



**TOWN OF HAYMARKET TOWN COUNCIL**  
**PUBLIC HEARING/REGULAR MEETING**  
**~ MINUTES ~**

Shelley M. Kozlowski, Clerk of Council  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, January 7, 2019

7:00 PM

Council Chambers

A Public Hearing/Regular Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, commencing at 7:00 PM.

Mayor David Leake called the meeting to order.

## **I. Call to Order**

Vice Mayor Susan Edwards: Present, Councilman Robert Day: Present, Councilman Connor Leake: Present, Councilman Madhusudan Panthi: Present, Councilwoman Bond Cavazos: Present, Councilman Steve Shannon: Present, Mayor David Leake: Present.

## **II. Pledge of Allegiance - Alvey Elementary School Cub Scouts**

Members of the Alvey Elementary school cub scouts lead the pledge.

## **III. Invocation - Pastor Tim MacGowan, Living Hope Evangelical Presbyterian Church**

Pastor MacGowan from Living Hope Evangelical Presbyterian church shares church updates and gives the evening's Invocation.

## **IV. Public Hearing**

### **1. ZTA#2018-001- Funeral Home and Crematory Definition Amendments**

Brett Frye, town business owner, speaks in favor of the funeral home and crematorium. He feels that this business is a good fit for the town.

Dottie Leonard, 14801 Washington Street, speaks in favor of the applicant. States that this meets a need for our town.

Bob Weir, 6853 St. Paul Drive, shares concerns with the Zoning Text Amendment. He states that a crematorium belongs in an industrial use. He also shares concerns how this would impact land values and spot zoning.

John King, 7934 Little John Court, states that he is opposed to this business coming into the town. He shares that his son is uncomfortable walking by a funeral home or crematorium.

### **2. SUP#2018-010- 14901 Washington Street, Funeral Home and Crematory Special Use Permit**

Brett Fry addresses the Council again. He states that he has no problem operating his business next to a funeral home and crematorium.

Dottie Leonard reiterates what she stated earlier during the public hearing for the Zoning Text Amendment.

Bob Weir shares that a lot of people are concerned with the funeral home near their residence. He also has concerns with screening and traffic.

Shawn Landry, 14454 Chamberry Circle, speaks in favor of the applicant. Shares concerns with the vacant buildings in the town and should consider supporting a small business.

## **V. Deck the Door's contest winners**

Mayor Leake announces the 2018 Deck the Door contest winners. "Most Traditional"- Details for the Home, "Most Festive" - Cupcake Heaven and Cafe, "Most Creative" - Copper Cricket and the "Holly Jolly" award to Oh Sew Persnickety.

## VI. Serve Our Willing Warriors Presentation

Mayor Leake states that the smores kits that were sold at the recent Christmas and Holiday Celebration raised \$306.64 for Serve Our Willing Warriors.

## VII. Mayor's Volunteer of the Year Awards

The Mayor's presents Coire and Susana O'Neal and the Dominion Woman's Club with the "Mayor's Volunteer of the Year Award".

## VIII. Officer Down Memorial Ride Presentation

The Officer Down Memorial Ride Presentation for the upcoming event is presented by Shawn Landry, QBE Foundation and ODMR host, Chris Cosgriff, Founder and Exe. Director of Officer Down Memorial Page, Meg Hawkins, Founder and Chief Officer of the Officer Down Memorial Ride and Coire O'Neal, event coordinator for QBE and ODMR..

The Officer Down Memorial Ride event will be held on Saturday, April 27th from 9-3 pm at the QBE building on Washington Street in Haymarket. All proceeds will benefit the Officer Down Memorial Page.

## IX. Minutes' Approval

1. Mayor and Council - Work Session - Dec 3, 2018 6:00 PM

Councilman Shannon makes a motion to *accept the minutes for the work session on December 3, 2018*. Councilman Leake seconds the motion.

Mayor Leake asks Vice Mayor Edwards and Councilwoman Cavazos the reason for their abstention. They both state they were not present at the meeting.

There is no further discussion on the motion.

