



October 15, 2024  
Town Council Approved Minutes

- CALL TO ORDER: Mayor Whited opened the meeting at 7:00 p.m. Council members, Drew Beard, Fred Catlin, Jean Goodine, Patrick O’Connell, Brad Schneider, and Gail Swift were present. Town Manager/Clerk Barbara Batson was present and Attorney Kyle Eldridge attended remotely.
- APPROVAL OF THE AGENDA: Mr. Schneider requested the steps at 322 Main Street be added to the agenda. Mr. Catlin made a motion to approve the amended agenda, Mr. O’Connell seconded and a roll call vote was taken

Mr. Beard voted “yes”  
Ms. Goodine voted “yes”  
Mr. Schneider voted “yes”  
Mayor Whited voted “yes”  
And the motion passed 7-0.

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

- MINUTES: Ms. Goodine motioned to accept the minutes for September 9, 2024, Mr. Schneider seconded and a roll call vote was taken:

Mr. Beard voted “yes”  
Ms. Goodine voted “yes”  
Mr. Schneider voted “yes”  
Mayor Whited voted “yes”  
And the motion passed 7-0.

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

REPORTS:

Mayor’s Report: Mayor Whited shared a moment of silence for those that were affected by the recent natural disasters.

Treasurer report: Ms. Swift presented the first quarterly report, there were no questions from TC.

Town Attorney: Mr. Kyle Eldridge, attending in place of Mr. Crim, shared that the Mr. Goff (County Attorney) filed for approval of the final voluntary settlement agreement. Mayor Whited asked how long it generally takes to get final approval. Mr. Eldridge said that it was hard to take a guess, it’s just a matter of waiting until the court gets to it.

Zoning Administrator: Mr. Steve Gyurisin submitted a written report and said there would be plenty of activity coming in the next 3 to 4 months.

Planning Commission (PC): Ms. Jeanne Kauffman reported that the PC recommends that TC approve the lot line adjustment on today's agenda.

Architectural Review Board (ARB): Ms. Harris reported the ARB didn't meet in September; they did approve The Inn at Little Washington's (The Inn) application to demolish the barn on Piedmont Ave. at the August meeting.

OLD BUSINESS: There was no old business.

a) Steps at 322 main street:

Mayor Whited shared that there has been an ongoing conversation about removing the stairs at 322 Main Street from the sidewalk. The item was put on hold to give the new owner time to adjust to The Inn's construction on the property next door. He shared that the stairs are hindering Virginia Department of Transportation's right-of-way on the sidewalk.

Ms. Goodine asked if there is access to the building if the stairs are removed? Mayor Whited replied, there is an entrance on the side and rear of the building.

Mr. Schneider made a motion to authorize the zoning administrator to send a letter to the owner of 322 Main Street, giving them notice to remove the stairs within 90 days, Mr. Catlin seconded and a roll call vote was taken

Mr. Beard voted "yes"

Mr. Catlin voted "yes"

Ms. Goodine voted "yes"

Mr. O'Connell voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 7-0.

NEW BUSINESS:

a) Appeal regarding ARB decision to demolish a contributing structure at 218 Piedmont Ave:

Mr. O'Connell recused himself from the hearing. Mayor Whited reported that after the application was received the town had received a notice from Mr. Crim, that the applicant may not have standing to appeal this issue based on Virginia case law. The question before TC is to determine if the applicant does have standing and if TC can consider the appeal.

Ms. Swift said that based on Mr. Crim's opinion she doesn't think TC can legally act on this. Mr. Schneider said that we are a very small community, both in population and land acreage. Therefore, he feels that everyone in town is impacted by whatever is done in town. In this case he doesn't feel an affected party should be limited to a 1-2 mile radius. He feels the person filing the appeal does have standing, that it's right and just.

Mr. Catlin said he was disappointed in the ARB's decision, but does respect it. The barn is in terrible shape. The ARB took the time to make a weighted decision, I respect that and will go with the decision to approve the demolition. He said he was very concerned as a member of town with a trend with several old buildings in town that seem to be deteriorating, each of them

is a historic or significant structure. I think that either through the ARB or through some other mechanism we should find a way where we won't have to address this same issue with another building that is an important part of the town. We need to figure out what actions we need to take to prevent this from happening again.

Ms. Goodine said she wanted to echo what Mr. Catlin said. She said the documentation that the applicant provided was very helpful in understanding the historical background of the area. She shared that she doesn't think the applicant is individually aggrieved.

Mr. Beard agreed with the statements made by Mr. Catlin and Ms. Goodine, and said in this instance he doesn't feel we can make an exception.

Mr. Schneider said it's a barn, not a residence. He thinks Amish builders could be brought in to rebuild the barn back to its original condition. The owner of the barn has spent a significant amount of money on other properties in town and doesn't think this work would be that expensive. The barn could then be used for its intended purpose of storing things like hay and grain. These could then be used for the livestock that the owner has said will be part of the development of the pond. Mr. Schneider opposes the demolition of the building.

