for said traffic signal system and the supervision of the construction thereof.
2. That the construction cost of the aforesaid traffic signal system shall include contract bid amount, contract administration and inspection cost of Department personnel assigned to the project, and the cost of materials supplied from the Department's inventory to expedite the completion of the contract.
3. That upon completion of the installation of the traffic signal system, all equipment, poles, and other appurtenances necessary for the installation thereof, shall become the

property of Department.

4. That the Developer has not had, does not have now, and shall not have in the future, any responsibility in respect to the planning, design, construction, installation, or maintenance of said traffic signal system.
5. That the Developer grants the Department the right and privilege to enter upon such portions of the Developer's property located near the intersection for the purpose of constructing and maintaining the traffic signal and its appurtenances.

IN WITNESS WHEREOF the parties, hereto have caused their respective names to be signed by their duly authorized officers:

WITNESS:

WEST VIRGINIA DEPARTMENT OF
TRANSPORTATION
Division of Highways
A Corporation

Brenda Crowder
Title: Ex. Sec.

[Signature]
State Highway Engineer

WITNESS:

Old Standard LLC.

[Signature]
Title

[Signature]
Title

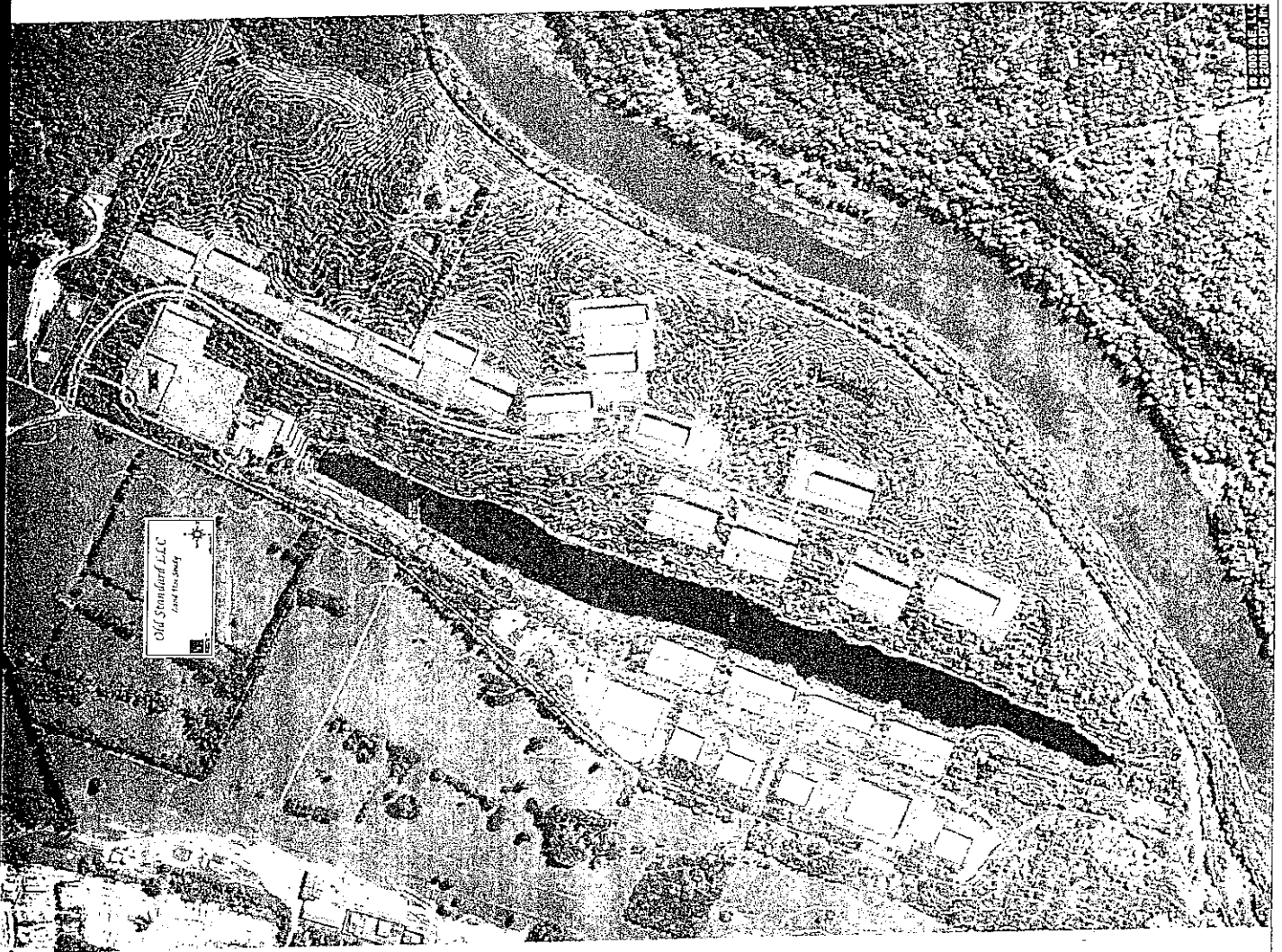
Old Standard, Bugler's Rest and Alstadt's Corner

**A Presentation in Support
of Annexation**

***Productive Reuse of Brownfields in a
Mixed-Use Development Where
West Virginians Can Live and Work***

Annexation Petition

- Total of approximately 638 Acres
 - 411 acres at the Old Standard Quarry
 - 70 acres at Bugler's Rest
 - 13 acres at Alstadt's Corner
 - 144 acres of existing public roads



Proposed Development

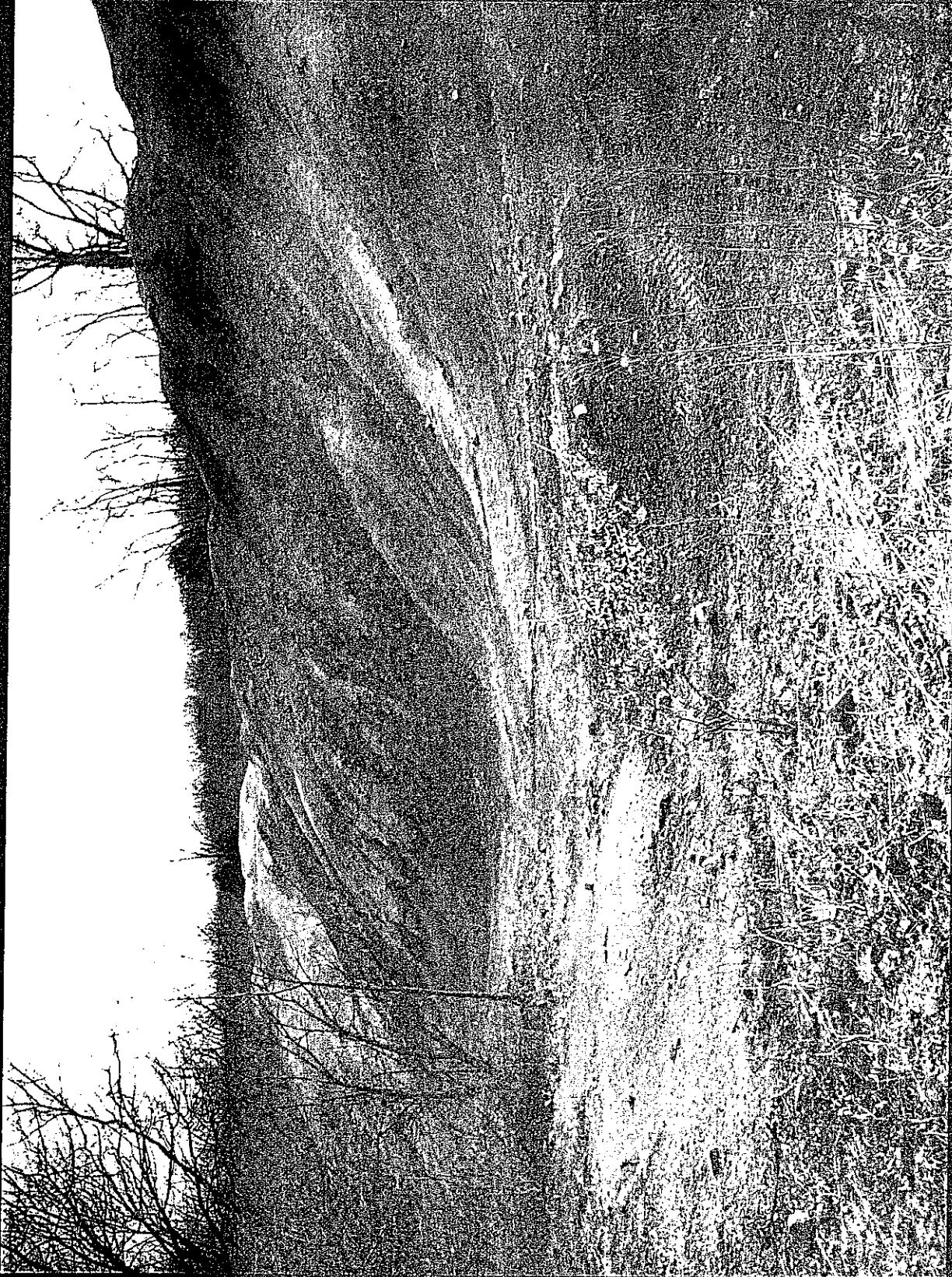
- 2 million square feet of office/employment centers
- 60,000 square foot signature office building
- 150 room hotel with 22,500 square foot conference center
- 7 retail pad sites at Route 340 and Millville Road
- 200 residential units maximum as an annexation condition

