

TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William

HAYMARKET TOWN COUNCIL
October 5, 1998

MAYOR**John R. Kapp****ATTORNEY****Peter Steketee****COUNCIL****James Shepard, Vice Mayor****Mary Lou Scarbrough****Dottie Leonard****Bob Seffinga****Mark Branca****Michael Noonan**

Mayor Kapp opened this regular meeting at 7:30 p.m. with the Pledge to the American Flag. The Rev. Ron Pledger, First Baptist Church of Gainesville, led the council in prayer.

Roll Call

Roll call found all members present.

Prince William County Greater Manassas Chamber of Commerce

Mayor Kapp introduced Patty Tracy of the Chamber of Commerce who invited the Town to join the organization. Dues are based on number of employees, \$225 dues with a \$25 membership fee for the FY '99.

Minutes of September 14 meeting

Vice Mayor Shepard moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Treasurers Report

First Virginia Bank general fund account beginning balance August 31, 1998, \$57,591.94. Expenses \$25,106.032, Deposits \$32,496.14, ending balance September 30, 1998 \$64,982.05.

Unpaid Bills

Vice Mayor Shepard moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 roll call vote.

Police Report

Sgt Roop reports 47 tickets in September, 285 hours worked, 26 complaints, 1 DWI, 1 felonious assault in result of 2 felony charges.

General Orders - Sgt Roop will supply a copy to Councilman Seffinga and then Mayor Kapp.

Old Business

Jerry Maupin, complaint against GTE, Hay Market Charitable Foundation and Tyler - Mayor Kapp states GTE tore out the shrubs and put in a parking lot. Mr. Maupin has clear view of the GTE facility. On October 1 they (GTE & Maupin) agreed GTE will landscape on their side and

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Maupins' house side. The Lodge agreed to put in shrubs and landscaping. As soon as GTE can get the Health Dept straight on the address, they will abandon the septic system and hook up to sewer. Mr. Lowery states the well is required to be tested by Culpeper. DEQ requires two more tests and pending results they can close out the case. In regard to the drainage problem, a ditch is to be put in around the property.

Mr. Dougher of Ross, France & Ratliff revised the plan as per the ARB recommendations at the October 1 meeting. Councilman Branca asked if they did perc tests for infiltration ditches. No, he replied. Councilman Branca says locate well before then. Mr. Muller will submit review fee on October 22 with site plan.

Mr. Maupin also complained about the Tyler house. Mayor Kapp states they are going to side the house. Councilwoman Leonard states they requested siding instead of painting. The applicant is required to bring in a sample of the wood look siding. Councilwoman Leonard asked Mrs. Turner how she feels about siding on that house. Mrs. Turner states she has stated the Historic Resource people have discouraged vinyl siding on historic homes. Mrs. Turner states she read about a controversy on vinyl siding in Manassas. Atty Steketee states he thinks the controversy was in regards to sides not visible from the street.

Mr. Maupin wants the Mason's to pave the parking lot. Mayor Kapp states the ordinance says only if it is public use it has to be paved.

Councilman Branca states in regards to GTE the water is gathering in the corner, please put a berm there and maintenance for the trench and sanding of the parking lot for snow.

Atty Steketee states it is open to general use rather than private individuals. Councilman Seffinga states if it is not a private landowner's property it is public. Atty Steketee states his first observation is it is public.

Mr. Maupin is satisfied so far with what has been presented.

Business License

Richard Bell, Bell Backhoe Rental, 15001 Washington St. #6 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Eastern Used Cars, Hassib Wais, independent vehicle dealer 6707 Fayette St.#2 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Export Car Connection, independent vehicle dealer 15001 Washington St. - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Sign Permit

Export Car Connection, 15001 Washington St. - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

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Eastern Used Cars, Hassib Wais, independent vehicle dealer 6707 Fayette St.#2 - Councilwoman Scarbrough moved to approve, second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Gossom & Costello Paving, 15001 Washington St., wall sign - Councilwoman Leonard moved to send to ARB & PC pre-approved, second by Councilman Branca. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Bell Backhoe Rental, 15001 Washington St., #6 - Councilwoman Leonard moved to send to ARB & PC pre-approved, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Noell Crane Service, 6612 James Madison Hwy- already approved with condition by PC & ARB. Mr. Lowery states if sign is approved by the town he will send it to Eric Mays, PWC, who will approve per our recommendation. Councilman Seffinga moved to accept sign permit application for Noell Crane pending ARB requirements of color and style, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Building Permit

Edwards, 6938 Little John Court, deck - Councilwoman Scarbrough moved to approve, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Herndon Reston Paint, 6741 Jefferson St. - Councilwoman Leonard moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Certificate of Appropriateness

Greenhill Crossing, Section 9, fence - not approved by the ARB. Councilwoman Leonard states some homeowner's did not want the fence. Council sent this application back to the ARB.

