



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING ~ AGENDA ~

Danielle Kijewski, Clerk of Council  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, July 10, 2017

7:00 PM

Council Chambers

### 1. Call to Order

### 2. Invocation: Councilman Chris Morris

### 3. Pledge of Allegiance

### 4. Citizens' Time

### 5. Public Hearing

1. SUP#2015-001 (Renewal) - St. Michael's Academy Modular Classrooms at 6735 Fayette Street

### 6. Acceptance of Minutes

- A. Mayor and Council - Regular Meeting - Jun 5, 2017 7:00 PM

### 7. Department Reports

- A. Town Planner's Report - Mr. Steve Gyurisin
- B. Town Engineer's Report - Ms. Katie McDaniel
- C. Building Official's Report - Mr. Joseph Barbeau
- D. Police Report - Chief Kevin Lands
- E. Business & Community Relations Report - Ms. Denise Andrews
- F. Treasurer's Report - Mr. Roberto Gonzalez
- G. Town Manager's Report - Ms. Kimberly Murray

### 8. Appointments

1. Appointment of Council Liaison to the Planning Commission
2. Finance Committee Appointments

### 9. Agenda Items

1. SUP#2015-001 (Renewal) - St. Michael's Academy Modular Classrooms at 6735 Fayette Street
2. Discussion: Remote Participation by Elected Officials & Board Members

### 10. Updates

1. Planning Commission Update
2. Architectural Review Board Update
3. Update: Proposed Zoning Map

### 11. Councilmember Time

- A. John Cole
- B. Susan Edwards
- C. Steve Aitken
- D. Chris Morris
- E. Joe Pasanello
- F. Connor Leake
- G. David Leake

### 12. Closed Session

#### 1. Entrance into Closed Session

CLOSED SESSION PURSUANT TO 2.2-3711 A1: Consultation with legal counsel or briefing by staff about Town of Haymarket v. Contrucci as consultation or briefing in open meeting would

adversely affect the Town's negotiating or litigating posture, and the Virginia Freedom of Information Act at Virginia Code 2.2-3711, paragraph (A)(7), permits such discussion in Closed Session.

**2. Certification of Closed Session**

**13. Adjournment**



**NOTICE OF PUBLIC HEARING TO PERMIT MOBILE CLASSROOM USE IN THE R-1 ZONING DISTRICT BY SPECIAL USE PERMIT, 6735 FAYETTE STREET, HAYMARKET, VIRGINIA**

**KINDLY TAKE NOTICE** that the **Town Council of Haymarket, Virginia, will hold a Public Hearing on Monday, July 10th, 2017, beginning at 7:00 p.m.** at the Haymarket Town Hall, 15000 Washington Street, Suite 100, Haymarket, Virginia in order to consider a Special Use Permit request by St. Michael's Academy to extend the use of a mobile classroom at 6735 Fayette Street, Haymarket, Virginia. An existing Special Use Permit for the mobile classroom expires on August 31, 2017. The subject site is zoned Residential District R-1 and designated on the Town's Planned Use Map as Low Density Residential.

All are invited to attend the Public Hearing at the time and place described above and present their views pertinent to the requested Special Use Permit. Public comments can also be mailed to 15000 Washington Street, Suite 100, Haymarket, Virginia, 20169, or submitted via email to [dkijewski@townofhaymarket.org](mailto:dkijewski@townofhaymarket.org). A complete copy of the application for the Special Use Permit is available for public inspection during normal business hours at the Clerk's Office of the Town of Haymarket immediately upon the advertising of this notice. The Public Hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility to the facility should contact the Town Clerk at the above address or by telephone at (703) 753-2600.

BY ORDER OF THE TOWN COUNCIL



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING ~ MINUTES ~

Danielle Kijewski, Clerk of Council  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, June 5, 2017

7:00 PM

Council Chambers

A Regular Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, commencing at 7:10 PM.

Mayor David Leake called the meeting to order.

### 1. Call to Order

Councilman John Cole: Present, Councilman Chris Morris: Present, Vice Mayor Joe Pasanello: Present, Councilwoman Susan Edwards: Present, Councilman Connor Leake: Present, Councilman Steve Aitken: Present, Mayor David Leake: Present.

### 2. Invocation - Reverend Brian Johnson, Haymarket Church

### 3. Pledge of Allegiance

### 4. Citizens' Time

**James Carroll (6862 Track Court):** speaks about the US's recent withdrawal from the Paris Agreement, and shares that the Mayors' National Climate Agenda, along with universities, cities, states, and corporations are stepping up instead. The group is preparing a plan to submit to the United Nations; he encourages Haymarket's local government to support this agreement.

**Cathy Shalvey (6748 Bleight Drive):** shares concerns about a planned project at the QBE business park, and its ingress/egress on Bleight drive. Specific concerns include the width of streets in the neighborhood, capacity of persons, and capacity of traffic, as well as night traffic, the presence of commercial trucks, and air pollution. She is not against development in the Town, and does like the planned project; however, she is worried about how it will contribute to the already congested backup of cars on Bleight Drive, trying to turn left on Washington street, since this is the only exit from the community. She submits her written comments for inclusion in the Public Record.

**Alexander Beyene (6817 Walnut Park Lane):** raises concerns regarding the QBE sight plan. Asks how residents were properly notified of this proposed plan, and what is left before its final approval. It is difficult already to get on and off Bleight Drive, and cannot understand how the Town can allow a plan that would introduce commercial traffic onto a residential street. He asks the Council and Board Members to remember that they service the residents of the Town. He asks the Town not to finalize the plan for the QBE development. He has brought a petition to this effect, which he submits for inclusion in the Public Record.

**Linda Turner (6791 Fayette Street):** speaks to traffic on Fayette, which she understands is one of the costs of living in a small town. She encourages the Council to consider finishing the Town Center before dedicating funds to the creation of the Haymarket Community Park.

**Dottie Leonard (14801 Washington Street):** speaks to a time past when members of a secret society intimidated black residents and children; she is proud of Haymarket's diverse residents, and says that she does not want to see the Town regress to secret dealings. She shares that she plans to write a book on the Town's recent history.

### 5. Public Hearing

#### A. Joint Public Hearing by the Town Council and Planning Commission - Proposed Zoning Map

Minutes Acceptance: Minutes of Jun 5, 2017 7:00 PM (Acceptance of Minutes)

Chairman Caudle opens the Planning Commission's portion of the Public Hearing at 7:40 PM, and takes roll. All Commissioners are present. For the Record, Councilman Leake discloses the fact that his employer lists the properties at 1487, 14845, and 14851 Washington Street.

**Rebecca Bare (14977 Cheyenne Way):** new zoning map will re-zone 25 separate properties, and she says that this map has not been correctly advertised. No petition properly initiated this ordinance text amendments and map revision. There are big holes in the permitted uses of the proposed ordinance. Asks that the Council not approve the proposed Ordinance.

**Bob Weir (6853 Saint Paul Drive):** agrees largely with Ms. Bare's comments, and says that this Ordinance and the supporting documents do not consider the Town's Comprehensive Plan or state statute. He says that there is need for a Comprehensive Plan amendment in order to resolve various discrepancies, and that the Town's Ordinance will be invalid if the Council votes it through as it currently stands.

**Peg Contrucci (P.O. Box 400, Gainesville):** shares that she is a property owner in Town and surrounding area, and served on County's Ordinance Review Board; she says that the revision is usually done in steps, rather than such an extensive revision. She says that there must be a sound legal reason and public interest to re-zone properties. Some of the clients that she represents will become non-conforming in use, if the Ordinance is approved. She dislikes zoning by special use permit; asks the Town not to approve the new Zoning Map.

**Dottie Leonard (14801 Washington Street):** says that there are many confusing and unclear parts of this Ordinance, and confirms that in the case of some of the re-zonings, the zoning was brought up to the parcels' planned use in the Comprehensive Plan. The Town should protect the ability to allow development along Washington Street, as the Comprehensive Plan indicates; part of getting the Town cleaned up, is getting its zoning in order. There is more work to do.

**Maria Rafferty (7571 Falkland Drive, Gainesville):** co-owns three of the parcels that are under consideration for re-zoning this evening. No one asked what she wanted when the parcels were down-planned to residential, and then asked for property for sidewalks. She wants the Town to grow; this Ordinance is 'making us whole,' and will allow for the development that was planned from the beginning. She says that this process has been much more transparent than those under previous Councils, and calls the current process a breath of fresh air compared to the back-room dealings of before.

#### **Motion to Close the Planning Commission's Public Hearing on the Proposed Zoning Map**

Result: Approved [Unanimous]

Mover: Mr. Shannon

Seconder: Mrs. Pasanello

Ayes: Panthi, Leake, Pasanello, Caudle, M. Carroll, J. Carroll, Shannon.

Chairman Caudle closes the Planning Commission's portion of the Public Hearing at 8:08 PM. Hearing no further comment, Mayor Leake closes the Town Council's portion of the Public Hearing at 8:09 PM.

#### Discussion from Commission:

Chairman Matt Caudle: the purpose of this revision is to make the process more transparent and easy for residents to understand in the future. He says that the proposed ordinance is not perfect, but it is a good start. He draws particular attention to the setback requirements when residents worry about high buildings on their neighboring lots, and says that the B-1 zoning

along Washington Street encourages the preservation of existing structures of historical value, and gives control to the Architectural Review Board for cohesive preservation.

Commissioner Pasanello: the Transitional Commercial and B-1 zoning districts will give the Town better control over the use of the properties as the Town continues to develop.

Commissioner Shannon: the public has raised good points on both sides; he is in agreement with Chairman Caudle's comments.

Commissioner M. Carroll: there is a need for the Transitional Commercial zoning district; it is a buffer between commercial and residential parcels. Property owners should be able to come to the zoning administrator and apply for rezoning, and that should be the correct process. She does not want the ordinance to unduly limit the owners of these properties.

Commissioner J. Carroll: asks for legal opinion about the non-conforming uses and spot-zoning mentioned in the Public Hearing. The Town Attorney clarifies that right of use adheres to the land and is not personal to the owner or business.

Commissioner Panthi: agrees with Chairman Caudle's comments.

Councilman Leake: agrees with the map as part of the Comprehensive Plan, or as a Planned Land Use Map. He thinks that the Town's property owners should be allowed to make their changes from that.

Commissioner J. Carroll: asks when Haymarket last went through this sort of extensive zoning revision. The Town Attorney says that current Ordinance is just as it was in the 1990s.

Chairman Caudle raises the point that the Town's Planning Consultant suggested a yearly review.

**Motion for the Planning Commission to approve the Proposed Zoning Map and forward it to the Town Council for its consideration.**

Result: Approved

Mover: Mr. Carroll

Seconder: Mr. Shannon

Ayes: Panthi, Pasanello, Caudle, J. Carroll, Shannon

Nos: Leake, M. Carroll

## 6. Consent Agenda

- A. Mayor and Council - Work Session - Apr 3, 2017 6:00 PM
- B. Mayor and Council - Regular Meeting - Apr 3, 2017 7:00 PM
- C. Mayor and Council - Work Session - Apr 11, 2017 4:00 PM
- D. Mayor and Council - Work Session - Apr 17, 2017 6:00 PM
- E. Mayor and Council - Regular Meeting - May 1, 2017 7:00 PM
- F. Mayor and Council - Public Hearing - May 15, 2017 7:00 PM
- G. Mayor and Council - Work Session - May 22, 2017 6:00 PM
- H. **Motion to Adopt the Consent Agenda with the Corrections Discussed.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Susan Edwards, Councilwoman
<b>AYES:</b>	Cole, Morris, Pasanello, Edwards, Leake, Aitken

## 7. Department Reports

### A. Town Planner's Report - Steve Gyurisin

In the absence of Town Planner Steve Gyurisin, the Planner's Report is presented by the Town Manager, Kimberly Murray.

