

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

September 13, 2021

Council Meeting

APPROVED Agenda

7:00 p.m.

- CALL TO ORDER Action
- APPROVAL OF THE AGENDA Action
- MINUTES
 - August 9, 2021 Council meeting minutes Action
 - August 21, 2021 Council meeting minutes
- REPORTS
 - Mayor's Report: Mayor Catlin Information
 - Planning Commission Information
 - Architectural Review Board Information
 - Treasurer's Report: Ms. Swift Action
 - Public Works Committee Information
- TOWN ATTORNEY & Zoning Administrator Mr. Bennett Information
- OLD BUSINESS
 - a) Architectural Review Board vacancy Action
- NEW BUSINESS
 - a) Public Hearing Action
 - Special Use Permit application for Rush River Commons
 - Application to extend the sewer service district for Rush River Commons
 - Rezoning a portion of the property for Rush River Commons
 - b) Action on Rush River Common matters (1. SUP, 2. Rezoning, 3. Inclusion in Sewer Service District) subsequent to Public Hearings which may include motions, votes or deferral to another date as to each of the three matters Action
 - c) Application for boundary line adjustment Discussion
 - d) Electronic meeting for attendance Discussion
- PUBLIC FORUM
- ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL
October 11, 2021

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

September 13, 2021

7:00 p.m.

APPROVED Minutes

- CALL TO ORDER: Mayor Fred Catlin opened the meeting at 7:00 p.m. Council members Jean Goodine, Mary Ann Kuhn, Patrick O'Connell, Brad Schneider, Gail Swift and Joe Whited were present. Town Attorney John Bennett and Town Clerk Barbara Batson were present.
- APPROVAL OF THE AGENDA: Mayor Catlin motioned the agenda be amended to include D) electronic meeting attendance, and Ms. Swift seconded and a roll call vote was taken:

Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"
Ms. Swift voted "yes"
Mayor Catlin voted "yes"
And the motion passed 7-0.

Ms. Kuhn voted "yes"
Mr. Schneider voted "yes"
Mr. Whited voted "yes"

- MINUTES: Ms. Kuhn motioned to accept the minutes for August 9 and August 21, 2021 and Ms. Swift seconded and a roll call vote was taken:

Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"
Ms. Swift voted "yes"
Mayor Catlin voted "yes"
And the motion passed 7-0.

Ms. Kuhn voted "yes"
Mr. Schneider voted "yes"
Mr. Whited voted "yes"

REPORTS:

Mayor's Report: Mayor Catlin reported there would be maintenance on the Town's water lines on September 14, 12:00 p.m. to 5:00 p.m.

Rappahannock Rapidan Regional Commission is a group that helps with planning for Rappahannock, Orange and Madison counties. It is having its annual meeting and awards presentation at Lake of the Woods this weekend.

Mayor Catlin provided an update on the post office: Decisions are being made on the type of signage and where to put the town kiosk. Parking lines have been painted and the landscaping should be planted over the next few months.

The Inn at Little Washington anticipates Patty O's Café will open by the end of October.

Work has begun on building walking trails throughout town. There is currently a trail going from Mt. Salem Ave (behind the Washington School building) to Leggett Lane near the wastewater treatment plant. Drew Mitchell has agreed to allow a walking path along Warren Ave on the Avon Hall property to the post office.

Mayor Catlin announced Butch Zindell resigned from the Architectural Review Board and thanked him for his service. Drew Mitchell is the new Chairman. Mayor Catlin presented Mr. O’Connell with the framed resolution honoring the lifetime of achievements of The Inn at Little Washington passed on June 14, 2021.

Architectural Review Board (ARB): The ARB did not meet in September.

Planning commission (PC): The PC did not meet in August.

Zoning Administration: Mr. Bennett reported the Board of Zoning Appeals will hold a public hearing on October 8 at 4:00 p.m. to consider a variance for setbacks of the zoning ordinance and the appeal of the zoning administrator’s decision on an application submitted by Ms. Eagle.

Public works committee: Mr. Whited reported that the American Recovery Plan Act funds received to date would be spent on three of the 22 priorities for maintenance and repairs at the wastewater treatment plant that Environmental System Services identified. It will also cover the cost of four new grinder pumps and repairing seven water meters.

Treasurer’s Report: Ms. Swift will send a treasurer’s report later this week.

Ms. Swift made a motion to approve the bills to be paid and Ms. Kuhn seconded and a roll call vote was taken:

Ms. Goodine voted “yes”	Ms. Kuhn voted “yes”
Mr. O’Connell voted “yes”	Mr. Schneider voted “yes”
Ms. Swift voted “yes”	Mr. Whited voted “yes”
Mayor Catlin voted “yes”	
And the motion passed 7-0.	

