

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
January 3, 2019**

A Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, January 3, 2019, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Donald W. Allen
Amy E. Evers
Melissa Hoffmann
Michael B. Hummel
Frederick J. Lyne

Staff Members Present

Melissa Hynes, Town Administrator, Town Planner/Zoning Administrator
Maureen Gilmore, Town Attorney

Others Present

Deputy LoPreto, Loudoun County Sheriff's Office
Sergeant Jack Brumbaugh, Loudoun County Sheriff's Office
Casey Chapman
John Chapman
Clinton Chapman

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:31 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

IN RE: COMMUNITY POLICING

Deputy LoPreto reported that Deputy Cornwall, who attended the last meeting of the Town Council, will serve as his replacement, and will be the only officer assigned to western Loudoun County. Deputy Cornwall will be the only officer assigned to this area until the next class, or the class following that, graduates from the academy. Deputy LoPreto also reported that Sergeant Lockhart, who has been serving as his supervisor, has been promoted to Lieutenant and will assume leadership of the Traffic Division. Deputy LoPreto introduced Sergeant Jack Brumbaugh, who will replace Lieutenant Lockhart. Deputy LoPreto noted that Sergeant Brumbaugh is "a very hands-on supervisor" who is very proactive, and stated "he's just a really all-around good guy." Deputy LoPreto then asked if there were any questions. Mayor Ramsey noted that he had read, on Facebook, about a disturbance in The Villages; Deputy LoPreto stated

that the incident happened on New Year's Eve, and involved a difference of opinion between two parties, with a quick response provided by the Sheriff's Office. In response to a question from an attendee, Deputy LoPreto noted that his date of retirement will be determined soon, and will occur sometime in February. The Deputy stated that he has served as a Community Policing Officer for five to six years, and that the assignment requires that the officer is "on call" a great deal of the time.

Council thanked Deputy LoPreto for his report, and wished him the best in his future endeavors.

IN RE: ROLL CALL

Mayor Ramsey reported that all Council Members are in attendance.

IN RE: PUBLIC COMMENT

There was no Public Comment.

IN RE: ADOPTION OF REGULAR MEETING AGENDA (Amendments & Deletions)

Vice-Mayor Graham moved **that the Agenda be adopted, with the following changes: under Action Items, add Item #4 – Legislative Agenda Adoption and Letter of Support for ERA; and, delete the Executive Session.** Councilperson Hummel seconded the motion. There was no discussion of the motion. A vote was then held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Donald W. Allen	Aye
Melissa Hoffmann	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye
Frederick J. Lyne	Aye

IN RE: APPROVAL OF MINUTES

1. December 6, 2018 Town Council Meeting

Councilperson Hummel provided the following correction: on page two, at the end of the second paragraph, the phrase should read *Ms. Albright thanked **the** Council, not **that** Council.* Vice-Mayor Graham also noted that Councilperson Hoffmann's name is spelled with a double "m." There were no further corrections. Vice-Mayor Graham then made a motion **to approve the minutes, as corrected;** Councilperson Allen seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Donald W. Allen	Aye
Melissa Hoffmann	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye
Frederick J. Lyne	Aye

