

Town of Haymarket – Town Council Meeting
15000 Washington Street-Haymarket, VA 20169
Monday, June 6, 2011 – 7:00 p.m.
Mayor Pamela E. Stutz

Mayor calls the meeting to order at 7:00 p.m.

Roll Call: Tobias, Leake, Stutz, Scarbrough, Kenworthy, Weir
Cole is absent

Mayor turns over the Public Hearings to Chair Rebecca Bare, Planning Commission

Bare calls the Planning Commission public hearings & special meeting to order at 7:04 p.m.

ROLL CALL: Bare, Ivancic, Weir, Jarboe

Bare, Jarboe, Ivancic, Weir

Public Hearing – Creation of the Commercial Transitional (CT) Zoning District

To summarize, in 2008 the Town updated its Comprehensive Plan and adopted it accordingly. The 2008 Comprehensive Plan proposed a Commercial Transitional District (*map attached*) and adopted this zone on its future land use map (included in the CP). The text for this zone had not yet been created. At its May 2011 meeting, the Planning Commission forwarded the *attached* proposed text for the CT District. Ms. Bare reminds all that this item has been on the agenda since February 2009. She opens up the this public hearing for comment

1st Call in favor, 2nd Call, 3rd Call for those in favor of the proposed CT Zoning District text amendment
No public comment

1st Call opposed, 2nd Call, 3rd Call for all those opposed to the proposed CT Zoning District text amendment
No public comment

Public Hearing – Amendment to the Town’s Fee schedule

1st Call in favor of the proposed amendments to the Town’s fee schedule, 2nd Call, 3rd Call
No public comment

1st Call opposed to the proposed amendments to the Town’s fee schedule; 2nd Call, 3rd Call
No public comment

Public Hearing - Historic Overlay District

To summarize, the Planning Commission has recommended a reduction of the Town’s Historic District. The proposal removes neighborhoods that are within homeowner’s associations that would be guided by the covenants of the HOA. In addition the planning Commission has removed Madison Street & Madison Court in their proposal. The ARB has voted to recommend the Planning Commission’s proposal with the exception of Madison Street & Court.

1st Call of those in favor of the proposed modifications to the Historic District Boundaries of the Town (attached).
No public comment

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1st Call of those opposed to the proposed modifications to the Historic District Boundaries of the Town; 2nd Call, 3rd Call:

Pam Swinford – 6852 Jockey Club Lane

She wants to make it clear that the ARB is not opposed to removing the neighborhoods that lie within a Homeowner's Association. She is concerned about Madison Street & Madison Court not being included in the Historic District as proposed by the Planning Commission.

Heather Ring

She comments that if you are subject to architectural guidelines from an HOA, you shouldn't have any additional requirements from the Town. She is in favor of the proposed changes to the Town's historic district

Bare calls the special meeting of the Planning Commission to order

Weir moves that the Planning Commission forward the proposed Commercial Transitional District Text Amendment, Chapter 58 (136-145), to the Town Council with a recommendation of approval, Jarboe seconds;

Ayes: 4

Nays: 0

Weir moves that the Planning Commission forward the proposed recommended changes to the Town's Fee schedule to the Town Council with a recommendation of approval, Ivancic seconds;

Ayes: 4

Nays: 0

Weir moves that the Planning Commission forward the zoning text amendments for revisions to the Town's historic district boundaries, Jarboe seconds;

Ayes: 3

Nays: Ivancic

Weir moves to adjourn the special meeting of the Planning Commission, Jarboe seconds;

Ayes: 4

Nays: 0

Mayor calls to order the public hearing for the Commercial Transitional District

1st Call in favor, 2nd Call, 3rd Call for those in favor of the CT Zoning District
No public comment

1st Call opposed, 2nd Call, 3rd Call for all those opposed to the creation of a CT Zoning District
No public comment

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Mayor calls to order the public hearing for the revised fee schedule

1st Call in favor of the proposed amendments to the Town's fee schedule, 2nd Call, 3rd Call
No public comment