QBE will indeed be on the Planning Commission's agenda for Wednesday night.

A Dog's Day Out and signs for SHEETZ are also in the process of staff review. The Planner is unsure if these items will make the ARB agenda for this month; the Town's staff is working with the School of Rock's property owner to revise its sign. Work continues on Winterham and the IcePlex.

Vice-Mayor Pasanello asks about the proposed development at John Marshall commons; Ms. Murray confirms that it has been suspended. Councilman Leake says that the Prince William County Planning Commission denied the project's application.

Councilman Cole raises the matter of the concrete retaining wall in front of Chick-fil-A; Ms. Murray says this will be in the Town Manager's report.

### B. Building Official's Report

Mayor Leake raises the question of whether the Building Inspector's paperwork should be included in his monthly reports. Councilman Morris likes it, but the other Members say that a spreadsheet is sufficient.

Councilman Morris raises the matter of the sump pump repair at the Hulfish House; Ms. Murray says this matter will be included in her report.

Vice-Mayor Pasanello asks whether the 3 new buildings referenced are those on Bleight Drive. Ms. Murray says yes.

### C. Police Department Report - Chief Kevin Lands

The officers of the Police Department attended Longstreet Commons' Homeowners' Association Meeting; a particular topic of discussion was the problem of traffic cutting through neighborhoods around Jefferson Street. They also discussed a spate of vehicle tampering incidents that took place in the Town over the course of the month.

This past month included the celebration of Police Week; Chief Lands thanks businesses and citizens who came to the station and brought baked goods to thank the officers.

Chief Lands submits a report for the Public Record with statistic for vehicle speeds in the Town. The Department has borrowed a portable speed measuring sign from the Middleburg Police Department, and this device will yield statistics that he can share in future. He has also been working with Ms. Alonge, who addressed the Council at previous meetings.

New radars for the police vehicles have all been installed.

Chief Lands recognizes Sergeant Shaver, who designed the new vehicles, and reports that Town residents are very fond of the new bike patrol.

Chief Lands updates those present on the recent bank robbery in Gainesville; Officer Breeden and Chief Lands assisted Prince William County officers from the Town. Officer Breeden helped a concerned Chick-fil-A employee search her house during the search for the perpetrator; the story garnered 17-18,000 likes on Facebook.

Vice-Mayor Pasanello asks whether the department is able to access data from the speed monitors. Chief Lands replies that there was a technical problem with the Town's main signs, but will be able to access the speed data from the borrowed signs.

Councilman Cole asks how much the borrowed signs would cost to purchase. Chief Lands replies that such signs cost \$3,000 each, and he highly recommends the type that the Town has borrowed, since they are very portable.

Vice-Mayor Pasanello asks whether the Department's Car Show has been rescheduled, and if so, when it will take place. Chief Lands replies that the show has been rescheduled to June 24<sup>th</sup>, and will take place from 2 - 6 PM.

Councilman Leake thanks Chief Lands and the officers of the department for their service; their community policing has shown the residents and business owners that Haymarket is more than just a speed trap. Community relations are tremendously positive - more than 400 business checks have been conducted over the course of the month.

#### **D. Business & Community Relations Report - Denise Andrews**

Ms. Andrews shares that the Town's 3<sup>rd</sup> Annual Health and Fitness Day will take place this Saturday. It will include fitness demonstrations, events and activities for children, and free health screenings; she encourages all present to attend.

Museum Internship program: the Town reached out to more than 20 universities and colleges in the area. This summer, the Museum has interns from James Madison University, George Mason University, and 2 middle-school students with parental supervision for National Junior Honor Society hours.

Media Coverage: Ms. Andrews shares that Clerk of Council Danielle Kijewski published an article in June 2017 Haymarket Lifestyle Magazine.

Vice-Mayor Pasanello asks when the IcePlex will open. Ms. Andrews believes that the project is set to open in July, and says that the Town will promote the re-opening.

Haymarket Day: Ms. Andrews says that applications for vendor booths will go live on 12 June. And on 21 June, she will hold her first staffing meeting for Town officials to assist and discuss layout, parking, and volunteers. Last year's Haymarket Day had over 25,000 people in attendance, and this year's event looks to be even bigger.

#### **E. Treasurer's Report**

Mr. Gonzalez shares that his report goes through 30 April, when BPOs were due; about 70% have come in, and he is working with the outstanding businesses.

#### **F. Engineer's Report - Katie McDaniel**

Councilman Cole asks which county office would know who owns certain storm drain systems. Ms. McDaniel will look into this; the Town Attorney says this depends on where it is and when it was built.

#### **G. Town Manager's Report**

Town Center Project Update:

Mayor Leake indicates that renderings of the proposed Town Center façade are visible at the front of the Council Chambers. Staff are working on final site plans, as well as with the Police Department on their side. Hopefully, their suggestions can go to the Planning Commission in July; Ms. Murray would like to bring the most accurate vision to estimator, after which costs can be discussed. She has been discussing requirements for bond with VML-VACO.

VDOT Retaining Wall at Chick-fil-A:

Town staff met with VDOT last week; the ARB's preference for stone veneer is too costly, and they are exploring other options, such as columns of stone, with staining in between. It is holding up completion of the sidewalk, but not the traffic lane.



Payne Lane: most of the offending material has been removed.

Personnel: Alice Jarrell left her service with the Town and returned to the private sector in May. Danielle Kijewski, the Town Assistant, was promoted to fill this role, and was appointed at the Council's Work Session on 22 May. Recruitment continues for a full-time Planner.

Hulfish House (The Very Thing...For Her): repairs were completed after recent rains flooded the basement, but a better system will be necessary in future.

Haymarket Community Park: several maple trees have fallen in recent weeks, and these will need to be removed; further work will be necessary, but that can wait until the next fiscal year.

Vice-Mayor Pasanello raises the point that the Town resolved to eliminate a potential flyover at the Route 15 / I-66 Interchange, which meant 17 million in savings on the project. In this light, he asks that Ms. Murray encourage VDOT to reconsider its contribution for wall.

## 8. Agenda Items

### 1. Appeal of ARB Decision - Demolition of Structures: 14941 Washington Street and 6707 Jefferson Street

Benjamin Leigh (Atwill, Troxell & Leigh) represents the property owner of the 2 parcels in question. He says that history is important to many jurisdictions, but it is not static; raises the point of the Americans with Disabilities Act as a backdrop to the request - it is changing historic structure. The applicant is asking only for demolition, not for architectural approval of new buildings.

Key evidence for Council to consider: February 2017 report by Gabriel Consulting, which says that the building's condition is very poor, and has been that way for quite some time. Reminiscence is not the proper basis for a decision in this matter; it is not contributing to economic well-being of the Town, and this is shifting economic burden to residents. Also for consideration is a letter of violation from the Town's Building Inspector, Joe Barbeau - dated January 2017 - calling for the cease and desist of occupancy on the property. Both these pieces of evidence are submitted for the record.

Vice-Mayor Pasanello asks how long the Zissios family has owned this property. Mr. Leigh answers that they purchased it in December 2013.

Mr. Pasanello has noticed holes in the roof, and they look to have been there a very long time, which could have contributed to degradation of property. Mr. Leigh says that these sustained problems did not develop overnight.

Mr. Pasanello asks whether Z properties is considering harvesting materials for inclusion in a new structure, to pay homage. Mr. Leigh answers that the applicant is in favor of exploring this, since it not only preserves the past, but historical flavor is also good for the marketplace. This would make construction application more attractive down the road

Councilman Leake asks whether the property owner conducted a study period before his purchase, even in the case of an as-is purchase. Mr. Leigh answers that there was no covenant to preserve the property - Virginia law requires rational and objective standards. Mr. Leake asks if anything was done to preserve the property after purchase, and raises the point that the ARB was open to removing certain portions of the firehouse building.

Councilwoman Edwards clarifies that the application for demolition was made this year. The ARB initially was presented with the idea for a school; Mr. Zissios shifted potential plans for the property several times, and requested quick decisions, which led to a rejection from the ARB. The ARB is not against working with the applicant.

Councilman Morris asks whether there is a plan in place for what will be put up if it is torn down. Mr. Leigh says that this is an improper linkage, legally. It is the applicant's right to ask for the demolition without such conditions, otherwise clients would spend tens of thousands in architects' fees, waiting for towns to like their ideas. Mr. Morris would be open to further

exploration, as rundown buildings do no good to the Town; the Town paid for the renovations at the Hulfish House and Old Post Office, and it is still paying.

Councilwoman Edwards would like further information to be provided by Mr. Barbeau; Mayor Leake suggests tabling the application.

Councilman Aitken suggests continuing this discussion at another meeting; the other members of the Council agree.

The poll to consider the matter at a Continuation Meeting yields all ayes except for Councilman Cole, who says it should be addressed at the regularly scheduled meeting in July. The Continuation Meeting is scheduled for Friday, June 16<sup>th</sup> at 5:00 PM. Staff and Council should view ARB minutes and meetings, as well as evidence submitted today.

After this matter, Mayor Leake calls for a short recess at 9:35 PM.

<b>RESULT:</b>	<b>TABLED [5 TO 1]</b>
<b>AYES:</b>	Morris, Pasanello, Edwards, Leake, Aitken
<b>NAYS:</b>	John Cole

## 2. Planning Commission Re-Appointment - Madhusudan Panthi

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	Susan Edwards, Councilwoman
<b>AYES:</b>	Cole, Morris, Pasanello, Edwards, Leake, Aitken

## 3. Resolution #2017-04 - FY2017 Budget Amendment

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Joe Pasanello, Vice Mayor
<b>AYES:</b>	Cole, Morris, Pasanello, Edwards, Leake, Aitken

## 4. Resolution #2017-05 - Adoption of Hazard Mitigation Plan

The Town Engineer provides background - this is an update to the 2010 plan, and the Town had input from the Hazard Mitigation Committee to create this plan. Extreme cold and extreme heat were combined into extreme temperature.

Vice-Mayor Pasanello suggests some changes, which are included in the amended plan.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	John Cole, Councilman
<b>AYES:</b>	Cole, Morris, Pasanello, Edwards, Leake, Aitken

## 5. Resolution #2017-06 - Designation of Acting Town Manager

Vice-Mayor Pasanello asks whether the Town wants to consider more generic language, removing the names of those involved. Ms. Murray answers that it can be re-evaluated in future. The Town Attorney concurs.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Chris Morris, Councilman
<b>AYES:</b>	Cole, Morris, Pasanello, Edwards, Leake, Aitken

## 6. Resolution #2017-007 - to Adopt a Policy Governing Participation in Meetings by Members of the Town Council and Appointed Boards through Electronic Communication

The Council unanimously decides to defer discussion of this matter until a later meeting.