IN RE: BUSINESS ITEMS

1. Presentation by Casey Chapman (Powers Thomas Property)

Mayor Ramsey noted that materials related to this item are included in Council packets, and that information was also sent to Council Members via e-mail. Town Administrator Hynes introduced Mr. Casey Chapman, noting that he is representing the owners of the Powers Thomas property, which is located adjacent to the Western Loudoun Sheriff's Office Substation. Ms. Hynes explained that she asked Mr. Chapman to present his proposal for the site to the Town Council. Mr. Chapman then spoke, beginning his remarks by thanking the Mayor and Council Members for providing him the opportunity to speak to them and to present his proposal for the site at 41 West Loudoun Street. Mr. Chapman stated that he was contacted by Mr. and Mrs. Thomas, and asked if he would help with their property; a map showing the location of the parcels was presented for review. Mr. Chapman stated that the proposal devised for the site was developed to try to meet Comprehensive Plan requirements and to work within those parameters; he noted, however, that some adjustments may be needed. Mr. Chapman stated that the plan devised was done so to support the concept of community, with a gathering place included, and the development being done on a grid pattern. Mr. Chapman stated that the plan being put forth is a "miniature agrihood," in which the green space is applied to a rural use, such as growing plants in planters and/or greenhouses, and/or including trails. This use helps to provide a sense of community, both for those living there, and for the entire Town. Mr. Chapman stated that Mr. and Mrs. Powers have been adamant about preserving the property, which they love, and, at the same time, increasing the functionality of the property; this is what allowed he and the Powers' to arrive at the plan being put forth this evening. Mr. Chapman referenced the "Heritage and Community Character" chapter of the Town's Comprehensive Plan, and explained how this proposal for the Powers' property could serve as a transition/buffer between the Sheriff's Office Substation and the single-family homes adjacent to the parcel. Mr. Chapman presented an example of this type of "agrihood," Courtland Square, proposed for development in the Town of Purcellville, noting how the developers kept size and scale in order and focused on green space, to ensure that it does not have a "cookie cutter" look and feel. Mr. Chapman stated that this type of development preserves a large amount of green space, and that the grid pattern helps provide connectivity to other sidewalks and trails in Round Hill. Mr. Chapman noted that the plan being presented this evening is just a conceptual plan, which fits the description of the goals Mr. and Mrs. Thomas have for

their property – which includes growing and aging in place. Mr. Chapman explained that community barns and greenhouses would be built, and that the existing house would remain; additionally, ponds which currently exist on the property would be retained and employed in the agricultural-type uses. Mr. Chapman also explained how the agricultural-type uses, with gardens and greenhouses, would facilitate resident participation in the community. Mr. Chapman presented a conceptual drawing of the proposed plan for Council review; Mr. Chapman also discussed the proposed zoning designation for the property, noting that the current designation of R-6 seems to them a little extreme, and that it would eliminate existing ponds and features. Mr. Chapman noted that the proposal being put forth likely would require an amendment of the current zoning, or some type of agreement regarding development there. Mr. Chapman then stated that he was open to any questions or thoughts Council may have regarding the proposal. Mayor Ramsey asked for the total density being proposed; Mr. Chapman stated that the development would include forty-seven townhomes and the existing residence. Mayor Ramsey also asked for the total acreage of the property; Mr. Chapman stated that it is nearly fifteen acres. Mayor Ramsey noted that this would provide for a density of over three units per acre. Vice-Mayor Graham asked who developed Courtland Square, the similar project in Purcellville. Mr. Chapman introduced his father, John; Mr. John Chapman, who constructed the roads in that development, stated that Mr. Bruce Brownell developed the parcel. Councilperson Lyne asked how many acres, and the number of units, are included in the Courtland Square development; Mr. Chapman stated that he was unsure, but would determine the information and provide it to the Council. Mr. Chapman explained that he used the original plans for Courtland Square in developing this proposal for the Thomas property. Vice-Mayor Graham asked Zoning Administrator Hynes if approval of this plan would open the door for other applications to build townhomes; Ms. Hynes stated that it would not, inside the Town limits, and noted that the property under discussion this evening is outside the Town limits, but is in the JLMA, to which the Town provides water and sewer service. The property is in the short-term plan for a boundary line adjustment. The policy put forth in the Town's Comprehensive Plan calls for an R-2 zoning designation for the property; the proposal presented this evening would require both a Comprehensive Plan amendment and a Zoning Ordinance amendment. Councilperson Hummel also noted that development under R-2 zoning would require that numerous conditions be met. Therefore, Zoning Administrator Hynes noted, the existing conditions required for the building of townhomes at the site would not exist for other properties located inside the Town limits, unless the Comprehensive Plan is changed for any another property. Mr. Chapman noted that, by putting forth this proposal, they are requesting more restrictions and are trying to create a practical development plan for the property. Mayor Ramsey stated that the proposal before Council this evening requires greater density than that allowed by the recently approved Comprehensive Plan; Mr. Ramsey noted that the Comprehensive Plan was written under the belief that the property would, eventually, be brought into the Town limits, and that the zoning provided for the property was a one-acre base, with two-acres possible under certain conditions. Mayor Ramsey explained that it would be up to the Council to decide upon undertaking a