<b>RESULT:</b>	<b>ACCEPTED [4 TO 0]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Connor Leake, Councilman
<b>AYES:</b>	Robert Day, Connor Leake, Madhusudan Panthi, Steve Shannon
<b>ABSTAIN:</b>	Susan Edwards, Bond Cavazos

2. Mayor and Council - Regular Meeting - Dec 3, 2018 7:00 PM

After a google map search, Mayor Leake states that there was over 2000 in attendance at the Honorary Police Presentation, not 200 as previously noted. Councilman Leake makes a motion to *approve our December 3, 2018 regularly scheduled meeting amended minutes*. Councilman Shannon seconds the motion.

There is no discussion on the motion.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

## X. Department Reports

### 1. Police Department - Chief Kevin Lands

Chief Lands reports that the department assisted the Sweet Julia Grace Foundation by escorting Santa and the carolers to Ethan's house for Christmas. He states that the department recently had their annual end of the year award's banquet. He adds that Officer John Gregory was awarded the "Officer of the Year Award" and Sgt. Shaver received the "Chief's Award". He further reports that on New Year's Eve, Officer Gregory stopped a vehicle that had a "mobile meth lab" in it. He adds that parts of Washington Street were closed and the County and State police were called in. He concludes that there has been an increase on the western end of the county and they are with working with Prince William to put an end to it.

### 2. Administrative Staff Report - Jerry Schiro, Business Manager

Business Manager, Jerry Schiro, states that December was a great, active month. He reports that the town ornaments and veteran banners continue to be very popular and selling well. He adds that residents can sign up on the website to receive current news within the town. He notes that they are working on some public work issues with the septic tank at the park and looking to utilize the Manassas/Prince William Adult Detention Center workforce to do some painting at the park house.

## XI. Citizens' Time

Dottie Leonard, 14801 Washington Street, comments on Haymarket Day. She thought it was an exceptional day but would like to see more crafter's and less alcohol. She did share concerns with closing the streets at 6 am and to please allow some exceptions for those with special needs. She states that she is thrilled about the upcoming Officer's Down Memorial Ride. She concludes by thanking the Chief for the Honorary Police event last month.

## XII. Agenda Items

### 1. SUP#2018-009, McDonald's Second Drive-Thru Lane

Mayor Leake states that the applicant has asked for a postponement and to be added to next month's agenda.

### 2. ZTA#2018-001- Funeral Home and Crematory Definitions

Town Planner, Emily Lockhart, states that staff supports the proposed zoning text amendment for the addition of the crematory definition and the modifications to the Funeral Home definition. She adds that Staff recommends the Planning Commission request the crematory definition to explicitly state the crematory use is an accessory use, only to occur within a Funeral Home.

Gifford Hampshire, from Blankingship and Keith, attorney for the applicant, addresses the dais. He emphasizes that the zoning text amendment was a matter of great study by the Planning Commission which included a public hearing. Mr. Hampshire addresses a comment concerning spot zoning, and states that this is not spot zoning.

Michael Turch, applicant, addresses and states that the reason he is requesting a zoning text amendment to include the crematory as a secondary use is to assure the families of how and where their loved ones are being cared for and the process.

Ms. Lockhart follows up stating that she is in support of the zoning text amendment as it will better clarify and add a definition to our ordinance and prepare us better for any future applications.

At this time, Mayor Leake reads a letter from town resident, Pepper Duckett Greynolds.

**From:** Pepper Greynolds <[goldiepep@yahoo.com](mailto:goldiepep@yahoo.com) <mailto:goldiepep@yahoo.com>>

**Sent:** Sunday, January 6, 2019 9:55:48 PM

**To:** Emily Lockhart

**Subject:** Michael Rurch

My name is Pepper Marie Duckett resident of Haymarket Virginia I am writing because I cannot make it to the meeting on Monday, January 8th.

Would however like the Town Council to know that I am a supporter of Michael Rurch. He will be a great Neighbor we also need to note that he will be a great asset to our community thank you

Pepper Duckett.

Councilman Leake clarifies that this zoning text amendment is adding a definition to our zoning ordinance and is separate from the special use permit.

Councilwoman Cavazos makes a motion to approve Zoning Text Amendment, ZTA#2018-001, to add the word crematory definition to the Town Code. "Crematory - an establishment

*containing a furnace for the purpose of reducing dead human bodies to ashes by burning" and "Funeral Home - Establishments engaged in undertaking services such as preparing the dead for burial, as well as related secondary accessory activities such as a crematory, if allowed by SUP, and arranging and managing funerals. Typical uses include funeral home or mortuaries."*  
Councilman Shannon seconds the motion.