Mayor Whited said that he feels the town government failed on two counts in this case. The first, was when this issue was first raised to the ARB in 2018. The ARB denied the request and TC did not take action to invoke our demolition by neglect statute and forcing action by the owner. This inaction leaves us with a barn that has further deteriorated and seems unsalvageable, based on the assessment of engineers. He said that he would like to point out that the current council takes very seriously the preservation of our historical assets. We proved that earlier this year by invoking the demolition by neglect for the very first time and forcing the sale of the packing shed in town. Our second failure, is not raising the question of standing with our Council earlier in this process, thus saving time of the appellant, Ms. Platt. However, Mayor Whited does not see how TC could move on the issue of standing in this particular case, without opening the town up to potential legal action.

Mayor Whited made a motion to deny hearing the appeal, Mr. Catlin seconded, and a roll call vote was taken:

Mr. Beard voted "yes"

Mr. Catlin voted "yes"

Ms. Goodine voted "yes"

Mr. O'Connell voted "yes"

Mr. Schneider voted "no"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. Schneider voting no.

b) 603 Mt. Salem Ave. lot line adjustment, submitted by J&B Virginia LLC.

Ms. Swift made a motion to approve the request of J&B Virginia LLC to adjust the lot and create a division as shown on the survey plat presented with necessary waivers to do so. Waivers include recognition of a side lot line that is less nonconforming than the previous lot line, limited lot frontage and use of the existing access easement shared with the Washington School property. Prior to final approval the plat should have a signature block for the Zoning/Subdivision Administrator to sign; Mr. Beard seconded, and a roll call vote was taken:

Mr. Beard voted "yes"  
Ms. Goodine voted "yes"  
Mr. Schneider voted "yes"  
Mayor Whited voted "yes"  
And the motion passed 7-0.

Mr. Catlin voted "yes"  
Mr. O'Connell voted "yes"  
Ms. Swift voted "yes"

c) Speed limits:

Mayor Whited shared that the Commonwealth passed a law to give us the ability to regulate speed limits in town. He feels with the amount of pedestrian traffic that needs to walk in the road on Main Street, due to the lack of sidewalks, requires TC to take action to reduce the speed limit for pedestrian's safety. The lowest speed can be 15 MPH, he recommends setting the speed limit to 20 MPH. Ms. Goodine said she is in favor of lowering the speed limit, but it means nothing if it is not enforced. She suggested that Mayor Whited should talk to the Sheriff about enforcement. She also thinks a digital sign showing how fast a driver is going would be helpful.

Mr. Catlin suggested a change in paragraph one of the draft ordinance to say "after 30 days' notice, the commissioner of highways be required to install signage", instead of Town Manager/Clerk.

Mr. Catlin made a motion to approve reducing speed limits within the town boundary to 20 MPH, Mr. Schneider seconded, and a roll call vote was taken:

Mr. Beard voted "yes"  
Ms. Goodine voted "yes"  
Mr. Schneider voted "yes"  
Mayor Whited voted "yes"  
And the motion passed 7-0.

Mr. Catlin voted "yes"  
Mr. O'Connell voted "yes"  
Ms. Swift voted "yes"

d) Holiday party:

Mayor Whited said in past years the party was scheduled on the Sunday after the Christmas parade. He suggested hosting the party on December 15 from 5:00 p.m. to 7:00 p.m. The TC agreed.

PUBLIC FORUM: Mayor Whited opened the public forum at 7:28 p.m.

Ms. Joan Platt shared that the owner of the barn on Piedmont Ave. has served on both the ARB and TC, and is very aware of the ordinance. She finds it hard to believe that they allowed that lovely barn to fall into its current state. She volunteered to serve on a task force, should one be created, to enforce the ordinances on record regarding historical and contributing structures, the town is losing its heart. Can we do something about this, and don't let it drop like the stairs on Main Street? She also requested making the appeal process easier. Two days before the hearing she received a letter from opposing council saying that she didn't have standing, then a letter from town 4 hours before the meeting.

Mayor Whited apologized and mentioned this was the first time we heard an appeal and we've learned some hard lessons.

Mayor Whited recommended to TC that we take an inventory of historic buildings in town. Ms. Platt mentioned there are binders in the Town Clerk's office that has an inventory of buildings.

Ms. Wendy Murdoch said she felt it was a shame that the town is allowing itself to be eaten by The Inn. For example, Cooks Cottage is no longer recognizable after being taken down to its studs. The barn was supposed to be taken care of in 2018, but wasn't. The Inn has failed its responsibility to this town, to preserve this town, and it's about time the TC recognize this and start bringing some enforcement. The Inn now has flood lights that shine into my viewshed every night. I'm trying not to be angry, but I am becoming increasingly angry that The Inn is dividing this town. I think its important to recognize that division and start doing something that reigns them in and not let The Inn take over this town.

Ms. Jeanne Kauffmann shared that she respects the comments from Ms. Platt and applauds her for her efforts in this matter. She mentioned she has lived in the county for 30 years, and although The Inn is a lightning rod, she feels they do a wonderful job for the county.

Close public comment 7:34 p.m.

Mayor Whited closed the public forum at 7:35 p.m.

Ms. Swift made a motion to adjourn, Mr. Catlin seconded, and a roll call vote was taken:

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

THE NEXT REGULAR MEETING OF THE TOWN COUNCIL IS  
November 11, 2024.

Barbara Batson, Town Manager/ Clerk

Attachments:

Zoning Administrator's report  
Ms. Platt's appeal  
Treasury's report  
Speed limit ordinance