

TOWN OF HAYMARKET, VIRGINIA  
Chartered 1799  
County of Prince William

**PUBLIC HEARING**

**August 4, 1997**

**Subject: (1) rezoning approx 5.5 acres Conservation-1 to Industrial-1  
15221 Washington Street, EAB Enterprises, applicant  
(2) Amend Utility Service Tax to include Industrial  
User and Business Entity**

**MAYOR  
John R. Kapp**

**COUNCIL  
James Shepard, Vice Mayor  
Mary Lou Scarbrough  
Dottie Leonard  
Bob Seffinga (absent)  
Mark Branca  
Richard Bird**

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Mayor Kapp opened the public hearing at 7:02 p.m. All members present with the exception of Bob Seffinga.

**(1) Rezoning approx 5.5 acres Conservation-1 to Industrial-1 - 15221 Washington Street, Rex Phares, EAB Enterprises, applicant**

Mayor Kapp states the applicant reduced the rezoning request to 4.05 acres contained on the North side of the North Fork creek. Mr. Pickens of BDE, representing the applicant, submitted revised proffers and addressed impact to the creek.

Councilman Branca asked if the rezoned line was at the buffer line or at the creek. Mr. Pickens replies the line would be at the buffer.

Ms. Smith, an adjoining property owner, asked if the 25' buffer was existing vegetation or would additional vegetation be supplied if not sufficient. Mr. Pickens replied existing vegetation would remain with the property no construction or grading within 100' of the creek.

Councilman Branca asked if floor drains will go to the sanitary sewer. Mr. Pickens states that will be determined at site plan (see 5B.)

Ms. Smith asked if there is on site monitoring of hazardous materials. Applicant will meet all requirements.

Ms. Via states staff recommends approval as applicant has addressed land use and environmental issues.

**Speak For**

Mayor Kapp asked all who would like to **speak for** the rezoning, first call - no one spoke.

Second call - no one spoke.

Third call - no one spoke.

**Speak Against**

Mayor Kapp asked all who would like to **speak against** the rezoning, first call - no one spoke.

Second call - no one spoke.

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Third call - no one spoke.

**(2) Amend Utility Service Tax ordinance to include Industrial User and Business Entity**

**Speak For**

Mayor Kapp asked all who would like to **speak for** the amendment, first call - Mrs. Bailey spoke for it.

Second call - no one spoke.

Third call - no one spoke.

**Speak Against**

Mayor Kapp asked all who would like to **speak against** the amendment, first call - no one spoke.

Second call - no one spoke.

Third call - no one spoke.

**Public Hearing Closed at 7:27 p.m.**

**PLANNING COMMISSION**

**CHAIRMAN**

**John R. Duckett** (absent)

**COMMISSIONERS**

**Charles King, Vice Chairman**

**Glenwood Bear**

**Tom Utz** (absent)

**Mark Branca**

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Vice Chairman King opened the meeting at 7:30 p.m.

**Rezoning 4.05 acres Conservation-1 to Industrial-1, 15221 Washington Street, Rex Phares, EAB Enterprises, applicant**

Ms. Via, staff planner, has recommended approval looking at the land use and environmental issues.

Councilman Branca concurs with the rezoning reduced to the 4.06 acres from the 9.6 acres. He is assured environmental issues are being addressed. He would like to see a spill plan detail. The issue of access to Route 55 is mitigated by the ban of access to Washington Street, the railroad crossing will be ironed out before the town has to address. The contribution to local services does seem low compared to other plans submitted previously.

Councilman Branca states applicant will have to go before FEMA for a map amendment which looks like it should have a good chance. The spill plan is typical language used for the county. Councilman Branca would like to see "spill plan in compliance with prevailing federal, state or county standards."

Vice Chairman King states he thinks (the property) should stay in conservation.

Councilwoman Leonard states she feels personally she would like to see it stay undeveloped.

Councilman Branca states after walking the property with Mr. Pickens he feels the four acres requested is reasonable for that property.

**PLANNING COMMISSION - 2**

Mr. Phares state the remainder of the property will stay as is.

Ms. Smith says she agrees the land put in conservation was meant to stay in conservation.

Councilman Branca states the 1995 FEMA revision showed removal of part of the property. The safeguards are in place.