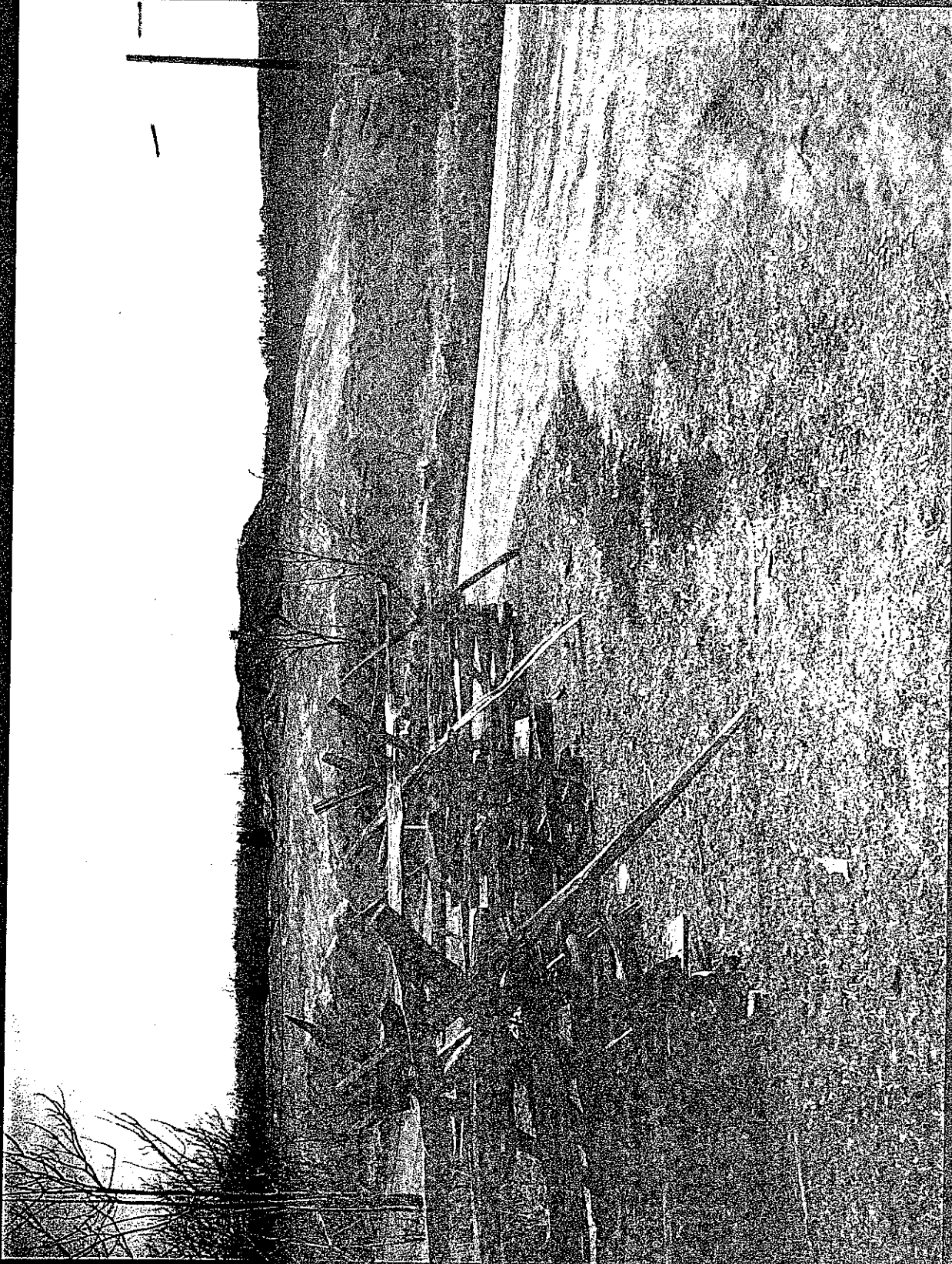
Productive Reuse of Brownfields

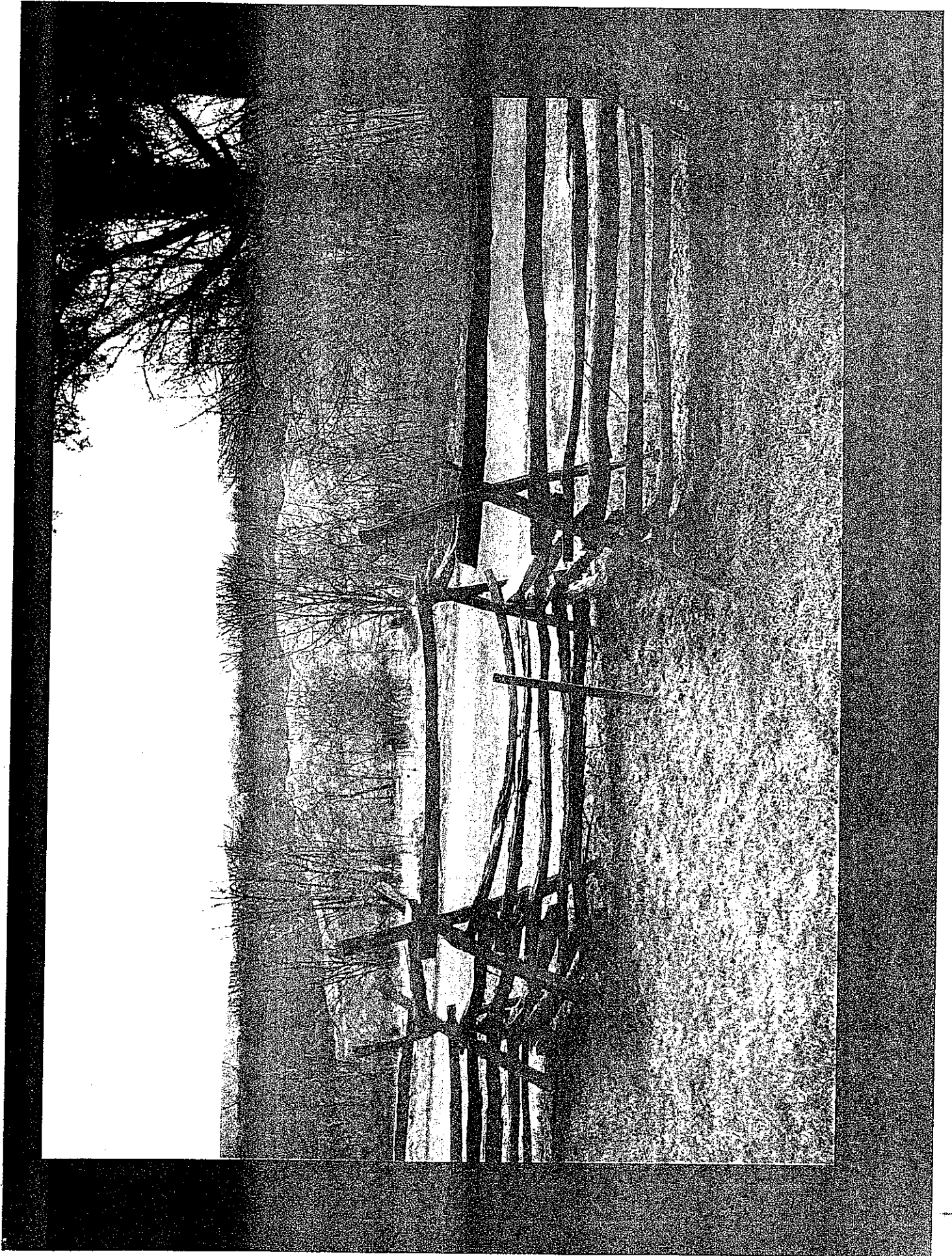
- Old Standard operated as a quarry from the 1880's until 1974
- Approximately 200,000 cubic yards of lime refractory material (burnt limestone or slag) are located on the site
- Site is moon-like in appearance, clearly visible from adjacent properties
- Office/employment campus is far more attractive and productive than current state

