



**TOWN OF MIDDLEBURG
PLANNING COMMISSION
REGULAR MEETING MINUTES**



**MONDAY, NOVEMBER 23, 2020
PENDING APPROVAL**

PRESENT: Terence S. Cooke, Chair
Edward R. Fleischman, Member
H. H. “Dev” Roszel, Member
Mimi Dale Stein, Member
Morris “Bud” Jacobs, Councilmember

STAFF: William M. Moore, Deputy Town Manager/Town Planner
Rhonda S. North, MMC, Town Clerk
Estee Laclare, Planning & Project Associate

ABSENT: Donald Woodruff, Vice Chair
Rachel Minchew, Member

The Middleburg Planning Commission held their work session and regular meeting on Monday, November 23, 2020. Due to Governor Northam’s executive order requiring that people social distance, the meeting was held remotely with most members of the Commission participating from their respective homes/offices.

Chair Cooke explained for the viewing audience that it was the Commission’s responsibility to conduct essential public business despite the COVID-19 pandemic; however, it recognized the need to do so safely, not only for its members but also for the Town staff and members of the public. He further explained that to that end, in accordance with the Council’s resolution declaring a local emergency and ordinance implementing emergency procedures and effectuating temporary changes to address the continuity of governmental operations, the Commission would hold its meetings via remote access until such time as the Governor rescinded his executive orders. Mr. Cooke advised the viewing audience that copies of the agendas were available on the Town’s website and that the meetings would be livestreamed and recorded for viewing on the website. He explained that anyone wishing to participate in the meetings during the public comment periods or the public hearings, if applicable, could do so by dialing (540) 339-6355. Mr. Cooke reviewed the process that would be utilized for the remote meetings. He called the work session to order.

Town Clerk North called the roll at 6:32 p.m.

Discussion Item

Implementing Comprehensive Plan/Ordinance Updates

Deputy Town Manager Moore apologized to the Commission in that he did not prepare the members for this discussion during the last meeting. He reminded them of the Council’s strategic initiatives related to the Planning Commission, the first of which was the Federal Street Charrette in anticipation of redevelopment of the corridor. Mr. Moore advised that this was the largest change in the Comprehensive Plan and reported that the Mayor and Council agreed with the need to delay this item as there was no way to safely hold a charrette during the COVID pandemic.

Deputy Town Manager Moore advised that as to the updates to the zoning, subdivision and site plan ordinances, he tried to give the Commission an example during the last meeting of infill development in the Ridgeview area, which the members did not feel was an issue. He reported that the Mayor and Council have asked the Commission to look at this strategic initiative as they felt strongly that there were areas that could be studied outside of Federal Street.

Chair Cooke advised that he misinterpreted what this was about as he focused on the infill development, not the broader question. He explained that the Council suggested the Commission focus on what ordinance updates were needed in light of the Comprehensive Plan update in order to implement the plan's goals. Mr. Cooke noted that there may or may not be some areas of the ordinances that needed tweaking; however, he believed the Commission should look at the Comp Plan again to see if they wished to recommend any ordinance changes. He opined that the concern was the small supply of affordable housing in Middleburg, which was a challenge as property owners wanted to maximize the value of their properties. Mr. Cooke suggested the Commission look at anything within the ordinances that discouraged the development of affordable housing.

Councilmember Jacobs suggested it would be useful to do a broader review of the ordinances to ensure they fit with the goals of the Comprehensive Plan.

Chair Cooke suggested the members review the Comprehensive Plan over the next few weeks and note anything that warranted a look at the zoning and subdivision ordinances in order to meet the objectives of the Plan. He further suggested this be discussed at the Commission's December meeting.

Commissioner Fleischman reminded the Commission that the Town already had affordable housing through the Windy Hill Foundation.

Deputy Town Manager Moore noted that the Comprehensive Plan did not use the term "affordable housing" but rather used the term "attainable housing". He explained that this was talking about having a wider diversity of housing types. Mr. Moore reminded the Commission that Middleburg predominantly consisted of single-family dwellings, with some townhouses and apartments. He advised that the Comprehensive Plan was talking about the need for additional apartments and condos, as well as universal housing that would allow residents to age in place. Mr. Moore suggested these were all ideas that could be explored.

Deputy Town Manager Moore encouraged the members to focus on the goals and strategies contained in each of the chapters of the Comprehensive Plan and to identify their priorities. He suggested the staff would then use the members' notes to review the zoning and subdivision ordinances to identify any opportunities for revision.

Chair Cooke adjourned the work session at 6:52 p.m. He called the regular meeting to order at 7:00 p.m.

