Shepherdstown
WEST VIRGINIA

TOWN HALL
104 N. King Street
P.O. Box 248 (mail)
Shepherdstown, WV 25443
304-876-2312

SHEPHERDSTOWN PLANNING COMMISSION AGENDA

REGULAR MEETING AND PUBLIC HEARING

Monday, October 19, 2026
6:00 p.m.
TOWN HALL
104 NORTH KING STREET, SHEPHERDSTOWN

Join online by Zoom:
https://us06web.zoom.us/j/86067120451?pwd=fWNLscmYpiOmof8PknIig4oZKNXa8i.1
Meeting ID: 860 6712 0451
Passcode: 818383

Or join by telephone:
Dial: (301) 715-8592

1. **Call to Order:**

2. **Approval of Previous Months' Minutes:**
   a. September 21, 2026 and October 5, 2026 meetings

3. **Visitors:**

4. **Conflicts of Interest:**

5. **Applications:**

   2.6-=-2fi 209 W. New St.

   Propane Tank.

6. **Continuing Business:**
   a. Town Council update

7. **New Business:**
   a. None

8. **Adjournment:**

SHEPHERDSTOWN PLANNING COMMISSION MEETING MINUTES

1. **Call to Order**
   The meeting was called to order at 6:00 pm by Lauren Chapalee.
   Attendance
   Members Present: Lauren Chapalee, Ebonee Helmick, Michael Binder, Madge Morningstar, James Gatz
   Staff Present: Karl Musser
2. **Approval of Previous Months' Minutes**
   Michael Binder moved to approve the August 2026 meeting minutes. Ebonee Helmick seconded. All ayes; motion carried.
3. **Introductions**
   Joe Yates (not present) was identified as the new Town Council representative to the Planning Commission.
4. **Visitors**
   Visitors Present: Keith Alexander (HLC), Jim Auxer
5. **Conflicts of Interest**
   No conflicts of interest were disclosed.
6. **Applications**
   a. **Application 26-20 – 312 W. High St. – Fence**
      The Commission reviewed the proposed four-foot vinyl fence and confirmed that the gates would swing inward. Discussion addressed the ordinance's preferred materials and the Historic Landmarks Commission's assessment that vinyl was compatible with existing fencing on the property and in the neighborhood.
      Madge Morningstar moved to approve Application 26-20. Michael Binder seconded. All ayes; motion carried.
   b. **Application 26-21 – 322 W. German St. – Shed**
      The applicant clarified that the plans provide at least three feet between the fence and the nearest shed wall. The Commission reviewed the application on the basis of that clarification.
      Ebonee Helmick moved to approve Application 26-21. Michael Binder seconded. All ayes; motion carried.
   c. **Application 26-23 – 320 W. German St. – New addition**
      The applicant's designer presented the rear addition, including a mudroom expansion, family room, covered porch, and metal roofing on the existing rear addition. The Commission discussed setbacks, green space, building size, energy efficiency, and compatibility with the historic structure.
      Michael Binder moved to approve Application 26-23. Madge Morningstar seconded. All ayes; motion carried.

DRAFT

d. **Application 26-24 – 112 E. German St. – Sign**

The applicant proposed a hanging wooden sign using the existing bracket and clarified that the paw-shaped sign would be made from one solid piece of wood.

Madge Morningstar moved to approve Application 26-24. Ebonee Helmick seconded. All ayes; motion carried.

7. Continuing Business

a. **Town Council update**

The Commission received an update that Town Council had adopted revisions to the Planned Unit Development ordinance. A development application was expected to come before the Commission within the next month or two.

8. New Business

a. **On-boarding new commission members**

Members discussed town email, shared-drive access, training resources, and access to Title IX, Chapter 8, the Open Governmental Meetings Act, historic design guidelines, and the comprehensive plan. Shared-drive access would be provided, and a similar orientation discussion was proposed for Joe Yates.

b. **Draft Accessory Dwelling Unit (ADU) Ordinance**

The Commission reviewed the draft's consistency with the comprehensive plan and discussed fees, setbacks, internal ADUs, simultaneous permitting of a principal dwelling and ADU, historic district guidelines, and rental provisions; revisions and coordination with the Historic Landmarks Commission were discussed. Committee agreed to circulate a revised draft by Friday, and the Commission agreed to review it at a special meeting on October 5, 2026, at 7:30 p.m., following the Historic Landmarks Commission meeting, before making a recommendation to Town Council; no recommendation was adopted.

c. **Recognition of Ebonee Helmick**

The Commission recognized Ebonee Helmick for three years of service, including her leadership as president, her work during a period without staff support, and her contributions to the comprehensive plan. This is Ebonee Helmick's last meeting.