1st Call opposed to the proposed amendments to the Town's fee schedule; 2nd Call, 3rd Call
No public comment

Mayor calls to order the public hearing for the proposed Historic Overlay District Boundary changes

1st Call in favor of the proposed amendments to the proposed amendment to the Town's Historic District Overlay Boundaries, 2nd Call, 3rd Call
No public comment

1st Call opposed to the proposed amendments to the proposed amendments to the proposed amendment to the Town's Historic District Overlay Boundaries; 2nd Call, 3rd Call
No public comment

Mayor asks that the record reflect that the Ms. Ring's comments and Ms. Swinford's comments be noted in the Council's public hearing. Please see their comments on page 1 during the Planning Commission's public hearing.

Mayor calls the to order the public hearing that proposes no parking on the east side of Hunting Path Road

1st Call in favor of the proposed no parking restriction at all times on the east side of Hunting Path Road, 2nd Call, 3rd Call

Bare – Longstreet Commons

She believes it is a safety issue on this road and supports this restriction; two cars cannot pass on the road at the same time when cars are parked on both sides of Hunting Path.

1st Call in favor of the proposed no parking restriction at all times on the east side of Hunting Path Road, 2nd Call, 3rd Call
No public comment

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Mayor calls the Town Council Meeting to order

Citizen's Time

Letter from Maria Turner – Councilman Tobias reads aloud an email from Ms. Turner of 06-06-2011.

My daughter was in town and we walked to Bloom with the baby in a stroller. We were returning to my home traveling south on Fayette on the sidewalk. A vehicle was traveling north on Fayette and we could hear it approaching. At the point where the St. Paul's old parsonage parcel begins, a second vehicle (SUV) also traveling north passed the original north bound vehicle at a high rate a speed. This is a totally blind curve and narrow even for 2 vehicles and had there been a collision we would have been involved. My daughter said to me this road is really not safe and proceeded to relate to me that when she borrowed my car to get her nails done at the Bloom shopping plaza she was almost hit leaving my driveway. We then continued to walk south on Fayette but felt safer walking the sidewalk within the church property until we had to cross the street to get to the east side. As we got to my driveway the resident that purchased Linda Landwehr's house shouted at a passing vehicle 'slow down' (they didn't).

I am really not home that much and shudder to think what happens on a daily basis that I don't see.

Minutes

Tobias motions to approve the minutes dated May 2, May 12, & May 16, 2011, with the corrections already provided to the Clerk, Kenworthy seconds;

Ayes: 5

Nays: 0

Absent: Cole

Special Use Permit

Tobias motions to approve SUP20110321 and ZP20110321 for JKS Trucking for an in home occupation to be located at 14904 Greenhill Crossing Drive

Weir seconds;

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

Building Official's Report

- Tobias asks about Haymarket Self Storage and the work that is going on behind the building. The Town Manager will send a letter to the owner of record for the grading.
- Humphrey's property – stockpiling debris. Town Manager will work with Soil Conservation on this matter.
- Tobias asks if Mr. Lowery is satisfied with the safety fence at 6707 Fayette. He is satisfied.

Police Report – Chief James E. Roop

- Trailblazer – department would like to keep it for DUI checkpoints
- Auxiliary police. The Chief would like to keep the reserves that he has.

Trailblazer (seized vehicle) will not be marked

Treasurer's Report

**income and expenses for Street-scape will be transferred before June 30, 2011.

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Fiscal Year 2012 Budget

Discussion about small changes to the museum proposed budget

Ms. Ivancic has proposed a reduction of \$4,055 in her budget; we can now reallocate those funds elsewhere.

**Tobias motions to approve the 2012 operating and capital budgets in the amount of \$2,623,453 and its supporting tax rates; Scarbrough seconds;
Tobias-Yes, Leake-No, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Cole-Absent**

For the record: Leake does not support an increase in the expenses for public safety that are reflected in this budget.

