

Haymarket Town Council Meeting
Monday, September 19, 2011
15000 Washington Street, #100 Haymarket, Virginia 20169
Mayor Pamela E. Stutz

Mayor calls the meeting to order at 6:59 p.m.

Roll Call: Tobias, Stutz, Scarbrough, Kenworthy, Weir

Zoning Permit Application

14950 Washington Street – Special Use Permit Application – Steven’s Lawn Care

Tobias motions that the Town Council approve #SUP20110729, Steven’s Lawn Care, for an in-home occupation at 14950 Madison Court, pursuant to Section 58-98(8) of the Zoning Ordinance and subject to the development standards of Section 58-16, Home occupations, and the following conditions:

- a) Commercial vehicles shall not be parked on lawns or the public right of way;
- b) Commercial vehicle parking shall be limited to two vehicles parked within the existing garage and/or asphalt driveway or one commercial vehicle and one empty trailer parked within the existing garage and/or asphalt driveway;
- c) Maintenance of commercial vehicles and/or equipment shall be contained within the existing garage;
- d) Outside storage of landscaping materials or heavy equipment shall not be permitted;
- e) No employee parking shall be permitted.

I further move that the SUP shall remain in effect for a period of one year, to renew automatically for additional periods of one year, BUT EXPRESSLY CONDITIONED UPON THE FOLLOWING: Council may require, upon a majority vote, after notice to the applicant, for the applicant (or present property owner) to submit a new application for an SUP, which shall be treated in all respects as a new and different application, subject to approval or disapproval, in accordance with general principles of law for a new application. If such notice is given to the applicant or present property owner, this SUP shall terminate automatically and without further notice or action by the Council 60 days from the giving of such notice.

Scarbrough seconds;

Tobias-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Cole-Absent, Leake-Absent

Structural Engineer

On September 6, the Town Council authorized the Town Manager to hire a structural engineer to make recommendations to the Town on the best way to stabilize the Old Post Office and the Hulfish House. The Town Manager has spoken with three different structural engineers, he has one proposal tonight.

**Mayor would like it clarified that we will be provided with an order of renovation, recommended solutions in addition to the items stated in the proposal.

Leake enters the meeting at 7:12 p.m.

Tobias moves to table discussion of the services of a structural engineer to October 5, 2011, Weir seconds;

Ayes: 5

Nays: 0

Absent: Cole

Tobias asks about the Hulfish House, if it was affected by storms or the earthquake. Mr. Lowery believes the out building has shifted a bit.

Treasurer's Report – James Naradzay

Appropriations

- Building Official, there were not enough funds appropriated for the 1st quarter 2012 to pay the building official his last invoice. Council agrees it is ok to go over on this line item to pay Mr. Lowery.
- Volunteer effort, scheduled for 09/24/2011; funds are needed for supplies such as paint, paint brushes, sand paper, etc....

Tobias motions to appropriate \$808 from 15000 Washington Street Maintenance & Repairs and \$2435 from 14710 Washington Street Maintenance & Repairs for the purpose of town beautification, Leake seconds;

Tobias-Yes, Leake-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Stutz-Yes, Cole-Absent

Police Cruiser Purchase

**October 5 Treasurer to look into bank qualified loans

Tobias motions to enter into closed session at 8:10 p.m., pursuant to 2.2-3711 A (7) legal advice and consultation with the Town Attorney regarding a lease agreement and A(29) public contracts; and 2907 (d) pertaining to the Town's pending annexation proposal, Tobias seconds;

Tobias-Yes, Leake-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Stutz-Yes, Cole-Absent

Councilman Kenworthy had to leave the closed session prematurely. The Town Attorney & Town Clerk ask that he certifies the closed session; he departs at 8:35 p.m.

Kenworthy does hereby certify that to the best of his knowledge, only public business matters lawfully exempt from the open meeting requirements by Virginia law and only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by Council were discussed in the closed session;
Kenworthy-Yes

Weir motions, at 8:50 p.m., that the Council of the Town of Haymarket does hereby certify that to the best of each member's knowledge, only public business matters lawfully exempt from the open meeting requirements by Virginia law were discussed in the closed session to which this certification applies and only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by Council, Scarbrough seconds;

Tobias-Yes, Leake-Yes, Cole-Absent, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Stutz-Yes

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Weir

- Hunter at Haymarket is a PWC application to develop 11+ acres of land at the Town's southeast boundary line with the county. The Town has opposed this application for rezoning and a comprehensive plan amendment. It was denied at the last PWC Planning Commission meeting. It is going before the Board of County Supervisors scheduled for October 18 and could be decided at that time. Weir asks the Town Attorney if the town has standing, should the BOCS approve, to appeal to the County Board of Zoning Appeals? Taxpayers are typically not considered an aggrieved party. The Town is to review any division of land; he feels the town would have standing to file an appeal. The Town Attorney reminds that we sent a letter saying any approval would be void without the Town's prior approval. The Mayor suggests that the Town write a follow-up letter.
**The Town Attorney and Councilman Weir to write the letter.

**Leake motions to adjourn the continuation meeting of September 19, 2011 at 9:00
p.m, Scarbrough seconds;
Ayes: 5
Nays: 0
Absent: Cole**

Submitted:

Approved:

Jennifer Preli, Town Clerk

Pamela E. Stutz, Mayor