9. Adjournment

Madge Morningstar moved to adjourn. Ebonee Helmick seconded. All ayes; motion carried. The meeting adjourned at 7:57 pm.

DRAFT

SHEPHERDSTOWN PLANNING COMMISSION MEETING MINUTES

1. **Call to Order**
   The meeting was called to order at 7:30 pm by Madge Morningstar.
   Attendance
   Members Present: Lauren Chapalee, Michael Binder, Madge Morningstar, James Gatz, Joe Yates
   Staff Present: Karl Musser, Hunter Wetzel
2. **Approval of Previous Months' Minutes**
   Postponed until next meeting.
3. **Visitors**
   Visitors Present: Keith Alexander (HLC), Ryan Simonton (Consultant)
4. **Conflicts of Interest**
   No conflicts of interest were disclosed.
5. **Applications**
   a. None.
6. **Continuing Business**
   a. **Draft Accessory Dwelling Unit (ADU) Ordinance**
   Discussion of the ordinance, the Commission notes the changes from the initial draft. Commission discuss the rates and recommends the cheaper rate under category 3 as an incentive. The commission also discusses setbacks and does not recommend a specific setback, but recommends that more lenient setbacks be considered and that further study is needed. Keith Alexander notes that the historic guidelines should also apply to manufactured homes if in the historic district. The Commission makes a motion to advise Town Council that the proposed Ordinance is consistent with the adopted Comprehensive Plan, and in addition to recommend that the Town Council apply fees to ADUs within the subcategory of Category III of the current Fee Schedule applied to accessory structures and garages, and to recommend that Town Council consider more lenient setback requirements for detached ADUs than for primary dwellings, and note that the Commission believes this requires thorough study. Motion to approve Joe Yates, Mike Binder seconded. Motion passes unanimously.
7. **New Business**
   a. None.
8. **Adjournment**
   James Gatz moved to adjourn. Lauren Chapalee seconded. All ayes; motion carried. The meeting adjourned at 8:22 pm.

DRAFT

SHEPHERDSTOWN HISTORIC LANDMARKS COMMISSION
Monday, October 5, 2026
6:00 p.m.,
TOWN HALL
104 NORTH KING STREET

In attendance: Commissioner Chair Keith Alexander (KA), Ashley Reynolds (AR), Cheryl Brown (CB), Tom Mayes (TM), Rebecca Bicker (RB), Joe Yates (JY) (town council), Jim King (JK) (advisory), Karl Musser (KM) (staff)
In audience: Joya Subudhi (JS), Terry Ruthrauff (TR), Jim Auxer (JA)

1. **Call to Order:** KA called the meeting to order at 6:00 p.m.
2. **Approval of Minutes:** Approved as submitted.
3. **Visitors:** None
5. **Conflicts of Interest:** None, though KA notes he is a neighbor to 209 W. New St.
6. **Applications**

26-25 – 107 E. New Street

TR summarizes the project adding a roof to an existing back porch. The work has already been done as the applicant did not realize a permit was needed. The porch did previously have a roof that had been removed.

- Commissioners discuss the porch roof and note that while the materials are appropriate the roof line does not match that of the previous roof. JA is able to confirm there was a previous roof. Commissioners note that the primary house masonry has been painted, which would also require a Certificate of Appropriateness. TR disputes the need for permits and complains about the lack of information on the HLC process. Commissioners note the need for better outreach. TR is asked for details about the painting, but is unable to answer. LB moved to approve application, but there is no second, so no vote. The Commission asks the applicant to submit a revised application that includes the painting or attend a workshop.

26-26 – 209 W. New Street

JS summarizes the project which involves adding a propane tank to the side yard.

- Commissioners discuss the project including the location of the tank and screening it from public view. LB moved to approve application as being consistent with Guidelines on PG 34. CB seconded. All in favor. None opposed. Passed.

6. **Workshop Sessions:**
   - 301 E. German Street—Delayed until next month.

7. **Ongoing Business**
    - Town Staff Report.
        - On the visitor center welcome sign, staff will talk to Davis Designs who did the installation.
        - Cemetery work is waiting on a go ahead from the Mayor.
    - KM gives a summary of the Accessory Dwelling Units (ADU) ordinance proposal that is currently before the Planning Commission. Revisions have been made to the initial draft to make the historic guideline requirements more explicit. Commissioners discuss the ordinance. A special Planning Commission meeting is immediately following this one to take up this issue.