Disclosure of Meetings with Applicants

The members reported that they had no meetings with applicants.

Approval of Meeting Minutes

Councilmember Jacobs moved, seconded by Commissioner Roszel, that the Planning Commission accept the September 28, 2020 regular meeting minutes.

Vote: Yes – Commissioners Fleischman, Roszel and Stein and Councilmember Jacobs
No – N/A
Abstain – N/A
Absent – Vice Chair Woodruff and Commissioner Minchew
(Chair Cooke only votes in the case of a tie.)

Council Representative Report

Councilmember Jacobs reported that the Council and staff were looking at the Town’s fiscal future in light of the COVID pandemic. He further reported that while revenues were down by eighteen percent (18%) over the adopted budget’s expectations, that number was sustainable. Mr. Jacobs noted that the Council and staff would continue its review in the future.

Discussion Items

Status Update: CP 15-01 – The Residences at Salamander

Deputy Town Manager Moore noted that Salamander had released its marketing materials for The Residences at Salamander and would soon open its real estate showroom at the intersection of Washington and Pendleton Streets. He advised that as such, they needed to move forward with their construction plan approval. Mr. Moore reviewed the history of this item, which began with the original submission of the preliminary plat and construction plans in 2015. He reported that the applicant recently changed civil engineers and advised that the staff was working with them to address some of the engineering issues that were raised during previous submission reviews. Mr. Moore advised that while the Town recently received the third iteration of the plans, the review was essentially a first review as the plans contained significant changes. He reported that the lots were in substantial conformance with the zoning proffers and preliminary plat.

Deputy Town Manager Moore advised the Commission that the project would consist of twenty-eight lots in the R-3 area, which were located adjacent to the rear of the existing homes in the Ridgeview Subdivision between Pendleton Street and the Town’s Stonewall Drive Water Treatment Plant. He further advised that twenty-one homes would be located further to the west, adjacent to the current wooded area. Mr. Moore noted that while there would be some tree clearing, Salamander was trying to preserve the specimen trees in this area.

Deputy Town Manager Moore reminded the Commission that the first plan iteration called for a one-way looped road system. He advised that the plans now called for a two-way road system, which would result in less pavement. Mr. Moore opined that this was good as it would result in less pavement for VDOT to maintain and less water and sewer infrastructure for the Town to maintain. He reported that the staff supported these changes.

Deputy Town Manager Moore reminded the Commission that the first plan iteration called for extensions of Reed and Chestnut Streets to connect to the development as well as the Salamander Resort. He noted that the Commission previously expressed concern regarding the Chestnut Street extension in that motorists could use the residential streets as a cut-through to the resort. Mr. Moore further reminded them that the previous plans called for a traffic circle, which VDOT would not approve. He advised that Salamander had now introduced curved roads in an attempt to discourage fast travel. Mr. Moore noted that the plans also included a raised crosswalk for the footpath, which should also serve as a traffic calming measure.

Deputy Town Manager Moore reported that the Planning Commission did not need to focus on the Town Engineer's comments and noted that there were many technical issues that needed to be addressed. He recommended that once the reviews were complete and the plans revised, the Commission review the clean plans. Mr. Moore suggested that if the members had any high-level concerns, they identify those for discussion in the future. He noted that this was just an update and that no action was needed at this time.

In response to inquiries from the Commission, Deputy Town Manager Moore reminded the members that based on the zoning proffers, Salamander must work with the Historic District Review Committee (HDRC) to develop design guidelines that would apply to the property. He explained that the HDRC would then review the home plans against those guidelines.

The Commission expressed concern about the long driveways, which would serve multiple homes, that were proposed in the R-1 area. They requested the fire department's comments on that item.

Deputy Town Manager Moore explained that Salamander was proposing flag lots in the west area of the subdivision, some of which would share an access road. He reported that fire hydrant coverage was included, as were turnaround areas for emergency vehicles; however, he confirmed that the Fire Marshall's office would review the plans. Mr. Moore advised that he would provide the members with their comments.

In response to an inquiry from the Commission, Deputy Town Manager Moore reminded the members that Salamander's original proposal was for private roads; however, that issue was resolved. He reported that the current plans called for only two small connecting roads to be privately maintained, with all other roads being public.

Quorum of December Meeting

The members who were present reported that they would be present during the December 21st meeting. It was agreed that the Commission would only hold a work session in order to focus on discussion items and that the regular meeting would not be held unless an action item was received.

There being no further business, Chair Cooke adjourned the meeting at 7:27 p.m.