Councilman Morris asks if there are requirements for physical attendance outside of quorum, to which Ms. Murray answers that there are not.

Mayor Leake tables the matter for further discussion.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>AYES:</b>	Cole, Morris, Pasanello, Edwards, Leake, Aitken

**7. Resolution #2017-08 - Adoption of Fiscal Year 2017-2018 Annual Operating Budget and Capital Improvement Budget, Tax Rates and Fee Schedule**

Councilman Morris shares that he thinks Town is headed in the right direction with this budget.

Councilman Cole shares that the Council held at least 5 Work Sessions; went through the budget line by line, and thinks it is a good budget.

Mayor Leake reminds those present that Vice-Mayor Pasanello has asked his notes to be included in the minutes.

Vice-Mayor Pasanello thinks that the Town could have done more on taxes; will vote no.

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Connor Leake, Councilman
<b>AYES:</b>	Cole, Morris, Edwards, Leake, Aitken
<b>NAYS:</b>	Joe Pasanello

**8. Ordinance #ORD2017-01 - 3184 : Ordinance #ORD2017-001 - Ordinance to Update Chapter 58 of the Code of Ordinances of the Town of Haymarket, Concerning Zoning, to Repeal Chapter 38 of the Town Code, Concerning Subdivisions, and to Incorporate the Subdivision Provisions of the Town Code into Chapter 58**

Councilman Leake, the Council's Liaison to the Planning Commission, provides background. He lists meetings for the Planning Commission at which this Ordinance has been discussed; wants it to be on the record that this has been going on and listed on the various agendas for a long time.

Discussion:

Vice-Mayor Pasanello says that there has been a lot of feedback, particularly about procedural issues. He asks whether the Town Attorney has been able to examine documentation, and can he reassure Council that procedural issues have been followed. The Town Attorney says that the Berkley Group was responsible for earlier notices; he has not double-checked the work of staff. He disagrees with Mr. Weir's letter of May 15<sup>th</sup>.

Councilwoman Edwards has a concern about the height allowances in the center of Town; would such a height overshadow historic structures in the downtown area? Ms. Murray speaks to the site plan approval process, and says that just because the height allowance exists within a particular district, does not mean that a building will be allowed, due to other site requirements. She suggests that the Ordinance be re-examined later on, to address such concerns.

Councilman Morris says that Ms. Murray's comment has clarified this matter for him; he understands that other restrictions are in place to prevent construction that is not in keeping with certain parts of Town.

Mayor Leake confirms that there is a process, and there are checks and balances.

Councilwoman Edwards asks whether variances could be granted for these properties. The Town Attorney explains that a variance would depend on the unique qualities of a particular parcel; its difficulties could not be generally shared.

Minutes Acceptance: Minutes of Jun 5, 2017 7:00 PM (Acceptance of Minutes)

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	John Cole, Councilman
<b>AYES:</b>	John Cole, Chris Morris, Joe Pasanello, Susan Edwards
<b>NAYS:</b>	Steve Aitken
<b>ABSTAIN:</b>	Connor Leake

**9. Ordinance #ORD2017-002 - Ordinance to Adopt an Amended Zoning Map to Accompany Chapter 58 of the Code of Ordinances of the Town of Haymarket, Concerning Zoning**

Mayor Leake says that the Council Members have heard many comments tonight, and this matter deserves further discussion. The new Zoning Map should be examined together with the comprehensive plan.

Councilman Leake clarifies that the Mayor is speaking of a Comprehensive Plan Amendment for four parcels from R-1 to TC.

Vice-Mayor Pasanello would like further clarification.

Councilman Morris would like further clarification on the different advantages of B-1 vs. TC districts. He has heard comments that left him uneasy, and would like to do more research. He would like the attorney to be able to guarantee that the procedure was watertight.

Councilman Cole is in favor of cleaning up the map, but would like the property owners to be able to discuss their feelings on this, especially as concern taxes. He thinks more research can be done on the map, and perhaps the TC district can be added. Adoption of the Ordinance was critical; the map can be examined more slowly.

Councilwoman Edwards says that the Town needs a transitional commercial zone; Haymarket is a small town, and the buffer needs to be preserved between residential and commercial areas. The Council should look at this some more.

Councilman Leake raises the fact that some of the properties in the proposed TC area are already zoned B-1. In the future land use map, there are 7 parcels that are designated TC.

Vice-Mayor Pasanello thanks the public for coming to this meeting and sharing their feelings on the map; they have done a service to the Town. The Council should not rush adoption of this map.

Councilman Morris suggests that the Council should look at current and proposed maps, and examine each parcel.

Ms. Murray suggests sitting down with the zoning consultant.

Councilwoman Edwards asks why the zoning map does not match the planned land use map. Ms. Murray speaks to the background that was given when she began in November; the Ordinance was badly in need of revision, ahead of the Comprehensive Plan, as the planning consultant explained. Changes can continue. The Comprehensive Plan is due for revision next year, so the time is good for re-examination of the document.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>AYES:</b>	Cole, Morris, Pasanello, Edwards, Leake, Aitken

**9. Updates**

**1. Dominion Virginia Power**

Mayor Leake and Councilwoman Edwards attended the Prince William County Board of Supervisors' meeting that denied 2 proposed routes for overhead transmission lines. The Virginia State Corporation Commission (SCC) must give its final report, now that the hearing has been closed. Councilwoman Edwards was very impressed by the variety of people and

Minutes Acceptance: Minutes of Jun 5, 2017 7:00 PM (Acceptance of Minutes)

County residents who came to give comments throughout the process. There are some more tools at the County's disposal.

**2. VRE Expansion Update**

No updates at this time.

**3. ARB Update - Councilwoman Susan Edwards**

Councilman Leake and Councilwoman Edwards share that the ARB heard applications on 2 signs at its last meeting; one was approved, and one did not carry and will be reconsidered in June.

**4. Planning Commission Update - Councilman Connor Leake**

Other than consideration and approval of the Ordinance, no updates at this time.

**10. Councilmember Time**

**A. John Cole**

Councilman Cole met with VDOT representatives about traffic on Jefferson Street. They had a good discussion about options for big changes, and came to agreement after talking with residents: they will see how the speed table works, and re-examine the matter in the fall with another traffic study. The Police Department should retain increased patrol. The speed table will be erected in the summer, and Gainesville Supervisor Peter Candland has indicated a willingness to allocate funds for similar projects.

**B. Susan Edwards**

No comments at this time.

**C. Steve Aitken**

Councilman Aitken thanks his fellow Council Members for their thoughts.

**D. Chris Morris**

Councilman Morris thanks the residents for coming and sharing their thoughts; he realizes that more research is necessary on the Zoning Map.

**E. Joe Pasanello**

Vice-Mayor Pasanello thanks residents for attending, especially those who stayed until the end. He thinks that the concerns of residents on Bleight Drive (with regard to a proposed development at the QBE property) need serious consideration. The Council should look into enforcement for curbing pets within the Town; after discussion with his neighborhood's homeowners' association, he believes that there are no teeth in the Ordinance.

**F. Connor Leake**

Councilman Leake thanks Ms. Murray and her staff for their service, as well as Chief Lands and the officers; many good changes have happened in the last 6 months.

**G. David Leake**

Mayor Leake asks whether an executive session is necessary. The Town Attorney says that it is not.

**11. Adjournment**

**A. Motion to Adjourn**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Joe Pasanello, Vice Mayor
<b>SECONDER:</b>	Susan Edwards, Councilwoman
<b>AYES:</b>	Cole, Morris, Pasanello, Edwards, Leake, Aitken

Minutes Acceptance: Minutes of Jun 5, 2017 7:00 PM (Acceptance of Minutes)

Submitted:

Approved:

\_\_\_\_\_  
Danielle Kijewski, Clerk of Council

\_\_\_\_\_  
David Leake, Mayor

**12. Documents Submitted for Inclusion in the Public Record**

- 1. Sign-In Sheet - Citizens' Time
- 2. Written Comments - Mr. James Carroll
- 3. Written Comments - Mrs. C. Shalvey
- 4. Petition - Mr. A. Beyene
- 5. Sign-In Sheet - Public Hearing
- 6. Written Comments - Mr. R. Weir
- 7. Chief K. Lands - Police Report Supplement
- 8. Documents Submitted for Consideration - Z. Properties

Minutes Acceptance: Minutes of Jun 5, 2017 7:00 PM (Acceptance of Minutes)

Town Planner - July 2017 Town Council Report									
Task	Assigned To	Date Task Started	Last worked on	Action Needed By	Anticipated End Date	Actual End Date	Comments		
<b>Architectural Review Board</b> #2016-033 (Foster's Grille) Signage and Lighting	Planner	11/10/2016	2/22/2017	Applicant	1/19/2017	2/15/2017	Approved		
#2016-035 (Chris Dixon)	Incomplete	12/5/2016	12/19/2016	Applicant			Fence proposed on residential property.		
#2016-037 (Z Companies)	Steve/Kimberly	12/19/2016	3/31/2017	Applicant			Demolition of two buildings in Town Core. Met w/ applicant and design team, 3/31/17 to resubmit additional materials to ARB for their 4/19/17 meeting they need to address missing items.		
#2016-038 (Dog's Day Out)	Steve/Kimberly	1/5/2017	3/27/2017	Applicant	2/15/2017		Approved		
#2017-002 (Haymarket Baptist Church)	ARB	1/9/2017	2/15/2017	ARB-Scout project team	3/15/2017		Approved		
Storm drain stencil project	ARB	1/18/2017	2/15/2017		4/22/2017		Presentation by Eagle Scout Ethan Marsh. ARB requested more information. Scout working with VDOT (3/30/17)		
<b>Board of Zoning Appeals</b> June and July 2017 BZA activity or active applications									
Appeal of Notice of Violation (#BZA-2017-004)	BZA staff	1/6/2017	3/1/2017	Staff, Town Attorney, BZA	3/13/2017		No applications pending BZA or Staff action. All BZA Board membership is current. The next appointment is BZA member, Dottie Leonard in January 2018		
Active Board Recruitment	BZA	11/1/2016	3/1/2017	Town Council			Met with applicant's attorneys twice to review case and site. Advertised & notifications sent; BZA to hear Appeal at their regular meeting in March. Request to defer rec'd from applicant's attorneys, forwarded to Chairman. BZA met in January for information items, elected officers and adopted 2017 calendar. Need appointees for 1 vacancy.		
Variance: QBE (#BZA-2017-005)	BZA staff	1/30/2017	3/1/3/17	Staff, BZA	tabled		Application tabled by chair until 4/13/17 meeting		
<b>Planning Commission</b> Update: Zoning & Subdivision Ordinance	Planning Commission	9/26/2016	3/1/2017	Planning Commission, Consultant	4/5/2017		Planning Commission and Town Council approved draft Zoning Ordinance Update		
Site Plan: Sheetz	Staff, Planning Commission	11/16/2016	2/8/2017	Planning Commission, Town Council	2/1/2017		Final Site Plan approved, bond review completed 3/31/17		
Site Plan: A Dog's Day Out	Steve/Katie	11/21/2016	3/1/2017	Staff, Applicant	5/1/2017		Approved by Planning Commission awaiting bonding information and reviews		
Site Plan: QBE Improvements	Steve/Katie, Planning	1/20/2017	3/1/2017	Applicant			Approved by Planning Commission awaiting bonding information and reviews		
<b>Prince William County</b> One-Mile Review: Carter's Mill	Susannah, Holly	10/5/2016	2/8/2017	Staff			6th submission under review by Staff to provide comments to PWC planning.		
One-Mile Review: John Marshall Commons	Holly, Susannah, Planning	11/1/2016	2/22/2017	Applicant; PWC Staff			Staff has provided comments to PWC planning. Applicant wants to meet with us to go over our comments. PC declined to add them to agenda 3/1 due to working on ordinance & # of reviews.		
One-Mile Review: Heathcote Tire & Auto SUP	Holly, Susannah, Planning	12/22/2016	2/8/2017	Applicant; PWC Staff	2/28/2017		Staff provided comments to PWC planning.		
<b>Staff</b>									
Process Review: Forms, Fees, Submittals	Kimberly	9/26/2016	1/30/2017	Staff	6/1/2017		In process: Fees to reflect actual costs including E&S, Stormwater, etc.		
SUP #2017-003: K&K Sarees	Staff	1/5/2017	n/a	n/a			Applicant has withdrawn but will want to see if zoning ordinance will include home occupations as a use-by-right. Returned fees		
Details from the Home, Gosson Manor P	Property owners	2/22/2017	2/27/2017	n/a			Issues with parking & cut-throughs. They would like to extend a fence to address this problem. MG scheduled.		
Signage issues on Industrial Properties	staff	12/15/2016	2/13/2017	Staff			To address a signage plan and individual signs on properties affected by VDOT work on Hwy 15		
Winterham & Iceplex: Shared parking, Subdivision Plan & Major Site Plan revisions	staff	11/30/2016	2/13/2017	Staff, Town Attorney			Met with property owner reps, surveyor, continued research, emails with town attorney, and discussed issues with property owner's representative. Sent all information to property owners.		
Zoning Ordinance Update- Directive from PC	staff	2/6/2017	2/13/2017	PC	4/5/2017		Met w/ property owners along Washington St to get their input regarding rezoning of properties.		