8. **New Business**
    - None

9. **Adjournment:** Adjourn at 7:16 p.m.

Corporation of Shepherdstown

Staff Input orm
or the Historic Landmarks and Planning Commissions

1. Applicant Name and Number: 26 26

2. Project Address: 20 West New Street

3. Project Description: Installation of a propane tank on the side of the house, to be screened from public iew.

4. Issues Identified: None

5. ecommended Action: Staff recommends appro al based on the applicant s proposal.

6. HLC Decision: Appro ed on 10/5/2026.

7. Staff Analysis for HLC: The location of the tank to the side of the building with screening appears to be consistent with the historic guidelines for mechanical systems page 34 .

8. Staff Analysis for PC: Property is zoned esidential. It s unclear if setback limits apply to e uipment like propane tanks, but assuming the 3 ft. setback re uired for accessory buildings Section 208 also applies, the proposed tank would be 6 ft. from the side lot line and meet that setback. There is also e isting H AC e uipment in the same side yard. The tank would not ha e a significant impact on the amount of greenspace. Proposal appears to meet all re uirements of Title .

. To Be e iewed By __X__ Historic Landmarks Commission

__X__ Planning Commission

Completed By: Karl Musser

Date: /2 /2026

Application Number _26-26_____

Application for Certificate of Appropriateness & Project Permit

Corporation of Shepherdstown, West Virginia
104 N. King St. P.O. Box 248 (for mailing)
Shepherdstown, WV 25443

This application combines the Certificate of Appropriateness and Project Permit applications and is required for projects within the corporate limits of Shepherdstown and the Shepherdstown Historic District (**map**), that involve modifications to structural square footage. Examples include decks, porches, driveways, carports, accessory structures, and new construction of and/or additions. A review of the application shall be approved or rejected by the Historic Landmarks Commission (HLC) (Reference Title 9, Section-309) and once a Certificate of Appropriateness is approved it will be forwarded to the Planning Commission for their review for the issuance of a Project Permit (Reference Title 9, Section-902). If approved, the Project Permit is valid for one year from the date of issuance.

PLEASE PRINT OR TYPE CLEARLY

Applicant's Name: Joya Subudhi
(*Must be Property Owner***)**

Mailing Address: Box 359, Shepherdstown, WVA 25443

Day Time Telephone Number: 804 852 5088

E-Mail Address: jsubudhi@wireside.com

Street Address of Proposed Work: 209 W New St. Shepherdstown, WVA 25443

Lot Number/Legal Description:
(If no address exists)

Current Zoning: residential - low density **Current Land Use:** residential - low density
Note: See **zoning map** for correct zoning classification

Description of Work:

Installation of a propane tank for gas fireplaces. It will be a 120 gallon, white tank that is 420 lbs.

~~The gas line will not be visible. The gas lines are running through the basement of the house.~~

There is no charge for the propane tank if I use 75 gallons per year. If I use less, I will be charged ~~$99.95~~.

After the tank is installed, I will put up lattice or plant shrubbery so that it is not visible.

Please reference **Title 9** of Town Ordinance for specifics.
Please contact Karl Musser, Planning & Zoning, with any questions.
(304) 702-2305 • kmusser@shepherdstown.us

Application Number __26-26_____

Cost Estimate: $768.68 **Project Category** (Descriptions are below)**:** Category I

Contractor performing work: Griffith Energy Services Inc.

Contractor's Business License #: WV038707

Check all the areas that apply:

All Categories

_____ Copy of general contractor's Shepherdstown business license or license application.

Category I **Minor Projects such as awnings, porch railings, window boxes, satellite dishes, solar panels, signs, fences, non-permanent storage sheds and other minor changes**

X PHOTOGRAPHS OR DRAWN ELEVATION VIEWS OF THE PROPOSED WORK SITES (clearly labeled), at reasonable scales, of the parts of the structure to be altered (again, clearly labeled in terms of which side of the structure, etc.) are needed.

N/A MATERIAL AND COLOR SAMPLES for exterior finishes

Category II **Driveways, decks, carports, porch enclosures and window, roof or siding replacement**

Category III **New construction of and/or additions to residential, commercial, and industrial structures**

(Categories II and III)

_____ SITE PLAN is required at common engineering (1" = 10' or 1" = 20', etc.) or architectural scales (1/4" = 1' or 1/8" = 1'). Specifically, these drawings shall include: North point, scale, date, property boundaries (lot lines), existing trees and/or significant planting (if work will disturb surroundings), street & parking lighting.

