



CORPORATION OF HARPERS FERRY

Planning Commission

MINUTES

Regular Meeting

Tuesday, December 17, 2019

7:00 p.m.

Town Hall • 1000 Washington Street, Harpers Ferry, West Virginia 25425

CALL TO ORDER: 7:29 pm by Secy. N. Case, with the delay in start time as being due to both inoperable door keys and keypad to Town Hall.

Member	Title	Status
	President	Vacant
	Vice-President	Vacant
Nancy Singleton Case	Secretary	Present
Christian Pechuekonis	Member / Town Council Liaison	Present
Peter Dessauer	Member / Mayor's Designee	Absent
Tim Wisecarver	Member	Present
George Owens	Member	Present

APPROVAL OF AGENDA: The agenda was approved as received.

GENERAL COMMENTS/ANNOUNCEMENTS:

N. Case welcomed new PC Members; C. Pechuekonis, T. Wisecarver and G. Owens and offered a brief orientation.

N. Case shared that, pursuant to HF Ordinance Article 133, the election of PC officers shall be conducted at its first regular meeting in each calendar year. The first regular meeting is scheduled for January 21, 2020.

N. Case announced that the Tree Committee fell under the purview of the Planning Commission and that, pursuant to HF Ordinance Article 1104.04(a) one of the voting member of the Tree Committee, shall be a member of the Planning Commission, and asked for a volunteer.

- T. Wisecarver volunteered to serve as the Planning Commission representative to the Tree Committee and the Planning Commission voted as follows:

Planning Commission's Vote:

Motion	The Planning Commission recommends T. Wisecarver serve as the Planning Commission Representative to the Tree Committee and submits his name to the Town Council for their review, consideration and acceptance.
Motion by	G. Owens
Second	C. Pechuekonis
Aye	N. Case, C. Pechuekonis, T. Wisecarver and G. Owens
Nay	
Abstain	
Result	Motion Carried – Unanimous

APPROVAL OF MINUTES:

- PC Regular Meeting March 19, 2019 - Approved
- PC Regular Meeting April 16, 2019 - Approved

REPORTS:

a. **OCO Report:** N/A

b. **Tree Committee Report:** Presented by Christy Huddle and Robert Nelson

- On March 1, 2019, the Tree Committee had, pursuant to HF Ordinance Article 1104, submitted an updated “2019 Harpers Ferry Tree Plan and Standards” to the Planning Commission.
- The Planning Commission, along with Tree Commission members, C. Huddle and R. Nelson, reviewed and discussed the revisions made to the “2019 Harpers Ferry Tree Plan and Standards.” The Planning Commission voted as follows:

Planning Commission's Vote:

Motion	The Planning Commission recommends the “2019 Harpers Ferry Tree Plan and Standards,” final version as voted upon by the Tree Committee, to the Town Council for their review, consideration and acceptance.
Motion by	N. Case
Second	G. Owens
Aye	N. Case, C. Pechuekonis, T. Wisecarver and G. Owens
Nay	
Abstain	
Result	Motion Carried – Unanimous

- On December 3, 2019, the Tree Committee had submitted the “2019 Tree Committee Annual Report” to the PC.
- The Planning Commission, along with Tree Commission members, C. Huddle and R. Nelson, reviewed and discussed the Tree Committee’s actions and accomplishments for the calendar year 2019 and the Planning Commission voted as follows:

Planning Commission’s Vote:

Motion	The Planning Commission recommends the “2019 Tree Committee Annual Report” to the Town Council for their review, consideration and acceptance.
Motion by	G. Owens
Second	C. Pechuekonis
Aye	N. Case, C. Pechuekonis, T. Wisecarver and G. Owens
Nay	
Abstain	
Result	Motion Carried – Unanimous

- On September 13, 2019, the Tree Committee had requested a change in ordinance language in Ordinance Article 1104: Tree Conservation; specifically in 1104.04(b) and 1104.07(a).
- The Planning Commission, along with Tree Commission members, C. Huddle and R. Nelson, reviewed and discussed their requested changes. The Planning Commission expressed a desire to take additional time to research and review HF ordinances and the WV State Code before recommending to the Town Council and Ordinance Review Committee for further action and agreed to place this item for discussion and action on the next PC meeting agenda.

OLD BUSINESS:

a. Ordinance Compliance Officer – 2015 Adopted Guidelines / 2019 PC Disposition Report

N. Case shared Planning Commission action items currently under review and provided an update.

- On March 3, 2015, the Historic Landmarks Commission and Planning Commission drafted “*Ordinance Compliance Officer Guidelines for Administrative Approvals*” and presented to the TC, which they approved and adopted on March 9, 2015.
- On April 16, 2019, the Planning Commission voted to bring the 2015 “*Ordinance Compliance Officer Guidelines for Administrative Approvals*,” to the attention of the Town Council and the Ordinance Review Committee, and asked that they review the content of the *OCO Guidelines* and update for alignment with the current HF Codified Ordinances, and further recommends that, once updated, the *OCO Guidelines* be enforced.
- The Ordinance Review Committee is currently reviewing and discussing this request and determining what, if any, changes should be made to the Ordinances regarding the Ordinance Compliance Officer’s duties and/or parameters.

b. Short-Term Rentals – Ordinance Change / Restrictions Pursuant to WV Code 8-1-5a(k)

- At the April 16, 2019, PC meeting, N. Case brought proposed ordinance language forward to the PC body for review and discussion, and recommended that the PC amend the existing STR ordinance

language in Article 1311.02(b)(4), by adding “owner-occupied” language, reducing the number of rooms and guest, restricting any guests provisioning of either purchased or prepared foods, and modifying the number of tenancies from 4 per month to 90 days per calendar year. N. Case also recommended corollary changes to the terms and definitions in Article1302.

- The PC body discussed and, in general, agreed that this might be the best approach. N. Case asked for each PC member to review and offer suggestions.
- **Restriction:** On July 1, 2019, WV State Code §8-1-5a went into effect, making the Municipal Home Rule Program permanent. §8-1-5a sets limitations on Municipalities participating in the Program and paragraph (k) specifically states: Municipalities many not prohibit or effectively limit the rental of a property, in whole or in part, or regulate the duration, frequency, or location of such rental, in whole or in part....

NEW BUSINESS:

a. Paper Streets: Unauthorized Use

- G. Owens lead a broad and general discussion surrounding the authorized and, more specifically his concern of, the unauthorized use of Paper Streets (Town owned rights-of-way) in Harpers Ferry.

The next PC Regular Meeting was scheduled for January 21, 2020, and N. Case requested any requests for agenda items be forwarded to her. G. Owens stated he might have a conflict that would impact his attendance.

N. Case motioned to adjourn, G. Owens seconded. ***The meeting was adjourned at 8:47 p.m.***

N. Case: _____
Secretary

Date: _____

C. Pechuekonis: _____
Town Council Liaison to the PC

Date: _____