Engineer's Report -5/25/17 thru 6/28/17

Task	Assigned To	Date Task Started	Last worked on	Action Needed By	Estimated End Date	Actual End Date	Comments
<b>Active Projects</b>							
QBE Final Site Plan	Katie/Steve	1/20/2017	5/22/2017	Applicant	N/A		-Approved by Planning Commission 6/7 -Bonds to be provided prior to construction
Villages of Haymarket Ph II As-Built Survey	Katie	1/5/2017	5/3/2017	N/A	N/A		-Bond Release approved by TC 4/3. -Bond released by Town 5/10
Sheetz Final Site Plan	Katie/Steve	6/29/2016	1/24/2017	Steve/PC	2/6/2017		-1st Submission received complete 6/29/2016. All comments returned. -2nd Submission received (complete) 11/16/2016. All comments addressed, Susannah put on Feb PC agenda. -VDOT permit approved and provided to Town.
Dog's Day Out Final Site Plan	Katie/Steve	12/13/2016	6/23/2017	PC	7/5/2017		-Applicant addressed all second submission comments and is working on outside agency approvals. Applicant to revise proposed landscaping species per Zoning Ordinance -Planning Commission to review on 7/5
Haymarket Town Center Final Site Plan	Katie/Steve	9/8/2016	5/24/2017	RDA	7/30/2017		-RDA working on Final Site Plan. Town provide direction for SWM/BMP design 5/3 -Town provided comments on layout 5/24 -Downey & Scott are preparing a construction cost estimate based on the current plans
Pedestrian Improvements Project	Katie	7/14/2014	5/24/2017	RDA/ Utility Companies/ Town	7/30/2017		-Utility relocations are authorized, waiting for utility companies to begin work. -RDA working on final construction plans. Drainage & entrance revisions due to further development of Town Center Final Site Plan design approved. Will need to coordinate with VDOT to ensure no outstanding comments after change order work.
Fairgrounds GDP	Steve/Katie	N/A	6/6/2016	Applicant	N/A		-Katie provided design contract amount update to VDOT 6/22. Schedule update to be provided. -0.35 Nutrient Credits purchased from res 6/14 -1st and 2nd Submission comments returned. -Awaiting next submittal by applicant.



Task	Assigned To	Date Task Started	Last worked on	Action Needed By	Estimated End Date	Actual End Date	Comments
Sherwood Forest Bond Release	Katie	N/A	4/11/2017	Applicant	N/A		-Landscaping and E&S Bond released. -All pavement redesigns approved. -Applicant must finish Street Acceptance Process with VDOT before bringing Town Council Resolution for Street Acceptance. After this is complete, the Performance Bond will be brought to Council to be released.
Alexandra's Keep Landscaping, E&S and Performance Bond Release	Katie	N/A	4/14/2017	Applicant	N/A		-As-Built survey approved. -Applicant must have Bleight Drive street lights put on meter to turn over to Town for ownership/maintenance. Alexandra's Keep and QBE coordinating in order to share a meter. 1st Submission received 6/1/2016 Comments returned. Awaiting next submittal by applicant.
Advantage Landscaping RPA Restoration Plan	Katie	6/1/2016	8/8/2016	Applicant	N/A		Eagle Scout presented plastic decal and paint type to ARB 4/19/17 and received approval. -Eagle Scout to submit LUP-A to VDOT.
Eagle Scout Project Coordination to stencil storm drains	Steve/Katie	6/22/2016	1/5/2017	Eagle Scout/ARB/Steve	N/A		On hold
Stamped Asphalt Crosswalk Estimate and RFP	Katie	10/15/2016	12/28/2016	On hold	1/31/2017		
NOVA Hazard Mitigation Plan	Katie	6/28/2016	6/5/2017	FEMA	6/5/2017		-NOVA Hazard Mitigation Plan Update led by Fairfax County. Conditional approval from FEMA received ~3/10 -Resolution for TC adoption accepted at TC meeting 6/5. Resolution provided to Greg Zebrowski for coordination with FEMA
VDOT I-66/Rte 15 Coordination	Katie	N/A	1/26/2017	VDOT	8/31/2017		Web updates about lane closures for following week done every Monday. See additional notes below.



**Summary:**

Currently the Sheetz project is rolling along, with construction of the new store building approaching completion. The School of Rock in the old Winterham Mansion has had final inspections and CO issued. Two of the three new structures along Bleight Drive are now underway. The Ice Plex is coming to its finish, with work being completed in the support service areas. The project to finish the basement at 6744 Bleight Drive is completed. Various other small projects throughout the town have been permitted and inspected. An extensive report regarding the Old Firehouse has been submitted to council.

Permit No.	Project Name	Permit Address	Permit Close Date	R/C	Project Status	Project End Goal	Comments
M2017004	Baker Residence	6896 Jockey Club Ln	6/18/18	R	Closed	Replacement in kind	6/20/17 - Final Inspection complete.
B2017024	Bloom Building	15125 Washington St	5/25/18	C	Active	Building permit for office relocation	Tenant fit out
P2017014	Bloom Building	15125 Washington St	6/26/18	C	Active	Renovate office space	Tenant fit out
E2017013	Bloom Building	15125 Washington St	6/26/18	C	Active	Renovate office space	Tenant fit out
P2017015	Bloom Building	15125 Washington St	6/26/18	C	Active	Renovate office space	Tenant fit out
TBD	Century Stair	Washington Street	2/17/18	C	2/17/17 - Permit Issued	Installation of whole building dust removal system.	ARB considering exterior screening only.
G2017003	Existing Home	14729 Dogwood Terrace	5/25/18	R	Active	To install gas range	Minor upgrade
TBD	Existing Home	15016 Gossman Manor Pl	TBD	R	Closed	Basement Renovation	5/30/17 - Final: Inspected installation of outlets and smoke detector in basement bedroom.
E2017010	Existing Home	6717 Sycamore Park Dr	5/25/18	R	Closed	To install receptacles	Minor electrical improvements. 6/8/17 - Electrical Rough in inspection as well as a final inspection. Finalized 6/8/2017.

Town of Haymarket Building Official Monthly Report  
June 2017



Permit No.	Project Name	Permit Address	Permit Close Date	R/C	Project Status	Project End Goal	Comments
B2017016	Existing Home	6744 Bleight Drive	5/4/17	R	Active	Basement Build out	5/23/17 - Rough Inspections for all trades approved. Final inspection for basement on 5/23/17.
B2017023	Existing Home	6785 Fayette Street	TBD	R	Closed	Construct New Front Porch	6/12/17 - Rough inspection complete. 6/13/17 - Rebar inspection complete. 6/14/17 - Final inspection complete.
B2017017	Existing Home	6808 St. Paul Drive	TBD	R	Closed	Construct New Deck	Construct rear deck. 5/1/17 - Waiting business registration for permit issues and final close out. 6/8/17 - Finaled
B20170005	Existing Home	6857 St. Paul Drive	2/14/18	R	2/8/17 - Under slab rough Plumbing Inspection	Renovation of existing basement to complete bathroom that was roughed in at original construction	Change in bathroom design required the reconfiguration of the plumbing waste lines.
Pending	Foster's Grille	14550 Washington Street	TBD	C	Proposed Project Meeting	Two Additional signs above existing structure	Installation is on hold until satisfying zoning requirements.
B2017002	Haymarket Sports Plex	6612 James Madison Hwy	5/25/18	C	Active	Renovate existing space	Tenant fit out
B20160004	Ice Plex	15111 Washington Street	extended to 12/17/17	C	6/2/17 - Passed Sprinkler Pressure Test 6/19/17 - Ceiling close in	Addition to accommodate a second ice rink and services.	2/14/17 - Tank Installation complete Partial Plumbing Rough Inspection - Tank Installation
B2016004	Ice Plex	15111 Washington Street	12/15/17	C	Final stages interior	New Addition containing improved customer areas and a second ice rink	With the Rink complete, the final work to button up the structure and finish the interior Apartment spaces is underway.