Hay Market Lodge Charitable Foundation, fence - extension of existing fence. Mr. Maupin had a concern about the lack of shrubs under the fence.

Ryan Homes, Section 9, Lot 35, 6853 Jockey Club Lane, Rosemont A with extended kitchen - Councilwoman Scarbrough moved to approve, second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Ryan Homes, Section 2, Lot 62, 14881 Greenhill Crossing Drive, Sebastian A - Councilwoman Leonard states the ARB approved subject to conditions (roof line extended). Mr. Zirkle has not heard back from Ryan Homes. Councilwoman Leonard moved to approve contingent upon elevation A be redesigned to have the roof extend and other colonial embellishments, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

HayMarket Lodge Charitable Foundation, parking lot - tabled pending Atty Steketee comments.

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GTE parking Lot, 6736 Madison Street - tabled

Site Development Permit

St. Paul's Episcopal Church, 6760 Fayette Street - engineer to submit E&S escrow. Tabled.

Site Plan Review

St. Gabriel's Laboratories, 134540 John Marshall Highway - in town limited zoned R-1, outside town limits zoned M-1. Atty Steketee to send letter to them stating zoning is R-1.

Leaberry Mini Storage - PC approved contingent on Councilman Branca's review. There are quite a few outstanding issues. Ten acres of drainage to a single silt fence. Councilman Branca spoke to Martin Tucker and sent PWCSA comments to him. He outlined what is needed for each step. There are significant comments from PWCSA. Councilman Branca says there is no access shown to adjacent properties. Applicant states until there is an agreement on shared cost they will not show a way to tie in. Councilman Branca says it must be on the easement plat. Councilman Branca says once they record a plat sharing easements the adjoining property owner can use the easement without cost.

GTE, 6736 Madison St. parking lot

Mr. Gossom asked about GTE - site plan is approved or not? Councilman Branca states revised site plan has to go to the PC and pay site plan review fee. Mayor Kapp states they haven't filed an application to pave the parking lot since they have to have the DEQ clean up first.

Citizen's Time

Mrs. Bailey states (1) she appreciates it if someone has special needs that the Council will take them early. (2) It seems sometimes that Council members arrive late they shouldn't be paid for the meeting. The meeting should not be stopped to bring late arrivers up to speed. (3) As of now those who signed up to take the Certified Planner Course, if they have not taken the test, should refund the money to the town as it is taxpayer's money.

Tim Lundy, from Longstreet Commons, asked if the apartments are still coming. Mayor Kapp states National Housing Corp has decided not to go forward with apartments, he has heard nothing further.

Planning Commission

Councilwoman Scarbrough reports the PC will review the 3,000 square foot retail ordinance after surveying some of the other towns to determine what is a nominal square footage.

Architectural Review Board

US Home elevations - waiting for Atty Jamison to tell us what to do.

Weak Link Connection - Ms. Stutz states they will submit plans. Peterson Companies can not find a written commitment. Peterson will see that it is done and submit plans to the ARB.

Yard of the Quarter Award - The ARB voted two meetings ago they want to give a quarterly award to properties enhanced with landscaping and plants. The one being considered for this quarter is Mr. Mike Zupan's property (across from the Post Office.) The ARB will be taking pictures of these properties and those properties in violation. Councilwoman Leonard moved to

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approve the institution of the quarterly award beautification program and invite all four recipients to the Christmas celebration for recognition

Mrs. Cybulski did some pricing of Polaroid cameras, \$28.99, \$49.94 & \$79.99. Councilwoman Leonard moved to purchase the \$79.99 camera, and two packs of film, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 roll call vote.

