

TOWN OF HAYMARKET, VA.
Chartered in 1799
County of Prince William

MAYOR
John R. Kapp

ATTORNEY
John Arledge

Tom Utz, Police/Bldg. Off. Liaison

COUNCIL
James Shepard, Vice Mayor
Mary Lou Scarbrough, PC Liaison
Dottie Leonard, ARB Liaison (absent)
Timothy Jasionowski
Doug Mohr, Historical Comm. Liaison

Mayor Kapp opened the public hearing at 7:00 p.m.

Subjects: FY 2001 Budget
 Subdivision Ordinance amendment Section 11

Mayor Kapp asked all those who would like to speak for the adoption of the proposed budget to speak.

First Call – no one spoke.
Second Call – no one spoke.
Third Call – no one spoke.

Mayor Kapp asked all those who would like to speak against the adoption of the proposed budget to speak.

First Call – no one spoke.
Second Call – no one spoke.
Third Call – no one spoke.

Public hearing on budget closed.

Mayor Kapp asked all those who would like to speak for amendment to Section 11 Subdivision Ordinance.

First Call – no one spoke.
Second Call – no one spoke.
Third Call – Mrs. Crafton-Masterson, a licensed real estate broker and resident of Haymarket states she feels this is a step in the right direction as there is a favorable market for this type home in the \$150-220,000 range and that there is a shortage of this type of single family dwelling. She also states the Historical Commission members are all in favor of this amendment.

Mayor Kapp asked all those against the amendment adoption to speak.

First Call – no one spoke.
Second Call – no one spoke.
Third Call – no one spoke.

Public hearing closed at 7:11 p.m.

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Mayor Kapp opened the regular session at 7:30 p.m.

Minutes of previous meeting

Vice Mayor Shepard moved to dispense with the reading and approve minutes with any corrections noted, second by Councilwoman Scarbrough. (Correction – page 5 typo) Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Police Report

Sgt. Roop reported (see attached).

Councilwoman Leonard asked when we are called to make a donation to the Virginia Fraternity of Police does Haymarket police benefit from that organization at all. Sgt. Roop states PWC Police Chief is trying to get a program called Heroes for Families, a program to help families of slain emergency workers which will include \$5,000 for immediate expenses and \$6,000 for funeral expenses. Sgt. Roop will keep us informed.

Treasurers' Report

The Treasurer states due to technical difficulties the treasurers' report was not printed. It will be submitted with next month's report.

Unpaid Bills

National Assn. Of Cities \$125, American Bus. Forms - \$308.75, Adrienne Crafton-Masterson, realtor \$375.00 (Town Center Property lease), Robin Copenhaver \$144 – substitute for town clerk on vacation.

Councilman Jasionowski moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Transportation Center West – PWC School Board proposal

Mayor Kapp states the County School Board has appealed the Planning Commission decision with the Hazel, Thomas law firm to defend them. Mayor Kapp states it is going to the Board of Supervisors on July 11 at 7:30 p.m. Mayor Kapp would like 900 + signatures on the petition and as many people as possible to attend the meeting. Councilman Mohr asked if the School Board is misinterpreting the law due to law to protect schools, does it include a bus facility? Mayor Kapp has asked about that and the answer is public facility review (is under School Board review and) not under Board of Supervisor purview.

Councilman Mohr asks if we as citizens can ask the county to hire a lawyer to present our case to the Planning Commission? Councilwoman Leonard suggests an emergency press release to the town residents and others. Mayor Kapp has addresses of Homeowner's Associations in Gainesville District. Mayor Kapp states our School Board representative, Charlie Colgan, is in favor of this.

Subdivision Ordinance Amendment Section 11-8 and 11-10

Councilwoman Scarbrough moved to adopt the subdivision ordinance, second by Councilman Mohr. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Business License

Allied Systems Corporation, 6608 James Madison Highway, off site pick up point for Annandale Millwork – Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. In discussion, Mr. Lowery asks if that could be tied to an occupancy permit due to water issues.