**Town of Haymarket Building Official Monthly Report**  
June 2017

Permit No.	Project Name	Permit Address	Permit Close Date	R/C	Project Status	Project End Goal	Comments
B20170011	Khohli Residence	14830 Jordan Lane	3/20/18	R	Current	Addition of deck to SFD	Pier footings have been inspected, framing and final inspections remain to be done.
G20170006	New Home	6736 Bleight Drive	6/20/18	R	Active	Construct New SFD	Permit issuance to allow construction of new SFD.
P2017013	New Home	6736 Bleight Drive	6/20/18	R	Active	Construct New SFD	Permit Issuance to allow construction of new SFD.
B2017019	New Home	6740 Bleight Drive	5/11/18	R	Active	Construct New SFD	Permit issuance to allow construction of new SFD.
G2017005	New Home	6740 Bleight Drive	6/21/18	R	Active	Construct New SFD	Permit Issuance to allow construction of new SFD.
P2017011	New Home	6740 Bleight Drive	6/21/18	R	6/28/17 - Groundwork Plumbing Inspection	Construct New SFD	Permit Issuance to allow construction of new SFD.
M2017008	New SFD	6732 Bleight Drive	5/25/18	R	Active	Construct New SFD	Construct new home
P2017010	New SFD	6732 Bleight Drive	5/25/18	R	6/8/17 - Groundwork plumbing.	Construct New SFD	Construct new home
G2017004	New SFD	6732 Bleight Drive	5/25/18	R	Active	Construct New SFD	Construct new home
TBD	Old Firehouse	14941 Washington St	TBD	C	6/14/17 - Written Report concerning blighted conditions.	Address property maintenance issues.	Report sent to council.
Pending	QBE	14604 Washington Street	TBD	C	Pending	Two Additional Stories above existing structure	Plan review. No permits have been received.
M2017003	Residence	14880 Greenhill Crossing Drive	5/3/18	R	Closed	Kitchen Renovation and addition of Sub Panel at shed	All rough inspections are complete. 6/1/17 - Final inspections complete. Closed, finalized.
E2017006	Residence	14880 Greenhill Crossing Drive	5/3/18	R	Closed	Kitchen Renovation and addition of Sub Panel at shed	All rough inspections are complete. 6/1/17 - Final inspections complete. Closed, finalized 6/1/2017.

Town of Haymarket Building Official Monthly Report  
June 2017



Permit No.	Project Name	Permit Address	Permit Close Date	R/C	Project Status	Project End Goal	Comments
B2017005	Residence	6785 Fayette Street	TBD	R	Permitting Process	New Front Entry Stoop and Sidewalk	Design submitted, awaiting permit documents.
ZP2017009	School of Rock	15101 Washington St	6/21/18	C	Active	Construct New Sign	Business Sign Permit Issuance Review
B20170016	School of Rock	15101 Washington Street	5/4/18	C	Renovation of historic Home to a musical instruction facility	reuse of former residential structure for music school	Rough Inspections have been approved
B20170012	Sheetz	15315 Washington Street	3/21/18	C	Starting up	Removal of existing structures and building of new structures	Demo and Primary Permits issued, no issuance of Building Permits for new structures until bond payment has been secured.
B2017013	Sheetz	15315 Washington Street	3/21/18	C	1st Stage Demo Complete	New Facilities	Storm water Protection, and 1st Stage Demo (removal of Rt. 15 side Gas Island Canopies) complete. Work begins Monday 4/24/2017 to construct new store structure.
B2017014	Sheetz	15315 Washington Street	4/19/18	C	Grnd Works Inspections prior to concrete slab placement	Permit to Construct New Store	5/11/17 - Grnd Work Electrical 5/17- Grnd Work Plumbing 5/19 - Grnd Work Low voltage Electrical all approved.
B2017015	Sheetz	15315 Washington Street	4/19/18	C	6/5/17 - Partial Wall Close 6/6/17 - Inspect. Of Backfill for SWM facilities. 6/12/17 - Insulation 6/23/17 - Partial Framing 6/28/17 - Partial rough in walls	Permit to Construct New Gas Island	To begin after New Store is constructed and the old store has been demolished.



Town of Haymarket Building Official Monthly Report  
June 2017

Permit No.	Project Name	Permit Address	Permit Close Date	R/C	Project Status	Project End Goal	Comments
B2017013	Sheetz	15315 Washington Street	4/19/18	C	6/5/217 - Partial Wall Close	Sub Trade Permits for all trades	In the process of issuing all permits for sub-trades work at this site.
E2017007	Sheetz	15315 Washington Street	4/19/18	C	6/5/17 - Partial Wall Close 6/21/17 - Partial rough in walls 6/28/17 - Partial rough in walls	Construct new store	Continuation of work to construct new store.
P2017006	Sheetz	15315 Washington Street	4/19/18	C	6/5/17 - Partial Wall Close 6/13/17 - water main groundwork 6/14/17 - Partial rough in 6/15/17 - Sewer groundwork 6/23/17 - Partial rough in walls 6/26/17 - Partial rough in walls 6/28/17 - Partial rough in walls	Construct new store	Continuation of work to construct new store.
M2017005	Sheetz	15315 Washington Street	4/19/18	C	6/5/17 - Rough in 6/12/17 - Ductwork concealment	Construct new store	Continuation of work to construct new store.
M2017007	Sheetz	15315 Washington Street	5/25/18	C	Active	Refrigeration	Installation of refrigeration units.
B2017025	Smith Residence	6760 Madison St	6/19/18	R	Active	Restore and add an addition	Full renovation with two story addition at rear.



Town of Haymarket Building Official Monthly Report  
June 2017

Permit No.	Project Name	Permit Address	Permit Close Date	R/C	Project Status	Project End Goal	Comments
No Permit Needed	The Very Thing	Town Hall Site	5/4/17	C	Active	Complaint Issues	Flooded basement and other issues reported and checked. Basement pump out arranged, walk thru to view other issues raised by tenants.



**HAYMARKET POLICE  
DEPARTMENT**



To: Kimberly Murray, Mayor Leake and Council Members  
 From: Chief Lands  
 Date: 6-16-2017  
 Subject: Monthly Report for June 2017

Felony Arrests	0	None
Misdemeanor Arrests	7	DUI, Wanted Suspect, Poss. Of Marijuana
In Town Calls for Service	520	Various
Out of Town Calls for Service	52	Various
Traffic Summons	113	Speeding, Suspended, Reckless, Equipment Violations
Traffic Warnings	141	Speeding, Taillight, Stop Sign etc.
Traffic Accidents	2	No Injuries
Business Checks	470	All Town Businesses

**Points of Interest:**

QBE Meeting – National Night Out  
 Vehicle Tampering's  
 Longstreet Commons H2O Battle  
 Car Show  
 Rainbow Station  
 Women's Self Defense Class

**Officer Highlights:**

Car Show (Oneal)  
 Community Spirit (All Officers)



## **Business & Community Relations Report 06/11/2017 – 06/30/2017**

### **2017 Haymarket Health & Fitness Day**

Our 2<sup>nd</sup> Annual Health & Fitness Day was held on Saturday, June 10<sup>th</sup>. It was a warm 89-degree day with 42 vendors participating this year.

Activities that day included:

- Live fitness demonstrations on the fitness stage by: Showcase Dance Studio, Wellness Solutions, Real Flexi, and acoustical music performances by School of Rock
- The Very Thing for Her Hula-hoop challenge had 35 participants ranging in age 2 to 15 years old
- In the Museum Courtyard, the Patient First Misting tent was well utilized throughout the day and the Museum had over 50 visitors
- Prince William Co. Fire & Rescue Station #4 was on sight with their fire engine and allowed children on the fire engine as well as discussed fire safety
- The Town offered free face painting for the children
- Inside Town Hall Novant Health/UVA Health System offered free health screenings for: Diabetes, Hypertension, and Obesity

### **Safety First! Keeping Safe on the Iron Rails**

The Haymarket Museum will host its 4<sup>th</sup> annual train exhibit June 10<sup>th</sup> – August 6<sup>th</sup>. This year's focus is on safety and the role of technology advancing the rail system over the past 100 years. Display featuring:

- Model train display by The Regency Model Railroad Club
- Written & pictorial displays
- Train memorabilia
- Tour the Caboose

### **Business Roundtable**

On Wednesday, July 19<sup>th</sup> at 8:30 am the Town will hold its quarterly Town Business Social at Tobaccology.

Discussion topics will include:

- Haymarket Day
- Police Department updates
- New businesses coming to Haymarket

## **2017 Haymarket Day (Updates)**

Our 2017 Haymarket Day will be held on Saturday, September 17<sup>th</sup> from 9 am until 4 pm.

- The foot print for Haymarket Day will the same as 2016; starting at the corner of Washington and Fayette Streets and ending at the intersection of Washington Street and Bleight Drive.
- Staff is reviewing 2 candidates for Grand Marshal for this year's parade a decision will be made in late July.
- The main stage performances will be organized by Contemporary Music Center of Haymarket. Performing bands will range from: Country, R&B, Classic Rock, and Reggae.
- Haymarket Church will open their doors as a "cooling" station as well as nursing and restroom facility.
- Foster's Grille will have either a burger or hot dog eating contest.
- As of June 30<sup>th</sup> we have received 81 applications not including "store front" booths, over \$16,000 collected in vendor booth fees and \$15,000 sponsorship funds.
- We are currently working to have online application payments for not only vendor booth applications for events but payments for applications such as: building permits, BPOL, and Town Real Estate Taxes.

## **Media Coverage**

- 06/01 – Haymarket Lifestyle Magazine – Ad calling for "Crafters" for the 2017 Haymarket Day
- 9/1- 11/3 Battlefield H.S. Football Program – Ad for Museum exhibits & call for volunteers

## **Updates/Coming Soon**

- We are still accepting Haymarket Day applications- applications are available online or inside Town Hall.
- School of Rock will hold its Ribbon Cutting Ceremony on Saturday, July 10<sup>th</sup>.



Town of Haymarket  
15000 Washington Street, #100  
Haymarket, VA 20169  
703-753-2600

**Roberto Gonzalez**  
Town Treasurer

TREASURER'S REPORT  
TOWN COUNCIL REGULAR MEETING  
July 10, 2017

**Highlights:**

- The financials attached are as of May 31, 2017
- We have been receiving BPOL's after the first round of delinquency letters.
- On May 22<sup>nd</sup> we had our final work session for the 2018 fiscal year budget.
- In collaboration with the Town Manager, prepared the final 2018 budget for presentation to the Council during the June 5<sup>th</sup> Town Council meeting.
- Prepared the amendments for Fiscal Year 2017 budget to present to Council on June 5<sup>th</sup>.
- A 2<sup>nd</sup> letter was sent out to businesses that remain delinquent on their BPOL's. A total of 20 town businesses should have received this letter, which also states that without current Town Business license they will not be eligible to participate in Haymarket Day.
- The Town's spending appears to be on track to remain within the amended budget for Fiscal Year 2017.