Bicentennial Cancellation Stamp - Councilwoman Leonard states the ARB created a cancellation stamp using the "Crossroads of the past" in a circle that the Ruritans used for Haymarket Day. Mr. Foley felt the words would be crowded in the circle so he suggested using the line drawing of the town hall. Councilman Seffinga to use artist rendering of the town hall. Councilwoman Leonard moved to accept the concept for the cancellation stamp, second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Environmental Adjustors. Henry Merkli, owner, 15201 Washington St. - Councilwoman Leonard states the ARB is very concerned about the garden center. The general consensus of the ARB was they were disappointed at the lack of support from the Council. She was not aware of all the points the letter states but fully agrees with the issues and someone on the ARB recommended he Mr. Merkli be informed his license will not be renewed in the Spring since he doesn't want to cooperate. Councilman Seffinga states he made the motion and Steve Merkli has totally ignored the request he made. Councilman Seffinga states he is in violation now with his agreement. Councilwoman Leonard moved that the Mayor carry a message to Mr. Merkli that we are reluctant to ask legal counsel to address that he is in violation of his business license, and he is at risk to have his business license withdrawn and referred to our attorney for action, second by Councilman Seffinga. Mayor Kapp will speak with Mr. Merkli in regard to the particulars and impress upon him his business license is in jeopardy. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Brick Sidewalks - Mr. Foley recommends the smooth, but not glazed, Belden 503-505 brick with soldier course as per drawing. Councilwoman Leonard moved to adopt the Herringbone pattern, modified by turning 45 degree angle, and border with straight soldier course in the smooth finish, but not glazed, as opposed to glazed or rough finish, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Historical Commission

Mrs. Turner reports in 1799 three events important to the founding of Haymarket occurred. (1) It was the year George Washington died. A Mount Vernon group has recommended all communities take on projects to commemorate this event. One recommendation is to, by statute, to fly a 13 star flag alternately with the standard flag and have full statues or busts of Washington available. (2) The District of Columbia was founded in the later part of the century as the Nation's Capital.

Mrs. Turner has been searching newspapers looking for things that happened in 1799. Mrs. Turner has called on folks to submit articles of historic nature but has received none.

Mayor Kapp suggests Mrs. Turner come up with something for next year in regard to George

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Washington.

Councilwoman Leonard states we have plans for Christmas decorations for next year. If the street lights will be done we need to order the angel decorations by this winter.

Building Official

No comment.

Councilman Branca asks if Mr. Lowery has taken a look at Costello plans. Mr. Lowery says the engineer needs to look at them first.

Building Official appointment

At the last meeting we appointed Mr. Lowery on a thirty day term. We need to appoint him and determine the salary. The proposal from Mr. Lowery is \$40 per hour for inspections, no admin fee. Mr. Lowery says there is no charge for meetings, the \$40 per hour is for inspections only. Councilman Seffinga says it should work fine (with the cash flow). Councilwoman Leonard moved to appoint Mr. Lowery as Building Official for the term September 1, 1998 to August 31, 1998 at the rate of \$40 per hour for inspections only (with no additional charges to the town or residents for meetings), second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by roll call 6/0 vote.

Mr. Lowery asks if Councilwoman Leonard and the Historical Commission will list historic buildings to see what needs to be done, based on the historic section of the building code.

Bicentennial Committee

Cancellation Stamp - Councilwoman Leonard states the cancellation stamp is in progress.

Banner - Councilman Seffinga states he did not understand it was left in his hands to recommend who does the banner. Atty Steketee said it is not a good idea to have Councilman Seffinga do it unless Council pays for only costs incurred. Councilwoman Leonard says we have never reimbursed Councilman Seffinga for any cost. Councilwoman Leonard will give Councilman Seffinga the copy and he will get the costs.

Shirts - Councilwoman Leonard reports Mary Carter did an artist rendition of Little Jonny and Enterprise who were in a historical horse race here in town. Mrs. Turner had the artwork done. Councilwoman Leonard would like to have short and long sleeve polo shirts made with "Haymarket, Va not just a one horse town" with 1799-1999 on them. Mrs. Turner says the Historical Commission owns the copyright on the drawing and they do not have the funds to do anything with it. Councilwoman Leonard asks if the Historical Commission could cooperate with the Bicentennial Committee. Mrs. Turner suggests the Historical Commission consider this at their next meeting, October 31. Mayor Kapp asked them to get costs.