RESPECTFULLY SUBMITTED:

Rhonda S. North, MMC, Town Clerk

Middleburg Planning Commission Transcript
November 23, 2020

(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video that is on the Town's website – www.middleburgva.gov)

Terry Cooke: Hopefully Rachel and perhaps Don will join us in a little while, but we'll go ahead and convene this work session. November 23, 2020, work session of the Middleburg Planning Commission, and I call that meeting to order. We'll begin, as we customarily do with the announcement regarding COVID meeting procedures. And it is the planning commission's responsibility to conduct essential public business despite the COVID-19 pandemic. However, it requires excuse me, it recognizes the need to do so safely for not only its membership, but also for the town staff and members of the public. To that end, in accordance with the resolution confirming the declaration of a local emergency and the ordinance to implement emergency procedures and effectuate temporary changes to address continuity of governmental operations during COVID-19 as adopted by the Middleburg Town Council, the Planning Commission will hold its meeting via a hybrid system of in-person for those commissioners who feel safe doing so and remote access participation for the public and those commissioners who prefer remote access until such time as the governor rescinds his emergency order mandating social distancing. To ensure adequate social distancing a maximum of 10 individuals will be allowed in the council chambers at any given time. Copies of the previously referenced documents are available on the town's website for those who wish to view them. The town will continue to live stream and record its public meetings, which are available for viewing along with the meeting agenda packet on our website at www.Middleburg.gov. Members of the public who wish to participate in the planning commission meeting during the public comment period and or public hearings if applicable, and or applicants who are speaking on behalf of their application may do so by dialing 540-339-6355. You will be placed on mute until such time as the public comment or public hearing is open or your application is heard. To ensure trust in the process the town clerk will do a roll call of the Planning Commission members at the beginning of the meeting and at least once an hour. In addition, I will ask each member by name if they have any comments or questions related to each item as we proceed. When anyone speaks, he or she is asked to first state his or her name for the benefit of the viewing audience. All votes of the Planning Commission will be taken by Roll Call. The town clerk will announce the member's name with individual, then stating how they are voting. That being said, we will move on to our roll call for the evening, Rhonda, please.

Rhonda North: Chair Cook.

Terry Cooke: Present.

Rhonda North: Vice Chair Woodruff. Absent.

Rhonda North: Commissioner Fleischman.

Ed Fleischman: Here.

Rhonda North: Commissioner Minchew is absent. Commissioner Roszel.

Dev Roszel: Here.

Rhonda North: Commissioner Stein.

Mimi Stein: I'm here.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Present.

Terry Cooke: Thank you all. We'll move on to the one and only item on our work session agenda, and that is implementing the Comprehensive Plan and ordinance updates relating to that. Will, will you please sort of reset the table as to where we are on this?

Will Moore: Certainly, and thank you Mr. Chairman and members of the commission. Just want to circle back on this topic and let me start with a brief apology. As I said in my memo for this month, I really didn't tee this up very well. I did not do an adequate job of preparing the commission for the discussion that took place at your meeting during the work session portion last month. So the the idea that we started discussing was the fact that there are council adopted strategic initiatives and council has 12 adopted initiatives currently and among those two really directly relate to work of the Planning Commission. Others may relate to you as well, more on an ancillary basis, but the two that directly relate are one of the conducting of a charrette to inform the potential redevelopment of federal street corridor, which, as we know, is one of the biggest departures from the past in terms of our most recently adopted Comprehensive Plan. And as we discussed last month, and as reiterated in the memo, I think there was a broad consensus that there's just no way to conduct a charrette process safely during this pandemic. And until those restrictions on gatherings are eased and it's safe to do so, that really does need to be set aside. And our discussions with the mayor and council confirmed that they were all on board with that. The second initiative that directly relates to work of the commission is to update our development ordinances. That's the zoning ordinance and the subdivision and site plan ordinance. And I think one of the ways that I led you astray last month was in trying to give you an example of where such work might be conducted. And I teed it up with the example of some of the infill and or tear down and rebuild housing in the Ridgeview area. And we allowed and I allowed the discussion to focus really just on that. And I think a couple of commissioners felt very strongly that there is not necessarily an issue there. I think certain members the mayor and certain members of the council may disagree, and they ask us to look at that topic. But that topic aside of the broader general discussion as to whether or not there are areas of the zoning and subdivision ordinances that could stand to be studied outside of the context of the Federal Street Redevelopment. And mayor and council, I think felt pretty strongly that we probably could and should be moving forward with commencing some of that study, because I think there are some things that can be studied at least safely during these times. And there may be no reason to delay moving forward with implementing some of the areas of the comprehensive plan where we could do things unrelated to Federal Street. So I hope I've captured that accurately. I would invite, of course, the chairman and of course, Council Member Jacobs as well. They were both involved in a discussion with the mayor subsequent to the meeting last month. And I just wanted to report back on that. And again, Mr. Chairman, or Council Member Jacobs, if you have anything to add to that at this time.

Terry Cooke: Thank you, Will. And I'll just say for the benefit of the other commissioners other than Bud. I think we're all a little bit guilty, at least I am, of jumping the gun a little bit on on this issue and misinterpreting what this was all about when Will brought it to our attention last week. I did certainly focus on concerns about some of the recent infill construction here in town. And I didn't give much consideration to the broader question, which would have been a more accurate understanding of what the council was suggesting, which is that in view of the fact we've adopted a comprehensive plan, a revised comprehensive plan about 13 months ago now, I guess. Perhaps we should stop and take a look at what, if anything, in that plan we should consider doing in terms of zoning and subdivision ordinances to better implement the goals of the Comprehensive Plan. Perhaps there are none, but perhaps there are some that could use some tweaking and perhaps help to achieve some of the initiatives and objectives I've stated in the plan. And as Will suggested in his memo, Bud and I did meet with the mayor a week or so ago to talk about this. And I think and I'll let Bud speak to this as well. But I think that my feeling at least was that, well, certainly we could look at the Comp Plan anew. I'd have to blow the dust off of it and look at it

because I haven't had it on my nightstand for bedtime reading. But there are things that probably could use a good look and see if there's things that we ought to consider recommending for changes. I know one of the concerns of commission is the small supply of affordable housing here in Middleburg. And by affordable, I mean low and middle income housing. That's a challenge. All of us who are property owners, obviously would like to maximize the value of our property. And when and if the day comes when we sell it, we want to try to recover or obtain as much as we can in terms of value. But at the same time, looking long term, we want to see if there's anything in our regulations that perhaps inhibit the ability to encourage and develop more affordable housing in town. So I'm certainly willing to do that. Bud anything you'd like to add?

Bud Jacobs: No you Will have [inaudible] discussion and council's reaction very admirably. Unlike our chairman, I do keep a well-worn copy of our Comprehensive Plan on my nightstand. [Laughter]

Dev Roszel: I got to say the two of you are kind of weird. [laughter] Go ahead Bud. I'm sorry.

Bud Jacobs: No worries it's sad but true. There are, I think, some useful things to go through. And what we're talking about is the initial phases of a broad review to ensure that what we do and what our zoning ordinance does is to [inaudible] and the goals that are in the plan. So I'm not [inaudible] troubled by starting to do that. And other than the appalling attachments that Will sends out so that we can advance this work, I don't really have any objections.

Terry Cooke: I would, you know, just following up on that and those attachments that Will has sent out particularly the attachments relating to Salamander, which I guess we'll get into a little while. I think I'm going to recommend that we appoint Ed Fleischman as a committee of one to review all of those Salamander plats and all the various comments and the various iterations and distill that for us in layman's terms and report back in December. But we'll get to that later. [Multiple Speakers] Okay. Any other thoughts on the consideration that we've been talking about regarding review of the zoning and subdivision ordinance in light of the Comprehensive Plan? I was going to suggest that we all those of us who don't keep it on our nightstand, pull it out over the next few weeks and take a look. Take a read through the Comp Plan again and just make note of anything that you as commissioners think warrant a second look in terms of changes or suggestions that might be made to implement any of the objectives of the Comprehensive Plan. And we can talk about that next month at our next meeting. But I think it's worthwhile that we engage in the exercise. As I said, you know, I don't know what, if anything, will come out of that. We may feel perfectly content to leave things as they are, but I do think we owe it to the council to take a look and to give it some consideration. So I would encourage each of you to do that over the next several weeks. Any other thoughts or comments on this subject?

Ed Fleischman: Chair this is Ed Fleischman.

Terry Cooke: Yes Ed.

Ed Fleischman: Just a general comment talking about the need for affordable housing and I think that's true, but I think that Middleburg should get credit also for having a number of affordable housing units developed by the Windy Hill Foundation. So the town is not without affordable housing. I think we ought to always remember that.

Bud Jacobs: Very good point.

Terry Cooke: Yes, agreed. Anyone else before we move on? Will, is there anything that you'd like to add on this subject?

Will Moore: Oh, well, since we have a little bit of time in our work session, I think maybe expanding on the subject of housing. So our plan doesn't necessarily use the term affordable housing. And I think that

was a conscious decision. Well, let me step back. We do say that there is a strategy to continue to support the provision of affordable housing through supporting non-profits such as Windy Hill Foundation that engage in the provision of what most people think of when we think of affordable housing. What we really talk about in the Comp Plan is a wider diversity of housing types that could be maybe attractive to younger persons, younger families. And then on the opposite end of the spectrum older citizens who may not have the options to age in place so well. What that may look like, it could be again, we predominantly have single family detached housing here. We do have some single family attached housing town homes, that is, and a really small supply of apartments scattered through a few locations in town. But so we're talking about maybe additional housing types, whether that's apartments or condominiums. You know, if you're going to distinguish on the ability to own versus rent. It may be encouraging or incentivizing what is known as universal design, which is when you build a home such that you can age in place over time. So you may not have a front porch with steps on it from the beginning. It may be an at grade entry or it may have ramped features from the beginning. The way the house is laid out in the interior may have wider doorway openings and wider hallways that would enable someone who maybe in the later years needed to use a wheelchair so that the interior is already laid out as such. So those are some of the ideas that we could explore and we certainly can as we start studying these concepts. But just wanted to kind of make that distinction of the affordable versus what some people are using the term attainable maybe. And I guess the other part is when it comes back to the subject of dusting off the Comprehensive Plan, I would encourage, as the chairman said, to please read through, take some notes or make highlights. And it could be at what we call the strategy level. So as someone who refers to the Comp Plan quite often, but not from my nightstand, always the office desk, you'll recall that we have seven subject chapters within the plan. Each has an overarching goal. And then that goal is supported by several strategies. So maybe it's at the strategy level that you should focus and maybe just do the the quick read through of the topical heading of the goal and those strategies and maybe highlight which ones kind of jump out at you as maybe being the highest priority to you individually. We compare notes on that next month and then staff can take that and start diving into maybe areas of our ordinances that relate to those strategies. And we can follow up with additional discussion the following month about where we may or may not see opportunity to revise our ordinances related to that. So I think that would be a good way to kick it off. So it gives you a little homework, but not too much, I think, for the December meeting.

Terry Cooke: That's a great outline. I agree. Thank you. [off mic] Okay, if no one else has any thoughts or comments at this time on that subject, we will close the work session and we still have a few minutes before the advertised time of the regular meeting. So let's just take a breather there and we'll reconvene very shortly. [inaudible]. Thank you. Welcome back everyone. We will call to order the regular meeting of the Planning Commission for October 23, 2020. And our first item will be the disclosure of any meetings that any of us as commissioners have had with applicants or folks having matters before the commission. And I'll ask Rhonda to call that roll.

Rhonda North: Okay Chair Cooke.

Terry Cooke: I've had none.

Rhonda North: Commissioner Fleischman.

Ed Fleischman: [inaudible] thank you.

Rhonda North: Commissioner Roszel.

Dev Roszel: No contact.

Rhonda North: Commissioner Stein.

Mimi Stein: I've had no contact with any applicants.

Rhonda North: Council Member Jacobs.

Bud Jacobs: No contact.

Terry Cooke: Thank you all. We have no public hearings scheduled this evening, but this is an opportunity for any members of the public who have matters they wish to bring to the commission's attention to address those at this time. Do we have any Rhonda online?

Rhonda North: We have no one on the line, sir.

Terry Cooke: All right. Thank you, we will close that portion of the meeting. And the next item is approval of the minutes for the Commission Work Session and regular meeting of October 26, 2020. Do we have a motion on the minutes?

Bud Jacobs: I move we approve the minutes as drafted and presented.

Terry Cooke: Thank you, a [Multiple Speakers] second?

Dev Roszel: I'll second that.

Terry Cooke: We have a motion and a second. Rhonda will you call the roll?

Rhonda North: Commissioner Fleischman?

Ed Fleischman: I vote yes.

Rhonda North: Commissioner Roszel.

Dev Roszel: Approved yes.

Rhonda North: Commissioner Stein.

Mimi Stein: Yes to accept the minutes.

Rhonda North: Council Member Jacobs.

Bud Jacobs: Aye.

Terry Cooke: Thank you all. The minutes are approved. Next item is the Council Representative report. Bud please.

Bud Jacobs: Well, I don't have anything to report to Will and Terry, we've discussed the most important question. I guess the only thing I would add is that [inaudible] cautious respect for the fiscal future. We had a very good briefing from our treasurer and the most recent economic data that at least she shared with us showed that town revenues are running about 18 percent below what they were expected to be. And that certainly is sustainable. And we'll have to see what happens in the future, whether there is any more costly or severe effects of the pandemic and the government reaction to it. But I think we're in probably as good a place as we can be given the overall [Multiple Speakers] increase in infection and hospitalization. But thankfully not so badly in our immediate area.

Terry Cooke: Did we lose you? [Multiple Speakers]

Bud Jacobs: [Multiple Speakers] anybody to sleep? [Laughter]

Dev Roszel: You didn't put me to sleep Bud.

Bud Jacobs: But that's really all I have though.

Terry Cooke: Okay, thank you Bud. Our next item is the status update on the Residences at Salamander and as someone noted earlier Will has provided us with a lot of paperwork on this, although not all of us were able to access it, apparently. But Will you want to give us the status memo?

Will Moore: Certainly, and I was probably going to go into a little greater detail than I will. But knowing that not everybody could open up the exhibits, I'll keep it fairly brief. I just wanted to bring the commission really up to date on where we are with the residences. I know a number of you have seen that Salamander has released marketing materials regarding the homes that will be available. There is work moving forward for their real estate showroom, which is at the corner of Pendleton and Washington. So they're doing kind of a freshening up of that and they will be soon opening that showroom. Obviously, in concert with that, they need to move forward with the plans and all the necessary approvals. You may recall, and I think I mentioned in my memo that the preliminary plat and then subsequently the first iteration of the construction plans came in back in 2015. So five years ago, we saw the first iteration of the construction plans. And for whatever reason, the project went fairly dormant at that time to the point where the commission at one point in time deemed the application inactive. There is a process by which the applicant can reactivate a project and did so, kind of brought us up to date on some of the things that were going on in the background. It never went dormant completely, but from our review end it had. So there was work for the owners to do some re-subdivision of the land, which we did. And then to bring in a development partner who would work with Salamander on the development of the two residential sections. So late last year and late December, we received a second iteration of the construction plans and went through the detailed review there. Again, having been at that point in time, four years since the previous iteration, there were a number of things that had changed. From our standpoint of review it was essentially conducting a first review again. So that detailed review was completed in March of this year, and since that time, the applicant has decided to go with a new civil engineer. So that was a pretty big change. So staff has spent a good bit of time the last few months working with the new civil engineering firm, which is Urban, to kind of revisit some of the issues from a technical standpoint, the engineering issues that we had seen in the first couple iterations of the plans without going into way too much detail. There were some major issues to overcome with the provision of sewerage in the western section of the proposed development. And the previous engineer, as well as this engineer we're doing a lot of work to kind of overcome those issues, to make sure that we could get adequate routing of sewer to our west end pump station, which we have just reconstructed our west end pump station. So that also involved some coordination with the applicants engineer. Again, not to get into too much detail, but it seems that even though this is a third iteration of the plans, it's the third time we're essentially reviewing the first iteration of the plans because there have been some significant changes along the way, significant from an engineering standpoint. But when it comes to the overall layout of the lots still being in conformance with the proffered plan as well as the approved preliminary plat. It still is in substantial conformance and there's no need to revisit either the proffers or the previously approved preliminary plat. A couple of the major changes for those of you who were able to open those overall plan sheet, you'll see that and this remains such that there are 28 lots in the R3 section. The R3 section is essentially oriented to the north of Stonewall Avenue for the existing homes along Stonewall Avenue that began at Pendleton Street and then extend to the west, ending up just before our Stonewall Avenue Water Treatment Plant. So pretty much all the homes on the north side of Marshall and then the north side of Stonewall. To the north or the rear of those lots there is a section zoned R3 in which they will be located, 28 of the 49 homes. And then an additional twenty one homes are located further to the west in an area that is largely wooded now, although a portion of it is cleared, but there will be a good bit of clearing that will happen. But the applicant is also doing a really good job of preserving some of the existing specimen trees in the subdivision. So they've done some very sensitive placement of lot lines and placement of conceptual

home layouts that would allow for the preservation of a lot of existing [inaudible] of trees. What you will have seen in the first iteration of the plans that went out was both in the R3 section to the east and in the R1 section to the west where the larger lots are, both of those areas had kind of a one way loop road within them, which has now been pared down to have two way roadways. And what that is accomplished is a good bit less of a pavement area, so a good bit less of impervious area, which helps out with stormwater management. It's less area for the Department of Transportation to have to plow and maintain in the future. And it also is less infrastructure in terms of the length of water line and length of sewer that will need to be placed within those roadway networks. So, for example, in the R3 section north of Stonewall, you can have one primary water main going down the East-West Road rather than have a water main that had to loop all the way around the one way road. So essentially having the amount of water main that helps the developer in terms of cost, but it also helps us in terms of future maintenance. We have less length of water mains that we would need to maintain. So a lot of the changes that have happened between that first iteration and this most recent iteration, staff as well as our engineer, is very highly supportive of. One other thing that I will note that was of interest to the commission when we first went through the preliminary plat stage and we're starting in with the first iteration of construction plans. You notice that there are two extensions of existing streets into the development that is an extension of Reed Street and then an extension of Chestnut Street. The Chestnut Street extension was of great concern with the commission at first. A lot of sensitivity to the fact that there's not only that connection to the existing residential area to the south, but there are also connections that run from the proposed development to the resort. And that is, of course, by design. The people who purchased homes in this development will have access to amenities at the resort. So it makes sense that there are these connections. But there was some concern on behalf of the commission that folks who were visiting the resort, whether they are guests or possible employees, those who might come from the west, would use our existing residential areas as essentially a cut through to get to the resort. So there was some sensitivity to how the extension of Chestnut Street might be designed to at least discourage that. So the first two iterations of the plans actually had a small traffic circle located along that extension. Unfortunately, or maybe not, unfortunately, but VDOT will not approve a traffic circle at that location. Certain warrants have to be met. So that traffic circle has disappeared in this latest iteration. But what the applicant has done as a result of some conversations with staff about that concern is they have introduced some more curvature to that roadway. So less of a straight shot from the Ridgeview area up to the road that connects to the resort. So a little more curvature to the roadway, which discourages fast travel. And then the roadway that connects from the proposed residential development to the resort also has been given an additional curvature as well as there is an existing footpath that runs from the resort to town. There will be a crosswalk. It will actually be a raised crosswalk which is put there, which again is a traffic calming feature. So those are just a couple of highlights of things that have changed. We will, of course, get into greater detail in this as the review goes forward. A lot of the engineering details we don't really need the commission to weigh in on at this point. I did give you that comment response letter just so you could see the extent of comments that had previously been issued and some of the things that we were working through at this point. Generally, what I would envision is that once this review is done and hopefully a lot of those previous comments have been addressed, once we get closer to a clean version of the plan is when the commission would really delve into and we could better answer questions. There are just so many outstanding technical issues at this point that it doesn't make sense to go into an extremely detailed review with the commission. But if there are any high level concerns that you see with just the general layout of the lots, the general alignment of the roadways, as we've been discussing, now and in the coming month or two would be a great time that we could have those discussions and the commission could offer any of those kind of high level comments. And really, Mr. Chairman that's what I have at this point. I'm happy to answer questions as I can on this, but really it was just to update you, to let you know that as you see this activity, whether it's the marketing, whether it's the showroom getting ready to open, just so you're aware that they are moving forward with the planning as well, which is important.

Terry Cooke: So I take it Will, there's no action required of the commission at this point on any of this.

Will Moore: That is correct.

Terry Cooke: [Multiple Speakers] It's just background information to keep us in the loop.

Will Moore: Yes sir.

Terry Cooke: All right. Okay.

Dev Roszel: Hi Chair, Will this is Dev. I have a quick question.

Will Moore: Sure.

Dev Roszel: Back when a lot of this stuff when I was originally on the planning commission. Does any of this change what goes before the HDRC and how the look of everything is going to be or is that all [inaudible] stayed the same?

Will Moore: So that process remains that, that is a zoning proffer and it does remain. So the applicant has to work with the HDRC to come up with a set of design guidelines that will be used for these homes. So the HDRC was chosen to be a review board because they review design regularly.

Dev Roszel: Right.

Will Moore: But they're not evaluating using our historic district design guidelines. This is clearly outside of our historic district. But they are working with the applicant on a set of design guidelines. And once those guidelines are approved, as each home comes in for a permit, they will have to have that design reviewed by the HDRC using those guidelines as a basis. And HDRC will give a thumbs up or thumbs down on the design.

Dev Roszel: Okay, thank you.

Will Moore: Yes sir.

Terry Cooke: Any other commissioners have any comments or questions regarding this matter? Okay. [Off mic]

Ed Fleischman: Terry.

Terry Cooke: Yes Ed.

Ed Fleischman: [Off mic] At the last meeting, I did mention a concern. I still have a concern. And Will, when you get comments back from [inaudible] Security, I'd be interested in hearing what they said. A number of the R1 homes are not really located on the street and sort of have long driveways. And the driveways split off into two or three or four R1 dwellings there. And just from a standpoint of fire and security and other things, I'd be interested to make sure the fire department and other people fully understand what's going on there and give significant comments.

Will Moore: Absolutely.

Ed Fleischman: So if anything comes up on that, I'd like to hear what they say.

Will Moore: Yes, absolutely. And that is a great observation. So in the western area, there are a number of what we call flag lots. We call them flag, because the body of the lot, which would resemble the flag is set back from the roadway. And those lots are connected to the roadway by a pipe stem that runs down and would resemble the flagpole. And in this design, there are a number of lots that will be sharing a

primary access drive, sharing the flagpole, if you will, and then the driveways will split off as you get further back from the street. There is hydrant coverage being provided on those shared lots. There are certain turnaround's that are being provided that should adequately accommodate any apparatus that might have to go up those drives, but that is under detailed review by folks from the fire marshal's office. I just transmitted to them today. I got the appropriate contact. So we certainly anticipate their detailed review and will report back to you with what they respond with.

Ed Fleischman: Thank you Will.

Will Moore: Yes, sir.

Dev Roszel: So Will, this is Dev. I thought that when we were reviewing this originally that there were conversations about whether or not it would be publicly [inaudible]. You know, with the police being able to access, the fire department being able to access. And I thought most of that stuff had been discussed at that time. I maybe wrong and obviously and wouldn't be surprised if I was. I thought that we had extensive conversations about how emergency vehicles would actually access those houses, those streets, how they were going to be laid out. I thought all that was actually [off mic] was put to bed but I thought it was pretty well discussed.

Will Moore: So yes and no. I think what you're probably thinking of, Commissioner Roszel, is there was a desire originally by the applicant to have all of the roadways within the development be privately maintained.

Dev Roszel: Correct.

Will Moore: As opposed to being public roadways and that issue was worked through. So aside from two very small connecting roads, these are roads that connect the proposed development to the resort. Those two small stretches will be privately maintained. But all the other roadways within will be public. And there was some conversation around well, if they were privately maintained, or privately held, would there be gates?

Dev Roszel: Right.

Will Moore: Would it reflect as an extension of the town grid? Would police be adequately enabled to enforce the law along those roadways? And those things will work out. And again, ultimately, we resulted in those roadways being public. But we did not get into the detail of on these longer driveways that might require a fire truck to go up one of these long driveways to provide emergency response.

Dev Roszel: Okay.

Will Moore: We never got into that detail. So that's really where we are now.

Dev Roszel: Okay, you're correct on that. Yeah. Thank you.

Will Moore: Yes sir.

Terry Cooke: Any other comments on the Salamander proposal at this time? All right the next item on the agenda is a quorum for December 21st. I take it the decision has been made to meet on the third Monday of the month rather than the fourth.

Will Moore: Well, I won't say the decision has been made. That is typically what we have done.

Terry Cooke: Okay.

Will Moore: But with you know Christmas moves every year by a day or two.

Terry Cooke: Sure.

Will Moore: So we're open to alternate dates as well.

Terry Cooke: I have no objection to it. I just wanted some clarification on it. I don't know how everyone else feels. How's it look for everyone on December 21st? Are there any commissioners who do not believe they will be available? Hearing silence, I take that to mean that everyone will be available. Let me ask you this, Will. It doesn't appear to me that they're going to be any action items to the commission next month. As we discussed in the work session. We all have been asked to sort of take another look at the Comp Plan in terms of any thoughts or suggestions we might have regarding proposed changes to the zoning ordinance or subdivision [inaudible]. In view of that would it make more sense to just have a larger or more expanded work session, but not a regular meeting next month?

Will Moore: Yeah, I think that's a great idea. Absent any action items and we can always defer approval of the minutes till a later month. We could just convene a work session only and let that go however long. Yes sir.

Terry Cooke: Okay. Unless anyone else on the commission has objections to that, I think that's how we'll proceed next month. [Multiple Speakers] Okay.

Dev Roszel: I'm going to agree.

Terry Cooke: Okay, [off mic] very good. So we'll have a work session next month on the 21st convening at 6:30.

Will Moore: Wonderful.

Terry Cooke: Yeah. Okay. Very good thank you all. If no one else has any further comments, we will adjourn. And I wish everyone a Happy Thanksgiving. Enjoy it as best we can under the circumstances. [Laughter] And I'll see you all next month.

Dev Roszel: [Multiple Speakers] Happy Thanksgiving. [Multiple Speakers]

Mimi Stein: Everyone be well.

Ed Fleischman: You as well. [Multiple Speakers]

Dev Roszel: Thanks Rhonda. [Multiple Speakers]