**Tobias moves to adopt the Real Property Tax rate of \$.164/\$100 Assessed value,
Weir seconds;
Tobias-Yes, Leake-No, Scarbrough-Yes, Kenworthy, Weir-Yes, Cole-Absent**

**Tobias moves to adopt Business Tangible Personal Property Tax Rate of \$.60/\$100
Assessed Value, Weir seconds;
Tobias-Yes, Leake-Yes, Scarbrough-Yes, Kenworthy Yes, Cole-Absent, Weir-Yes**

**Tobias moves to adopt the 2012 Cigarette Tax of .50/pack, Leake seconds;
Tobias-Yes, Leake-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-No, Cole-Absent**

**Tobias moves to adopt vehicle license tax of \$15.00, Weir seconds;
Tobias-Yes, Scarbrough-Yes, Leake-Yes, Kenworthy-Yes, Weir-Yes, Cole-Absent**

**Tobias moves to adopt the 2012 Meal's Tax Rate of 4.0%, Scarbrough seconds;
Tobias-Yes, Leake-Yes, Scarbrough-Yes, Kenworthy-no, Weir-No, Cole-Absent**

Continuation meetings

Mayor comments that she feels if we have a continuation meeting it should be strictly a work-session. It is not fair to continue matters of interest to the public to a date that is not preadvertised.

Leake and Scarbrough think we should be able to get through all materials in one meeting. Tobias and Weir comment that other council members do not seem prepared. Mayor would like to try a couple of months without a second meeting; if it does not work then we will institute a work-session.

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Line of Duty Act (LODA)

The state has mandated that the localities pay the LODA premiums beginning July 1, 2011. The Town Manager informs that the Town has a year before we lock in with one plan or another. Larger governments are self funding.

**The Town Manager will provide updates as they are provided to us. For now we will stay with the state.

Contract with Burgess & Niple

Burgess & Niple can no longer provide the type of engineering that we need for the street-scape program. They have proposed to sub-contract this service.

Scarborough motions to approve the Burgess & Niple amended contract subject to final review by the Town Attorney, Weir seconds;

Tobias asks how quickly the Town Attorney can turn it around? He responds 5 business days;

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

Hulfish House & Tobias appeal of the Certificate of Appropriateness for full Demolition

The contractor is very pleased with the condition of the house after removal of the added buildings. The Town Council has advertised a public hearing with all options with respect to this house. Council elected not to pursue full demolition.

Scarborough motions to reject Councilman Tobias' appeal of the Certificate of Appropriateness for full demolition of the Hulfish house that the ARB denied, Kenworthy seconds;

Tobias-No, Leake-Yes, Scarborough-yes, Kenworthy-Yes, Weir-Yes

**Fee schedule for July agenda

Town Manager's Report

- Deputy Chief Breeden has requested the wood stove insert that is located at the Police Department building for his personal home. The Town manager recommends that we not allow it. **July agenda.
- Street sweeping update – could be as early as next week.
- Winterham bonds – Still working with the Town Attorney on that matter. Tobias asks for an ETA. TA would like to discuss in closed session
- The Town Manager has been in touch with Comcast with regard to purchasing Video/Audio equipment. There may be something they can do for us. The Town Attorney will review the franchise agreement.
- Mayor and Tobias will get together this week to discuss the Harrover properties

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- We have a potential tenant for the Red Rooster that is willing to put out some renovation monies if we can cut a lease deal. The Town would do the exterior and foundation, tenant could possibly do the interior.
- **July update on retirement health insurance
- **July update on Fines
- The Town Manager informs that there are some repairs that need to be done in the tenant space for The Very Thing; he is getting an updated bid from RLS Construction.

