

Haymarket Town Council Meeting-Mayor David P. Taylor
15016 Washington Street-Haymarket, VA 20169
February 7, 2005-Regularly Scheduled

Mayor Calls Meeting to order at 7:00 pm

Roll Call: Sikorsky-yes, Tobias-Yes, Stutz-Yes, Taylor-Yes, Garcia-Yes, Jarboe-Yes, Weir
Yes

**Tobias motions to approve the minutes of January 3, 24, & 31, 2005, Sikorsky
seconds-Jarboe Abstains**

Ayes: 5

Nays: 0

Abstain: 1-Jarboe

Treasurer's Report

Teaching the Basics Lease

Needs to go to Executive Session

Greenhill Crossing Wet & Dry Storm Water Ponds

Letter from Soil Conservation (agreement for services) to inspect new site development. Mayor asks if Council would like to send another letter to Greenhill Crossing or have Soil Conservation do inspections in lieu of letter. Councilwoman Stutz suggests a letter of violation. Mayor wants council to look at the memo of understanding with Soil conservation and consider. Lowery comments that homeowner trash is congesting the storm water flow. ** Mayor will comment Norfolk Southern about the water back up.

Haymarket Industrial Park

Mr. Chassler asks for the release of the performance bond (letter of credit) for Haymarket Industrial Park. Mr. O'Grady represents the property's new owner, Mr. William R. Rose, III.

**Stutz motions to substitute the letter of credit for Haymarket Industrial Park, LLC's
letter of credit to be replaced by William Rose, III, Tobias seconds;**

Ayes: 6

Nays: 0

Harrover Rezoning

14710 & 14740 Washington Streets; Mayor reminds that we have had the public hearings on this re-zoning and had sufficient time to review the proffer statement. **Please add the Feb. 7 letter (attachment A) to the minutes of the meeting. Weir speaks of density concerns. Speaks of things that have happened with the BOS of PWC. Reminds of Haymarket Station re-zoning, and reminds that it was a down-zoning, the Harrover re-zoning is a higher density re-zoning. Doesn't believe its sound zoning practice to approve this re-zoning. Garcia reminds everyone that when the decision is being made we are increasing density, and keep in mind that we are not approving a re-zoning. Sikorsky again speaks of her concerns over increased density, regardless of where it is, whether it be Washington Street or Jefferson Street. She would like us to take into consideration the Town as a whole. Stutz comments on the reduction to 27 homes as opposed to by-right being 18 homes. Stutz likes the design that is being offered and doesn't know what we'll get with the 18 homes that are by-right. Jarboe agrees with both Sikorsky and Stutz and believes this is a tough decision.

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Between Lot 8 & 9 there is a path for the community. Mr. Lowery says it should have never been put in.

**Tobias motions to approve the re-zoning from R1 to R2 Harrover property, subject to the proffers dated January 24, 2005 in conformance with GDP #3, Sikorsky seconds; Discussions over proffers not referencing the VDOT Street Enhancement Project; Tobias withdraws motion.....
Motion Withdrawn**

**Clerk to provide council with GDP Scheme #3 for further review.

Motions to approve the re-zoning of 14740 & 14710 Washington Street, from R1 to R2 in association with the General Development Plan Scheme #3, Sikorsky...

**Ayes: Stutz, Jarboe
Nays: Sikorky, Tobias, Garcia, Weir**

Motions fails, properties not re-zoned...

Police Report

Mayor reminds all that we have a new prosecutor, Amy Ashworth. Mayor wants to set up a system where the council can get information about what is going through court. Mayor mentions speed signs. Towing ordinance **make sure that handicapping is added to towing ordinance advertising. Sikorsky is interested in having self defense classes here in town, and asks the Chief to research this. Mayor asks that this issue be placed on priority.

Mayor Swears in new planning commissioner Linda Landwehr
States Oath.....

Teaching the Basics

Tenant would like to start negotiating an extension of the lease to 2010. Tobias believes this should be discussed in executive session. Raymond Bell, chairman of school board for Teaching the Basics. Seeking to expand and re-locate the school but not until after 2010. Tenant would like termination to be at least 150 days. At 85 students can only go to 100 students by VA state law. 90% are residents of the Town of Haymarket.

For the record, councilwoman Stutz will refrain from all discussions, both in public and executive sessions.

