

Town of Haymarket
15000 Washington Street, Suite 100, Haymarket, Virginia 20169
Mayor Pamela E. Stutz
Monday January 5, 2009

Meeting called to order at 7:00 p.m.

Roll Call: Cole, Stutz, Edwards, Weir

Absent: Leake, Vazquez, & Shuryn

Joint public hearing postponed to later in the meeting so that a quorum is present.

Mayor calls regular meeting to order

Citizen's Time

Ralph Ring-Greenhill Crossing

He is speaking in support of Betty's Daycare SUP application. He addresses speeding issues, but specifically this morning a vehicle noted as speeding, it was a resident, not a customer of Betty's Daycare. Speeding should be addressed by the Haymarket Police Department.

**Vazquez & Shuryn enter meeting at 7:03 p.m.

Ring continues.....

He comments that the HOA board is showing contradictions on public vs. private actions. Mr. Ring feels there is no reason to deny the business.

Cara Gallagher-6930 Jockey Club Lane

Speaking against the license, solely for the reason of traffic. She doesn't necessarily care that the daycare is there, the speeder this morning was a resident. She has personally visualized Betty's customers speeding or violating stop signs. She would like to see a higher presence of police in Greenhill Crossing.

Linda Thompson-Gap Way

Speaks on behalf of Betty's Day Care, She strongly disagrees with eliminating this business. It is unfair to penalize Betty for the actions of other people.

Lara White-14657 Red House Road

She looked into this day care. The yard is littered with children's toys. She is on the board of the HOA. They said that home businesses were allowed. She asks that we deny the daycare based on the number of children and traffic.

Jay Tobias-Rising Sun Lane

On behalf of Longstreet Commons HOA, Tobias says that Racing Painting is within the covenants. They recommend approval.

Nora Aikens

She is addresses Councilman Weir. She asks that he please help try and unite the Greenhill Crossing Community. She knows that he works hard and well with Greenhill. "There is a negative coalition in Greenhill Crossing, what is happening now has no positive purpose." She asks that he please use his skills to unite those residents to create a positive purpose.

Minutes

Town of Haymarket
15000 Washington Street, Suite 100, Haymarket, Virginia 20169
Mayor Pamela E. Stutz
Monday January 5, 2009

Cole motions to approve the November 3, 2009 minutes, Edwards seconds;

Ayes: 5

Nays: 0

Town Manager's Report

Town Manager informs that the government offices' server crashed in early December. Our auditor had QuickBooks backed-up through October 17. A lot of the other stuff was in emails or on hard copy that can be rescanned in.

We have put in a backup system on and off site.

DRPT has initiated a transportation study for Haymarket specifically, a trolley system. A draft has been completed. He will distribute that copy as soon as it is available. They do believe there is a need for mass transit of some sort.

Street-scape

The Town has hired a second appraiser to review the original appraisals. Work should be done by mid-January.

State E&S Compliance Audit

The Town will get the results of the audit in the next few days. Overall our program is in compliance and working well now.

The Town has heard nothing from Comcast regarding the franchise agreement.

****Reminder:** Code revision committee meeting on Feb. 7 10am.

Town Manager reports on the coats for kids program this year. We received about 15 coats. They are still in need of large coats. 2 XL men's and 1 XL women's.

Weir-have we heard anything back from VRE? They had scheduled a meeting for the 2nd Tier analysis, they have not yet re-scheduled a date for that.

Police Report

Chief introduces our two new police officers, Anthony Gregg & Warren Houde are welcomed into the community. Cole asks that an unmarked car be on patrol in the cul-de-sac where daycare is located.

Treasurer's Report

He would like a January 15 meeting for the budget. Would like to meeting with Town Manager and Shuryn. He suggests later in February for a meeting.

Olde Towne Center Site Plan

Mayor reminds a work-session of

Edwards motions to refer the revised final site plan to the Planning Commission to determine whether good zoning practice and health and safety and welfare of the public, Vazquez seconds;

Roll Call Vote: Vazquez-Yes, Cole-Yes, Edwards-Yes, Weir-Yes, Shuryn-Yes

Absent: Leake

**Town of Haymarket
15000 Washington Street, Suite 100, Haymarket, Virginia 20169
Mayor Pamela E. Stutz
Monday January 5, 2009**

Cole Motions to authorize advertising for the 26th of January for consideration of the final site plan filed by Oldtowne Centre, waivers and exceptions to the zoning ordinance in support of the site plan, and the final sale of the property, Shurn second;

Ayes: 5
Nays: 0
Absent: Leake

**Cole motions to extend the contract with Kennedy for the sale of the "Town Center Property" to February 27, 2009, Edwards second;
Vazquez-Yes, Cole-Yes, Shurn-Yes, Edwards-Yes, Weir-Yes
Absent: Leake**

SUP's and business license applications

Betty's Day Care-discussion

There has been a recommendation from the PC, for the record Mr. Leake would abstain from any discussions even though he is not here, for #SUP20081024. Mayor asks if we can put a limit of 6months on this approval. Cole is concerned about the size of area in the home being dedicated to the use. "Devoted means used not for anything else." If there is a split use, it is probably not devoted. Residents are concerned about traffic mostly. Traffic can be controlled with law enforcement, with no mercy. Most residents say they are not concerned about the business itself but the traffic. Weir has researched the other HOA's guidelines and with the exception of the villages they have standard boilerplate language. Feels this controversy is a civil matter. Vazquez discusses visibility, 58-16 (5) no evidence of its use. SUP can be recalled for cause. 6 months would be considered a pretty tight leash. There would be no more than 5 clients, PC says 5 clients.