- _____ Gross & net land area of property
- _____ Setback from property boundaries
- _____ Existing & proposed topography (only if regrading of the property is required)
- _____ Existing & proposed accessory structures.
- _____ Existing & proposed street right-of-way & entrance

_____ MATERIAL AND COLOR SAMPLES for exterior finishes

_____ ELEVATIONS, drawings indicating height of proposed structures, materials, and window and door arrangements

_____ ZONING INFORMATION shall be defined in the application as required:

- _____ Dwelling density- net (residential application only)
- _____ Flood plain designation if any (mapping available in Town Hall)
- _____ Cost estimates and property appraisals for applications seeking exemptions from Chapter 12-Floodplain provisions

Please reference **Title 9** of Town Ordinance for specifics.
Please contact Karl Musser, Planning & Zoning, with any questions.
(304) 702-2305 • kmusser@shepherdstown.us

Application Number _26-26_____

Category IV Demolitions or Relocation of a Structure

_____ Historic designation of structures to be demolished (documents available in Town Hall)
_____ Complete description of structure(s) or part(s) of structure(s) to be demolished.
_____ At least one (1) structural report by a certified structural engineer. Applies to demolition requests for structures fifty (50) years or older.
_____ For relocations, sidewalk and handicap access

Remedies and penalties

The owner or agent of a building or premises in or upon which a violation of any provision of the Planning and Zoning Title has been committed or shall exist, or the leasee or tenant of an entire building or entire premise in or upon which violation has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in or upon which such violation shall exist, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed one hundred (100) dollars. Each and every day that such violation continues may constitute a separate offense. (Reference Title 9, Section-905)

Please read the following paragraph carefully and sign.

Attach documents specified in the checklist of this application. I hereby certify that all information herein provided is true and accurate. I hereby authorize the inspection of the above premises by authorized agents of the Shepherdstown Planning Commission at any reasonable time in order to determine compliance with the Commission's approval. I understand that my presence at the assigned application review meeting is required. Application must be signed by owner or his/her agent.

Date: 9/28/26 **Owner's Signature:** Joya Subudhi

Print Name: Joya Subudhi

Zoning Officer Comments:	Fee Paid_____ Date Paid _____

Please reference **Title 9** of Town Ordinance for specifics.
Please contact Karl Musser, Planning & Zoning, with any questions.
(304) 702-2305 • kmusser@shepherdstown.us

Application Number _26-26_____

Application Fees
Please check all boxes that may apply. Reference Section 9-902 of Chapter 8 paragraph XIV for more information. Application fees are due upon submittal. Fees should be payable to the Town Treasurer/Clerk and must accompany the application. **If work begins without the required permit, double the cost of said permit will be applied**.

	Category I: **$50.00** - Minor projects such as murals, awnings, porch railings, window boxes, satellite dishes, solar panels, gutters & downspouts, patios, sidewalks, hardscaping, signs, fences, storage sheds (not attached to the ground) and other minor changes and permit extensions.
	Category II: **$100.00** - Window replacement, roof replacement, siding replacement, porch enclosure, driveways, carports, and decks.
	Category III: **$300 + $0.50** per sq ft - New construction of and/or additions to residential, commercial, and industrial structures. **$50 + $0.10** per sq ft - New construction of garages & other accessory buildings (permanently attached to the ground).
	Category IV: Demolition or Relocation of a Structure: Removal of any building feature(s) or razing of any structure(s) or relocation of a structure to new location. For either project, the applicant must submit the following in writing (in addition to an application): • Reason for the demolition/relocation (including historic documentation). • Describe the structure's condition in detail. • Describe the proposed reuse of the site, including full drawings of new structure & landscaping. • Evidence of relevant funding or financial concerns. • Timeframe for project **$50.00** - Accessory Buildings **$150.00** - Non-Contributing Structures (< 50 years old) **$500.00** - Contributing Structures (≥ 50 years old)
	$15 – Certificate of Appropriateness Fee

Please reference **Title 9** of Town Ordinance for specifics.
Please contact Karl Musser, Planning & Zoning, with any questions.
(304) 702-2305 • kmusser@shepherdstown.us

Property Cut Sheet for Setting Propane Tanks

Customer Name: --.JD@Q s<-?u.ab. Date: g - I:X-c:2&

Property Address: QQ.£1 (A). /\Je.u-)S-k,c:eh Shepherdstown , L.u\f d2:'at./L/ 3

Account# qOlo9Ltfis9 _____

Show distance for property lines from both the house and the Propane Tanks, Show distance from the Propane tanks to any out buildings i.e.: Shed, Garage, Carport etc..