- NEW BUSINESS:

- (a) ARB vacancy: One application to serve on the ARB was received before the August 6 deadline. Deborah Harris provided her letter of intent. Mayor Catlin told the Council he has previously worked with Ms. Harris and found her to be knowledgeable and a hard worker.

Ms. Swift made a motion to appoint Ms. Harris to the ARB and Ms. Kuhn seconded and a roll call vote was taken:

Ms. Goodine voted “yes”	Ms. Kuhn voted “yes”
Mr. O’Connell voted “yes”	Mr. Schneider voted “yes”
Ms. Swift voted “yes”	Mr. Whited voted “yes”

Mayor Catlin voted “yes”
And the motion passed 7-0.

- NEW BUSINESS:

- (a) Public Hearing:

- Special Use Permit application for Rush River Commons (RRC)
- Application to extend the sewer service district for Rush River Commons
- Rezoning a portion of the property for Rush River Commons

Black Kettle LLC gave a presentation of the RRC project. Steve Plescow, civil engineer/project manager, reviewed the development plans and shared an overview of the project. He shared that developer Chuck Akre wanted to be environmentally sensitive because there are a number of wetlands and a stream onsite and it was important to Mr. Akre to have a development that would benefit the town and county. He shared that all road access to the development would be off Leggett Lane, there is no entrance from Warren Ave. Each building will be two stories and the development will consist of a commercial building, a building for the food pantry, eight town house units, and two buildings consisting of six apartment units each. There will be four one-bedroom units on the ground floor and two, two-bedroom units on the top floor.

Mr. Plescow also shared that the sewer lines will connect to grinder pumps and feed into the wastewater treatment plant. The power, phone and cable lines will be run underground and there will be underground stormwater containment units which will filter the stormwater before it enters the stream. The site elevation will be raised and retaining walls installed to help eliminate flooding issues.

Jordan Goldstein, architect, shared that he reviewed the architectural details that already existed in town before planning the exterior of the buildings. The commercial building along Leggett Lane will have part of it recessed to help give it the look of two buildings. The two-story buildings will have an elevator with stairs wrapped around it. The food pantry will be one level with high ceilings and windows to allow for more natural light. The roof line on the residential buildings will have step-backs to give the look of two separate buildings. There will be a covered walkway between the commercial building and food pantry.

John Foote, attorney for RRC, said the details provided on the development will be a binding agreement because they are included as conditions on the special use permit.

Mr. Akre shared that based on the type of funding they received that four of the 20 residential units can be priced at market value and the other units must be affordable housing units. He also shared there are 11 identified wetlands and there will be walking paths within the site.

Mayor Catlin opened the public hearing at 7:48 p.m.

Rachel Escobar from Flint Hill offered her opinion on the outlook of Rappahannock County and the need for affordable housing. She commented ...”The Rush River Commons purpose, I believe, will perfectly serve a few of our community’s pressing needs and do so while preserving

the integrity of the beautiful landscape that it will call home. From the food pantry and non-profit office space to affordable and inviting living spaces that will hopefully be filled with young families wishing to further invest in the county, the Rush River Commons should not be seen as a gateway to further unwanted development, but rather as a desirable addition to help serve the people who call this place home”... A copy of her full comments can be found as an attachment to these minutes.

Washington resident Sharron Proper was concerned about how the water would be treated before entering the stream. Mr. Plescow responded there will be filters, that are regularly cleaned, in the underground stormwater containment tanks that the water will run through prior to entering the stream. Mr. Schneider also mentioned that the runoff from the retention basin is no different then the current water going through the system today. The water will be collected to have a relaxed gravitational movement of the water and then the natural vegetation will naturally treat the water, ex. plants and cattails. The idea of a retention system is to eliminate fast moving water. Mr. Schneider also said that the water that goes from the plant into the stream is monitored daily and surpasses state requirements. Ms. Swift mentioned that a nature group monitored the quality of the stream and the water quality was even better downstream then before it reached the plant.

Diane McPherson has been in Rappahannock County for 18 years and is the former owner of Three Blacksmiths restaurant in Sperryville and the Foster Harris House Bed & Breakfast in the town. She is in support of the RRC project because people need places to live. She discussed how it was hard to maintain staff because workers are not able to find affordable housing locally. She feels more housing is needed if you want small businesses to thrive in the county.

Gary Aichele said that he felt the town’s process for considering the RRC application is an example to others. He expressed his thanks to the TC and PC for the work they did in considering this application.

Mayor Catlin closed the public hearing at 8:08 p.m.

- (b) Action on RRC matters (1. SUP, 2. Rezoning, 3. Inclusion in Sewer Service District) subsequent to public hearings which may include motions, votes or deferral to another date as to each of the three matters.

