



CORPORATION OF HARPERS FERRY
Planning Commission
MINUTES

Special Meeting

Tuesday, 08 March 2022

7:00 p.m.

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

Called to order at 7:02 p.m. by President Craig. The meeting was conducted via Zoom and livestreamed for the public on YouTube, in compliance with the State’s emergency guidance on the Open Governmental Meetings Act.

THOSE PRESENT:

Member	Title	Status
Chris Craig	President	Present
Paul Mayhew	Secretary/Mayor’s Designee	Present
Paul Thomas	Member	Present
Tim Wisecarver	Member	Present
Roberta Meade-Curry, AICP	Member	Present
Ken Dill	Member	Present
Staff		
Deb Kelly	Meeting Facilitator	Present
Guests		
Suzanna Dennis	Guest / Non-Voting	Present
Kevin Hamilton, OCO	Guest / Non-Voting	Present

THOSE NOT PRESENT:

Member	Title	Status
Jim Jenkins	Vice President / Town Council Liaison / Tree Committee Liaison	Not Present

Approval of Agenda: The meeting agenda was approved without motion.

1. Discussion and Action on Application to Alter Within the Street Right-of-Way at 371 Henry Clay Street.

The objective of this Special Meeting was for the Planning Commission to ascertain whether to recommend to the Town Council to accept or reject a proposal to alter the current right-of-way along Henry Clay Street to accommodate the creation of two parking spots.

Suzanna Dennis, the new homeowner of 371 Henry Clay Street, is seeking to build two parking spots in the front of her residence along Henry Clay Street, in that there is currently no available parking for the residence based in part on the slope of the land in the front of the house.

Creating the two parking spots would require the removal of earth and the building of a retaining wall on her private land that would abut an existing stacked stone wall that is on town property within the Henry Clay Street right-of-way.

With the review of supporting diagrams and photographs, there was discussion regarding the precise location of the right of way, potential water management concerns associated with the retaining wall, and potential liability concerns should there be any future issues regarding the wall, which would be partially on private (the new wall) and partially on town property (the existing wall).

Several motions were made in an attempt to accommodate the request while considering the town’s ordinances and interests. The relevant Ordinance 909.03 requires approval of both the Planning Commission and the Town’s Ordinance Compliance Officer (OCO).

Motion	Motion to postpone approving application at this time to allow the applicant to enlist a surveyor to obtain a more complete understanding of the concerns and to provide an update drawing that more accurately depicts the plan.
Motion by	R. Meade-Curry
Seconded by	K. Dill
YES	2
NO	4
Abstain	n/a
Result	MOTION FAILS

The initial motion resulted in discussion about who should bear the costs of any additional surveying services, and another motion was put forth.

Motion	Motion to postpone approving application at this time to allow the applicant to work with the Town OCO Kevin Hamilton to confirm the center line of the road and prepare a revised drawing for resubmission.
Motion by	R. Meade-Curry
Seconded by	K. Dill
YES	2
NO	4
Abstain	n/a
Result	MOTION FAILS

Subsequent discussion suggested that additional surveying or related activities may not be necessary and may place an undue burden on the homeowner, resulting in another motion, which was to approve the Planning Commission review of the project as presented and to recommend that the Town Council approve it as well. A suggested amendment to the motion to have the property owner and town come to a legal agreement over liability in the event an issue were to arise with the wall (e.g., damage to the wall from snow removal) did not receive Corporation of Harpers Ferry – Planning Commission – Meeting Minutes – 8 MAR 2022 Page 2 of 3

a 2nd, resulting in the original motion being put forth for vote.

Motion	Motion to approve the Planning Commission review of the project and recommendation to the Town Council to approve it as well.
Motion by	T. Wisecarver
Seconded by	P. Mayhew
YES	5
NO	1 (R. Meade-Curry)
Abstain	n/a
Result	MOTION PASSES

President Craig confirmed that the topic would be addressed in the soonest possible Town Council meeting.

Additional Discussion:

1. Comprehensive Plan – President Craig indicated that the Comprehensive Plan will be included as an agenda item for the next Planning Commission Meeting.
2. Stormwater Management – President Craig indicated that there were incoming bids for the previously discussed stormwater study that will be reviewed and included for discussion on an upcoming agenda.
3. Tree Committee – President Craig indicated that the Tree Committee has an opening and for everyone to consider and advise of any potential candidates.

Adjournment

President Craig adjourned the meeting at 8:12 PM.

- End -