Councilwoman Scarbrough amended her motion to include subject to occupancy permit; Vice Mayor Shepard seconds the amendment. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Cameron Plumbing, 6608 James Madison Hwy. – Mr. Lowery asks this be tied to an occupancy permit. Councilman Jasionowski moves to approve providing an occupancy permit is issued, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Sign Permit

Country Accents, 15101 Washington Street, free standing sign – Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. In discussion Councilwoman Leonard states they were told they have to pave their driveway in one year. The Town Clerk asked the Historical Commission to make a recommendation. The ARB agrees (the current stone is) more historic than paving. The ARB recommends if this property is ever developed further the property owner will have to come into full compliance. Mayor Kapp states they have a year. Councilman Mohr states Council was to speak with the owner of the property that it should have been done when the offices were approved. It is up to the owner to apply for BZA approval. Councilman Mohr states the property owner told Ms. Barringer he would pass the cost of paving on to her, this is the property owner's responsibility from prior use. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Lovelace & Colville, CPA's, 6640 Jefferson Street – The ARB suggested an ARB/TC/PC work session to determine sign styles, sizes and colors. Councilwoman Scarbrough states PC suggests a hanging sign on Washington Street and, at door, a menu sign. Tabled.

Piedmont Environmental Council, 6640 Jefferson St. - same as above

Back 2 Basics, 15026 Washington Street – same as above

Hastings Electronics, 15003 Washington St. – Councilwoman Leonard states the ARB has no problem because this sign was there prior to ARB creation. Councilwoman Scarbrough states he is only allowed one sign, signs are too large for the building. Atty. Arledge states he should have complied back then and is in violation. The Town Clerk is to furnish PC with the 1991 ordinance. Tabled to July meeting. Mrs. Crafton-Masterson says the road will be torn up for the street scape and the applicant will be doubly hit.

Volunteer Recognition

Brandon Utz, Councilman Utz son, was recognized for being a community servant at the town clean up, Haymarket Day, Spring Festival and the pancake supper. He is an extraordinary young man.

Construction Permit

Complete Home Improvements, White, 6856 Jockey Club Lane, deck – Councilman Jasionowski moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Ryan Homes, 18th Century Haymarket, Lot 8, 6797 Fayette Street, Victoria B – Councilwoman
Scarborough moved to approve with dentil molding, carriage lights (2 at front door and 2 at garage), colonial lintels, front porch, second by Councilman Mohr. Yeas: Shepard, Scarborough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Verna, Bull Run Veterinary Hospital, 14830 Washington St., addition/renovation – Preliminary concept.
Councilwoman Leonard states ARB is very impressed with this application. The PC did not have a site plan and had set back questions for a buffer. Councilwoman Leonard states existing use (of 40 years) of the building does not require a buffer. Mr. Lowery is concerned with addition has to put the street scape in front. Councilwoman Leonard states (that requirement is) only if it is a rezoning. Atty. Arledge states that is an asking at the rezoning public hearing.

Mayor Kapp asks applicant if he will designate the right of way for the street enhancement. Mr. Lowery states he thinks it is important for Council to ask for one or two streetlights to upgrade his electricity service there and install lights now. Mayor Kapp will get with Burgess & Niple for layout. Tabled for site plan to PC.

Subdivision Plan Review

Key Investment, 14801 Washington Street, 3 acres, Ken Arnold, applicant – PC did not approve because
house is not on the plat. House is 40+/- from the property line. Mr. Arnold states he spoke with Mayor Kapp several times and asked for requirements. This was not requested. Mr. Lowery states architect failed to read building code to show all existing structures and fire wall if needed. The driveway has to be wide enough for two car lanes, 30 feet. Councilwoman Scarborough states the 15' buffer is required for R-1 to B-1. Mr. Lowery states VDOT now requires all subdivisions be approved for upgrade. VDOT must approve this subdivision.

Mr. Arnold and Councilwoman Leonard states water & sewer supply will come through the Rohrbaugh property. Mr. Lowery says if the property will be absorbed with the Rohrbaugh property there is no water, sewer or VDOT requirements. Mayor Kapp asked to put the 30' easement for ingress/egress on the east side of the house. Mr. Arnold agrees to the change. Mr. Lowery states this can be pre-approved pending his review on house location.

