

Town of Haymarket  
15000 Washington Street~Haymarket, Virginia 20169  
Mayor Pamela E. Stutz  
Monday, September 8, 2008

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

Roll Call: Vazquez, Leake, Cole, Shuryn, Edwards, Weir, Stutz

Citizens Time

John Lombardozi, owner of Parcel A-1, LLC addresses council regarding a proposed new fitness facility in Signature Kitchens building. He is seeking direction from the council how that use would be allowed in the I-1 zoning. Landwehr advises him to get with Lowery for all that's needed to change the use of the building. Mayor advises that he may need to apply for rezoning. Overall, Council does feel it is a good use. Cole comments that they will need firewalls, because children will be there. Council directs him to coordinate with Lowery. Weir - look at current uses in the I-1, do a ZTA instead of SUP. Make it an allowable use in the I-1.

VRE presentation Christine Heffner, VA Railway Express

VRE Initiated a study this year. It is a 12 month study, ending March 2009. VRE invites all to attend a public feasibility meeting on Oct 22<sup>nd</sup> at Battlefield High School.

Verizon presentation

Franchise agreement

FIOS is a new program throughout this area. How does this impact the town as far as the design, and what it will look like. Doug Bramer making presentation. Introduces team members present. He hopes to have final proposal ready and come to us on our October agenda for public hearing.

John Bennett reminds Verizon that the town has a historic district overlay.

Doug - try to work with the town when they can. Follow rules and laws of that government in order to be least obtrusive.

Bennett - what if town said No, regarding streetscape.

., they would try to work with town as best they can. Not placed in the sidewalk.

Mayor - huge tubs. Where are they going, if there are 3 of them?

Weir - curb cuts and road cuts - worried about.

Use right-away minimum.

Verizon reminds the town that there must be full restoration from working in the right-of-way in order to get bond release from the VDOT permit.

Minutes

June 16, July 7, and August 4.

Leake asks if we normally list discussion on the minutes. Weir asked for discussion to be part of the records. That's why the discussion is reflected in the minutes

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Weir motions to approve the minutes of June 16, July 7, & August 4 as amended. Cole seconds.  
Motion withdrawn.

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Weir moves to approve the minutes of June 16, 2008, as amended, Shuryn seconds;

Ayes: 3

Nays: 0

Abstain: Leake, Edwards & Vazquez

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Weir moves to approve the minutes of July 7 & August 4, 2008, Cole seconds;

Ayes: 6  
Nays: 0  
Abstain: 0

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Weir motions to add as an agenda item the Land Use Policy regarding review procedures, Vazquez seconds;

Ayes: 6  
Nays: 0  
Abstain: 0

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Cole motions to approve the Storm Water Management Facilities Agreement Tracking Plan (attached to minutes) prepared by the Town Staff and forwarded to the Virginia Department of Conservation & Recreation as submitted, Edwards seconds;  
By a Roll Call Vote: Vazquez-Yes, Leake-Yes, Cole-Yes, Shuryn-Yes, Edwards-Yes, Weir-Yes

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Weir moves to recess for 5 minutes @ 8:21 p.m., Cole seconds;

Ayes: 6  
Nays: 0  
Abstain: 0

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Weir motions to accept the Comp Plan Draft 18. Edwards seconds.

Discussion: Comments on the zoning text not being in place for the transitional business zoning. Landwehr comments that she sees no reason to not move forward. Cole asks Landwehr how long it would take to draft that text. A public hearing would be necessary, it would require more than 30 days. Cole asks what if someone would like to build before that text is in place. Vazquez does have issue with that missing. Edwards feels the language should be a directive.

Mayor has had two requests for transitional zoning; she asks the Town Attorney if we adopt the current plan that shows this zoning, we have no language for that and if someone applies now, how do we move forward if there is no language. Town Attorney comments that the comp plan is where you want to go. The next step is to change the laws to get to where the comp plan wants to go. Mayor asks the Town Attorney if someone has a B1 zoning and the comp plan calls for future R1 on the same parcel, I still have my zoning. Town Attorney responds yes, until such time council takes action to modify the B1 zoning.