**Town of Haymarket**  
**Statement of Net Position**  
As of May 31, 2017

	May 31, 17
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
10000 · Cash & Cash Equivalents	1,066,977.10
11000 · CD's & Money Market Funds	346,813.80
11010 · Virginia Investment Pool	304,556.93
<b>Total Checking/Savings</b>	1,718,347.83
<b>Accounts Receivable</b>	
12000 · Accounts Receivable	110,780.71
12010 · A/R Permits	49.59
12020 · Delinquent Real Estate	3,204.90
12021 · Taxes Receivable - RE 2016	2,602.71
<b>Total Accounts Receivable</b>	116,637.91
<b>Other Current Assets</b>	
11499 · Undeposited Funds	23,550.36
12012 · Local Accounts Receivable-Other	-4,427.29
12099 · Allowance for Doubtful Accounts	-97,931.22
<b>Total Other Current Assets</b>	-78,808.15
<b>Total Current Assets</b>	1,756,177.59
<b>Fixed Assets</b>	
12500 · General Property	4,384,066.65
12600 · Rental Property	1,460,194.77
<b>Total Fixed Assets</b>	5,844,261.42
<b>Other Assets</b>	
19000 · Net Pension Asset	81,563.00
19100 · Deferred Outflow - Pension Cont	36,959.45
<b>Total Other Assets</b>	118,522.45
<b>TOTAL ASSETS</b>	<b>7,718,961.46</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
20000 · Accounts Payable	54,573.11
<b>Total Accounts Payable</b>	54,573.11
<b>Credit Cards</b>	
20040 · Town Credit Card	5.00
<b>Total Credit Cards</b>	5.00
<b>Other Current Liabilities</b>	
20030 · VA Dept of Housing & Comm. Dev.	175.20
20095 · Deferred Revenue - Events	15,660.00
20096 · Deferred Revenue - Other	10,000.00
20500 · Sales Tax Payable	18.72
21000 · Payroll Liabilities	6,704.70
22000 · Security Deposits	20,230.00
22010 · Escrow Deposits	303,247.54
<b>Total Other Current Liabilities</b>	356,036.16
<b>Total Current Liabilities</b>	410,614.27
<b>Long Term Liabilities</b>	
20080 · Accrued Interest Payable	13,878.48

Attachment: Financial Reports as of May 31, 2017 (3) : Treasurer's Report - Mr. Roberto Gonzalez

**Town of Haymarket**  
**Statement of Net Position**  
As of May 31, 2017

	May 31, 17
23000 · Accrued Leave	26,391.15
25000 · General Obligation Bonds	1,378,900.00
29100 · Deferred Inflow - Pension Msmnt	31,292.00
<b>Total Long Term Liabilities</b>	<b>1,450,461.63</b>
<b>Total Liabilities</b>	<b>1,861,075.90</b>
<b>Equity</b>	
34000 · Net Pension Activity Offset	87,230.45
30000 · Unrestricted Net Assets	1,313,631.23
31000 · Restricted Net Assets	6,000.00
32000 · Investment in Capital Assets	5,844,261.42
33000 · Amt Long Term Obligations	-1,419,169.63
Net Income	25,932.09
<b>Total Equity</b>	<b>5,857,885.56</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>7,718,961.46</b>

**Town of Haymarket**  
**Statement of Revenue & Expenditures for Month**  
**May 2017**

	<u>May 17</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
3120 · OTHER LOCAL TAXES	147,911.59
3130 · PERMITS, FEES & LICENSES	7,340.00
3140 · FINES & FORFEITURES	6,429.31
3150 · REVENUE - USE OF MONEY	1,023.01
3151 · RENTAL (USE OF PROPERTY)	14,023.25
3160 · CHARGES FOR SERVICES	907.50
3165 · REVENUE - TOWN EVENTS	4,450.00
3180 · MISCELLANEOUS	235.00
32 · REVENUE FROM COMMONWEALTH	17,881.42
33 · REVENUE FROM FEDERAL GOVERNMENT	<u>1,548.75</u>
<b>Total Income</b>	<u>201,749.83</u>
<b>Gross Profit</b>	201,749.83
<b>Expense</b>	
01 · ADMINISTRATION	55,297.83
03 · PUBLIC SAFETY	75,848.37
04 · PUBLIC WORKS	7,382.07
07 · PARKS, REC & CULTURAL	2,830.43
08 · COMMUNITY DEVELOPMENT	10,630.14
94103 · PEDESTRIAN IMPROVEMENT PROJECT	5,600.00
94105 · PERSONNEL	59.98
94106 · TOWN CENTER MASTER PLAN	<u>1,036.99</u>
<b>Total Expense</b>	<u>158,685.81</u>
<b>Net Ordinary Income</b>	<u>43,064.02</u>
<b>Net Income</b>	<u><u>43,064.02</u></u>

Attachment: Financial Reports as of May 31, 2017 (3) : Treasurer's Report - Mr. Roberto Gonzalez

**Town of Haymarket**  
**Revenue & Expenditures Actual To-Date vs Annual Budget**  
 July 2016 through May 2017

	Jul '16 - May 17	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
3110 · GENERAL PROPERTY TAXES	304,470.71	302,000.00	100.8%
3120 · OTHER LOCAL TAXES	1,110,126.95	1,275,000.00	87.1%
3130 · PERMITS,FEES & LICENESES	28,425.40	48,700.00	58.4%
3140 · FINES & FORFEITURES	58,209.43	50,000.00	116.4%
3150 · REVENUE - USE OF MONEY	8,322.57	10,000.00	83.2%
3151 · RENTAL (USE OF PROPERTY)	139,865.41	189,200.00	73.9%
3165 · REVENUE - TOWN EVENTS	68,901.82	40,000.00	172.3%
3180 · MISCELLANEOUS	12,581.10	1,900.00	662.2%
32 · REVENUE FROM COMMONWEALTH	172,746.78	183,500.00	94.1%
33 · REVENUE FROM FEDERAL GOVERNMENT	69,055.24	365,000.00	18.9%
<b>Total Income</b>	<u>1,977,617.91</u>	<u>2,465,300.00</u>	<u>80.2%</u>
<b>Gross Profit</b>	1,977,617.91	2,465,300.00	80.2%
<b>Expense</b>			
01 · ADMINISTRATION	652,251.88	712,350.00	91.6%
03 · PUBLIC SAFETY	704,830.20	775,900.00	90.8%
04 · PUBLIC WORKS	176,336.02	212,000.00	83.2%
07 · PARKS, REC & CULTURAL	43,719.94	70,650.00	61.9%
08 · COMMUNITY DEVELOPMENT	67,052.56	64,600.00	103.8%
09 · NON-DEPARTMENTAL	186,436.36	186,440.00	100.0%
94101 · CABOOSE ENHANCEMENT PROJECT	0.00	15,000.00	0.0%
94102 · HARROVER MASTER PLAN	3,104.66	150,000.00	2.1%
94103 · PEDESTRIAN IMPROVEMENT PROJECT	69,482.00	350,000.00	19.9%
94106 · TOWN CENTER MASTER PLAN	48,990.41	123,360.00	39.7%
9610 · General Reserve	0.00	30,000.00	0.0%
<b>Total Expense</b>	<u>1,951,685.82</u>	<u>2,690,300.00</u>	<u>72.5%</u>
<b>Net Ordinary Income</b>	25,932.09	-225,000.00	-11.5%
<b>Other Income/Expense</b>			
<b>Other Income</b>			
94201 · Transfer to Capital Imp. Proj.	0.00	-273,360.00	0.0%
41050 · Transfer from General Fund	0.00	273,360.00	0.0%
99000 · Use of Carry-over surplus	0.00	225,000.00	0.0%
<b>Total Other Income</b>	<u>0.00</u>	<u>225,000.00</u>	<u>0.0%</u>
<b>Net Other Income</b>	0.00	225,000.00	0.0%
<b>Net Income</b>	<u><u>25,932.09</u></u>	<u><u>0.00</u></u>	<u><u>100.0%</u></u>

Attachment: Financial Reports as of May 31, 2017 (3221 : Treasurer's Report - Mr. Roberto Gonzalez)



Town of Haymarket  
15000 Washington Street, #100  
Haymarket, VA 20169  
703-753-2600

**Kimberly L. Murray, CEcD, AICP**  
TOWN MANAGER

TOWN MANAGER'S REPORT  
TOWN COUNCIL REGULAR MEETING  
JULY 10, 2017

Below is a summary of activities and updates for Honorable Mayor and Town Council as of July 5, 2017.

**Meetings and Highlights:**

- *Town Center Project:* Staff is working with the consultant on the storm water designs to finalized the site plan to go on the Planning Commission agenda for final site plan review in August or September. We have submitted the plans to the estimator (Downey and Scott, LLC) to get an estimate on total project costs and will share that information with Council when available. Once known, then Council can discuss different funding and phasing options to accomplish the project in the next fiscal year and staff can prepare a request for bids for each section of the project. Staff is also coordinating with our representative from VML/VACO Finance, to prepare the funding timeline and information for Council to consider at an upcoming work session meeting.
- *VDOT/Chick-fil-A wall update:* After all the meetings and discussions the past few months, VDOT has indicated they do not believe they can properly remove the curing compound placed on the wall already in order for the stain or stone to adhere. They will be installing ivy along the wall to grow and cover it and incorporate its maintenance into their landscaping contract. This is the least favored option but perhaps once covered in greenery it will be less noticable.
- *Zoning Map:* At the June 5, 2017 Council meeting the Town Council tabled the adoption of the revised Zoning Map. Staff will be reviewing the current zoning map, the proposed map, review the comments received at the meeting, and putting forth a new proposal for the Council to consider. If substantially different than what the Planning Commission approved, the zoning map will be reviewed again by the Commission. Update and revisions to the Comprehensive Plan will be delayed until the full-time planner is on board.
- *Z Properties demolition appeal- 14941 Washington Street and 6707 Jefferson Street:* The applicant's attorney has asked that the appeal be deferred while they vet a potential new opportunity with the property which may include a new application to the ARB for review in the future.



**Administration and Personnel:**

- We continue to make needed IT upgrades and replaced three very old computers, one for the Police Department and two for Town Administration personnel.
- We continue to advertise for the Town Planner position.
- We received two FOIA requests this month.

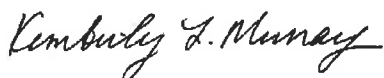
**Town Properties and Maintenance:**

- There are several street lights along Washington Street that are still in need of repair. The contractor ordered the parts and they will be fixed in the next few weeks. We have received the insurance claim funds for the broken pole at Town Hall that was damaged by a truck a few months ago and it will be repaired as well.
- The Town properties are fully leased and staff recommends not leasing the remaining space above the town administration offices, approximately 1,000 sq ft. This space could be used for temporary office space during construction and after the construction is completed it can be used for community gathering space for meetings and trainings. This space includes a closet for storage for chairs and tables and a small kitchenette. If this space is leased, it will reduce the amount of tax-exempt bonds available to pay for the construction.

**Finance:**

- Draft monthly financial reports ending May 31, 2017 are included with the Treasurer's report. Expenditures are on target for FY2017. We are working with our accountant to finalize the end of year activities.

Respectfully Submitted,



Kimberly L. Murray, CEcD, AICP  
Town Manager

## Special Use Permit Request - St. Michael's Academy

PLANNING COMMISSION RECOMMENDATION OF JULY 5, 2017

The Planning Commission recommended by unanimous vote at their regular monthly meeting on July 5, 2017 to approve the Special Use Permit request of St. Michael's Academy for a temporary modular classroom with conditions. Changes to the original conditions include a three year time limit and a limit on students to 145. Conditions as approved in previous applications for this use are to be included as below:

## 2017 SUP CONDITIONS

## SPECIAL USE PERMIT (SUP)

ST. MICHAEL'S ACADEMY, 6735 FAYETTE STREET

CONDITIONS OF APPROVAL – JUNE 2, 2014 from previous approval

TEMPORARY OPERATION OF EARLY LEARNING CENTER/ SCHOOL

## MOBILE CLASSROOM USE

1. Previous Special Use Permit (SUP) Conditions. The following Conditions of Approval supersede and replace the Plot Plan and Conditions of Approval of SUP20080527 for a special use permit to allow a temporary early learning center/school and classroom trailer upon property known as 6735 Fayette Street, GPIN 7297-89-5776, Town of Haymarket, Virginia (the "Property").