Citizens asked to be heard on this subject. Jessica Clay, St. Paul Drive, submitted a petition for all except two St. Paul Drive residents and adjacent property owners who asked the subdivision not be approved. If that is not possible move the driveway to the east side of the property and they would like to be notified of any changes in the property, notified of any issues they want the maximum buffer possible, and (that it is now residential) would there be any notice of change of use if it went commercial. Is there a set of standards for a historic property, Ms. Clay asks? Nothing extraordinary is required was the answer. Mayor Kapp states he got a letter of dedication from Mr. Arnold for the enhancement easement and has spoken with him about the street scape. Mr. Arnold states he likes the idea.

Councilman Jasionowski moves to approve the subdivision at 14801 Washington Street into two parcels, A&B, providing the 30' easement is to the east side of the property and building official review and appropriate building and set backs, second by Councilman Utz. Yeas: Shepard, Scarborough, Jasionowski, Utz. Nays: None. Abstain: Leonard, Mohr. Motion carried by 4/0 vote.

Citizen's Time

Chuck Carnahan, Longstreet Commons resident, states he supports Sgt Roop in his efforts with teens and patrolling the neighborhood. Mr. Carnahan states 65 out of 156 vehicles in Longstreet Commons did not have tags as of May 15. May 31st 75 out of 185 vehicles did not have town tags on them. Councilman Utz states he will speak with Sgt Roop tonight. Councilman Jasionowski states patrolling

and ticketing should be done fairly all throughout town, not just in Longstreet Commons. Mr. Carnahan states a lot of vehicles are abandoned and the Homeowner's Association is working on that.

Mr. Bear states the Virginia General Assembly passed a law if you have an invalid sticker on the windshield you can tow it away.

Heather Bonney states, in reference to the swamp between section 2 and 9 Greenhill Crossing, the sump pump buried and connection to drain tile, the grass is dry. She states Ryan homes elected to do something different than what Mr. Lowery suggested. They dug a hold below sidewalk and curb up to the knee, they hoped to hit gravel under the street. Mr. Cropp, Burgess & Niple, said that is not the best way to address this issue. Ms. Bonney asked for a letter from Ryan homes saying it was their idea not the towns idea, Building Official or Burgess & Niple.

Planning Commission

Councilwoman Scarbrough states the Comprehensive Plan Survey has been submitted to Council from the PC asking for suggestions for the next PC meeting. Also the PC asks for a town center property meeting for signs. The PC requests to send a letter for enforcement of page 737 (3).

Mr. Lowery asked about the 3,000 square feet for all commercial districts. Councilwoman Scarbrough states the PC and Council changed some of them and recommended the others stay the same.

Architectural Review Board

Already addressed issues discussed.

BZA

Nothing.

Historical Commission

Mrs. Crafton-Masterson presented a report (accompanying.)

Councilwoman Leonard states one thing we never addressed is an incentive for senior housing by multiplying the density. Mr. Lowery states Marshall Manor is interested in coming this way.

Building Official

Shrink/Swell policy – Mr. Lowery got back Friday from the state and PWC .

Cross Connection – policy not ready. PWCSA looking at a problem they found regarding Fire Marshall. Mr. Lowery asks to be appointed, no additional money-no charge, giving him the authority to be sure things are done right. PWC Fire Marshall is not qualified to do inspections. PWC does not want anything to do with it they don't have staff. Councilman Utz asks what credentials he has for the position. Mr. Lowery states he has he qualified for fire official under the building code. Councilwoman Leonard is concerned about historic properties. Mr. Lowery states building code is for safety issues.

Fire Official

Councilwoman Leonard moved to change Mr. Lowery's title to Building/Fire Official pursuant to section 27-30, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Ryan Homes, 18th Century Haymarket, conservation escrow – Mr. Lowery states Ryan Homes is required to put up a \$1000 bond per lot which will be returned as soon as each lot is completed.

Gainesville District VFD building, hose tower – Mr. Lowery states he told Capt. Bird to either get a certificate from an engineer or take the tower down

Masonic Lodge, 6713 Jefferson Street, elevator – Mr. Lowery will draft a letter to them that state law requires an annual inspection by state certified inspector, which is due by July 1. Mr. Lowery states the elevator will not pass inspection.

Lot 1, 18th Century Haymarket – Mr. Lowery states the owner of property is required to put up a \$1000 conservation escrow until complete. Mr. Lowery states water sewer connection is required also.

Town Center Water District, connections – Mr. Lowery states he understands the subscriber agreement states the connections would be sized to future use. He states Haymarket Baptist Church has a ¾" line which should have been 1 ½" off the main. He states the church should have been 6", Old Bank Café went up to 2" with Costello paying to upgrade.