Tobias motions to appropriate up to \$6,000 for the repairs, due to storm and water damage, to the tenant space at 15000 Washington Street occupied by The Very Thing, monies should come from the Town Center Property maintenance line item, the Town Manager has his discretion on the bidder, Scarbrough seconds; Tobias-Yes, Leake-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Cole-Absent

**Look into parking lot solutions

**Council requests that staff inform Gainesville, Antioch, and Evergreen fire stations they each have 1/3 of the FY2011 ATL Fire Funds (total of \$7,200) **July status update

- Town Hall usage – The Town Manager recommends that we either don't rent it at all or we go full force. **July update

**Recycling toters are 60-90 days out, late August, possibly September

**Weir would like staff to contact previous parties that were interested in serving on Town boards and inform them of the current vacancies

**Board vacancies as an agenda item for July

**Weir would like a comprehensive take on what we can and cannot do with Fayette Street traffic issues, please place on July Agenda

Weir motions to enter into closed session pursuant to 2.2-3711 A(3) acquisition of property for public purposes; A(3) Town Leases A(7) Zoning administrators' opinion A(7) legal advise related to the Winterham bonds; 15.2-2907 (D) boundary adjustments and/or annexation and A(1) named town employees (29) expenditure of public funds, namely grant monies, equipment monies, and Fire Marshall duties Tobias seconds;

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

Weir motions certification of the closed session, that the only items discussed were those noted in the motion to enter Tobias-Yes, Leake-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Cole-Absent

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Tobias motions to appropriate up to \$2,500 from the line item Public Works/Street Maintenance for the purchase of no-parking signs and their installation. Signs should be VDOT approved, Weir seconds;

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

**There is question whether or not the Planning Commission can initiate the historic district revisions. Can the PC initiate a zoning text amendment without a referral from the Town Council?

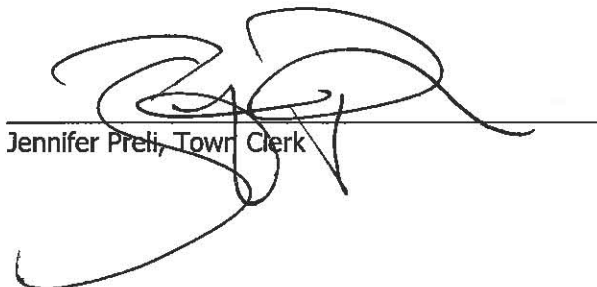
Weir moves to adjourn, Tobias seconds;

Ayes: 5

Nays: 0

Absent: Cole

Submitted:



Jennifer Preli, Town Clerk

Approved:



Pamela E. Stutz, Mayor

ARTICLE IV. TRANSITIONAL COMMERCIAL ZONING DISTRICT

Sec. 58-136 Intent

The primary purpose of this district is to create a low-intensity office, commercial and mixed use area as a transition between residential and commercial areas. The uses in the district should buffer residential areas from the commercial core by minimizing traffic, lighting and hours of operation, by establishing buffers and by establishing other site specific development standards to minimize the impact on adjacent residential uses. To enhance its compatibility with its residential surroundings, any development should be located in existing buildings wherever possible. Adaptive reuse of existing structures is to be encouraged if impacts are mitigated.

Sec. 58-137 Use Regulations

In the transitional commercial district, a building or land shall be used exclusively for one or more of the following uses; provided that the gross usable floor area shall not exceed 1500 square feet, except for churches:

- (1.) bakeries
- (2.) barbershops
- (3.) florists shops
- (4.) professional offices
- (5.) art galleries
- (6.) small appliance repair shop
- (7.) stores or shops boutique in nature
- (8.) studios
- (9.) antique stores
- (10.) Nonprofit, community service organizations
- (11.) farmers market
- (12.) single-family dwellings
- (13.) bed and breakfast
- (14.) mini-library
- (15.) municipal building
- (16.) public park
- (17.) churches

Sec. 58-138 Special Uses

The following uses shall be permitted in the transitional commercial district with a special use permit:

- (1.) estate sale
- (2.) outdoor crafts
- (3.) secondhand retail sale

- (4.) neighborhood utility facility
- (5.) other low intensity commercial uses if a finding can be made that such use will not unreasonably interfere with or devalue adjacent and nearby residential uses
- (6.) uses set forth in Section 58-137 where the gross usable floor area is greater than 1500 square feet if a finding can be made that such use will not unreasonably interfere with or devalue adjacent and nearby residential uses

Sec. 58-139 Requirements For Permitted Uses

(a) Before a building permit shall be issued or construction commenced on any permitted use in the transitional commercial district, or a permit issued for a new use or new occupancy resulting in a change of use, a site plan prepared in accordance with article XIII of this chapter shall be submitted to the planning commission for review. The planning commission shall refer these plans and its recommendations to the town council. Modification of the plans may be required by the planning commission and/or the town council.