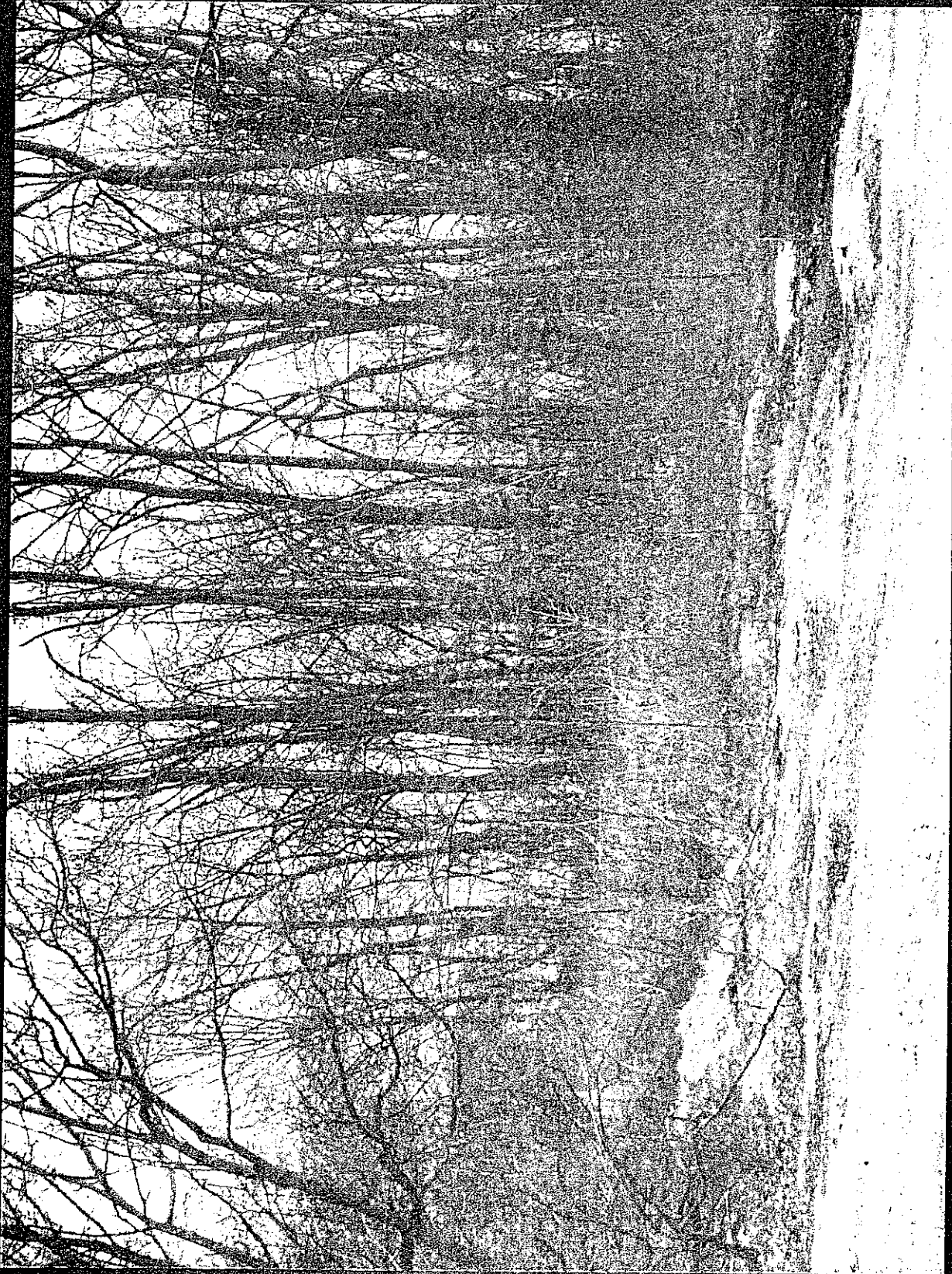
Will the Old Standard
Quarry will somehow harm
the adjacent properties
owned by the United States
Government?

PICTURES PAINT
A THOUSAND
WORDS . . .