This is no discussion on the motion.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bond Cavazos, Councilwoman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

### 3. SUP#2018-010- 14901 Washington Street, Funeral Home and Crematory Special Use Permit

Ms. Lockhart states that this is a Special Use Permit for a funeral home at 10901 Washington Street. She adds that the SUP application includes the accessory use of a crematory at the site. She further adds that the site is in our B-1 District located predominately in our town center. Some of the concerns that were raised is the traffic onsite and getting to/from Washington Street after a service. She reports that after the Planning Commission's review and discussion with the applicant, the applicant has adequately addressed these concerns by re-routing the flow of traffic. She continues stating that the applicant is proposing 37 parking spaces as well as a shared parking agreement. She reports that the Planning Commission gave a list of environmental concerns. She adds that the applicant did their due diligence to address all concerns and provided the studies and documentation. She concludes that after some discussion concerning how this business could impact home values, the Planning Commission moved to recommend approval to the Town Council with a 3-1 vote.

Gifford Hampshire addresses that Council. Mr. Hampshire gave a brief timeline of the application. He states that the Planning Commission asked the applicant to provide technical details about the equipment and impacts. He adds that Mr. Barron, from Matthews International, the manufacturer of the equipment, was contacted. He further adds that prior to the December 17th meeting the same information that is in the Council packet this evening was provided to the Planning Commission regarding the environmental impacts of the cremation process. Mr. Hampshire states that crematory service requests have increased and he feels this service will help to decrease vehicle trips. When addressing the traffic concerns and stacking, Mr. Hampshire states that a better alternative would be to route cars down Madison Street. He adds that onsite there would be a one way traffic pattern entering in from Madison Street, circulate the site and exit Washington Street. In comparison to other most commercial establishments, He concludes that 95% of the time the parking lot will be empty. He states that the only significant alterations that will be made to the building will be the enclosure of the drive thru to accommodate the crematory, hearse and employee parking. In reference to property values, Mr. Gifford states the issue is whether you have a market for a particular property, not whether a particular user would be disinclined to live in a property next to a particular use.

Michael Turch, applicant, speaks to the Council. He give the Council a brief history of his career timeline with the Mountcastle funeral home. He states that the reason he has decided to come to Haymarket was requests from residents that have moved to the area. He also addresses parking and space of the property.

Councilman Panthi asks Mr. Turch on average how many cremations will be done a month? Mr. Turch replies possibly 40 cremations a year.

Vice Mayor Edwards asks how many visitations do they typically have per the deceased? Mr. Turch states over time the trend is one a couple hours prior to.

Councilman Day asks how many parking spaces are at the other two facilities? Mr. Turch responds 28 in Woodbridge and 73 at his Dale City location.

Mayor Leake inquiries about Mr. Turch's research locating a funeral home in Haymarket. Mr. Turch states that there was no registry years ago and could not confirm.

Mr. Turch states that at his eastern end location a cremation service is approximately \$3000 plus merchandise and a full burial is approximately \$6000 plus merchandise.

Councilman Day shares concerns with traffic, property values, other locations utilizing the crematorium, and location of the crematorium in the center of the town.

Councilwoman Cavazos states that she is in favor of the funeral home and feels it will support local businesses.

Councilman Leake visited the Dale City facility. He states that an actual cremation was happening at that time and there was no sign that it was taking place. Commends Mr. Turch on his facility. He concludes that he doesn't have an issue with the way the special use permit is stated.

Councilman Shannon states that all of the Planning Commission concerns were answered by the applicant. He feels that traffic should not be an issue and has no further issues with the special use permit.

Vice Mayor Edwards shares concerns with this business and the Comprehensive Plan. She also shares concerns with the shared parking and reminds the dais that the shared parking agreement would no convey with a new business.

Mayor Leake states that he feels this use would be better suited in a B-2 or Industrial area. Shares concerns with parking and if this fits in our downtown area.

Discussion ensues concerning funeral home special use permits in the B-1, B-2 and Industrial zones as well as traffic issues.

Councilwoman Cavazos makes a motion to approve SUP #2018-010. Councilman Shannon seconds the motion.

There is no discussion on the motion.