(b) Landscaping appropriate to the site and use may be required in addition to the landscaping required under other provisions of the Town Code. Landscaping must take into account the need for a reduction of reflective areas and traffic impacts and the requirements of section 58-13. There shall be a landscaped buffer of not less than 25 feet at any property line adjoining residential uses.

(c) Sufficient development standards, in addition to all other development standards of the Town Code, shall be provided:

(1) to adequately screen and mitigate the impact of permitted uses on any adjacent residential uses; and

(2) for off-street parking of vehicles incidental to the business, its employees and clients. Parking shall be at the side or rear of a new building to encourage development patterns that are more consistent with the historic core such as retail and office uses with entrances from the street and sidewalk. Parking requirements may be reviewed on a case by case basis. The number of spaces may be reduced or eliminated for good cause shown based on the type and nature of the use and if an adaptive reuse of a structure is used.

Sec. 58-140 Area Regulations

(a) For lots in excess of one acre, no more than 50 percent of the gross area shall be comprised of residential uses.

(b) For residential uses, the minimum lot area shall be 10,000 square feet.

Sec. 58-141 Setback And Yard Regulations

- (a) Front. Structures in the transitional commercial district may be located to within ten feet of any street right-of-way, provided all sidewalk, easement and streetscape requirements are met.
- (b) Side. Side yards shall have the same regulations as front yards when abutting a street right-of-way. There are no side yard regulations when abutting adjoining similar commercial uses. There shall be a side yard of 25 feet or more when abutting a residential district.
- (c) Rear. Rear yards shall have the same regulations as side yards.

Sec. 58-142 Height Regulations

Permitted and special uses shall be less than 30 feet in height from grade and all buildings not more than two stories above grade.

Sec. 58-143 Other Applicable Requirements

- (a) Article IX, Signs and Nameplates, of this chapter shall apply.
- (b) all other development standards and requirements of the Town Code shall apply if not inconsistent with the provisions of this Article.

Sec. 58-144 Coverage Regulations

Maximum structure or building coverage shall not exceed 35 percent of the total lot area, except for adaptive uses of existing structures. Total impervious coverage of a lot shall not exceed 85%.

Sec. 58-145 Underground Utilities

Except for transmission power lines of 34,500 volts or greater, water towers, or other installations approved by the town council, all on-site utilities or utility facilities serving new uses or installed after the effective date of the ordinance except for good cause shown because of unusual soil or topographical conditions, or an adaptive reuse of an existing structure shall be installed underground, including among others, electrical, water, sewer, power, gas, telephone and cable utilities.