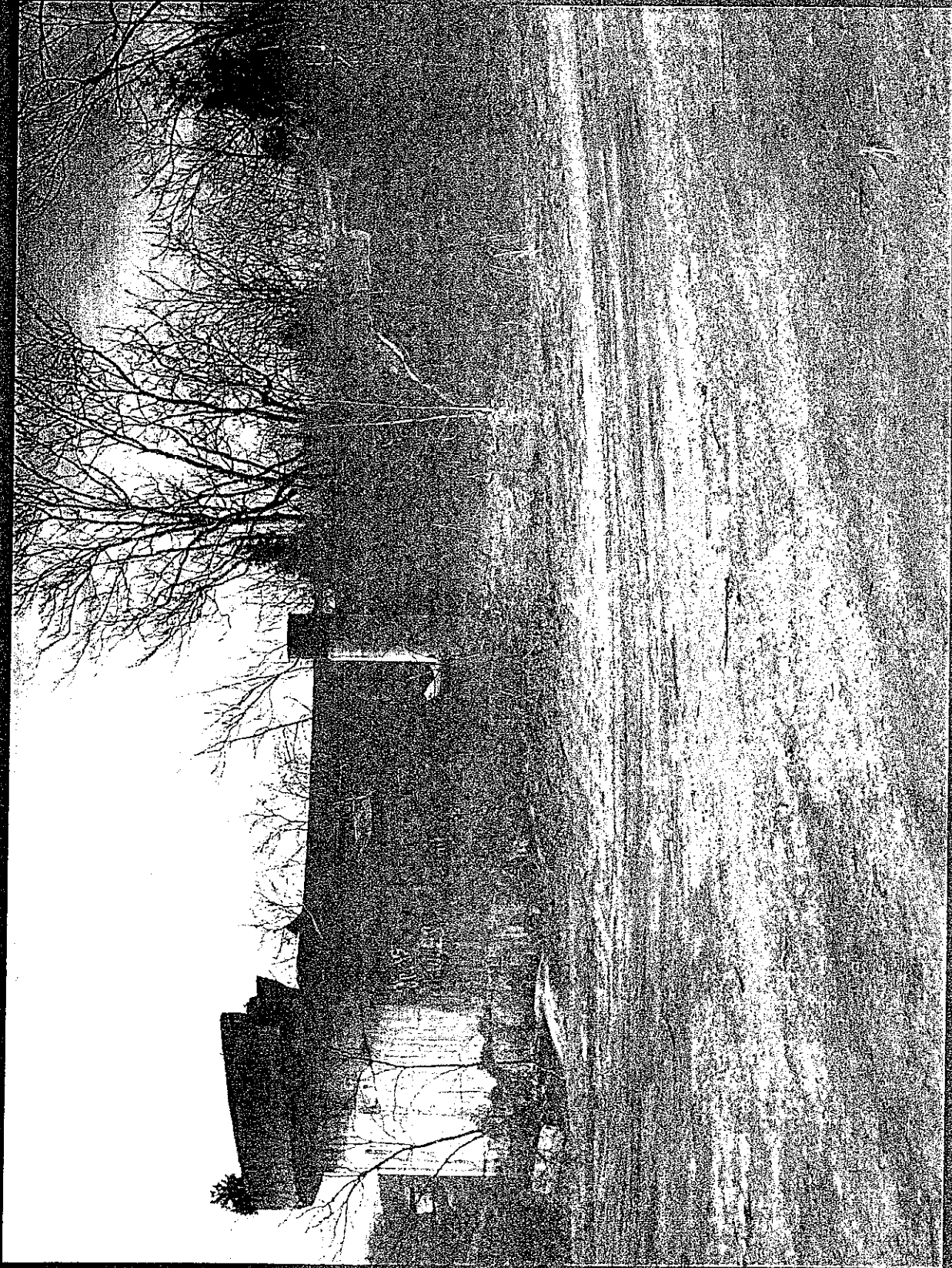


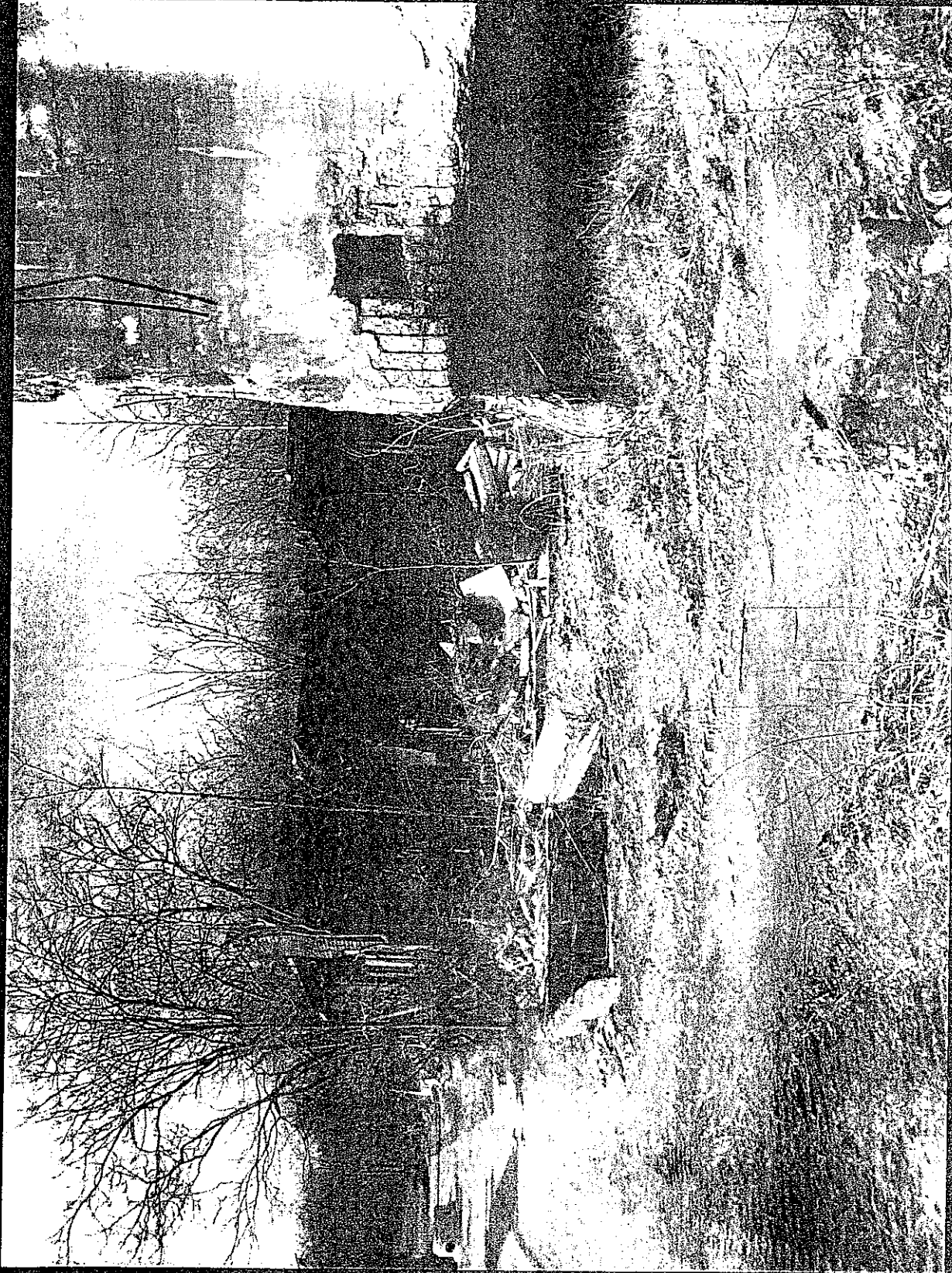


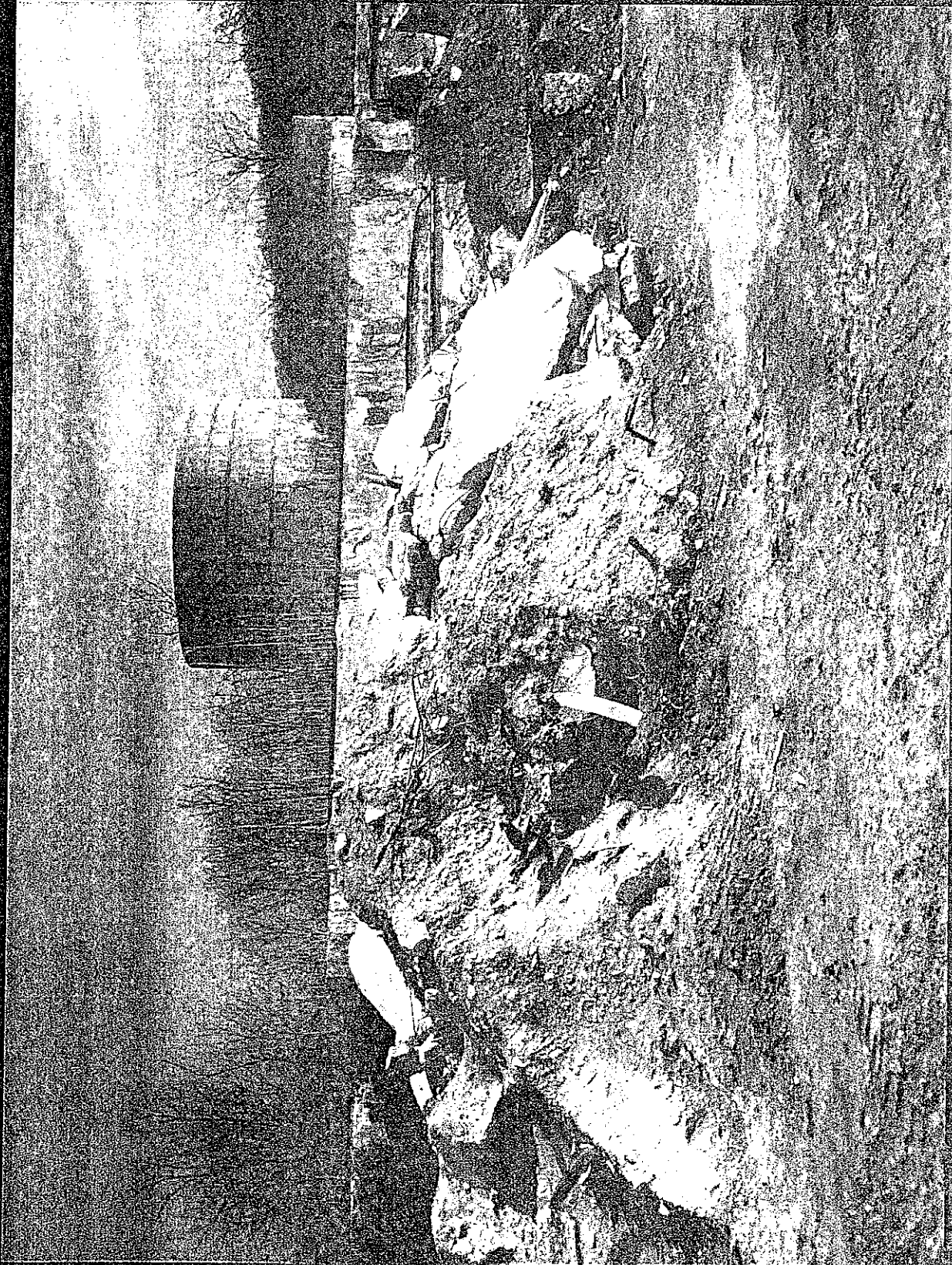


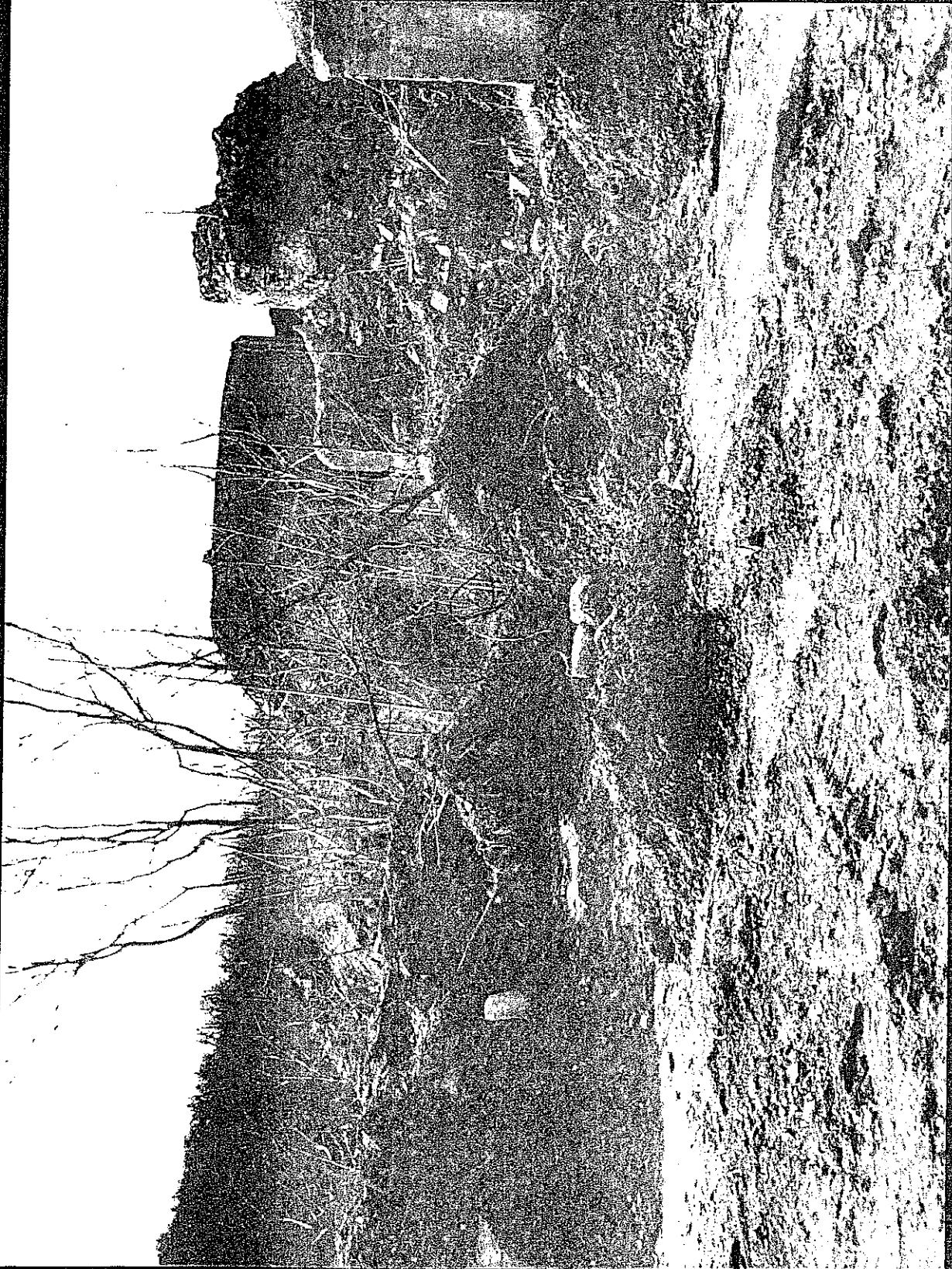


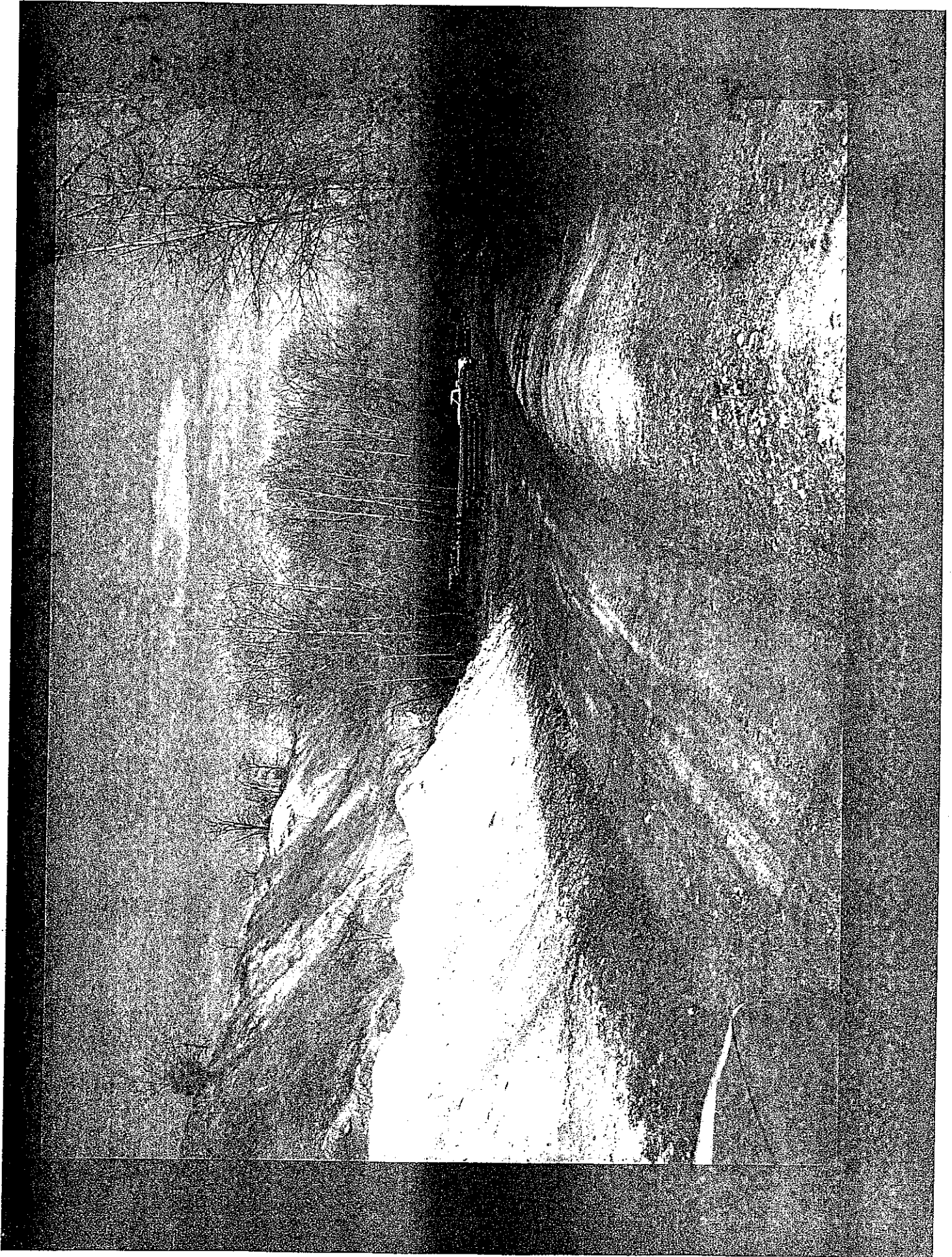












Old Standard Property: Permitted Use with Current Zoning

- 340 acres of the 411 acres of the Old Standard site zoned for 34 single-family homes using cluster development under the Jefferson County Zoning Ordinance
- Remaining 80 acres zoned for high-density residential use which equates to 1,600 dwelling units

Bugler's Rest Property: Permitted Use with Current Zoning

- Under the Jefferson County Zoning Ordinance, 70 acre site zoned for high-density residential use
- Provides for a maximum of 1,400 dwelling units, depending on the density selection made by the owner

Alstadt's Corner Property: Permitted Use with Current Zoning

- Under the Jefferson County Zoning Ordinance, 13 acre site is zoned for high-density residential use
- 260 dwelling units permitted
- Grandfathered commercial use for a seasonal produce and flea market

Summary of Permitted Development under the Jefferson County Subdivision Ordinance

- 3,294 permitted dwelling units
 - 1,634 units on the Old Standard Property
 - 1,400 units on the Bugler's Rest Property
 - 260 units on the Alstad's Corner Property

Proposed Development with Conditions of Annexation

- As a condition of annexation, the applicants would limit residential development to a maximum of 200 residential units
- This limitation is 6% of the maximum density that is permitted pursuant to the current zoning
 - Less than .3 residential units for every acre annexed