Weir Motions to approve the Special Use Permit Application #20081024, For Betty's Daycare to be located at 6933 Jockey Club Lane with a limit of five customers as defined by the code of Haymarket, and not to exceed the state limitations of 12 children. Approval is valid until July 6, 2009 with a renewal period to expire January 2010, at no cost to the applicant, Shurn second;

Roll Call Vote: Vazquez-Yes, Cole-Yes, Shurn-Yes, Edwards-Yes, Weir-Yes

**Weir recuses himself from Gloria's Hair salon, he is an adjacent neighbor

Cole motions to approve the Special Use Permit, #SUP20081021, for Gloria's Hair Salon to be located at 6844 Jockey Club Lane with a limit of five customers per day.

Abstain: Weir

Roll Call Vote: Vazquez, Cole, Shurn, Edwards

Weir motions to approve the business license application for Group Therapy Associates to be located at 15125 Washington Street, Vazquez second;

Ayes: 5
Nays: 0

**Town of Haymarket
15000 Washington Street, Suite 100, Haymarket, Virginia 20169
Mayor Pamela E. Stutz
Monday January 5, 2009**

Cole motions to approve the business license application for Allen Moore, as an out-of-town contractor, Edwards seconds;

**Ayes: 5
Nays: 0**

Weir motions to approve the business license application for GT Air Conditioning and Heating, as an out-of-town contractor, Shuryn seconds;

**Ayes; 5
Nays: 0**

Weir motions to approve the business license application for Hash Construction, as an out-of-town contractor, Cole seconds;

**Ayes: 5
Nays: 0**

Zoning Text Amendments

Weir motions to approve the Zoning Text Amendments, as advertised and attached to these minutes, Cole seconds;

Roll Call Vote: Vazquez-Yes, Cole-Yes, Shuryn-Yes, Edwards-Yes, Weir-Yes

**Authorize Clerk to advertise a public hearing for February for the CT-zoning district text

Appropriations

Edwards motions to approve 80% of the total proposal for Deeds Appraisals in the amount of \$24,000, Cole seconds; This expenditure is coming from the monies collected by the meal's tax revenue and the town will submit for reimbursements from VDOT for 80% and appropriate monies to Appraisal Review Services in an amount not to exceed \$18,500 from the same budget line item.

Roll Call Vote: Vazquez-Yes, Cole-Yes, Shuryn-Yes, Edwards-Yes, Weir-Yes

Site Plan-Disposition of Payne Lane Properties

Weir-Defer Payne Lane properties site plan to next meeting. Issue is not mature at this time.

Cole-Land Use applications, he would like a checklist and would be thrilled to be a part of helping make it for applications in the county that are within 1 mile of the Town's boundaries. Who is going to do the training asks Edwards? Cole would like to see everyone qualified. Mayor informs that the planner was unable to handle Breyerton Estates. The Town Attorney comments that it is good to have as many eyes as possible but that at the end of the day it takes a professional person or more than one to sign off on these.

**Schedule a meeting with Marshant Schneider

Short Break, meeting called back to order at 9:07 p.m.

**Leake enters meeting.....

Town of Haymarket
15000 Washington Street, Suite 100, Haymarket, Virginia 20169
Mayor Pamela E. Stutz
Monday January 5, 2009

Special Use Permit Public Hearings

Roll Call: Gillin, Leake, Ivancic

Absent: Graham

Planning Commission calls their public hearings to order

Lincoln Mortgage-14851 Washington Street

Planning Commission the public hearing to order

Leake asks for all those in favor of the application please feel free to speak.

1st Call

2nd Call

3rd Call

Opposed to the SUP at 14851 Washington Street

1st Call opposed

2nd Call opposed

3rd Call opposed

Racing Painting-14846 Rising Sun Lane

1st Call in favor

Chuck Carnahan in favor, he is a great neighbor

Jay Tobias stood up and recommended approval

2nd Call in favor

3rd Call in favor

Opposed

2nd Call opposed

3rd Call opposed

Ivancic motions to close the public hearings for the two special use permit applications for in-home businesses, Gillin seconds;

Ayes: 3

Nays: 0

Mayor calls the Town Council public hearings to order on two special use permit applications for in-home businesses.

Lincoln Mortgage-14851 Washington Street

Mayor asks for all those in favor of the application please feel free to speak.

1st Call

2nd Call

3rd Call

Opposed to the SUP at 14851 Washington Street

1st Call opposed

2nd Call opposed

3rd Call opposed

Racing Painting-14846 Rising Sun Lane

1st Call in favor

2nd Call in favor

3rd Call in favor

Town of Haymarket
15000 Washington Street, Suite 100, Haymarket, Virginia 20169
Mayor Pamela E. Stutz
Monday January 5, 2009

Opposed
2nd Call opposed
3rd Call opposed

** clerk to place SUPs on agenda for Planning Commission

**Edwards motions to adjourn the regularly scheduled meeting of January 5, 2009, Cole
seconds;
Ayes: 6
Nays: 0**

Submitted:

Approved:

Jennifer Preli, Clerk

Pamela E. Stutz, Mayor