

Minutes-Town Council Meeting-Regular Session  
March 1, 2004 6:30pm  
15016 Washington Street-Haymarket, VA 20169

Called to order at 6:40pm, invocation by Father David Jones

Roll Call: Sikorsky, Miller, Shepard, Taylor, Jarboe, Stutz, Garcia

Public Hearing on Bond Refinancing

Favor: None  
Opposed: None

Rezoning application 15100 Washington Street from R1 desired B1

Favor: None  
Opposed:

Nancy Bailey asks why Washington Street Improvements are in proffer when they are already mandatory.

Public Hearing Closed: 6:44pm

Meeting called to order

Citizen's Time

Linda Landwehr: Concerned about commercial and residential development that is proposed. Feels that the comprehensive plan is not being followed. Reminds of petition signed one year ago against big box development. Excited about Charette, asks that all site plans be placed on hold

Bob Weir: Large number of developments approved already, these are all based on existing traffic patterns. No one has looked forward to future traffic concerns.

Nancy Bailey: Speaks about Fosters lamp posts, they are not correct. They cannot be taller than 16 Feet. Globes are not the same. Council acknowledges that they are aware of problem. Lights are out on a couple of street lights. Agrees with Linda Landwehr on the development and mentions future traffic flow.

Mayor comments that council is working on the public works contract. Mayor asks to

schedule another meeting, Monday March 8, 2004 @ 6:30pm.

KSI-Mike Lubeley-Greater South Market

Assemblege of 600+ acres of many different zoning districts, 90 acres M2, Flex

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Office zoning (13 Acres). 13 acres of office (medium). SR6 Six units per acres. The Rural Crescent is approximately 300 acres. July 2003 the county voted it down the application to rezone. This presentation is the by right use. KSI has filed a comprehensive plan amendment December 2003. Covers 240 acres (east side of project). Existing development obligates widening of Route 15.

David Bailey

Attorney in Richmond representing citizen's on the opposing side of Greater South Market. Wrote letter to town because of our unique charter. Looking at things like RPA, Storm Water Control, Wetlands, etc...This project should not be looked at in isolation, this is part of a much larger development. Urges Haymarket to become involved.

Elaina Schlossberg-Prince William Conservation Alliance

Speaks of meeting of all, Chairman Connaughton. Citizen's came back with a Proposal with only 725 units. She says she can email the Chairman's guidelines.

Re-Zoning Application 15100 Washington Street

Joe Kearn-Contract Purchaser:

Shepard comments that PC has approved the proffers and the re-zoning. 12,900 is the Net rentable square footage, identified as problem is no traffic study has been done as of yet. Bennett states this should be done at zoning not site plan. Not showing right-of-way, VDOT wants right-of-way labeled on Washington Street. Should reference a plan number. Strike exterior materials on proffer agreement (brick). Storm Pond is counted as green space. Fence will comply with Ordinances. Dr. Ayers speaks about the proffer amounts with regard to his letting the town use the property and the dedication of land. PC calculates based on net. Please provide explanation of ordinance with relation to parking (net or gross).

Council would like Owner to provide the following:

All four issues addressed from VDOT letter. Curb and guttering discussed.

Right of Way dedication.

Section 1.1 reference plan number

Strike 2.1

Section 2.5 address typical section for sidewalk and put in there than B&N will approve plan.

Section 6.1 insert that construction materials and elevations will be approved by ARB.

Address net or gross space with regard to parking

Reference section of ordinance that reflects mandatory street improvements

Do not exclude uses, just list the use of "office".

Go through 1.2 and strike all uses that you will not support

PWC requires 23' for drive ways.

Mayor comments that the questions asked of the applicant should have been addressed by the PC. Mayor will speak to the PC guiding them on what they need to be doing regarding land issues.

**BLUEMONT**

Peter Dunning-President of Bluemont Concert Series  
Bluemont asks if the town will continue to participate in Performing Arts Grant. Grant applications are due April 1, 2004.

**Stutz motions to submit grant application for VA Commission for the Arts,  
Sikorsky seconds  
Ayes: 6 Nays: 0**

**Certificate of Appropriateness**

**Shepard motions to approve the demolition of the home located on 14085,  
Miller seconds, Discussion**

**Lowery states that a bond is required so to insure debris clean up of  
demolition.  
Ayes: 6 Nays: 0**

**Stutz motions to approve Johnson (14713 Dogwood Park Drive) fence  
pending any ARB guideline revisions, Jarboe seconds  
Ayes: 6 Nays: 0**

**Garcia motions to refer ARB Guideline changes to PC, Shepard seconds  
Ayes: 6 Nays: 0**

**BUSINESS LICENSES**

Shepard motions to approve Debra Nickens business license to provide in-home day-  
care, Sikorsky seconds  
Ayes: 6 Nays: 0

**POLICE REPORT**

Mayor has asked chief to look into speed cameras. Sikorsky asks about mobile speed detectors.

**CONSTRUCTION PERMIT APPLICATIONS**

**Shepard motions to approve construction permit applications for 6738  
Sycamore Park Drive, 14812 Cypress Park Lane, 14808 Cypress Park Lane,  
14804 Cypress Park Lane, Garcia seconds  
Ayes: 6 Nays:0**

**Sikorsky motions to direct VDOT to install striping on pedestrian crosswalks,  
Jarboe seconds  
Ayes: 5 Nays: 0  
Miller Absent**

**Bond Financing**



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Rates have been reviewed with bond counsel and they do feel they are low. Proposal is valid for 30 days. We would have to close before April 1, 2004. We can roll in the expenses of the financing.