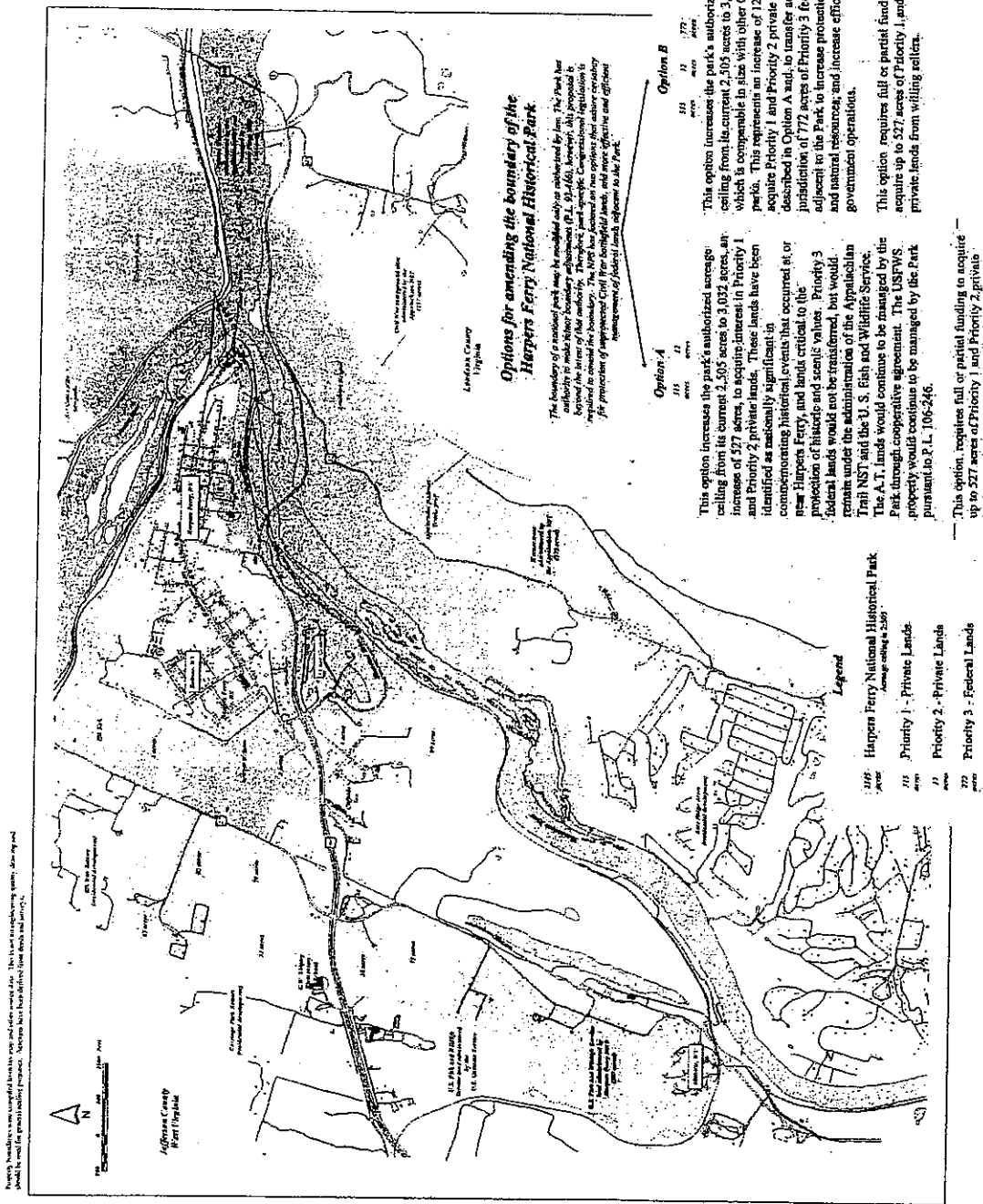
Federal Government's Review of the Old Standard Site

- U.S. Fish and Wildlife Service contracted to purchase the Old Standard Property in the late 1980's
 - Sought campus-like training facility similar to the current proposal
 - Abandoned the project because of required environmental remediation

National Park Service's Review of the Old Standard Site

- 2002 Park Expansion Study identified virtually all of the properties around Harpers Ferry for expansion of the National Park
- The expansion study **SPECIFICALLY EXCLUDED** all the property which is the subject of this proposed annexation

The results of the Park Service Study:



Economic Development and Resulting Tax Benefit to the City of Charles Town

- Approximately 6,000 new jobs
- Approximately \$1 million in real estate and hotel room tax revenue will be generated annually to the City
 - With only 200 residential units burdening the City's resources

Economic Development and Resulting Tax Benefit to Jefferson County

- Approximately \$4.4 million in real estate tax revenue will be generated annually to the County when build-out is complete

Parks and Recreational Facilities to be Provided to the City and the County

- 20 acres of parks and recreational facilities to be provided, including 1.5 miles of Shenandoah Riverfront
 - Boat ramps
 - Toilet facilities
 - Park-like settings

BEFORE THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST
VIRGINIA

IN RE: Old Standard, LLC

PETITION FOR REZONING

COMES NOW, Old Standard, LLC by J. Michael Cassell, Esq. and James
P. Campbell, Esq. to present this Petition for Rezoning.

I. Request for Rezoning

Old Standard, LLC presents this Petition to Rezone the Old Standard Quarry
pursuant to Section 1.2, Jefferson County Zoning Ordinance, and Section 8A-7-9, West
Virginia Code as amended.

II. Description of the Property

The Old Standard Quarry property is located in the Harpers Ferry District of
Jefferson County, West Virginia. Old Standard is adjacent to Millville Road (Sec. Rt. 27)
and the Shenandoah River. It is described as Tax Map 11, Parcel 24.1 and Tax Map 9-2.
Parcel 50. A more particular description may be found in Deed Book 984 at page 501
and DB 998 page 555 recorded in the Office of the Clerk of the County Commission of
Jefferson County, West Virginia.

The Quarry property contains approximately 411 acres. The prior owners of the
Old Standard Quarry actively mined the property from the 1880's until 1974. The

Quarry site is now a lake approximately one mile long and approximately 400 feet wide at its widest point.

III. Concept Plans

Attached with Petition for Rezoning you will find two (2) Concept Plans showing the reuse of the Old Standard Quarry Property. Old Standard proposes to construct a premium business park which will contain two million square feet of office space, research and development space, and flex space at build-out. The Plan also includes a first class Hotel and Conference Center located at the north end of the Old Standard Quarry Lake. The hotel would be constructed in a step-down fashion to make use of the dramatic cliffs which border the lake.

One of the Concept Plans is an aerial photograph which contains the topographic gradations showing the steep cliffs along the lake and above the railroad line which runs parallel to the Shenandoah River. (Exhibit 1)

The second Concept Plan shows the extent of the transportation improvements proposed by Old Standard. Millville Road will be expanded to a four (4) lane access road to connect with the Signature Office Building and the Hotel.

IV. Development Plan

Old Standard will enter into a binding commitment to proceed with a development plan which would include offices, research and development, and flex space with a Hotel

(150 rooms and 23,000 sq. ft. for meeting and convention space.) There is no residential component in the Development Plan.

At build-out the business park would provide space for approximately 6,000 new jobs. The revenue generated through real estate taxes and hotel tax would be approximately \$4.4 million per year. Old Standard intends to proceed with the construction of the Hotel and the Signature Office Building as the first priority in the Development Plan.

V. Compatibility with Comprehensive Plan

According to the 1990 Census, approximately one-third of the residents of Jefferson County commuted to another location to go to work. By the 2000 Census, the commuting population had increased to over fifty percent. By all information, the commuting population continues to increase causing our residents to drive 30, 40, or 50 miles each way to work. It is imperative for Jefferson County to look to the future to create a framework within which new employers may locate here. Old Standard intends to contact various high-tech and white collar employers in the Washington – Baltimore Metropolitan area.

It is now necessary for many government agencies and contractors to have facilities outside a fifty mile radius beyond the District of Columbia. The Old Standard Business Park would serve as an important project for Jefferson County to attract new employers looking for premium space for their business.

The Jefferson County Comprehensive Plan recognizes that economic development should be encouraged to provide an opportunity for our residents to live and work in Jefferson County. One of the fundamental policies of the Comprehensive Plan is stated as follows at page 8:

“This Plan encourages economic development so that residents can live and work in the county.”

The Comprehensive Plan also encourages growth and development in its statement of goals at page 19:

“Encourage growth and development in areas where water, sewer, schools, and other public facilities are available or can be provided without unreasonable costs to the community.”

“Promote growth and development that are both economically and environmentally sound.”

“Encourage and support commercial, industrial, and agricultural activities to provide a diversified and sound local economy.”

Recommendation 3.18, page 64, states as follows:

“The County should continue to pursue new industrial and commercial development in order to diversify its economy, increase the tax base and thereby mitigate the problems of increasing Residential Growth and provide quality employment opportunities to its workforce.”

The Old Standard business park will accommodate up to 6,000 new jobs at build-out. The property will remain on the County's tax rolls as commercial property. The creation of a diversified economy and thousands of new local jobs meet the goals of the Comprehensive Plan to create economic development without a residential component.

VI. Transportation Improvements

Old Standard will construct traffic signals at the intersection of Millville Road and US Rt. 340. Old Standard will improve Millville Road from US Rt. 340 to the business park. This access will be a four lane access road that connects with the internal roads in the business park. Both of these improvements will be completed under the supervision of the West Virginia Division of Highways. The Old Standard, LLC Quarry Traffic Impact Study prepared by Greenhorne and O'Mara dated January 16, 2007 is attached as Exhibit 3. The Traffic Impact Study recommends the above-described improvements which have been improved by the Division of Highways.

VII. Water and Sewer Improvements

Water and sewer lines are already available on the property at no expense to the County. Jefferson Utilities will provide water to the property. Old Standard is now constructing a membrane biotechnology plant which will comply with the expected Chesapeake Bay standards. This plant will be transferred to the Jefferson County Public Service District for \$1.00. The effluent from the Plant will be released to the Shenandoah River. This effluent will be cleaner than the water in the Shenandoah River. No effluent will be discharged to the Old Standard Quarry Lake. The lake will continue to be protected as a valuable resource.