TOWN OF HAYMARKET DEVELOPMENT FEE SCHEDULE

Application Category	Application Type	Town Fees	Recommended Fees
Misc. Zoning Fees	Zoning Permit	\$0	\$50 Commercial \$25 Residential
	Readvertise Public Hearing	Cost of Advertising	Cost of Advertising
	Zoning Administrator Determination		350 + TAR
	Renotify Property Owners	Cost of Notification	Cost of Re-Notification
Sign Permits	Permanent Signs	\$40	\$50
	Temporary Signs Requiring Permit	\$0	\$25
	Sign Plan	\$40 per sign	\$150
Certificate of Appropriateness	New Construction / Demolition	\$0	\$100/Application
	Exterior Alterations and Accessory Structures	\$0	\$25
	Signs	\$0	\$25
	Amendments to approved / disapproved applications	\$0	\$25
	Appeal to Council	\$0	\$25
Site Plan	Preliminary Site Plan	\$3,500	\$1,500 + TAR + TCP + ECR
	Final Site Plans	Varies	\$2,500 + \$95 per acre + TAR + ECR + TPR + TBO + E&S
	Re-submissions (2 + submissions)	\$0	\$350 + TAR
	Amendment / Revision to an Approved Site Plan	\$500 minor \$3,000 major	\$500 (minor) \$1,200 (major)
	Parking Lot Landscaping Modification / Alternate Landscape Screening	\$425	\$425 + Cost of Advertising
	Site Plan Waiver / Exception	\$100 Residential (SFD only) \$425 Non-Residential	\$100 Residential (SFD only) \$425 Non-Residential
	Other Required Plats and Deeds of Dedication		ECR + TAR + TPR
Subdivision	Sketch Plat	\$0	\$150 + ECR + TPR
	Preliminary Plat	\$1,500 + \$350/lot over 3 lots	\$1,750 + \$350/lot over 3 lots
	Final Plat	Varies	\$2,000 + \$50 per final lot + TAR
	Amendment / Revision to an Approved Subdivision	\$500 minor \$3,000 major	\$500 (minor) \$1,200 (major)
	Subdivision Requirement Waiver / Exception	\$425	\$425 + TAR
	Subdivision Plat Extension	\$0	\$200
	Boundary Line Adjustment / Lot Consolidation / Vacation of a Plat / Other Required Plats and Deeds of Dedication	\$0	\$425 + TAR
Grading Plan Review	Grading Plan	\$0	\$250
	One House Lot Grading Plan	\$0	\$150
Performance Bonds and As-Built Site Inspections	Bond Extension	\$0	\$250 per year
	Bond Reduction / Release	\$1,000	\$300 + ECR
	Additional Bond Inspections	\$0.00	\$200
	As-Built Submissions		\$300 + ECR
Land Use			

TAR - Town Attorney Review
 ECR - Engineering Consultant Review
 TPR - Town Planner Review
 TBO - Town Building Official

TOWN OF HAYMARKET DEVELOPMENT FEE SCHEDULE

Application Category	Application Type	Town Fees	Recommended Fees
Applications	Zoning Map Amendment	\$4,000 for the first acre, \$2,000 each acre thereafter if conforms to Comp Plan. \$5,000 for the first acre if non-conforming to the Comp Plan, \$2,000 per acre thereafter	\$3,000 for the first acre, \$1,500 each acre thereafter <i>(conforms to Comp Plan)</i> . \$4,000 for the first acre, \$2,000 per acre thereafter <i>(does not conform to the Comp Plan)</i>
	Zoning Text Amendment	Not listed	\$2,500 + TAR
	Proffer Review	\$0	\$150 + TAR
	Comprehensive Plan Amendment	\$0	\$2,500 + TAR
	Special Use Permit (Residential District)	\$500	\$500
	Special Use Permit (Commercial/Industrial District)	\$3,500	\$350 (no disturbance) \$1,500 (disturbance)
	Temporary Special Use	N/A	\$250 + cost of advertising
BZA Applications	Appeals of Admin Decision	\$500 (Single Family Residence) \$2,000 (all others)	\$350
	Interpretation of the Zoning Map	\$40	\$350
	Application for a Variance	\$500 for SFD; \$2,000 all others	350 + Cost of Advertising
	Approve or Revoke a Special Exception		\$350
Publications	Zoning Ordinance	\$.25/page	\$45
	Zoning Map or other Official Map	\$	N/A
	Subdivision Ordinance	\$.25/page	\$15
	Comprehensive Plan	\$45	\$45
Business License Fees			There is a minimum Fee of \$35 for a business license application or renewal
	Contractors	\$.15/\$100 Gross Receipts	\$.15/\$100 Gross Receipts
	Retail/Restaurant Merchant	\$.10/\$100 Gross Receipts	\$.10/\$100 Gross Receipts
	Real Estate (includes Property Management)	\$.30/\$100 Gross Receipts	\$.30/\$100 Gross Receipts
	Whole Sale Merchant	\$.05/\$100 purchases	\$.05/\$100 purchases
	Financial Services	\$.30/\$100 Gross Receipts	\$.30/\$100 Gross Receipts
	Personal Service	\$.10/\$100 Gross Receipts	\$.10/\$100 Gross Receipts
	Repair Service	\$.10/\$100 Gross Receipts	\$.10/\$100 Gross Receipts
	Business Service	\$.10/\$100 Gross Receipts	\$.10/\$100 Gross Receipts
	Manufacturer	Exempt	Exempt
	Professional Service	\$.30/\$100 Gross Receipts	\$.30/\$100 Gross Receipts
	Carnival	\$500 Flat Fee	\$500 Flat Fee
	Itinerant Merchant	\$500 Flat Fee	\$500 Flat Fee