<b>RESULT:</b>	<b>ADOPTED [4 TO 2]</b>
<b>MOVER:</b>	Bond Cavazos, Councilwoman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Connor Leake, Madhusudan Panthi, Bond Cavazos, Steve Shannon
<b>NAYS:</b>	Susan Edwards, Robert Day

**4. Harrover Park Playground Proposal**

Ms. Lockhart updates Council on the proposed playground for the Town Park. Councilman Leake expresses a need for an ADA accessible swing to be added. Discussion ensues regarding inspection, maintenance, possible crosswalk, adding a fence around the perimeter of the playground and other proposals. Councilwoman Cavazos adds that she can send Ms. Lockhart information on another playground company that she has looked at previously.

**5. Haymarket Day 2019 Event Date**

Ms. Lockhart states that based on feedback received from vendors, participants and the community, there was a consensus that the later Fall date was preferred for the Event. With that being said, Staff would like to propose to the Town Council to hold Haymarket Day on the 3rd Saturday in October from 10-5 PM.

After a brief look at some other possible dates, Vice-Mayor Edwards moves to adopt the 3rd Saturday of October as the new date for the annual Haymarket Day Celebration with the time adjusted from 10 AM to 5 PM. Councilman Leake seconds the motion.

There is no discussion on the motion.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Susan Edwards, Vice Mayor
<b>SECONDER:</b>	Connor Leake, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

### XIII. Council Member Time

#### 1. Steve Shannon

Councilman Shannon states that he did the ride along with the police on New Year's Eve. He states that our police set the example. He concludes that he looks forward to the Officer Down Memorial Ride.

#### 2. Connor Leake

Councilman Leake apologizes for not being able to make this evening's work session meeting. He states that he would like to discuss at another time thoughts on a municipal parking lot. He adds that he would like to possibly discuss it at the next meeting.

#### 3. Madhu Panthi

Councilman Panthi has no comments.

#### 4. Susan Edwards

Vice Mayor Edwards has no comments.

#### 5. Bond Cavazos

Referencing a recent letter that she wrote, Councilwoman Cavazos references the last work session of the Architectural Review Board. She states that she would like to bring everyone's attention that six buildings were proposed for demolition. They are 15011 Washington Street, 15010 Payne Lane, 15003 Washington Street, 6704 Jefferson Street, 6707 Fayette Street, 15001 Washington Street. She continues stating the applicant, Stan Payne Development LLC, has requested to demolish all of the structures mentioned above. She adds that according to the ARB By Laws and Rules of Procedure, Article 2. A., the ARB was authorized to oversee and administer Town regulations concerning physical changes within its Historic District Overlay, and to assist the Council in its efforts to preserve and protect historic places and areas in the Town, pursuant to Section 15.1-503.2 of the Code of Virginia. She further notes that in an effort to preserve and protect historic places in our town we feel that while some of the buildings mentioned above may be beyond repair, some are worth preserving for future generations. Our town's charm and character will be erased with its architecture if we fail to protect its last remaining historic structures. She further states that there are a few possible alternatives to demolition that the applicant should consider. Rather than selling the property with all of the current structures the applicant could separate the property into parcels allowing an opportunity for buyers who may be interested in purchasing the existing structures with the hopes of preserving them. Councilwoman Cavazos continues her Council member time noting another option would be to sell what is referenced on the map as structures H and F for a small amount of money similar to what they did for Cookies and Cream with the stipulation that they have a specified amount of time to renovate into a viable town business or home. She adds that if there are any other options that we could provide to an investor to make it more enticing to purchase and rehabilitate these buildings we should try and do so perhaps by removing buffers, tax incentive, and/or eliminating site plan/application fees. She concludes stating that we realize this may require making additions or changes to our current ordinances with assistance from the Planning Commission and Town Council.

#### 6. Robert Day

Councilman Day has no comments.

#### 7. David Leake

Referencing previous concerns, Mayor Leake assures Commissioner Pulire, Ms. Turner, the King family, Mr. Weir and Peg and Joe Contrucci that he will be putting his objections in writing to the Clerk within his 5 days.

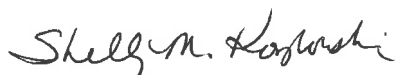
### XIV. Adjournment

#### 1. Motion to Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Susan Edwards, Vice Mayor
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

Submitted:

Approved:



Shelley M. Kozłowski, Clerk of the Council



David Leake, Mayor