2. Substantial Conformance. The development of the Special Use described in Condition 3 below shall be in substantial conformance with the plot plan sheet 1 of 1 entitled "St. Paul's Church" dated May 12, 2014 (the "Plot Plan"), and the Town of Haymarket Zoning Ordinance (the "Zoning Ordinance") except as amended by the Conditions of Approval below which shall take precedence over matters on the Plot Plan in the event of conflicts. Approval of this permit for 6735 Fayette Street shall not relieve the applicant or the owner or owners ("Owners") of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.

3. Uses Permitted and Use Restrictions. This Special Use Permit SUP grants: (1) temporary operation of an early learning center/school pursuant to Section 58-52(3); and (2) temporary use a classroom trailer, pursuant to Section 58-53(5), as defined in the Zoning Ordinance in the R-1 (Residential) Zoning District. The maximum number of children permitted to be cared for

## Special Use Permit Request - St. Michael's Academy

at the early learning center/school at any one time shall not exceed **one-hundred forty five (145) children.**

4. Waiver of Development Standards. The following development standards are waived for the duration of the temporary operation of the early learning center/school and classroom trailer as described in the Request for Waivers for St. Paul's School Teaching the Basics dated July 14, 2008. These waivers shall terminate and be of no further effect on the Property upon termination of the temporary operation of the early learning center and use of the classroom trailer.

- a. Section 58-506, Site Plan
- b. Section 58-701, Buffer Yards
- c. Section 58-793, Parking Lot Landscaping
- d. Section 58-11(10), Parking Lot Paving
- e. Section 58-59(b), Corner Lots
- f. Section 58-57(a), Yard Regulations, Side

5. Hours of Operation. Hours of operation of the early learning center/school shall be limited to those hours described in the Special Use Permit Extension narrative accompanying the SUP request dated May 12, 2014.

6. Traffic Management. Traffic management for the early learning center/school shall be as described within the Amended Traffic Management Policy accompanying the SUP request dated May 12, 2014.

7. Site Access / Off-Street Parking. Vehicular access to and from the Property, to include deliveries of goods and materials, shall be as described on the Plot Plan and Amended Traffic Management Policy dated May 12, 2014. Any off-site parking attributed to the operation of the early learning center/school shall be limited to the Episcopal Church parking lot at 6750 Fayette Street.

8. Termination of Approval. This special use permit approval for temporary operation of an early learning center/school and classroom trailer use shall cease and terminate **three (3) years** from the date on which this Special Use is approved by the Town Council.

9. Removal of Classroom Trailer. The Owners shall remove the classroom trailer and associated structures and equipment within 90 days of cessation of the early learning center/school or expiration of the lease to operate the early learning center/school, whichever occurs first. Owners shall site shall restore

## Special Use Permit Request - St. Michael's Academy

the Property as closely as possible to pre-construction conditions. A written notice of said removal shall be provided to the Town by the Owners.

10. Enforcement. Failure by the Town of any other party to insist on any of the terms or conditions of the SUP or the provisions of any local, state or federal law or requirement shall not be deemed a waiver thereof.

## Special Use Permit Request - St. Michael's Academy

### Zoning Summary (provided to the Planning Commission, Public and Applicants):

The Special Use Permit (SUP) is for a temporary modular classroom. The renewal is to extend the SUP to allow additional time while the applicant constructs permanent school space.

Notifications and Schedule - All proper Public Hearing notifications have been made since the last Planning Commission meeting. The Public Hearing was continued to assure of proper public notification.

### Revised tentative schedule:

June 7th - Planning Commission Public Hearing  
 July 5th - Planning Commission Public Hearing (continued)  
 July 5th/August 2nd - Planning Commission recommendations  
 July 10th - Town Council Public Hearing  
 July 10th/August 7th - Town Council Approval

### Staff comments:

The request appears to be in conformance with the Comprehensive Plan policy guidelines and current Zoning Ordinance standards for this type of use.

### Planning Commission Action:

Recommend to the Town Council with any appropriate conditions as listed in the original Special Use Permit with the extended date for an additional three years.

Motion suggestion: An appropriate motion is to recommend approval of the Special Use Permit with conditions.

Suggested conditions include the conditions imposed in 2014 (next page) with the date extended to state three years from the final approval date by Town Council. Item number 8 as modified to reflect the revised date.

8. *Termination of Approval. This special use permit approval for SUP20140328 - (RENEWAL SUP 2017), temporary operation of an early learning center/school and classroom trailer use shall cease and terminate THREE years from the date on which this Special Use is approved by the Town Council.*

## Special Use Permit Request - St. Michael's Academy

**2014 SUP CONDITIONS**

SPECIAL USE PERMIT (SUP) 20140328

ST. PAUL'S SCHOOL, 6735 FAYETTE STREET

CONDITIONS OF APPROVAL – JUNE 2, 2014

TEMPORARY OPERATION OF EARLY LEARNING CENTER/ SCHOOL

MOBILE CLASSROOM USE

1. Previous Special Use Permit (SUP) Conditions. The following Conditions of Approval supersede and replace the Plot Plan and Conditions of Approval of SUP20080527 for a special use permit to allow a temporary early learning center/school and classroom trailer upon property known as 6735 Fayette Street, GPIN 7297-89-5776, Town of Haymarket, Virginia (the "Property").

2. Substantial Conformance. The development of the Special Use described in Condition 3 below shall be in substantial conformance with the plot plan sheet 1 of 1 entitled "St. Paul's Church" dated May 12, 2014 (the "Plot Plan"), and the Town of Haymarket Zoning Ordinance (the "Zoning Ordinance") except as amended by the Conditions of Approval below which shall take precedence over matters on the Plot Plan in the event of conflicts. Approval of this permit for 6735 Fayette Street shall not relieve the applicant or the owner or owners ("Owners") of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.

3. Uses Permitted and Use Restrictions. This Special Use Permit SUP 20140328 grants: (1) temporary operation of an early learning center/school pursuant to Section 58-52(3); and (2) temporary use a classroom trailer, pursuant to Section 58-53(5), as defined in the Zoning Ordinance in the R-1 (Residential) Zoning District. The maximum number of children permitted to be cared for at the early learning center/school at any one time shall not exceed one-hundred forty (140) children.

4. Waiver of Development Standards. The following development standards are waived for the duration of the temporary operation of the early learning center/school and classroom trailer as described in the Request for Waivers for St. Paul's School Teaching the Basics dated July 14, 2008. These waivers shall terminate and be of no further effect on the Property upon

## Special Use Permit Request - St. Michael's Academy

termination of the temporary operation of the early learning center and use of the classroom trailer.

- a. Section 58-506, Site Plan
- b. Section 58-701, Buffer Yards
- c. Section 58-793, Parking Lot Landscaping
- d. Section 58-11(10), Parking Lot Paving
- e. Section 58-59(b), Corner Lots
- f. Section 58-57(a), Yard Regulations, Side

5. Hours of Operation. Hours of operation of the early learning center/school shall be limited to those hours described in the Special Use Permit Extension narrative accompanying the SUP request dated May 12, 2014.

6. Traffic Management. Traffic management for the early learning center/school shall be as described within the Amended Traffic Management Policy accompanying the SUP request dated May 12, 2014.

7. Site Access / Off-Street Parking. Vehicular access to and from the Property, to include deliveries of goods and materials, shall be as described on the Plot Plan and Amended Traffic Management Policy dated May 12, 2014. Any off-site parking attributed to the operation of the early learning center/school shall be limited to the Episcopal Church parking lot at 6750 Fayette Street.

8. Termination of Approval. This special use permit approval for SUP20140328, temporary operation of an early learning center/school and classroom trailer use shall cease and terminate one year from the date on which this Special Use SUP20140328 is approved by the Town Council.

9. Removal of Classroom Trailer. The Owners shall remove the classroom trailer and associated structures and equipment within 90 days of cessation of the early learning center/school or expiration of the lease to operate the early learning center/school, whichever occurs first. Owners shall site shall restore the Property as closely as possible to pre-construction conditions. A written notice of said removal shall be provided to the Town by the Owners.

10. Enforcement. Failure by the Town of any other party to insist on any of the terms or conditions of SUP20140328 or the provisions of any local, state or federal law or requirement shall not be deemed a waiver thereof.



Town of Haymarket  
15000 Washington Street, #100  
Haymarket, VA 20169  
703-753-2600

**Kimberly L. Murray, CECD, AICP**  
TOWN MANAGER

## MEMORANDUM

TO: Honorable Mayor and Town Council  
FROM: Kimberly L. Murray, Town Manager  
DATE: July 10, 2017  
SUBJECT: Discussion: To Adopt a Policy Governing Participation in Meetings by Members of the Town Council and Appointed Boards Through Electronic Communication

Based on Town Council direction at the June 5, 2017 meeting this item is to be discussed in further detail at the July 10, 2017 meeting. Attached is the section of Virginia Code § 2.2-3708 regulating remote participation and the original packet of material submitted for the June 5, 2017 Council meeting for your information.

Please contact me with any questions.



Code of Virginia  
 Title 2.2. Administration of Government  
 Chapter 37. Virginia Freedom of Information Act

## § 2.2-3708.1. Participation in meetings in event of emergency or personal matter; certain disabilities; distance from meeting location for certain public bodies

A. A member of a public body may participate in a meeting governed by this chapter through electronic communication means from a remote location that is not open to the public only as follows and subject to the requirements of subsection B:

1. If, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the public body holding the meeting records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer;

2. If a member of a public body notifies the chair of the public body that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the public body records this fact and the remote location from which the member participated in its minutes; or

3. If, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting and the public body holding the meeting records in its minutes the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

B. Participation by a member of a public body as authorized under subsection A shall be only under the following conditions:

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

2. A quorum of the public body is physically assembled at the primary or central meeting location; and

3. The public body makes arrangements for the voice of the remote participant to be heard by all

persons at the primary or central meeting location.

2007, c. 945;2013, cc. 119, 694;2014, cc. 492, 524.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Attachment: RESOLUTION #2017-07: Remote Participation - Discussion Packet (3223 : Discussion: Remote Participation by Elected Officials & Board



Town of Haymarket  
15000 Washington Street, #100  
Haymarket, VA 20169  
703-753-2600

**Kimberly L. Murray, CEcD, AICP**  
TOWN MANAGER

## MEMORANDUM

TO: Honorable Mayor and Town Council  
FROM: Kimberly L. Murray, Town Manager  
DATE: June 5, 2017  
SUBJECT: Resolution #2017-07: To Adopt a Policy Governing Participation in Meetings by Members of the Town Council and Appointed Boards Through Electronic Communication

### BACKGROUND:

The Council has directed the Town Manager to consider the process for developing a policy for remote participation of a Board member on occasion under certain circumstances. Sometimes meetings have been cancelled due to lack of quorum where if remote participation was allowed, town business could continue to be conducted.

Localities are permitted, but not required, to allow individual members of their public bodies to participate in a public meeting remotely, by electronic or telephonic means. Pursuant to § 2.2-3708.1.B-1, interested localities must develop a remote participation policy prior to allowing such remote participation, which will be applied uniformly to all members and all requests. Attached is the referenced portion of the Code of Virginia.