Commissioner Bear moved to approve, seconded by Councilman Branca.

Proffer by applicant to use the remainder of the property for a garden plot for the towns use.

**For - Bear, Branca**

**Against - King. Motion carried by a 2/1 vote.**

**Adjournment**

Councilman Branca moved to adjourn at 7:45 p.m., seconded by Vice Chairman King. Motion carried.

**TOWN COUNCIL**

**August 4, 1997**

**MAYOR**

**John R. Kapp**

**ATTORNEY**

**Peter Steketee**

**COUNCIL**

**James Shepard, Vice Mayor**

**Mary Lou Scarbrough**

**Dottie Leonard**

**Bob Seffinga (absent)**

**Mark Branca**

**Richard Bird**

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Mayor Kapp opened the regular meeting of the Town Council at 7:50 p.m. All members present with the exception of Bob Seffinga.

**Minutes of the July 7 meeting**

Vice Mayor Shepard moved to dismiss the reading of the minutes and approval with corrections noted, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

**Police Report**

There were sixty one traffic citations, three accident reports, twenty nine calls answered. Computer is in and the Police Dept requests a computer desk. Lafayette Day went okay. The high bid on the 1989 Ford was \$1750, Sgt Bockey recommends Council accept this bid. Sgt Bockey is working with Mr. Cramer directly.

**Treasurers Report**

The Treasurer reported a beginning balance of \$73,521.93 on June 30, 1997, July expenses of \$23,946.67 and July deposits of \$37,439.43, leaving a balance of \$87,014.69 in the First Virginia Bank operating account. Councilman Branca asked if the E&S Escrow agreement is held in an interest bearing account. Mayor Kapp states the deposit will be made in an interest bearing account.

**Unpaid Bills**

Councilwoman Scarbrough moved to approve, seconded by Councilman Branca. Motion carried by unanimous roll call vote.

**Police Dept vehicle sale**

Councilwoman Leonard moved to accept the \$1750 bid for the 1989 Police Cruiser, seconded by Councilman Branca. Motion carried by unanimous vote.

**Business License**

Maz Corporation - 14950 Washington Street, independent vehicle dealer - Councilwoman Leonard moved to approve, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

**Sign Permit**

Maz Corporation - 14950 Washington Street - standard vehicle dealer sign - Vice Mayor Shepard moved to approve, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

Ryan Homes, temporary sales trailer sign - Section 1, Lot 3, Greenhill Crossing - Councilwoman Leonard moved to refer to the PC & ARB pre-approved for the term approved for the trailer (120 days), seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

**Building Permit**

Cybulski - 14950 Madison Court - fence - Councilwoman Leonard moved to send to the ARB, seconded by Vice Mayor Shepard. Motion carried by unanimous vote.

**Special Use**

Rezoning - 15221 Washington Street, 4.05 acres Conservation-1 to Industrial-1, Rex Phares, EAB Enterprises, applicant - Revised proffer submitted, a \$5,000 donation for police services, proffer #4 and 5-C and will submit a plan - #8 applicant will provide a portion of the remainder to the town use for a garden plot for the residents. Staff does not agree to that as the area should be undisturbed and the area does not lend itself to that use. Councilwoman Leonard asks if there is a way to work this out. Ms. Via would like to see it left undisturbed, stating the intent is laudable but site is not appropriate.

Councilman Branca moved to rezone to Industrial-1 accepting with proffers and amended 4 & 5C, seconded by Councilwoman Scarbrough. Vote: Yes-Scarbrough, Leonard, Branca, Shepard and Bird. No - none. Motion carried by 5/0 vote.

**Citizens Time**

Jack Fennell of J2 Construction addressed Council with his concerns as a contractor working in Haymarket. (1) permits went up \$40 for a deck, (2) inspections are not done during business hours-either before 7 a.m. or after 5 p.m., (3) problem getting multiple finals - state law in Virginia allows a third party inspection with the Council's approval, (4) railings over 30" in height must meet state standards - front porches have a longer than 8' span but are not subject to the standards of a deck.

Mr. Lowery addressed Mr. Fennel - he has not received any request for inspections from Mr. Fennell since he began working for the town. He has looked at decks as part of finals which have not been passed.