TAR - Town Attorney Review
 ECR - Engineering Consultant Review
 TPR - Town Planner Review
 TBO - Town Building Official

30 May 2011

Pam Stutz
Mayor, Town of Haymarket
PO Box 1230
Haymarket, VA 20169

Madame Mayor:

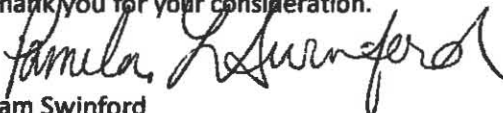
On behalf of the Architectural Review Board (ARB) I would like to convey our desires regarding the changes proposed to the Historic Overlay by the Planning Committee (PC). After much discussion with the PC and amongst our Board, we feel is not necessary to change the boundaries. However, we are not opposed to removing those Housing areas with functioning HOA's. That being said, we do want to bring it to the Town Council's attention that HOA's can vote to be dissolved at any time.

We are requesting that the green shaded areas be added into the Historic Boundaries as part of the proposed changes. Spot zoning can create an environment for law suits if all neighborhoods without HOA/s are not included.

The industrial section shaded green should also be included. Haymarket is only one square mile and there was not any concrete reason brought to our attention for removing it. The amount of Certificates of Appropriateness (COA) that come before the Board through the Town Clerks are only 1-2 a month. This does not create an undue hardship on the employees nor an excessive amount of time in handling them.

In closing, I would like to reiterate the importance of keeping all four gateways into our Town under the Historic Overlay. It is the "first Impression" of our town. The Townspeople of Haymarket have stressed that they want a small town feel with an historic walking area. That can only be protected by keeping those areas in the Historic Overlay. Once areas are removed from the protection of the overlay it is much more difficult to bring them back under those guidelines.

Thank you for your consideration.



Pam Swinford
Chairperson
Architectural Review Board



In order to preserve the unique cultural heritage of the town, there is hereby established an historic overlay district to be known as the "Old and Historic Town of Haymarket", ~~which shall include all that area which lies within the corporate limits of the town.~~ the boundaries of which are designated on the attached map. The boundary of this district shall overlay the boundaries of districts as shown on the official zoning map. Development of property lying in this district shall comply with both the requirements of the underlying district and of the overlay district. Where the requirements are in conflict, the requirements of this district shall take precedence.

- A. The Historic District boundaries shall in general be drawn so as to include lands closely related to and bearing upon the character of the historic site or sites, thus providing an area needed to control potentially adverse influences. Said boundary shall include land on both sides of a street or streets where desirable to accomplish the preservation objective. The concept of the historic district shall include groupings of structures which have significance relative to their patterns of development and/or interrelationships among such structures, while some of the structures might not possess significant merit when considered alone.
- B. Historic District boundaries, regulations and amendments thereto may be initiated (i) by resolution of the Town Council, (ii) by motion of the Planning Commission, or (iii) by petition of the owner, contract purchaser with the owner's written consent, or the owner's agent therefore, of the property which is the subject of the proposed amendment, addressed to the governing body or the local planning commission. Any such resolution or motion by the Town Council or Planning Commission proposing the amendment shall state the public purposes therefore.