**BY ROLL CALL VOTE**

**\*Stutz motions to approve bond financing, Shepard seconds**

\*see attached resolution for the above vote

**Discussion and Stutz amends motion:**

**Streetscape at option A with pre-payment penalty, Mortgage at option B no pre-payment penalty and roll in cost to the maximum extent possible Amended, Shepard seconds**

**Ayes: 5-Sikorsky, Shepard, Garcia, Jarboe, Stutz (Miller absent)**

**Shepard motions to appoint Pamela E. Stutz as Zoning Administrator, Garcia seconds, \*see attached resolution**

**BY ROLL CALL VOTE**

**Ayes: 5-Sikorsky, Garcia, Shepard, Jarboe, Stutz      Nays: 0  
(Miller Absent)**

**Shepard motions to adjourn, Sikorsky seconds**

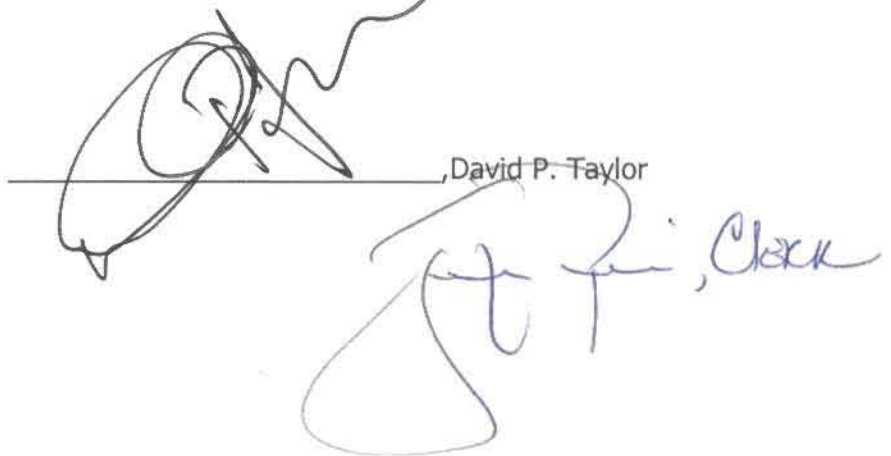
**All in favor**

**Ayes: 5      Nays: 0 (Miller absent)**

**Town Council Meeting continued to March 8, 2004 @ 6:30pm.....**

Approved: \_\_\_\_\_

David P. Taylor

The image shows two handwritten signatures in blue ink. The first signature is a large, stylized cursive signature that appears to be 'D. Taylor'. The second signature is a smaller, more legible cursive signature that appears to be 'Clerk'.

RESOLUTION

WHEREAS, the Town Council of the Town of Haymarket, Virginia deems it advisable to appoint a zoning administrator to have only the authorities and discretions relating only to the enforcement of ordinances of the Town of Haymarket and related laws of the Commonwealth of Virginia; and

WHEREAS, a previous resolution was adopted by the Town on the 1<sup>st</sup> day of March, 2004; and

WHEREAS, the Town Council now wishes to rescind the earlier resolution by the adoption of this resolution;

NOW THEREFORE, BE IT RESOLVED that the motion of JAMES SHEPARD, seconded by BRYAN GARCIA and upon a roll call vote, the following individuals voting in the affirmative: SIKORSKY, GARCIA, SHEPARD, JARBOE, STUTZ and the following voting in the negative: NONE

\_\_\_\_\_, with the following absent: ROBERT MILLER,

Pamela E. Stutz is hereby appointed zoning administrator to serve at the pleasure of the Town Council for the Town of Haymarket, Virginia, to have all authorities and discretions provided for under the ordinances of the Town and the laws of the Commonwealth of Virginia insofar as they relate to the enforcement of such ordinances and laws. The authority to enforce such ordinances and laws shall be concurrent with all other individuals having lawful authority to enforce the same. The Town Council specifically reserves unto itself all other authorities and discretions of the zoning administrator or administrator under the ordinances of the Town of Haymarket and the laws of the Commonwealth of Virginia, including, among others, the right to review and approve all subdivisions and all matters relating thereto.

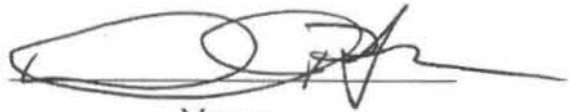
This resolution shall become effective upon adoption.

Be it further resolved that the resolution dated March 1, 2004 be hereby rescinded.

Done this 8<sup>th</sup> day of March, 2004.

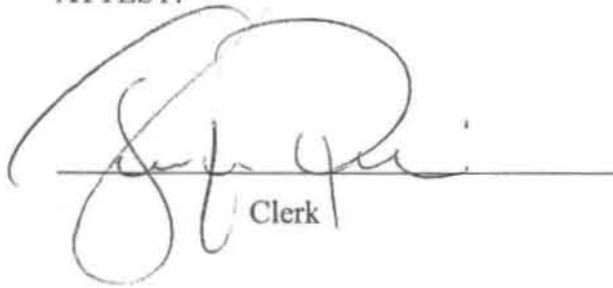
TOWN OF HAYMARKET, VIRGINIA

BY:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Mayor

ATTEST:

A handwritten signature in black ink, featuring a large, prominent loop at the top and a horizontal line extending to the right.

Clerk