OLD BUSINESS**ISTEA Grant**

Councilman Branca states he has not gotten to the landscaping plan. He will not be able to do it. We should probably have BDE do it at a cost of \$3-4,000. BDE expects to have the addendum next week. BDE says they have addressed all outstanding items with the exception if we want to move the historic marker in front of the town hall or have that part of the

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contract. Council agrees to shift the task from Councilman Branca to BDE. Mayor Kapp states we are still shooting for the first of March to start construction. Councilman Branca states Atty Jamison is insistent on the lien holder being listed on the deed of easement, need trustees to sign off. Councilman Branca states Atty Jamison mentioned Mayor Kapp should ask who the lien holders are. Should we ask the property owners or pick up under a title search. Should get through a title search, was the answer.

October 6 Mayor Kapp will be in Culpeper for VDOT grant phase II, \$150,000 for Madison St. to Haymarket Baptist Church. Councilwoman Leonard asks if we have enough money to get to the church. Mayor Kapp says no, in January we will submit for more funds. Mayor Kapp says in the next phase we will do things differently. Rather than reinvent the wheel each time. Councilman Branca states we can look at an engineer, that has an open contract with VDOT, that is already approved.

Gas Company Franchise

Atty Steketee wants a plat showing the 110 townhouses. Atty Steketee will make a revision to the franchise. He will take care of that tomorrow.

Mayor Kapp asks if Council can approve the franchise pending what Atty Steketee does. Atty Steketee states it does not need to be re-advertised. Tim Lundy, Longstreet Commons rep., says they discovered the common area has never been deeded to the HOA. The bank has deeds, they (HOA) are trying to acquire the deeds now.

Councilman Seffinga moved to approve the franchise pending approval by Counsel, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Trash Contract

Tabled until November.

NEW BUSINESS

Greenhill Crossing, Section 8 bond release - Councilman Branca states he spoke with Ms. Stutz, they submitted as built plans and it looks okay. BDE states things are complete. Councilman Branca asks if Council is comfortable with the weak link connection and Peterson's commitment to build it, and if the brick sidewalks and street lights are bonded under Section 2. Ms. Stutz states they are bonded on Section 2 plans. Councilwoman Leonard asks if that would include the weak link. Councilman Seffinga asks Atty Steketee if the we can hold them legally liable to complete the weak link without holding the bond. Atty Steketee states no.

Atty Steketee wants to see the bond. Councilman Branca says there are two requests, the performance bond and the E & S bond. Ms. Stutz would like a copy of the minutes saying what the weak link is supposed to be.

Mayor Kapp suggests we release the E&S bond and hold the performance bond. Atty Steketee agrees. Councilwoman Leonard moved to release the E&S bond and retain the performance bond, second by Councilman Branca. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Councilman Seffinga wants all files and tapes for those meetings of PC, ARB & TC (where the

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weak link connection was discussed).

Van Horn Memorial Park

Mr. Darley, Hay Market Charitable Foundation, wants a proposal of what the town would like. Vice Mayor Shepard, Tonia Stalker, Karen Rehrig and Tim Lundy of Longstreet Commons will be the committee.

Councilwoman Leonard asked if after they decide what we want can we have a professional to look at it to make it look nice.

Municipal Code Corp - code recodification

Draft not received yet.

Code Violation

Saddlery Liquidators - Mr. Lowery states he is waiting for Council to make a decision on the occupancy permit. Saddlery Liquidators is 16,000 square feet of retail space and the code permits only 3,000 square feet also they have no bathrooms in that facility, which is a code violation.

Century Stair - sewer

Century Stair - PWCSA, Councilman Branca states, has a good handle on what is needed. Councilman Branca moved to approve plans to install a sewage pump station at Century Stair, second by Vice Chairman Shepard. Mr. Lowery states the Mullin's facility is not tied in. Councilman Branca says the pump will pump up to the grinder pump. Councilman Branca asked where the drain field is. Mr. Lowery says Costello showed him. Mr. Lowery asks what about the Health Dept signing the plans. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Car Show - tabled.

Police Dept employee

Mayor Kapp states Council hired a new police officer, John Gollhardt, last Wednesday.

Virginia Municipal League-certificate of insurance from the Building Official

Mr. Lowery states he is working on it. Mr. Pollay, of VML insurance, has not returned his calls. Mr. Lowery's insurance agent wants to know what they require.

Citizen's Time

Mrs. Bailey states the "Welcome to Haymarket" sign on the west end of town is deteriorating. Mayor Kapp will look at it.