Comprehensive Plan amendment for the property, so that the proposal could be considered. Mr. Chapman noted items contained in the proposal which do address requirements set out in the Comprehensive Plan. Councilperson Hummel stated that the Comprehensive Plan led to some ideas of building different types of housing, which can be done without being at the density proposed, and that a Courtland Square-type of development could be done on the Thomas property without being at the density proposed. Councilperson Hummel also stated that the language included in the Comprehensive Plan, for these types of parcels, was language that Mr. and Mrs. Thomas requested be included. Councilperson Hummel asked why the third parcel owned by the Thomases is not included in this proposal, stating his belief that it should be included. Council reviewed a map of the site, to determine the location of this third parcel; it was noted that Mr. Chapman did not intentionally omit the additional parcel. Mayor Ramsey asked if the proposal includes a road connection to Walraven Way; Mr. Chapman noted that a goal is to provide connectivity between Business Route 7 and Walraven Way, and pointed out two areas of the parcel which could be utilized to do so. Discussion of this ensued, with Councilperson Hummel explaining that using the access road to the Sheriff's Office Substation could provide the connection to Walraven Way. Mayor Ramsey stated that the Town would support this option. Mr. John Chapman then addressed the Thomas' existing house, noting that Mr. and Mrs. Thomas would like for the structure to remain intact in perpetuity, and stating that it may be possible that it be converted to some type of public use in the future. Councilperson Hummel also provided background on the property, explaining that the area of the property which contains the ponds is in a permanent conservation easement; Mr. Hummel also noted that the plan presented this evening provides for open space everywhere there is a conservation easement on the property. There was further brief discussion of the density allowed on the parcel, as provided for in the Comprehensive Plan. Vice-Mayor Graham also noted that, during the update of the Comprehensive Plan, there was discussion of using the property for the construction of an assisted-living facility; Mayor Ramsey stated that this type of use would be considered as fulfilling one of the objectives of the Comprehensive Plan, and could garner support. Mr. Casey Chapman stated that a goal is to provide a development in which there is a sense of community, and which best utilizes the open space and builds on the agricultural history and characteristics of western Loudoun County; Mr. Chapman stated that, if the density in the proposal is too high, he will "go back to the drawing board." Mr. Chapman also invited any Council Member who may wish to do so, to meet with him to tour the Thomas property and/or Courtland Square. The changes to the plan suggested by Council were reviewed with Mr. Chapman, who thanked Council Members for their input. There was no further discussion. Council thanked Mr. Chapman for his presentation; Mr. Chapman thanked Council for the opportunity.

2. ZOAM-2018-02 – Restaurant Legislation (Draft)

Town Administrator Hynes provided background information on this item, noting that, at present, a special exception is required for a restaurant use in Round Hill; Ms. Hynes explained that potential business owners find this process too uncertain. The Town

Council, therefore, requested that the Planning Commission amend the Zoning Ordinance to make a restaurant use by-right, governed by Use Standards. Ms. Hynes explained that the hope is to hold a joint public hearing for this amendment in February, following Council review of the document. Vice-Mayor Graham asked if the Planning Commission has completed its review of the amendment; Councilperson Hummel, the Town Council representative to the Planning Commission, stated that the Planning Commission intends to complete its review at its upcoming meeting, and would incorporate suggestions/comments made by the Town Council with which the Commissioners agree. Councilperson Hummel also stated that the Planning Commission will hold a public hearing in February, whether with the Town Council or not, but hopes to streamline the process and hold a joint hearing.