Haymarket Station

Tobias motions to approve the Construction permit applications for lots 1 and 9 located in the Haymarket Station Subdivision, Weir seconds;

**Ayes: 6
Nays: 0
Abstain: 0**

Winterham

Asks applicant to come to continuation to Tuesday, Feb. 22 with color renderings.

Tobias motions to approve the Certificate of Appropriateness & construction permit application for Building B located at 15101 Washington Street, Sikorsky seconds;

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**By a Roll Call Vote: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Garcia-yes, Weir-Yes,
Jarboe-Yes.
Ayes: 6
Nays: 0
Abstain: 0**

**Weir motions to enter into executive session Pursuant to 2.2-3711 A1, A7, A3, leases,
named town employees: appointments to the ARB and PC, consultation with town
attorney in matter requiring specific legal advise; A3 discussion and consideration of
publicly held real property, appointments to ARB, PC, and BZA.....**

**Tobias seconds
Ayes: 6
Nays: 0
Abstain: 0**

Please let the record reflect that Councilwoman Stutz refrained from participating in closed discussions that were lawfully exempt from open session regarding publicly held real property and a lease on that real property.

Please let the record reflect that Councilwoman Jarboe refrained from participating in closed discussions that were lawfully exempt from open session regarding a specific matter requiring specific legal advise.

**Jarboe motions certification of executive session, that only the items that were
discussed are listed above in the motion to enter into executive session, Weir
seconds;**

**By a Roll Call Vote: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Garcia-yes, Weir-Yes,
Jarboe-Yes.
Ayes: 6
Nays: 0
Abstain: 0**

Sherwood Forest

Weir re-capps the events of this application: Preliminary subdivision plat was approved Dec. 2, 2002, Sub-divider was granted an extension for six months through Dec. 2, 2003. Finals were not submitted until December 13, 2003. Planning Commission has approved the final subdivision plat in December 2004.....

**Stutz motions to approve the final subdivision plat for the applicant Sherwood Forest
Associates, LC pursuant to Town Code Section 38-162, Weir seconds;
The applicant's representative Pete Ebert would like the minutes of the December 13,
2004 Planning Commission meeting entered into record and minutes of this meeting,
he comments that the PC minutes reference approval of the plans submitted by
Sherwood Forest Associates, LC.**

**By a Roll Call Vote: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Garcia-yes, Weir-Yes,
Jarboe-Yes.
Ayes: 6
Nays: 0
Abstain: 0**

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**Mayor instructs Planning Commission representative to review the plans for Sherwood Forest over the next five days and determine if the application is complete, if the plan is in strict conformance with the code, place on PC agenda and forward to council. Mayor states that if the PC members review the application and find it complete and place on their agenda, then council can hear the application at the continuation meeting on February 22, 2005.

Continuation meeting scheduled for Feb. 22, 2005

**Mayor will send a letter that the Town is not interested in re-negotiating a lease with Teaching the Basics

Garcia brings up the remaining engineering fees proposed by Burgess & Niple for the street enhancement project:

**Garcia motions to approve to approve the agreement (attached) with Burgess & Niple, dated October 10, 2004, subject to the approval as to form by town attorney.
By a Roll Call Vote: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Garcia-yes, Weir-Yes, Jarboe-Yes.**

Bennett mentions a tax seminar that may be of interest to council or treasurer. See clerk for more details.

Friday at 8:30am is pre-bid for demolition of the grocery and apartment buildings.....

Sikorsky motions to authorize Councilman James E. Tobias to signor for the Town's banking accounts, Stutz seconds

**By a Roll Call Vote: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Garcia-yes, Weir-Yes, Jarboe-Yes.
Ayes: 6
Nays: 0
Abstain: 0**

Sikorsky motions to continue the February 7, 2005 Regularly scheduled meeting to Tuesday, February 22, 2005, Garcia seconds

**By a Roll Call Vote: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Garcia-yes, Weir-Yes, Jarboe-Yes.
Ayes: 6
Nays: 0
Abstain: 0**

Submitted:  Jennifer Preli, Clerk of the Council

Approved:  Mayor David P. Taylor

Please Read into the town council's February 7th meeting

Town of Haymarket
C/O City Council
15016 Washington St.
PO Box 367
Haymarket, Virginia 20168

February 7, 2005

Dear Sir/Madame:

The residents of Haymarket Village are writing this letter / petition as a follow-up to the January 3, 2005 public hearing, regarding the proposed development of additional land by South Port / Oakridge Builders, on Bleight Drive and Washington Street, in our Town of Haymarket. We are taking this opportunity to reiterate our opposition to the rezoning of the subject property. We have demonstrated our strong opposition to the rezoning on the previously submitted petition dated December 22, 2004. Our opposition to the proposed rezoning is evident by the number of signatures collected on the above mentioned petition, and the number of residents present at the January 3, 2005 council meeting.