VIII. Recreation Component

Old Standard will create a river side park between the railroad property and the Shenandoah River with approximately 1.4 miles of river frontage. Old Standard will

improve this park land with restrooms, picnic tables, fire pits, and a hiker/biker trail. Old Standard proposes that the public will have free and open access to the river side park but Old Standard will retain Title to the property which will keep the property on the tax rolls. The hiker/biker trail will connect with the business park for use by those people working in the business park. The trail could also be coordinated with other adjacent properties.

IX. Old Standard is in the Rural District and the Residential Growth District

The Old Standard Quarry now has two separate zoning designations. At the north end of the property just north of the lake, an 80 acre parcel is zoned for High Density Residential Use. If Old Standard were to develop this property as it currently zoned and construct housing on eighty acres, there could be 1600 residential units constructed on the property pursuant to the Zoning Ordinance.

The remaining 330 acres of the Old Standard property is in the Rural District. If Old Standard were to cluster development 33 single family homes could be constructed on the property. This means that 1633 residences could be constructed on the Old Standard Property as it is currently zoned.

X. Rezone the Old Standard Quarry for Commercial Uses

The Old Standard property has never been suitable for the Rural District. Since the 1880's it has been a quarry and an industrial site which produced burned limestone to make steel, stone aggregate, and other products.

The mining and manufacturing operations created massive amounts of material which remain on the site. Anyone who has traveled down Millville Road can see the huge white and gray piles of material between the road and the lake. These piles of material are burned limestone discarded during the process used to make a steel additive. Over the years, massive amounts of limestone and fill from the quarry have been deposited on the east and north side of the lake in an area running approximately two-thirds the length of the lake.

As a result of this intensive mining and manufacturing process, the West Virginia Department of Environmental Protection classified the entire Old Standard Property as a "Brownfield". Old Standard entered into a Voluntary Remediation Program with the DEP. Old Standard has completed the Remediation of 300 acres east and north of the lake.

Old Standard will complete the Remediation Program in a timely fashion. It is important to note that the burned limestone material is inert and poses no risk or hazard to anyone. Old Standard will clear all of the ruined buildings. All concrete and brick material will be ground up for reuse. The steel will be removed. Old Standard intends to reuse the burned limestone as fill material.

Jefferson County used the Old Standard property as a dump until 1962. The Landfill was located on the east side of the lake. In 1962 the Department of Health ordered Jefferson County to close the Landfill. The Department of Health also ordered the County to cap the Landfill with the burned limestone material located on site.

Massive amounts of fill from the Quarry and burned limestone material are now stored on both sides of the lake.

The Old Standard Quarry Property was a mining and industrial site for almost 100 years. The property contains steep ravines and steep cliffs. Rock out- croppings are the most prominent feature of the topography. As such, the Old Standard Quarry Property is ill-suited for the of the Permitted Uses in the Rural District.

The inclusion of the Old Standard Quarry in the Rural District is an error which should now be corrected. The intensive mining and manufacturing uses and the steep topography of the property create difficulties for a productive reuse of the quarry within the confines of the Principal Permitted Uses in the Rural District.

Old Standard requests this rezoning as a remedy to correct the erroneous zoning designation now applicable to the property. This Rezoning Request also directly addresses the reuse of an important Brownfield property. Old Standard is committed to complete the Remediation through the development of the Old Standard Business Park.

XI. Conclusion.

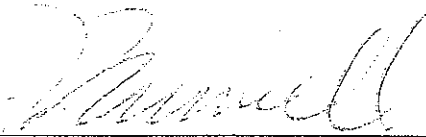
The Old Standard Rezoning will accomplish many goals including:

1. Creation of a premium business park which will accommodate 6,000 jobs at build-out.
2. Remediation of a large "Brownfield" pursuant to WVDEP Voluntary Remediation Program.
3. Real Estate and Hotel Taxes of approximately \$4.4 million dollars

per year at build-out.

4. Transportation improvements: stop light on US Route 340 and expanded Millville Road.
5. Riverside Park containing approximately 1.4 miles of frontage on the Shenandoah River.
6. Central water and membrane biotechnology waste water treatment plant at the site.

Old Standard respectfully requests that the County Commission refer this Petition for Rezoning to the Jefferson County Planning Commission to address the compatibility of this Petitioner with the Comprehensive Plan.



J. Michael Cassell, Esq. (WVSB# 670)
James P. Campbell, Esq. (WVSB# 609)
Campbell Miller Zimmerman
201 N. George Street Ste 200
Charles Town, West Virginia 25414
304-725-5325/telephone
304-724-8009/facsimile

JENNIFER S. MAGHAN
Clerk of the Jefferson County Commission
P.O. Box 208
Charles Town, WV 25414
(304)728-3215

Date: 4/17/2007

Recording of Deed

Transfer Tax

Recording of Deed of Trust

Recording of Release

Recording of Agreement

Recording of Judgement or Execution

Recording of Assignment

Birth Certificate

Death Certificate

Certified Marriage License

Photocopy

Other: - Check received from Old Hondard
for \$21,327.00. Check will be delivered
to Planning/zoning

Total Due: \$

Payment Received: \$ 21,327.00

Please remit bill with payment.

Clerk:

Gail Magaha,
Deputy

207-02

-224-
RG
TR

JEFFERSON COUNTY, WEST VIRGINIA

Departments of Planning and Zoning

104 East Washington Street
P.O. Box 338
Charles Town, West Virginia 25414

Email: planningdepartment@jeffersoncountywv.org

Phone: 304-728-3228
Fax: 304-728-8126

DATE: 4 June 2007

TO: Planning Commission Members

FROM: Sherry Kelly, Acting Chief Planner/Zoning Administrator

RE: Staff Report for Rezoning Request - Old Standard Quarry

A request for rezoning has been submitted for the property known as Old Standard Quarry, identified as Tax Map 9-2, Parcel 50, consisting of 1.5 acres, and Tax Map 11, Parcel 24.1, consisting of 406.54 acres. The property is located near Route 340 on Millville Road and borders the Shenandoah River. The applicant is requesting the property to be rezoned from Residential Growth and Rural to Industrial/Commercial.

Although the current owner for this rezoning has presented a proposed development plan for the property, if it is rezoned to Industrial/Commercial, any use listed in that district will be permitted. Therefore, the zoning district itself, not the proposed project, must be evaluated for compatibility with the comprehensive plan.

In the Statement of Goals, the Comprehensive Plan calls for the following, most of which apply to the rezoning request and will be addressed:

- Encourage growth and development in areas where sewer, water, schools, and other public facilities are available or can be provided without unreasonable cost to the community;
- Promote growth and development that are both economically and environmentally sound;
- Promote the maintenance of an agricultural base in the County at a level sufficient to encourage the continued viability of farming in all its various forms;
- Encourage and support commercial, industrial, and agricultural activities to provide a diversified and sound local economy;
- Promote the conservation of the natural, cultural, and historical resources and the preservation of (sic) scenic beauty;
- Advocate the maintenance and improvement of transportation systems so that people and goods can move safely and efficiently throughout the County;
- Promote a diversity of housing within the County;
- Support and protect private property rights while supporting and protecting overall public health, safety, and general welfare;

- Promote a Planning and Zoning Process that is understandable and straightforward, with ample opportunity for meaningful public input.
- Promote pedestrian friendly, livable communities.
- Promote inter-entity and inter-agency collection and exchange of information and cooperation on planning.

To the west of the property is the Millville Quarry site, which is zoned Industrial Commercial. To the east is the Shenandoah River. To the south of the property and the Millville Quarry, the area is zoned rural and across Millville Road from the site is part of the Harpers Ferry National Historical Park land for Schoolhouse Ridge, and to the north is land zoned Residential Growth and Residential/Light Industrial/Commercial. The area north is Allstadt's Hill and Bugler's Rest. The northeast property line is adjacent to Harpers Ferry National Historical Park.

As the county faces increasing growth pressures, the landscape has been transitioning from primarily agricultural to one where housing is the primary focus. The commercial base has grown, but at a slower pace, and one challenge the county faces is to provide an economic base for its residents. As a result, the county must find a balance between economic growth, preservation of its environment, and its historic and cultural resources. In that regard, the plan encourages mixed-use neighborhoods, affordable housing, protection of natural features, enhancement of agricultural operations, provisions for public infrastructure including public facilities and transportation infrastructure, while providing for economic development.

With regard to the proposed rezoning, the comprehensive plan calls for the County to pursue new industrial and commercial development in order to diversify its economy, increase the tax base, and provide quality employment opportunities to its workforce. The property has previously been used as a quarry operation, and the Millville Quarry is adjacent to the site on its western boundary. A quarry operation is a heavy industrial use¹, and it is currently a use that is not permitted in the Rural or Residential Growth districts. By rezoning the property to Industrial/Commercial, this type of use would be permitted by-right, in addition to other heavy/intensive industrial uses. Commercial uses are also be permitted, but residential uses are not permitted. Because the property has been used for quarry operations and has been stripped in areas, it may not be well-suited for agricultural uses.