Mr. Bennett read the General Standards of Section 6-1-1 of the Zoning Ordinance. A roll call vote was taken after each standard was read.

The Town governing body may issue a Special Use Permit if it finds that the use for which the permit is sought:

- 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.

Ms. Goodine voted “yes”
Mr. O’Connell voted “yes”
Ms. Swift voted “yes”

Ms. Kuhn voted “yes”
Mr. Schneider voted “yes”
Mr. Whited voted “yes”

Mayor Catlin voted "yes"
And the motion passed 7-0.

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

Ms. Goodine voted "yes"	Ms. Kuhn voted "yes"
Mr. O'Connell voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mr. Whited voted "yes"
Mayor Catlin voted "yes"	
And the motion passed 7-0.	

- 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.

Ms. Goodine voted "yes"	Ms. Kuhn voted "yes"
Mr. O'Connell voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mr. Whited voted "yes"
Mayor Catlin voted "yes"	
And the motion passed 7-0.	

- 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.

Ms. Goodine voted "yes"	Ms. Kuhn voted "yes"
Mr. O'Connell voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mr. Whited voted "yes"
Mayor Catlin voted "yes"	
And the motion passed 7-0.	

Ms. Swift motioned to approve the special use permit with the 27 conditions and Mr. Whited seconded and a roll call vote was taken:

Ms. Goodine voted "yes"	Ms. Kuhn voted "yes"
Mr. O'Connell voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mr. Whited voted "yes"

Mayor Catlin voted “yes”
And the motion passed 7-0.

Ms. Goodine motioned to rezone the property for RRC from rural residential to village residential and village mixed use and Ms. Kuhn seconded and a roll call vote was taken:

Ms. Goodine voted “yes”	Ms. Kuhn voted “yes”
Mr. O’Connell voted “yes”	Mr. Schneider voted “yes”
Ms. Swift voted “yes”	Mr. Whited voted “yes”
Mayor Catlin voted “yes”	
And the motion passed 7-0.	

Mr. Whited motioned to extend the sewer service district to the RRC development and Mr. Schneider seconded and a roll call vote was taken:

Ms. Goodine voted “yes”	Ms. Kuhn voted “yes”
Mr. O’Connell voted “yes”	Mr. Schneider voted “yes”
Ms. Swift voted “yes”	Mr. Whited voted “yes”
Mayor Catlin voted “yes”	
And the motion passed 7-0.	

Mayor Catlin thanked Mr. Bennett for his work on this project. He took a short break to allow attendees who would like to leave after the public hearing to do so.

The meeting reconvened at 8:20 p.m.

(c) Application for boundary line adjustment:

Mr. Foote shared that he submitted an application to do a boundary line adjustment on the property adjacent to RRC. The property is approximately four acres. Mr. Bennett said an agreement needs to be made between town and county. If an agreement is made it would then go before a circuit court judge for approval. Mayor Catlin recommended forming a study group to look into the matter. He suggested the study group include people from outside of town. Ms. Swift suggested that anyone interested in serving on the study group should contact the Town Clerk.

Mr. Whited shared when he reviewed the minutes from 1999, for the last boundary line adjustment, he read that an advertisement was placed in the newspaper for a couple of months to see if anyone else was interested in joining the request for a BLA. Mr. Bennett responded that it was his opinion that Mr. Akre’s application should move forward alone without lumping it in with others.

Ms. Goodine asked what is the general timeframe for an application of this nature and Mr. Bennett responded once an agreement is made it can take 60 to 90 days. Mr. Aichele said he hopes the town and county can work in tandem. He thinks this would allow everyone to know what the benefits are to each entity. Ms. Swift suggested someone from the PC should also be included in the study group. Ms. Anstey reminded the Council that the PC has a September 2022 deadline to review and revise, if needed, the Comprehensive Plan.

- (d) Electronic meeting attendance: Mr. Bennett provided the TC with a draft resolution allowing individual Council members to remotely join TC meetings. He asked that Council members send him any comments or questions.

ADJOURNMENT: Ms. Swift made a motion to adjourn the meeting at 8:44 p.m. and Mayor Catlin seconded and a roll call vote was taken

Ms. Goodine voted "yes"

Ms. Kuhn voted "yes"

Mr. O'Connell voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mr. Whited voted "yes"

Mayor Catlin voted "yes"

And the motion passed 7-0.

THE NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL IS
October 11, 2021.

Barbara Batson, Town Clerk

Attachments:

Bills to be paid

Special Use Permit for Rush River Commons

Ordinance to extend the sewer service district

Ordinance to change the zoning for Rush River Commons

Copy of public comments made by Rachel Escobar