Executive Session

Councilwoman Scarbrough moved to go into executive session pursuant to Virginia Code 2.1344.a.1 to discuss personnel and legal matters, second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote. Councilwoman Scarbrough moved to go out of executive session and back into regular session, second by Councilman Branca. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

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Police Dept - hiring of John Gollhardt and Robert Hoffman

Councilman Seffinga moved to hire John Gollhardt, effective September 30, 1998 and Robert Hoffman, effective as soon as possible, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Police Dept - salaries

Councilman Seffinga moved to pay Robert Hoffman at \$24,000 and John Gollhardt, to take position vacated by Jim Roop, at \$28,500, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 roll call vote.

Police Dept - software

Sgt Roop reports the new software was installed by Officer Gollhardt. Councilman Seffinga asked Sgt Roop to check with other jurisdictions for software training. Sgt Roop wants \$450 for computer training.

Police Dept - equipment needs

Councilman Seffinga states he met with Sgt Roop in regard to equipment needs and deficiencies in the department.

Mayor Kapp states he spoke with GTE public relations person to get help with a grant for phone cost. They'll check into it.

Councilman Seffinga asked for balances on the Police Dept funds. The total request amount comes in within the budgeted funds, with the exception of the last three items. Councilman Branca thinks we should consider purchasing the night vision scope now. Councilman Seffinga asked Sgt Roop to get computer radio figure for both vehicles.

Sgt Roop also requested the town get at least two credit cards for purchases for town business.

Sgt Roop advised Councilman Seffinga the issues in town are:

- (1) on either end of town ask VDOT to put up signs "no tractor trailer parking in town", Q Stop has made arrangements, but Sheetz has trucks parking on the south side of their property. Sgt. Roop states he needs signs up to have legal access to make them move. Sgt Roop wants the same signs on the Sheetz property that Q Stop has on their property. Councilwoman Leonard asked if Sheetz can refuse to install them. Atty Steketee states yes, but then the town can look at what the property is being used for, are trucks staying over and is Sheetz in violation of town ordinance. Atty Steketee states chances are they probably will comply. Councilman Branca states if we identify Sheetz is allowing them to park, they are in violation of their zoning.
- (2) Adoption of a more effective curfew law, Councilman Seffinga has Prince William Co. Law. Atty Steketee states PWC has been very successful in prosecuting in court. It is a nuisance though when an officer takes the kids home and no one is there, the officer becomes a babysitter.
- (3) Adopt a criminal code as it is for the traffic code, we get nothing since we haven't adopted the Code. Atty Steketee does not think the town has that option. Atty Steketee will check.
- (4) Town Ordinance to allow towing inoperable vehicle after a ten day notice. Most jurisdictions have that. Councilman Branca states there are violations in the townhouses where folks park

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dead cars. Councilwoman Leonard states she wants 30 days for towing vehicles.

(5) Rifle vs. Shotgun use - Council is to pursue. Sgt Roop would like the rifle in his cruiser and shotgun in the other cruiser.

Councilman Seffinga states at the Lafayette Day celebration he spoke with Bob Marshall who said if we got all the documentation together he will try to get the speed limit down to 25 mph.

Sheetz Violation - neon signs & awning

Councilman Branca moved to authorize Atty Steketee to take any and all action to take care of the Sheetz violations, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

Variance Request, 6771 Madison St.

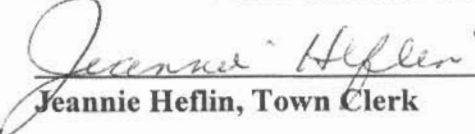
Councilwoman Leonard states Mr. Smith needs a carport on his house. He requires a waiver on the side yard setback. The code requires a free standing accessory structure be not closer than 5 feet to the property line. Councilwoman Leonard states since Mr. Smith is giving a good chunk of his front yard for the Madison Street cul de sac, he would like the town not to charge him for the zoning variance.

Atty Steketee states he wants to look at it. Is Mr. Smith asking this because he needs it? Councilman Branca is concerned about the Council supporting the funding of the BZA request. Counsel to pursue. Councilwoman Leonard was informed Mr. Smith needs to take his request to the PC, ARB, TC and then BZA.

Adjournment

Councilman Branca moved to adjourn at 11:30 p.m., second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Seffinga, Noonan, Leonard, Branca. Nays: None. Motion carried by 6/0 vote.

RESPECTFULLY SUBMITTED:


 Jeannie Heflin, Town Clerk

APPROVED:


 John R. Kapp, Mayor

tc1098