The property is located off Route 340, which is a major transportation route through the County and is considered the eastern gateway to West Virginia. However, the highway narrows to two lanes at Harpers Ferry and continues to the Virginia border and is considered a highway problem area in the Comprehensive Plan. Depending on the type and scale of development on the property, there is the potential for increased traffic problems in this area unless some efforts are made to mitigate traffic issues, such as telecommuting or park and ride facilities as called for in the Plan. The Plan also states that it is appropriate and logical that the bulk of development

¹ Heavy Industrial Use is defined in the American Planning Association's A Planners Dictionary generally as manufacturing or processing of products or materials primarily from raw or extracted materials, uses engaged in the storage or manufacturing of flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions. Also can be manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, or other hazardous materials. Can also include uses engaged in the operation, parking, and maintenance of vehicles, cleaning of equipment or work processes involving solvents, solid waste or sanitary waste transfer stations, recycling establishments, truck terminals, public works yards, and container storage.

happens along the 340 corridor, but to ensure that any residential and commercial development⁻²²⁶⁻ that does occur in this corridor not result in visual blight or create major traffic problems. Buffers, landscaping requirements, traffic and access design, sign regulation, and aesthetic highway improvements could be considered as part of an overall study of this corridor, which the Comprehensive Plan recommends.

This property borders the Shenandoah River and is near historic and cultural resources such as the Harpers Ferry National Historical Park. The property currently has water and sewer available, which is preferable to well and septic and would not result in significant costs since it already exists. Mitigation efforts to protect the Shenandoah River need to be considered, particularly if the quarry operation continues or if other heavy industrial uses are located on the site. The site has already been stripped in areas from the quarry operation, but if the site were remediated for other uses, protective measures as called for in the Comprehensive Plan could be taken to protect sinkholes, groundwater, and rivers, and other natural resources. The Shenandoah River could also be part of a recreational or park use that could benefit the citizens of the County. The viewshed and proximity to the National Park are issues that must also be taken into consideration when considering appropriate uses for developing the property.

The Comprehensive Plan also stresses the need for affordable housing. However, the Industrial Commercial district does not permit residential housing other than industrial related accessory dwellings for on-site caretakers. To date there have been few projects that incorporate affordable housing into their overall development plans.

In summary, with regard to the location of the proposed rezoning, the Route 340 corridor would be a preferred location for commercial type development given its proximity to a major highway. The property is less than one half mile from the intersection of Millville Road and Route 340. There is an adjacent site that is zoned Industrial/Commercial and is used as a quarry operation, and the subject property has been used as a quarry operation in the past. However, continuation of such operations would not be the most desirable use due to the heavy industrial nature of the quarry operations and the quarry's proximity to the Shenandoah River and other resources such as the National Park. Commercial development on the site would be less intense than a quarry operation, but staff notes that other heavy industrial uses are permitted in the Industrial/Commercial district. Rezoning the property to the Industrial Commercial District would be consistent with the Comprehensive Plan in that it is located near a primary transportation route and would increase the economic and tax base for the economy. However, there are potential issues that must be taken into consideration, including traffic issues along 340 toward the Virginia border, the affect on natural and historic resources such as the National Park and Shenandoah River, and the lack of affordable housing opportunity. In order to address the issue of affordable housing and location of commercial and light industrial uses² versus heavy industrial uses that are allowed in the Industrial/Commercial zone, a more appropriate zoning for the property that would be more consistent with the Comprehensive Plan may be the mixed-use zone (Residential/Light Industrial/Commercial). The Planning Commission also needs to consider the evidence and testimony presented at the public hearing.

² Light Industrial Uses are generally defined in A Planner's Dictionary as those uses engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing. Also, light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, odor, noise, soot, dirt, vibration, etc. Activities may be conducted wholly within an enclosed building or may include temporary outside storage prior to shipment.

OLD STANDARD QUARRY REZONING
STAFF REPORT

REFERENCES:

Jefferson County, West Virginia Comprehensive Plan 2004

American Planning Association, A Planner's Dictionary; April 2004.

Jefferson County, West Virginia, Comprehensive Plan 2004

March 18, 2004

Table of Contents

Chapter 1: Introduction

Jefferson County - A Sketch	1
Past Population Trends	1
Jefferson County Population 2000-2020	2
The Minority Community	2
Households, Families and Marital Status	3
Personal Income	3
An Aging Community	4
The Suburbanization of Jefferson County	5
The Dwindling Inventory of Buildable Lots	5
The Growing Influence of the Eastern Panhandle	6
Major Factors Affecting Growth	7
Jefferson County - A Vision	8

Chapter 2: Assessing Jefferson County's Future

Role of the Comprehensive Plan	12
Context	12
Legal Structure	13
Organization of the Comprehensive Plan	13
Past Planning Efforts	14
The Basis for a Comprehensive Plan	15
The Elements of a Plan	16
The Issues Defined	16
Statement of Goals	19

Chapter 3: Management of the Natural and Built Environment

Introduction	22
Managing the Future Growth of the County	22
The Annexation Effect	24
Improving the Planning Process	24
Transportation	26
Water and Sewer Service	39
Natural Resources	48
Farmland and Open Space	52
Historic Preservation	55
Lighting, Signage and Noise	58
Housing Affordability	58

Economic Development	59
Jefferson County - 2020	66

Chapter 4: Excellence in Community Services

Introduction	78
Public Education	78
Emergency Services	79
Law Enforcement	79
Fire and Rescue Services	81
Emergency Medical Services	81
Emergency Communications	82
Parks and Recreation	83
County Facilities	89
Adjusting Services for an Aging Population	89
Financing Capital Improvements	91

Chapter 5: Implementation

Implementing and Monitoring This Plan	96
Implementation Priorities	96
Anticipated Addenda	97
Measuring the Implementation of Recommendations found in this Plan	97

Appendices

Appendix A: Demographic Analysis of Jefferson County	109
Appendix B: Statistical Tables and Sources	118
Appendix C: Public Schools	132
Appendix D: Libraries	141
Appendix E: Culture and the Arts	142
Appendix F: Solid Waste Management	143

JEFFERSON COUNTY - A VISION

Jefferson County is in transition. For most of its history, Jefferson County has been an agricultural community. The 50 miles separating Jefferson County from the Washington DC metropolitan area allowed the rural traditions and agricultural landscape to remain intact until the late 1980s. Since that time, the willingness of workers to commute further, the expansion of the boundaries of the DC metro areas, the addition of more commuter trains and the attractiveness of Jefferson County as a place to live have resulted in the population growing by 20%. The population is anticipated to increase by 20,000 residents in the next two decades.

Ironically, the natural beauty and rural setting of Jefferson County, the qualities that are so attractive to new residents, are the very qualities that are most threatened by a rapid pace of growth. Farming is no longer the driving economic force in our county and in the mid 1980s, new residents from other places outnumbered long time residents for the first time. With houses coming at a far faster pace than jobs, Jefferson County is facing a future as just another bedroom community in the larger metropolitan area.

The intent of this plan is not to recreate or recapture the past but to shape future growth in a manner that preserves the most important features of Jefferson County: the rural landscape, the natural beauty of the rivers, the rolling terrain and the strong sense of community. Perhaps the biggest challenge of all is to provide an economic base that provides enough job opportunities to allow people to both live and work here. Jefferson County is home to people of different income levels and professions-from crafts people to mill workers to employees of national consulting firms. The rising cost of housing threatens this diversity.

PLAN VISION

This Plan recognizes that for our county to remain a vital, attractive community, new growth must include

a balance of jobs and housing and be respectful of the very qualities that are attracting new residents every year: the rural landscape, the natural beauty and the pleasing character of our towns and villages.

PLAN POLICIES

This Plan encourages new development patterns that foster mixed-use neighborhoods so that a sense of community begins at the subdivision level.

This Plan recommends that Jefferson County's natural features, particularly stream valleys, be conserved as green space and that significant natural features be afforded protection as development proceeds.

This Plan encourages economic development so that residents can live and work in the County.

This Plan encourages the opportunity to farm and recognizes the changing shift in agriculture to include large family owned farms and smaller agricultural operations.

This Plan recognizes existing population centers as the focus of new, more intense development and the importance of working with municipalities to assure a pattern of development consistent with the Plan vision.

This Plan emphasizes the importance of providing opportunities for people of all income levels to live in the county and proposes affordable housing to be a component of all future residential growth.

This Plan identifies strategies to assure that community facilities and transportation infrastructure are provided in sequence with new development.