Gene Frogale, 6608/6610 James Madison Highway, John Lambradozzi, 6612 James Madison Highway
Mr. Lowery sent a letter outlining violations and issues.

Town Museum Auction

Mr. Lowery discussed dumpsters for July 8th auction.

Internet Site

\$9.95 no host, start up \$29.95, mail box \$24.95 (10 mail) \$443.80 annual or temporary 6 – 9 months. Councilwoman Leonard moved to approve, second by Councilman Utz. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Utz. Nays: None. Abstain: Mohr. Motion carried by 5/0 vote.

E&S Site Inspections

George Cropp, Burgess & Niple, and Mayor Kapp are to meet with Leaberry, Witcher, Ryan the next time Mr. Cropp is in town. Mr. Lowery states they (Ryan) pay for E&S inspections, in most jurisdictions, with the building permit. Ryan doesn't want to pay double. Mr. Lowery agrees since they (Ryan) aren't the owners of the development Mr. Bolt should be responsible. Councilman Utz asks if we need to re-bill Bolt. Mr. Lowery states he has more leverage than Mr. Cropp if the silt fence is not up, he can stop work on the job.

Town Clerk to check if the 8.8 acres on Bleight Drive is recorded as a lien on the deed.

Atty. Arledge states we need to collect the money from the developer or stop work until it is settled. Mayor Kapp asks shall we write a letter to Ryan and Bolt to say we are going to do it. Atty. Arledge states application for land disturbing permit is in Bolt's name so it is his responsibility for site inspections.

Witcher, 15221 Washington St. – Mr. Lowery states DEQ is coming Friday for inspection. Mr. Cropp states Mr. Witcher is still dumping.

Councilman Utz asks what the white mulch equipment in front of Century Stair is about. Mr. Lowery states D&J Excavating owns the equipment.

Mr. Durham, Town & Country Auto Sales, 15161 Washington Street, asked for an extension to move vehicles. Mr. Lowery gave him 30 days. Mr. Lowery told him to go to the ARB for a fence. Mr. Durham has requested the state to come. State will look at the town.

Runoff from Witcher property is going in the stream.

18th Century Haymarket – Mr. Cropp states the town has draft for Bolt, 18th Century plan to accept street improvement revisions (storm drain).

Ms. Stutz asked last month to meet (with Mr. Cropp, Bolt and Mayor) about the storm drain (behind her property.) Mayor Kapp states she would not be affected by the plan revision. Ms. Stutz states the roots of the trees to be removed will affect her and the roots will disturb her property. Mr. Bolt asked her for permission to enter her property to fix the swale when complete. Ms. Stutz wants to see the final plan with dimensions of the easement. Mayor Kapp, Ms. Stutz, Mr. Cropp need to meet. Mr. Lowery states inlet pipe at St. Paul's and Ms. Turner's property was connected for 18th Century. Inlet box needs to be covered.

Mr. Cropp presented an 18th Century Haymarket agreement to change Washington St. storm drainage connects to 18th Century storm drainage at a different place – eliminates some culvert, concrete grade, etc. Councilwoman Leonard moved to approve draft, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Ground Hogs

Councilman Utz to ask for PD assistance to get rid of the ground hogs. Mayor Kapp will call animal control.

Town Center Property

Upstairs in hardware building, offices 3, 4 & 5 are leased. We need two bathrooms, one handicap, 9 fire doors on all offices and top of stairs \$5,000 estimate, paint hall entry, janitor closet, mini blinds on windows, carpet & rubber tread on stairs, paint offices. Mr. Lowery states can't have carpet on stairs as has to be non-combustible as a fire rated stairway.

Councilman Jasionowski moved to approve \$5,000 for replace carpet, bath and other improvements on second floor, second by Councilwoman Leonard. Councilwoman Leonard wants to see the color paint. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Town Clerk leave

The Town Clerk states she has six days leave to use prior to June 30 or lose it. Councilman Jasionowski moves to approve the Town Clerk to have until December 31st to use the six days, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Jasionowski, Mohr, Utz. Nays: None. Motion carried by 6/0 vote.

Continuation

Meeting recessed until June 26, 7:00 p.m.