Mrs. Turner states the county tax office has been moved to the McCoart building. The county offices are being moved out of this area, it is already on the agenda for September's meeting.

Councilman Bird states the new county executive has moved a lot of responsibility back to the

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public works department. Public Works now does the leasing of the buildings - many offices have moved to McCoart.

**Planning Commission**

Councilman Branca says the spoil pile they moved from the water line has no erosion control. Councilman Branca has spoken with several people trying to get the erosion control in place. Martin & Gass says it is the property owners responsibility. Martin & Gass states they do not have the letter of agreement to put the pile there. Councilman Branca says he thinks it is the responsibility of the property owner and contractor.

Councilman Bird says he thinks the letter should be addressed to the landowner.

**Architectural Review Board**

Councilwoman Leonard reports at the last meeting signs that were tabled prior, that did not have representation, were approved. Rodney Rehrig offered his help with the Bicentennial. Further discussion about the Greenhill Crossing fence.

**Historic Commission**

Mrs. Turner reports thanks to the Mayor they got through Lafayette Day. Mayor Kapp states they had an auction - they auctioned off the rendering of the street scape. Commission starting a fund for street light in memory of Mr. & Mrs. Woodside. Councilwoman Leonard and Scarbrough said the food was wonderful.

Mayor Kapp asked if they made any money? Mrs. Turner said she hasn't gotten the money from Bob Mayer yet. She also states she doesn't know how the Evergreen fire House people got into it. They took the leftover food. If they get paid for half of it we'll have some money, states Mrs. Turner.

**Bicentennial**

**Fireman's Carnival**

Councilman Bird states his folks are working on one for June or July of 1998.

**Bicentennial Ball**

To be held in January 1999.

**Resignation**

Ms. Via submitted her letter of resignation effective after the town gets through the current business.

**OLD BUSINESS**

**Madison Street improvement** - Fred Price drew up new plat - drainage goes about at the lot 3 border. Mr. Price to provide drainage easement document. Mayor Kapp spoke to Mrs. Miller, the Tinkhams and he will speak with Turner Smith.

Councilman Branca moved to adopt resolution for VDOT to take over Madison Street cul de sac, seconded by Vice Mayor Shepard. Motion carried by unanimous vote.

Councilman Branca moved to release plat to Town Attorney to release deeds, seconded by Vice Mayor Shepard. Motion carried by unanimous vote.

#### **TOWN COUNCIL August 4, 1997**

##### **Building Inspector**

One homeowner in Greenhill complained about grading of property. Jim wants to know if BDE is to be looking at final grading or does Council want him to handle it. Councilman Branca asked if he is interested in doing that task. He answered yes. We will get him a copy of the grading plan. The towns biggest issue is lots are not kept stable. BDE wants something done.

Mr. Lowery will meet with Vice President of US Home to look at concerns. A great deal of work is totally inferior. All concerns are structural and critical to structure. Mr. Lowery states the codes are now taking wind damage into consideration. The US Home plans, drawings, did not have structural details, they are architectural plans. Waterproofing issue being worked out. US Home hired a soil analysis to determine the needs. They will try to do interior waterproofing method. The options being built by US Home that have not been submitted to the town and not part of the building application are being rejected and plans required.

Mr. Bear asked if the building official checks for Radon. Mr. Lowery replied no it is no longer part of the code.

Trade permits - we need to issue to hold trades people to violation.

Mr. Lowery will give the Town Clerk handouts for water hook up. Information that PWCSA requires the town to do. Well has to be disconnected from the house, property owner can keep connection for outdoor use with PWCSA approval.

Mr. Lowery states Monday he was the only person chosen to work on the BOCA International residential code for the U.S.

Mr. Lowery reports in regard to the handicap parking space for commercial uses, he contacted First Virginia Bank who has agreed to consider permitting the town to use four spaces on their lot. First Virginia Bank wants the street scape in writing as they want to be the first facility in town to complete their street scape. Councilman Branca asked if we want to speak to the need for the easement in this letter.

##### **ISTEA**

Councilman Branca and Mayor Kapp met with VDOT and Virginia Power. Five or six light poles to be moved to the north side and higher for trees underneath at a cost of \$5000 each. They will provide us with a list of types of trees that will canopy.