Vazquez-No, Leake-Yes, Cole-Yes, Shuryn-Yes, Edwards-Yes, Weir-Yes

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Weir moves to instruct the PC to draft the language for the zoning text for the newly created transitional commercial zoning category within 90 days.

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

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Town Manager

Cable Franchise Agreement

Town has been approached by Comcast. The agreement in place, is the Comcast agreement, there are parts of the agreement with Verizon that refer to that agreement that are somewhat limiting to us. Town Manager recommends that we go ahead and try to work with Verizon then go back to Comcast.

\*\*Vazquez & Shurn leave meeting at 8:40 pm.

For example Mayor would like to know where the boxes (large ones) will be located. They are exempt from the building code and must only permit and bond with VDOT. Again mayor would like a whole listing of what they are offering the Town vs. the statutory ordinance.

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Weir moves that the council recognize that the existing cable franchise agreement has expired and to the extent that it has not, terminate all remaining provisions of the cable franchise agreement with the existing service provider, Comcast or the holder of any cable franchise rights within the Town, Edwards seconds:

Vazquez-Absent, Leake-Yes, Cole-Yes, Shurn-Absent, Edwards-Yes, Weir-Yes

Town Manager announces that we have received notification that the museum has been approved as an official polling place. Mayor has asked that they educate the public on what absentee voting is.

Street-Lights

They are getting ready to install the lighting in front of Bloom and Winterham

\*\*notice to Bloom and place on October agenda

↳ it this evening then again in October

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Edwards motions to approve a minor site plan amendment to reduce the number of lights in front of the Bloom & Winterham

Ayes: 4

Nays: 0

Absent: Vazquez & Shurn

Building Department

Winterham engineer is working on the connection of sidewalk on Fayette and Winterham

The 12" pipe on Fayette has got to come out. Lowery has been working with the Town Manager, they will need an inspection from Lowery if they want to use the building again. He will give her a written list. Weir asks for a list from the BO so that we can forward to

Mayor asks that BO makes sure that he has checked with the TM or Clerk in the future with allowable uses

Treasurer's Report

Weir asks about costs for the flag poles, Mayor responds that it came out of Haymarket Day revenue. Edwards asks if there is a plan if and when this goes to settlement for the money.

\*\*Send JCB a list of bidders and amounts

Police Department

Detours were not quite as bad as they thought. National Night out went well.

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Land Use Policy

Coles suggested changes: He understands the reason for the 20 days, he would like to say 10 business days. Item 6: No item shall be added to the published agenda. He asks if it should be TC or/and PC. Questions over unanimous or super majority. Cole proposes that to change to 2/3s of the members present. Once a quorum is established it is a majority of those present.

Weir moves to forward the land use policy memo to the Planning Commission for the review and comments, Edwards seconds; \*\*JCB to draft "U" Preliminary site plan requirements

Ayes: 5

Nays: 0

Absent: Vazquez

Newsletter is coming out with all Haymarket Day details

Town Attorney

Comments on contract for sale of the Town Center Property. There is a necessity for extensions to the contract as may be necessary through September 29, 2008. Site plan is undergoing additional reviews and there

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Leake motions to adopt a resolution to authorize the mayor to extend the date of settlement as may be necessary but no later than November 4, 2008, Edwards

Vazquez-Absent, Leake-Yes, Cole-Yes, Shurn-Yes, Edwards-Yes, Weir-Yes

Leake-Nothing

Complaints everyone has submitted except Vazquez and Mayor

Shurn-Cash flow and Budget-Want to start working on the budget

Edwards motions to adjourn the regularly scheduled meeting of September 8, 2008, Weir seconds;

Ayes: 5


Nays: 0

Absent: Vazquez

Submitted:

Approved:

  
Jennifer Preis, Clerk

  
Pamela E. Stutz, Mayor