Councilperson Hummel provided an overview of the changes made by the Planning Commission, explaining that the *Definitions*, the *B-1 Business District* section, and the *Use Standards* will be amended by ZOAM-2018-02. Mayor Ramsey asked if the newly added *Use Standards* will apply to the PD-CC District; Town Administrator Hynes stated that *Use Standards* have not been included in the PD-CC District section, but could be added, if Council wishes to do so. Ms. Hynes noted that a drive-through restaurant is not permitted, but that a definition should be included to ensure the use is clearly understood. Town Administrator Hynes explained that ordinances governing the various restaurant uses are dependent upon the amount of parking required – a full-service restaurant requires more parking as patrons will be there for a longer period of time, whereas a carry-out restaurant would require less parking as patrons are just picking up food and leaving. Discussion of inclusion of *Use Standards* in the PD-CC ordinance ensued, with it being decided that the issue should be addressed, and the determination made that it should be done separately and at a later date. Town Administrator Hynes explained that the Planning Commission provided for a *Special Events Permit*, which would allow for a later-than-normal closing time, up to five times per year; Ms. Hynes further explained that she just wrote language to be included in the document to address this issue, which the Planning Commission will review at its upcoming meeting. Town Administrator Hynes stated that the Planning Commission decided to apply the County Noise Ordinance in this amendment; it was noted that infractions of this item would be enforced as a zoning violation.

Vice-Mayor Graham noted that the definition of a quick-service food store states that it "shall not include an automobile service station;" however, Ms. Graham noted, that is where most quick-service food stores are found. Town Administrator Hynes clarified that automobile service stations carry a limited number of food items, and are not considered a quick-service food store. Mayor Ramsey asked if, as the ordinance is currently written, a quick-service food store could be an accessory use to a service station, noting his belief that it could not; it was determined that language should be added to address this issue.

Craft breweries, and breweries which include a restaurant use, were then discussed. Councilperson Hoffmann explained that a brewery which also houses a restaurant is required to hold two licenses – one for the brewery and one for the restaurant. Town Administrator Hynes explained that the primary use for a business would be the determining factor in the zoning for that business; discussion of these requirements ensued, with Councilperson Hoffmann providing information regarding the requirements for food service at breweries, and noting that the square footage of the business serves as a determining factor for the number of barrels produced, and thus the requirements for food service on-site. Councilperson Lyne expressed his concern that the use of a building as a brew pub is being precluded by the manner in which the amendment is written; discussion ensued, with it being determined that the Town's *Use Standards* and *Definitions* should be written in such a way that they fit the same categorization as the state licenses.

It was decided to move ahead with a joint public hearing for this amendment, if the Planning Commission determines, at its upcoming meeting, that the document is ready for the hearing. The changes to the document requested by the Town Council were reviewed. There was also further discussion of how best to handle noise issues at these types of businesses.

IN RE: ACTION ITEMS

1. 2019 Town Council Budget Schedule

Town Administrator Hynes noted that two extra meetings were added to this schedule; all other items in the schedule remained as discussed at the last Town Council meeting. Ms. Hynes explained that her goal is to provide an overview of the budget first, so that Council Members will be more familiar with items included in the budget documents. Councilperson Lyne noted that these budget discussions provide an opportunity for Council Members to suggest projects/items they feel are important to include in the budget, and which may not have been discussed at the fall Strategic Planning Meeting. Mayor Ramsey requested that an analysis of the current year's budget be included in materials used for the budget overview. There was discussion of changes in personnel which affected financial planning and reporting for the Town, and of the efforts underway to ensure that all financial reporting is up-to-date prior to the beginning of budget discussions. Vice-Mayor Graham then made a motion **that the Town Council adopt the budget schedule, as presented**; Councilperson Evers seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 6-0. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Donald W. Allen	Aye
Melissa Hoffmann	Aye
Mary Anne Graham	Aye

Donald W. Allen	Aye
Melissa Hoffmann	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye
Frederick J. Lyne	Aye

Town Administrator Hynes stated that she will prepare a formal Resolution for the Mayor's signature.