Councilman Branca got a call from the gas company, two areas out front need to relocate and at Old Bank Cafe it is on the edge of storm sewer in the right-of-way. Problem is where to put it. GTE & Jones Cable lay conduit for their service when we put down ours for street lights.

The Historical Foundation has raised \$21,500 plus \$227.79 plus \$865 for ISTEA enhancements. Advertising date for bid will be pushed back from October 1.

##### **Haymarket Day**

The town will sell pizza, drinks, coffee, donuts, tee shirts, sweat shirts. Need hay wagon for

parade. Councilwoman Leonard would like to look into having horse drawn carriages for council to ride on. Mayor Kapp reminded Council there was a vote that only Council members could ride on the float, not their family members. Councilwoman Leonard moved to include the

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Council's family ride in the parade, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

**Tourism Advisory Council**

Mayor Kapp is looking for someone to represent Haymarket at the council meetings. Mrs. Bailey asked to look at the literature. Mary Louise Ransom will be asked to consider also.

**Railroad**

There is correspondence for anyone's perusal. Mayor Kapp states there is a noticeable decrease in the number of trains. Councilman Bird states he is still working on the fence at Greenhill.

**Street Scape**

Drawing of the north side of the street is not ready yet.

**Utility Tax Amendment - to include industrial user and business entity**

Councilman Branca moved to approve, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

**Capital Improvement Plan**

Sign for Town Hall - Century Schoolbook lettering. Councilwoman Leonard moved to previous motion to redo the town hall sign to include Century Schoolbook type face, sign with off white background and forest green lettering exactly as old sign, rectangular or oval okay.

Brick Sidewalks - Councilman Branca asked Councilwoman Leonard to ask the ARB about the pattern of the walks. Councilman Branca will attend the next ARB meeting.

The final capital improvement plan will go to public hearing and will go to the Planning Commission.

**Website**

Mayor Kapp will talk to Mrs. Thompson at First Virginia Bank for the design fees.

**Insurance**

Councilwoman Leonard states there is a total liability of one million dollars and if a police officer is injured on duty the workers compensation will cover that. Jim Lowery states he does not carry any liability insurance for himself or his employees for the work he performs for the town.

**Floor**

No bids were received.

**Shed for Town Hall**

Contractor to build the shed a replica of the Town Hall. Councilwoman Leonard states the ARB approved a carriage style shed. Town to get bid on replica of Town Hall on skids or Quaker style pre fab.

**TOWN COUNCIL August 4, 1997****Rats**

Councilwoman Leonard went to Longstreet Commons HOA annual meeting. President Debbie Johnson will participate in a meeting with town officials and the health department. This needs

to be done ASAP. Mayor Kapp will have letter to go to residents at next meeting. Town Clerk reports her conversation with Mr. Gossom in regard to the Paxton property being mowed and the rats that appear to be nesting under that structure.

**NEW BUSINESS****Treasurers Association of Virginia**

The Town Clerk would like to join this association, the dues are \$25.00. Councilwoman Scarbrough moved to approve, seconded by Councilman Branca. Motion carried by roll call vote.

**Plaques for ISTEIA enhancements**

Councilwoman Leonard to take to the ARB for recommendation.

**GTE sewer connection**

Mayor Kapp spoke with GTE and passed them on to Joe Darby at PWCSA.

**Correspondence available to read**

County Compliance Plan.

Telecommunication Plan - Jones Communication as potential use - Old Carolina Road and Carver Road, same site as water tower - 260' tall self support tower and equipment shed.

Western Transportation meeting Tuesday, 5:30 p.m. North Stafford High School

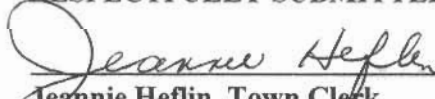
**Vacation Request**

Town Clerk requests vacation from August 12 through August 19. Approved.


**Adjournment**

Meeting adjourned at 11:35 p.m.

**RESPECTFULLY SUBMITTED:**

  
 Jeannie Heflin, Town Clerk

**APPROVED:**

  
 John R. Kapp, Mayor



**TOWN COUNCIL, PUBLIC HEARING, PLANNING COMMISSION**  
**August 4, 1997**

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