We continue to urge the council to retain the current zoning requiring that a home be built on at least 10,000 sqft. parcel of land. When most of us, if not all, purchased our homes, we were told this would be a single family home development, excluding townhouses. A comment was made by developer Guy Gravitt at the public hearing that the statement of, "we were told" was a troubling statement, and that residents should have researched the zoning and planning for the township. The buyer beware attitude by a developer demonstrates that they do not have the Township or residents best interests in mind when they develop land. We did do the research, and the statement, "we were told" by the builder's representative is backed-up and consistent with the current zoning of the subject property.

Councilman Weir stated at the January 3, 2005 public hearing that when the builder's plan was presented to the Township's Planning Commission then forwarded to Town Council, that the current zoning for the subject property was overlooked / missed. Mr. Weir further stated the builder's proposal, as put forward, would cause density related problems in the Township. Mr. Weir also pointed out that the current proposal for rezoning would reverse the recent trend for lower density developments in the Township. It should be noted, multiple density related problems / concerns with the current proposal, were mentioned by several residents at the public hearing.

Safety of the citizens is another major concern of the current proposal. The concentrated density of the proposed homes and the layout of the streets will make it difficult for fire / emergency department to respond to a fire. This was evident when the builder's

dumpster caught fire in the summer of 2004. When the Gainesville Fire Department responded to the fire, they experienced difficulty getting the fire truck close to the fire. This was caused by a restrictive turning radius and vehicles being parked on the narrow streets. Had it been a home on fire, instead of a dumpster, the additional time it took for the fire truck to maneuver into position could have resulted in catastrophic consequences.

In addition to the above points, the residents take offense at the builder's arrogance when he threatened the Town Council and citizens at the public hearing with taking away (not providing) the common area in their proposal if they were not permitted to build townhouses outlined in their proposal. We find this arm twisting type tactic very disturbing.

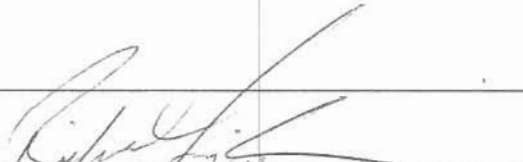
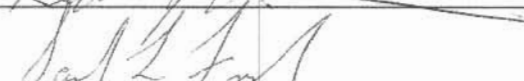
As concerned and responsible residents of Haymarket Township, our goal is to preserve the beauty, aesthetics, safety, and historical significance of our community. It is quite obvious that the builder's interests and desire to maximize profits are drastically different from the resident's interest of maintaining the integrity of our community.

In the January 5, 2005 edition of the Bull Run Observer, Mayor Taylor indicated that he was moving the Town forward while giving the citizens what they want and preserving the historical significance of the Township. This is evident by the development of the new businesses and service providers in the downtown area. The residents of Haymarket Village want to assist the Mayor in reaching his goal. Moving the town forward doesn't mean we need to build on every inch of property in the township. We ask the Town Council to demonstrate that the Mayor means what he says by backing the citizen's request to deny the rezoning request.

As citizens of this township, we depend on our elected officials to protect and look after our interests and concerns for the welfare of our Township. We continue to ask the Town Council to deny the rezoning request.

The residents of Haymarket Village hope that you continue to give this matter serious consideration of the impact this rezoning and development proposal will have on our community, township and citizens. We would also request that this letter be read into the record of the public hearing, to be held February 7, 2005.

Respectfully submitted,
The Residents of Haymarket Village

	6712 Sycamore Park Dr.
	6712 Sycamore Park Dr.

John Smith	6805 Walnut Park Ln.
Conchita Quintana	6805 WALNUT PARK LN.
Paula	6704 Sycamore Park Dr
Paula	6704 Sycamore Park Dr
W. S. S. Vinograd	6716 SYCAMORE PARK DR.
Mary	6724 SYCAMORE PARK DR.
Paul	6720 Sycamore Park Dr.
Patricia	6728 Sycamore Pk. Dr.
Patricia	6717 Sycamore Pk. Dr.
Bob Lane	6821 Walnut Park Ln
Richard W. White	6825 WALNUT PARK LN
Maei White	6825 Walnut Park Ln.
Sadya	14705, DOGWOOD PARK DR
Syamala Devi	14705, DOGWOOD PARK DR
Paula	14717 Dogwood Park Dr
Ti-Bing	14729 Dogwood Park Drive
Vicki Carr	14729 Dogwood Park Dr
W. S. S. Vinograd	14733 Dogwood Park Dr.
V. P. White	14733 Dogwood Park Dr.
Ed. B.	14741 Dogwood Park Dr
Ed. B.	14741 Dogwood Park Dr
John	14745 Dogwood Park Dr

Melissa Bacon	14745 Dogwood Park Dr
To Thanh Bant	14804 Cypress park
Somit Kharel	14800 cypress Park Lane
Jyotsna	14800 cypress Park Lane
Ron Hully	6700 Sycamore Dr
Mark Phillips	" " "
Salit Can	6738 Sycamore Dr
Wendy Ann Quinn	6738 Sycamore Dr
Milly G. Waters	14710 Dogwood Park Dr.
Kate Vary	6817 Walnut Park Lane
Johnny W. Harris	6113 Sycamore Park Drive.
Jerena R. Harris	6113 Sycamore Park Drive
Heather J. Fisher	14709 Dogwood Park Dr.
Maat J. Gault	14709 Dogwood Park Dr.
Viviane Gault	14713 Dogwood Park Dr.
William G. Gault	14713 Dogwood Park Dr.
Marilyn Gault	6720 Bleight Dr.
Robert L. Gault	6770 Bleight Dr.
Robert L. Gault	14717 Dogwood Park Dr.
Mark L. Gault	14725 Dogwood Pk Dr
Elizabeth Caudle	14725 Dogwood Pk Dr
Kate Vary	6817 Walnut Park Lane

Sheldan King	6801 Saint Paul Dr
Lawrence King	6801 SAINT PAUL DR
Elizabeth King	6805 Saint Paul Dr
Robert King	6825 Saint Paul Dr.
Mark King	6833 ST. PAUL DR.
Barbara L. Dick	6833 St. Paul Dr.
Bob King	6844 SAINT PAUL DR
Walter Calhoun	6848 SAINT PAUL DR.
Larry King	14942 Greenhill Crossing
Sam A. King	14942 Greenhill Crossing
David King	14938 Greenhill Crossing
Susan Brooks	14938 Greenhill Crossing Dr.
Dennis King	14912 Greenhill Crossing Dr
Jeff King	14934 Greenhill Crossing DR.
Larry B. Patton	14934 Greenhill Crossing Dr.
John King	14919 Greenhill Crossing Dr.
Patricia H. Hinesman	14919 Greenhill Crossing Dr.
Paul L. King	14929 Greenhill Crossing Drive
Kelsey J. Linderman	14939 Greenhill Crossing Dr.
John W. King	14939 Greenhill Crossing Dr.
Cheryl M. King	6857 Saint Paul Dr.
John F. King	6857 SAINT PAUL DR.

Ken FARRIN	Ru Jan	6864 Saint Paul Dr Haymarket
Cathy FARRIN	Cathy Farrin	6864 ST. PAUL DR. HAYMARKET
PAT CARNEY		6860 ST PAUL DR HAYMARKET
ELIZABETH CARNEY	Elizabeth Carney	6860 St Paul Dr. Haymarket
Joseph MAZZU	- Joseph Mazzu	6840 St Paul Haymarket
Lisa MAZZU	Lisa Mazzu	6840 St Paul Dr. Haymarket
William F. LAKE		6836 St. Paul Dr. Haymarket
Judy LAKE		6836 St. Paul Dr Haymarket
		6860 Jockey Club Lane Haymarket
Robert L. L...		6852 Jockey Club, Hay
Gynia MILLER		"
Brenda DINAN		6848 Jockey Club Lane Haymarket
Chad DINAN		" "
James & Blondell QUINN		6816 ST PAUL DR HAYMARKET
KE BOB KELL		6812 St Paul Dr Haymarket
Belinda ALLEN		14701 Dogwood Park Dr.
R. L. ALLEN		14701 Dogwood Park Dr.
B. Lynn SMITH		6809 Walnut Park Lane
Maria JACUZZI		6808 St. Paul Dr
Luis LEROUX		" " "
Stephanie DEVILLE		6851 Jockey Club Ln.
John & Tam WILSON		6856 Jockey Club Lane

2 people ↓

2 people ↓