BURGESS & NIPLE

4160 Pleasant Valley Rd., Chantilly, VA 20151
703 631.9630, Fax 703 631.6041

Addendum to Agreement for Professional Services

Agreement Number: T058 Addendum Number: 04 - Revised

Client Name: Town of Haymarket

Street Address: PO Box 1230

City: Haymarket State: Virginia Zip Code: 20168

Phone: _____ Fax: _____ E-Mail _____

Attention: Mr. Gene Swearingen, Town Manager Ordered By: Ms. Holly Montegue

Project Name: Washington Street Improvements Phase 1A

Project Location: Haymarket, VA Tax Map No.: _____

Date: May 23, 2011 Project Number: 26038

The parties hereto agree to authorize BURGESS & NIPLE, INC. (B&N) to perform additional work for additional fees as described below in accordance with the terms and General Conditions of the original agreement. B&N will commence work upon receipt of an executed addendum.

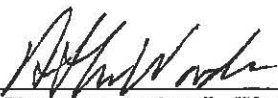
ACTIVITY #	ACTIVITY NAME & GENERAL DESCRIPTION OF SERVICES	ESTIMATED COST PLUS FIXED FEE*
925	Subconsultant Agreement to Complete the Construction Plans, Including Preparation of Specifications – Reference Attached, Proposal from RDA Dated April 22, 2011	\$59,872.00
Various	B&N Base Contract Credit for Work Being Given to RDA.	<\$16,334.27>
	Net Increase	\$43,537.73

* See fee definitions in Exhibit A plus the General Conditions

BURGESS & NIPLE, INC.

CLIENT: Town of Haymarket

Full Legal Name

By:  5/23/11
Signature Arthur L. Woods III, PE Date
Vice President

By: _____
Signature Date

Name/Title (Type or Print)



RINKER DESIGN ASSOCIATES, P.C.

Engineering • Surveying • Land Planning
Transportation • Environmental

April 22, 2011

Mr. Arthur L. Woods, III, P.E.
Burgess & Niple, Inc.
4160 Pleasant Valley Road
Chantilly, VA 20151

Re: Town of Haymarket
Route 55 - Washington Street Improvements
Madison Street to 0.093 Miles East of St. Paul Drive
Scope of Work

Dear Mr. Woods:

Please find attached the proposed scope of work associated with the Washington Street Improvements project, per your request. The following outline describes elements of work anticipated by Rinker Design Associates, P.C. in order to complete Final plans for the project, using the Right of Way plans submitted by Burgess and Niple, Inc. as a starting point:

- **512 / Hydraulic Review for Construction**
 - Review drainage design/calculations prepared for Right of Way submission.
 - Revise drainage design and add details required for Final submission plans.

- **650 / Complete Roadway Plans**
 - Maintenance of Traffic/Sequence of Construction Plans
 - Final details and VDOT insertable sheets required for final submission.
 - Signage and Pavement Marking Plans
 - Compute quantities and put in VDOT format summary sheets for Final submission plans.
 - Incorporate plans designed by others into Final submission plans (utility plans, etc.)
 - Erosion and Sediment Control plans
 - Quality Control process for Final plans including LD-436 checklist.

o **710 / Approved Construction Documents**

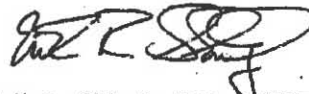
- Provide specifications for enhancement project, including contracts, bid documents and forms from Contracts Division. Process to follow VDOT's Locally Administered Projects Manual.
- Attend the Pre-Ad Meeting

Please note that it is otherwise assumed that design/design intent will not need to be adjusted for Final submission plans. This scope does not include manhours to account for changes in VDOT/Town standards implemented since the initial project design began. It is also assumed that:

- Cross sections will not be modified.
- Materials Report/Geotechnical recommendations have been resolved prior to RDA's involvement and will not impact our scope.
- Drainage design/calculations have been previously completed and will only require minor adjustments.
- Stormwater management is not necessary for this project.

Attached is a breakdown of our estimated costs along with the fee calculation for the associated scope of work. Please let me know if you have any questions. We look forward to working with you on this project.

Sincerely,



Erik R. Shively, P.E., PTOE
Project Manager / Principal

Attachments