### PURPOSE:

This resolution is to supplement the Town of Haymarket's Effective Policies and Procedures to allow for remote participation in public meetings by members of three Town bodies: The Town Council, the Planning Commission, and the Architectural Review Board. (The Board of Zoning Appeals is deliberately omitted from this resolution, due to its quasi-judicial nature, its irregular meeting schedule, and the legal consequences of its decisions.)

The change may increase efficiencies, reduce administrative costs from rescheduling and noticing meetings, and reduce unnecessary delays of land development applications. and possibly save Town funds by reducing the number of meetings it is necessary to call for the resolution of contentious questions, at which a deciding vote may be split and issues therefore unresolved, due to members' absence. The policy would also serve to keep the Town's public officials more uniformly informed on current matters, since they could participate in, and

benefit from, group discussions even if an emergency or personal matter keeps them from attending in person.

**STAFF RECOMMENDATION:**

The Council may wish to adopt the attached resolution in support of authorizing Remote Participation as described, discuss the proposed policy, or table it for further discussion at a future meeting.

**DRAFT MOTION:**

*"I move to adopt Resolution #2017-07: To Adopt a Policy Governing Participation in Meetings by Members of the Town Council and Appointed Boards Through Electronic Communication."*

Or

*An alternate Motion*

RESOLUTION #2017-07  
 A RESOLUTION TO ADOPT A POLICY GOVERNING PARTICIPATION IN MEETINGS BY  
 MEMBERS OF THE TOWN COUNCIL AND APPOINTED BOARDS  
 THROUGH ELECTRONIC COMMUNICATION

WHEREAS, Virginia Code § 2.2-3708.1 provides for members of the Town Council, the Architectural Review Board, and the Planning Commission to be allowed to participate in a meeting through electronic or telephonic communication means from a remote location that is not open to the public, provided that a quorum of the body in question is physically assembled at the primary meeting location, and that arrangements are made in advance for the voice of the remote participant to be heard by all persons at the primary meeting location; and

WHEREAS, the members of the Town Council wish to adopt a policy to allow for those emergency or unexpected situations which may arise and prevent members from attending meetings in person; and

WHEREAS, the Town Council believes that providing for such participation by adoption of a policy complying with the said statute will promote the interests of the Town and its citizens.

NOW THEREFORE, BE IT RESOLVED that the Haymarket Town Council adopts the following policy applicable to the Town Council, Planning Commission and Architectural Review Board as set forth below:

1. Such remote participation shall be subject to the approval of the presiding officer of the applicable Board or Town Council meeting.
2. On or before the day of a meeting, a member of the Board or Council holding the meeting notifies the presiding officer that such member is unable to attend the meeting due to an emergency, temporary disability or personal matter and identifies with specificity the nature of the emergency, temporary disability, or personal matter and record in the minutes.
3. If a member's participation from a remote location is disapproved because such participation would violate the policy set out in this section, such disapproval shall be recorded in the minutes with specificity.
4. Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer.
5. A quorum of the Board or Council meeting must be physically assembled at the primary or central meeting location.
6. A Town Board or Council shall record in its minutes all instances of remote participation, and the remote location from which a member participates.
7. Instances of remote participation shall be included in the total of meetings attended for the purpose of calculating the monthly compensation of the Town's elected and appointed officials.

BY ORDER OF THE COUNCIL

Done this 5<sup>th</sup> day of June 2017

Motioned by:

Seconded by:

Ayes:

Nays:

Abstain:

Absent:

ATTEST:

---

Danielle Kijewski, Clerk of Council





TO: Town of Haymarket Town Council  
SUBJECT: Certification of Closed Session  
DATE: July 10, 2017.

---

Move to Certify:

That to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.





**Town of Haymarket**  
**Statement of Net Position**  
As of May 31, 2017

	May 31, 17
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
10000 · Cash & Cash Equivalents	1,066,977.10
11000 · CD's & Money Market Funds	346,813.80
11010 · Virginia Investment Pool	304,556.93
<b>Total Checking/Savings</b>	1,718,347.83
<b>Accounts Receivable</b>	
12000 · Accounts Receivable	110,780.71
12010 · A/R Permits	49.59
12020 · Delinquent Real Estate	3,204.90
12021 · Taxes Receivable - RE 2016	2,602.71
<b>Total Accounts Receivable</b>	116,637.91
<b>Other Current Assets</b>	
11499 · Undeposited Funds	23,550.36
12012 · Local Accounts Receivable-Other	-4,427.29
12099 · Allowance for Doubtful Accounts	-97,931.22
<b>Total Other Current Assets</b>	-78,808.15
<b>Total Current Assets</b>	1,756,177.59
<b>Fixed Assets</b>	
12500 · General Property	4,384,066.65
12600 · Rental Property	1,460,194.77
<b>Total Fixed Assets</b>	5,844,261.42
<b>Other Assets</b>	
19000 · Net Pension Asset	81,563.00
19100 · Deferred Outflow - Pension Cont	36,959.45
<b>Total Other Assets</b>	118,522.45
<b>TOTAL ASSETS</b>	<b>7,718,961.46</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
20000 · Accounts Payable	54,573.11
<b>Total Accounts Payable</b>	54,573.11
<b>Credit Cards</b>	
20040 · Town Credit Card	5.00
<b>Total Credit Cards</b>	5.00
<b>Other Current Liabilities</b>	
20030 · VA Dept of Housing & Comm. Dev.	175.20
20095 · Deferred Revenue - Events	15,660.00
20096 · Deferred Revenue - Other	10,000.00
20500 · Sales Tax Payable	18.72
21000 · Payroll Liabilities	6,704.70
22000 · Security Deposits	20,230.00
22010 · Escrow Deposits	303,247.54
<b>Total Other Current Liabilities</b>	356,036.16
<b>Total Current Liabilities</b>	410,614.27
<b>Long Term Liabilities</b>	
20080 · Accrued Interest Payable	13,878.48

**Town of Haymarket**  
**Statement of Net Position**  
As of May 31, 2017

---

	<b>May 31, 17</b>
23000 · Accrued Leave	26,391.15
25000 · General Obligation Bonds	1,378,900.00
29100 · Deferred Inflow - Pension Msmnt	31,292.00
<b>Total Long Term Liabilities</b>	<b>1,450,461.63</b>
<b>Total Liabilities</b>	<b>1,861,075.90</b>
<b>Equity</b>	
34000 · Net Pension Activity Offset	87,230.45
30000 · Unrestricted Net Assets	1,313,631.23
31000 · Restricted Net Assets	6,000.00
32000 · Investment in Capital Assets	5,844,261.42
33000 · Amt Long Term Obligations	-1,419,169.63
Net Income	25,932.09
<b>Total Equity</b>	<b>5,857,885.56</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>7,718,961.46</b>

**Town of Haymarket**  
**Statement of Revenue & Expenditures for Month**  
**May 2017**

---

	<b>May 17</b>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
3120 · OTHER LOCAL TAXES	147,911.59
3130 · PERMITS, FEES & LICENSES	7,340.00
3140 · FINES & FORFEITURES	6,429.31
3150 · REVENUE - USE OF MONEY	1,023.01
3151 · RENTAL (USE OF PROPERTY)	14,023.25
3160 · CHARGES FOR SERVICES	907.50
3165 · REVENUE - TOWN EVENTS	4,450.00
3180 · MISCELLANEOUS	235.00
32 · REVENUE FROM COMMONWEALTH	17,881.42
33 · REVENUE FROM FEDERAL GOVERNMENT	1,548.75
<b>Total Income</b>	201,749.83
<b>Gross Profit</b>	201,749.83
<b>Expense</b>	
01 · ADMINISTRATION	55,297.83
03 · PUBLIC SAFETY	75,848.37
04 · PUBLIC WORKS	7,382.07
07 · PARKS, REC & CULTURAL	2,830.43
08 · COMMUNITY DEVELOPMENT	10,630.14
94103 · PEDESTRIAN IMPROVEMENT PROJECT	5,600.00
94105 · PERSONNEL	59.98
94106 · TOWN CENTER MASTER PLAN	1,036.99
<b>Total Expense</b>	158,685.81
<b>Net Ordinary Income</b>	43,064.02
<b>Net Income</b>	<b>43,064.02</b>

**Town of Haymarket**  
**Revenue & Expenditures Actual To-Date vs Annual Budget**  
 July 2016 through May 2017

	Jul '16 - May 17	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
3110 · GENERAL PROPERTY TAXES	304,470.71	302,000.00	100.8%
3120 · OTHER LOCAL TAXES	1,110,126.95	1,275,000.00	87.1%
3130 · PERMITS,FEES & LICENESES	28,425.40	48,700.00	58.4%
3140 · FINES & FORFEITURES	58,209.43	50,000.00	116.4%
3150 · REVENUE - USE OF MONEY	8,322.57	10,000.00	83.2%
3151 · RENTAL (USE OF PROPERTY)	139,865.41	189,200.00	73.9%
3165 · REVENUE - TOWN EVENTS	68,901.82	40,000.00	172.3%
3180 · MISCELLANEOUS	12,581.10	1,900.00	662.2%
32 · REVENUE FROM COMMONWEALTH	172,746.78	183,500.00	94.1%
33 · REVENUE FROM FEDERAL GOVERNMENT	69,055.24	365,000.00	18.9%
<b>Total Income</b>	<u>1,977,617.91</u>	<u>2,465,300.00</u>	<u>80.2%</u>
<b>Gross Profit</b>	1,977,617.91	2,465,300.00	80.2%
<b>Expense</b>			
01 · ADMINISTRATION	652,251.88	712,350.00	91.6%
03 · PUBLIC SAFETY	704,830.20	775,900.00	90.8%
04 · PUBLIC WORKS	176,336.02	212,000.00	83.2%
07 · PARKS, REC & CULTURAL	43,719.94	70,650.00	61.9%
08 · COMMUNITY DEVELOPMENT	67,052.56	64,600.00	103.8%
09 · NON-DEPARTMENTAL	186,436.36	186,440.00	100.0%
94101 · CABOOSE ENHANCEMENT PROJECT	0.00	15,000.00	0.0%
94102 · HARROVER MASTER PLAN	3,104.66	150,000.00	2.1%
94103 · PEDESTRIAN IMPROVEMENT PROJECT	69,482.00	350,000.00	19.9%
94106 · TOWN CENTER MASTER PLAN	48,990.41	123,360.00	39.7%
9610 · General Reserve	0.00	30,000.00	0.0%
<b>Total Expense</b>	<u>1,951,685.82</u>	<u>2,690,300.00</u>	<u>72.5%</u>
<b>Net Ordinary Income</b>	25,932.09	-225,000.00	-11.5%
<b>Other Income/Expense</b>			
<b>Other Income</b>			
94201 · Transfer to Capital Imp. Proj.	0.00	-273,360.00	0.0%
41050 · Transfer from General Fund	0.00	273,360.00	0.0%
99000 · Use of Carry-over surplus	0.00	225,000.00	0.0%
<b>Total Other Income</b>	<u>0.00</u>	<u>225,000.00</u>	<u>0.0%</u>
<b>Net Other Income</b>	<u>0.00</u>	<u>225,000.00</u>	<u>0.0%</u>
<b>Net Income</b>	<u><u>25,932.09</u></u>	<u><u>0.00</u></u>	<u><u>100.0%</u></u>