3. ZOAM-2018-01 – Guest Lodging, Senior Housing & Accessory Apartments

Mayor Ramsey explained that this ZOAM had been previously scheduled for a vote, but that vote was deferred until all Council Members could be present. The Mayor also noted that no changes to the details of the document have been made since its presentation in October 2018. Vice-Mayor Graham requested that *Article 25, Section 25.3.3 – Bed and Breakfast Facilities, Item "e"* be changed; this item calls out specific areas in Round Hill in which a bed and breakfast use is by-right, however, Vice-Mayor Graham requested that the amendment not identify specific areas. There were no objections to this proposed change. Town Administrator Hynes requested that, if this amendment is approved by Council this evening, a period of at least thirty-days prior to its implementation be provided, in order for Staff to ensure the permitting process and requisite forms are in place. Mayor Ramsey then called for a motion. Vice-Mayor Graham made a motion **that the Town Council adopt ZOAM-2018-01, with the change made to the bed and breakfast item, as requested, to be effective March 1, 2019**; Councilperson Evers seconded the motion. Mayor Ramsey called for discussion of the motion. Councilperson Lyne expressed his appreciation to Council for changing the date of the vote, so that he could be in attendance. Mr. Lyne also expressed his concern regarding *interior* accessory units, stating that he is against the idea of being able to take a single-family house and "carve out," from that single-family house, an apartment. Councilperson Lyne further stated that he does not have an issue with an *exterior* accessory dwelling, as much as "carving up" an existing structure into an apartment. Councilperson Lyne stated that it is time to vote on the ZOAM, and noted that he intends to vote against it; he reiterated his appreciation to the Council for moving the vote to a date when he could be in attendance. There was no further discussion of the motion. A vote was then held; the motion was approved 5-1, with Councilperson Lyne voting no. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Aye
Donald W. Allen	Aye
Melissa Hoffmann	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye
Frederick J. Lyne	Nay

Mayor Ramsey stated that ZOAM-2018-01 has been enacted by a vote of 5-1, with Councilperson Lyne voting "no." Town Administrator Hynes thanked the Council for its work and the ensuing vote, noting that work began on this amendment in March of 2017.

4. Legislative Agenda/ERA

Town Administrator Hynes asked to clarify that the VML Legislative Agenda had been voted upon; it was noted that the Council had voted to adopt the Agenda. Ms. Hynes also noted that the resolution of support for adoption of the Equal Rights Amendment by the Commonwealth of Virginia had been discussed previously, but that a vote had not been taken, as all Council Members were not in agreement with the language contained in that resolution. Vice-Mayor Graham volunteered to draft a resolution specifically for the Town of Round Hill, to be considered at the next Town Council meeting.

IN RE: COUNCIL COMMENTS

Councilperson Hummel asked if anyone had insight on the recent rash of Facebook comments regarding low water pressure, noting that he has not noticed any problems. Mayor Ramsey explained that he advised the resident who made comments on Facebook to contact the Town Office regarding those concerns. It was noted that numerous residents posted complaints to Facebook, but only one complaint was received in the Town Office. Mayor Ramsey explained the process followed by Town Staff when a complaint is made, in order to rectify any problems which may exist.

Vice-Mayor Graham explained the system in place for receipt of Council mail, for informational purposes for new Council Members. Vice-Mayor Graham reported that next Thursday, January 9, is the date for the Board of Supervisors' public hearing for the Southern Water Tank. Vice-Mayor Graham wished everyone a Happy New Year.

Councilperson Evers reported that she will be attending the upcoming conference for newly-elected municipal officials.

Councilperson Lyne asked if there is an update on the banner requested to honor the various winning teams from Woodgrove High School; Town Administrator Hynes reported that the company from which she purchases these items has been closed, but that they have now reopened, and she will order the banner soon.

Town Administrator Hynes reported that the Round Hill Outdoors Committee will host an open house at the elementary school, with the various projects planned by the committee to be presented; anyone who may wish to join the committee and assist in these efforts is welcomed to attend. The open house will be held January 10th, from 6:00 to 8:30 p.m. Finally, Ms. Hynes reported that submissions for the Appalachian Trail Art Show are due by February 15th.

Mayor Ramsey reported that the Town newsletter will be going out next week; an article about ZOAM-2018-01 will be included, as will a biography for the new Town Treasurer. Mayor Ramsey also reported that the County is now processing real estate taxes for the Town, for the coming tax year. Mayor Ramsey wished everyone in attendance a happy New Year.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 9:32 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary