

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

September 16, 2013

7:00 p.m.

Town Council Meeting

Approved Minutes

- CALL TO ORDER: Mayor Sullivan called the Town Council to order at 7:02 p.m. Council members Alice Butler, Jerry Goebel, Mary Ann Kuhn, Gary Schwartz, and Patrick O'Connell were present. Council member Dan Spethmann was absent. Town Attorney John Bennett and Town Clerk Laura Dodd were present. _

- MINUTES: June 4 and June 17, 2013: Ms. Kuhn made a motion to approve the minutes of June 4, 2013 and Mr. Sullivan seconded and the motion passed 6-0. Ms. Kuhn asked that on page two of the June 17th minutes the Guy St. Inn be corrected to the Gay St. Inn and Ms. Butler made a motion to approve the minutes of June 17, 2013 as corrected and Ms. Kuhn seconded and the motion passed 6-0.

- REPORTS: Treasury Report: Mr. Goebel reviewed the attached Bank Summary Report, the Bills-To-Be Paid List, and the Additional Bills to Be Paid List.

Ms. Butler made a motion to approve the Treasurer's report and Mr. Schwartz seconded and the motion passed 6-0.

- Planning Commission: Chairman Schwartz had no report,

- Architectural Review Board: Mayor Sullivan reported that the ARB had met the previous Thursday and reviewed and approved an application for a new house on the old Worley property with the exception of some windows, which would need to come back before the ARB

Ms. Butler asked about the Eagle house on Gay St. and Mayor Sullivan discussed that a new roof application had been approved and work had begun on improvements to the house.

- Website: Ms. Kuhn reported that the website was up to date on current events and that she was working on the blog and Facebook page. She discussed that the minutes for the beginning of 2013 were posted. She discussed that the Christmas in Little Washington Committee had started a Facebook page.

- TOWN ATTORNEY: Mr. Bennett: No report.

- PUBLIC HEARING: TW SU#13-08-01 Foster Harris House: MacPherson and Bed and Breakfast Non-Guest Meal Service: Mayor Sullivan opened the public hearing and asked if there were any comments or questions from the public. There being no public comment Mayor Sullivan closed the public hearing.

Mayor Sullivan discussed that Mr. Bennett had drawn up a set of issues for the Council to work through. He discussed that John McCarthy had recommended approval

of the SUP and the Council had received a letter from the MacPherson outlining their intentions (attached) and had also just received a drawing of the proposed parking area.

Mayor Sullivan discussed that the Town had made a significant change in the Town's Ordinance to accommodate the type of request such as the MacPhersons' and that the public hearings and meetings with the Planning Commission had been a good and educational process and that he hoped that the Council could be finished with the issue that evening.

Mr. Bennett discussed that the Ordinance he had drafted enumerated possible conditions from the new B&B Ordinance but the Council could impose any other conditions that they felt were warranted. He discussed that the any changes to lighting would have to be submitted to the ARB and did not have to be considered by the Council.

Mayor Sullivan discussed that in the new Ordinance the Council had listed a number of criteria or conditions that the Council could use in approving a SUP but they were not required to use them all nor were they limited to those conditions.

The Council reviewed and discussed the draft conditions presented by Mr. Bennett and come to a consensus on the conditions to be applied to the permit.

Mr. Bennett read through the General Standards from Section 6-1-1 of the Zoning Ordinance and the Council considered each standard:

- a. Will not be hazardous or injurious to, or in conflict with, the predominant character of the neighborhood considering the size and location of the use, the nature and intensity of the operation involved, the site layout and access roads

A roll call vote was taken:

Mr. Schwartz voted "yes"

Mr. O'Connell voted "yes"

Ms. Kuhn voted "yes"

Mayor Sullivan voted "yes"

Mr. Goebel voted "yes"

Ms. Butler voted "yes"

And the standard was approved 6-0.

- b. Will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed use

A roll call vote was taken:

Mr. Schwartz voted "yes"

Mr. O'Connell voted "yes"

Ms. Kuhn voted "yes"

Mayor Sullivan voted "yes"

Mr. Goebel voted "yes"

Ms. Butler voted "yes"

And the standard was approved 6-0.

- c. Will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood, or to the quiet enjoyment of property or improvements in the neighborhood

A roll call vote was taken:

Mr. Schwartz voted "yes"

Mr. O'Connell voted "yes"

Ms. Kuhn voted "yes"

Mayor Sullivan voted "yes"

Mr. Goebel voted "yes"

Ms. Butler voted "yes"

And the standard was approved 6-0.

- d. Will be in accord with the provisions of the ordinance and the plan of use and development embodied therein, as well as in accord with such comprehensive plans or parts thereof from time to time adopted by the governing body

A roll call vote was taken:

Mr. Schwartz voted “yes”

Mr. O’Connell voted “yes”

Ms. Kuhn voted “yes”

Mayor Sullivan voted “yes”

Mr. Goebel voted “yes”

Ms. Butler voted “yes”

And the standard was approved 6-0.

Mr. Bennett also asked the Council to consider 6-1-2 Additional Standards (h) 6.

- h. 6. By a separate and distinct special use permit, a Bed and Breakfast establishment may serve meals to guests and non-guests, but in no greater number for each meal seating than the number of permitted rooms times two, and only upon such additional conditions as may be required by the Town Council which may include, but are not limited to, the nature and extent of on-site management, additional parking requirements, ingress/egress requirements, periodic review or issuance only for a defined period, to then be reapplied for by the applicant, issuance restricted only to the current owner or applicant, limitation of hours of serving meals to guests and non-guests, requirements for a minimum number of guests before meals may be served to non-guests, noise standards, and/or lighting standards. Additional conditions may also be imposed upon Bed and Breakfast establishments serving meals only to guests

A roll call vote was taken:

Mr. Schwartz voted “yes”

Mr. O’Connell voted “yes”

Ms. Kuhn voted “yes”

Mayor Sullivan voted “yes”

Mr. Goebel voted “yes”

Ms. Butler voted “yes”

And the standard was approved 6-0.

Mr. Goebel made a motion to approve Special Use permit TW 13-08-01 MacPherson Bed and Breakfast non-guest meal service subject to the following conditions:

1. On-site management required.
2. Parking as follows: expand existing parking lot in accordance with sketch attached as Exhibit “A: for 10 off street parking spaces.
3. This special use permit is issued for a defined period as follows: one year-to be reviewed by Council.
4. This special use permit is restricted to the current owner only, namely John and Diane MacPherson.
5. Hours of serving meals to guests and non-guests shall be as follows dinner hours limited to 6:30 P.M. to 11:00 p.m.
6. Noise standards as follows: do not unreasonably disturb the neighbors.
7. Ingress/egress will remain unchanged.

A roll call vote was taken:

Ms. Butler voted “yes”
Mr. Goebel voted “yes”
Mayor Sullivan voted “yes”

Ms. Kuhn voted “yes”
Mr. O’Connell voted “yes”
Mr. Schwartz voted “yes”

And the SUP was approved 6-0.

Mr. MacPherson asked if the Foster Harris House would be allowed to serve guests until the parking lot construction was completed, which he estimated to be done in about a month.

Mr. Bennett discussed that the parking lot condition was worded to allow for a reasonable amount of time for expansion.

- OLD BUSINESS: a). Review of Town events September through December 2013: Mayor Sullivan discussed that there were a lot of events going on including the Rough Ride, the Health and Wellness Festival in the upcoming weekend, the bonfire Friday night and then the next weekend there was the Farm Tour, headquartered on Avon Hall, which would include the Virginia Naturalists, who would be discussing the Nature Trail, and RappFlow, who would be discussing their work on the Avon Hall pond. He discussed that there had been a good article on the Nature Trail and the Naturalists in the RappNews that also had a bit about RappFlow in it as well. He also mentioned that the Christmas Parade would be on December 8th and the Christmas party on the 15th.

- NEW BUSINESS: a). Letter of support for Dominion Grant Application by the Virginia Naturalists: Mayor Sullivan discussed that the Virginia Naturalists were applying for grant from the Dominion Foundation for up to \$25,000 for preserving habitat and water quality, preventing pollution, and for education purposes, for which the Nature Trail was ideally suited. He discussed that the Town would be sending a letter of support of the grant.

- b). Walking Tour Guide: Mayor Sullivan asked the Council to consider the idea that had recently resurfaced of creating a walking guide of the town with the purpose of which was to help people visiting the town explore and know what to do. He discussed that his vision was that it would not be just a map but a map with talking points, including where businesses were, historic sites, and it might have a playful storytelling aspect to it. He discussed that he had discussed the idea with Alex Sharp, the younger, to see if he might be interested in writing and creating such a document, which could be digital and capable of being printed to be distributed by different entities.

Mr. O’Connell discussed that he thought it was an excellent idea and suggested that the Town look for one big sponsor such as the Virginia Wine Association who could help offset the printing costs.

Ms. Nancy Buntin asked if it would be able to be downloaded to a phone and if so the Town would need to have a Town Wi-Fi.

Mayor Sullivan discussed that he hoped that it would a long term goal to have it as an AP: but it could still be downloaded from the Town’s website.

The Council agreed by consensus to have Mayor Sullivan talk to Mr. Sharp and work out an hourly rate and to get the project going.

Mr. O'Connell reminded the Council of the project to obtain and display pictures of deceased past Mayors and Council members in Town Hall. Ms. Kuhn agreed to work on obtaining getting pictures and Mr. O'Connell agreed that he would work on framing and once he an initial picture framed he would bring it before the Council to approve.

Mr. Schwartz discussed that the Town needed to be looking at sewer reassessments, rates, and repairs to grinder pots due to damage by the homeowner, which costs should be repaid to the Town.

After a short discussion it was agreed that the Mayor, Mr. Schwartz, Ms. Dodd, Mr. Bennett, and Mr. Hearl should work on moving forward in resolving those issues and to determine the processes of applying the Ordinances.

c). Water Supply Plan Emergency Ordinance for Drought and Response and Contingency Plan: Mayor Sullivan discussed that he, Mr. McCarthy, and Ms. Dodd had met with DEQ regarding the County and Town of Washington 2011 Water Supply Plan, a part of which requires all towns and counties to commit to a Drought Emergency Plan when the Governor declared a Drought Emergency. He discussed that the Town would be working on Drought Emergency Plan with the County.

- PUBLIC FORUM: Mayor Sullivan opened the public forum.

Mr. Phil Irwin spoke in favor of the walking tour map which he discussed would also be good advertisement for the Nature Trail.

Mayor Sullivan closed the public forum.

- CLOSED SESSION:
- ADJOURNMENT: At 9:40 p.m. Ms. Kuhn moved to adjourn the meeting and Mayor Sullivan seconded and the motion passed 7-0.

NEXT SCHEDULED MEETING OF THE TOWN COUNCIL ON OCTOBER 14, 2013

Respectfully submitted,

Laura Dodd
Town Clerk

Attachments:

Bank Summary Report
List of Bills-To-Be-Paid
Additional Bills Paid
TW SU #13-08-01 MacPherson Bed and Breakfast Non-Guest Service Application
Ordinance to Grant Special Use Permit TW SU #13-08-01 MacPherson Bed and Breakfast Non-Guest Service Application
MacPherson letter of intentions

