

**Town of Round Hill  
Planning Commission Meeting  
June 2, 2015  
7:00 p.m.**

A regularly scheduled meeting of the Town of Round Hill Planning Commission was held Tuesday, June 2, 2015, at 7:00 p.m. at the Town Office – 23 Main Street, Round Hill, Virginia.

**PLANNING COMMISSION MEMBERS PRESENT**

Manuel Mirabal, Chairman  
Michael Hummel  
Christopher Prack  
Elizabeth Wolford

**PLANNING COMMISSION MEMBERS ABSENT**

Stephan Evers

**STAFF MEMBERS PRESENT**

Melissa Hynes, Town Planner/Zoning Administrator

**MEMBERS OF THE PUBLIC PRESENT**

Mary Anne Graham  
Frederick Lyne  
Clinton Chapman

**IN RE: CALL TO ORDER**

Chairman Mirabal called the meeting to order at 7:00 p.m. Roll Call was held, and it was determined that a quorum was present.

**IN RE: PLEDGE OF ALLEGIANCE**

Commission Member Wolford led those present in the Pledge of Allegiance.

**IN RE: APPROVAL OF AGENDA**

Town Planner/Zoning Administrator Hynes noted that a new Agenda has been included in Commission Members' packets. Commissioner Prack then made a motion **that the Agenda be approved as amended**; Commissioner Hummel seconded the motion. A vote was then held; the motion was approved 4-0, with Commission Member Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Absent
Michael Hummel	Aye
Christopher Prack	Aye
Elizabeth Wolford	Aye

### IN RE: DISCLOSURES AND COMMISSIONERS' COMMENTS

Commission Member Hummel noted that, when he left his prior service on the Planning Commission, he was presented a rose bush. In the ensuing time (three or four years), the plant had not produced flowers; however, now that he is again serving on the Planning Commission, the plant is flowering. Mr. Hummel also explained that, as he is a land-owner of one of the parcels included in the discussion of "Land Use Bays," he will recuse himself from that discussion. Chairman Mirabal explained that he recently attended a breakfast with Congresswoman Comstock, and that she expressed an interest in attending a Round Hill event, and noted that she is familiar with the community. There were no further Disclosures and Commissioners' Comments.

### IN RE: APPROVAL OF MINUTES

#### **A. Minutes of the May 5, 2015 Meeting**

Commission Member Wolford noted that, on page three, near the center of the page, in the sentence beginning *Commission Member Wolford...*, she is asking a question, but the wording makes it sound more like a statement. Ms. Wolford suggested changes whereby the sentence would read, in part, *Commission Member Wolford asked, if accessory dwellings were to be allowed in the future, would the zoning of any property involved need to be changed...* Commission Member Prack then made a motion **that the minutes be approved as amended**; Commission Member Wolford seconded the motion. A vote was then held; the motion was approved 4-0, with Commission Member Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Aye
Stephan Evers	Absent
Michael Hummel	Aye
Christopher Prack	Aye
Elizabeth Wolford	Aye

### IN RE: BUSINESS ITEMS

#### **A. Comprehensive Plan Update**

##### **a. Draft Goals, Objectives & Strategies Review**

Town Planner/Zoning Administrator Hynes led this discussion, and explained why she divided the discussion of the update into sections. Ms. Hynes explained that the four chapters presented this evening contain minor revisions from last month's discussion; she also explained the reasons for the order in which they will be discussed. Chairman Mirabal asked if the "Public Services" chapter includes comments reviewed at an earlier meeting between he and Ms. Hynes; it was noted that it does. Ms. Hynes stated that the following chapters will be discussed: "Public Services," "Environmental Stewardship," "Heritage Resources," and "Housing and Community Development."

Town Planner/Zoning Administrator Hynes reported that the Land Use Committee has requested a definition of a “historic building,” noting that the term may be viewed in a very broad manner. Ms. Hynes presented the example of the Post Office building, which could be considered historic as it is over fifty years old, and asked if that is a type of architecture the Town would want to preserve, as opposed to architecture from the early 1900’s. Feedback from the Commission was sought, including if the Commission would want to provide a definition. Commission Member Prack stated that he is not sure age necessarily can define a historic building, and noted that the original portion of his house is over 125 years old, but he is unsure it could be described as historic. Mr. Prack explained that his house was originally built for use as a rental property (renters would come from Washington, D.C.). Commissioner Prack also stated that, certainly, there are homes in Town which do have significant historical value, such as the stone house on the eastern side of Town, which has a well-documented history. Town Planner/Zoning Administrator Hynes clarified that this definition would apply to a building which is a landmark; she also noted that she would consider Mr. Prack’s house historic. Ms. Hynes stated that these houses, historically used as rentals, provide “the fabric of Round Hill.” Town Planner/Zoning Administrator Hynes also spoke about the rental property aspect of these houses, as that is an important piece of the Town’s history; she also noted that this is important for both historical and economic reasons. Town Planner/Zoning Administrator Hynes also spoke about Commission Member Hummel’s house, which is new construction, but looks like the historical properties in Town; Mr. Hummel noted that the difficulty of building houses such as his lies in the economics. Town Planner/Zoning Administrator Hynes explained that there is little opportunity for in-fill building in Round Hill, and stated her belief that a house such as Mr. Hummel’s could sell. Ms. Hynes noted that, in the update of the Comprehensive Plan, the Commission needs to decide if they include what Round Hill *deserves* or simply what Round Hill can *get*. Town Planner/Zoning Administrator Hynes stated that the Commission should think about the types of new build desired, as well as protecting what already exists and addressing additions to historic homes. Ms. Hynes further explained that, whatever the Planning Commission includes in the Comprehensive Plan, should outline its wishes, balance preservation and property rights, and help to provide for the use of the “carrot not the stick,” as the Town cannot tell someone how his/her house should look. It was explained that the Comprehensive Plan needs to provide a unified front on what Round Hill looks like. Town Planner/Zoning Administrator Hynes provided information on similar issues being faced by leaders in Lovettsville. Discussion ensued regarding how “historic” may be defined; with Ms. Hynes noting that it is challenging to define “historic.” Commission Member Hummel asked if research could be conducted on what other communities have done; Ms. Hynes stated that she is unsure that would be helpful for use here. Town Planner/Zoning Administrator Hynes explained that she could take language for use in devising the definition from the Historic Register report received by the Town, and noted that she will put together a definition. Chairman Mirabal asked if the date of the founding of the Town should come into play in preparing this definition, as buildings which were standing when the Town was founded have historical relevance. Mr. Mirabal also noted his feeling that the descriptions of housing styles contained in the Historic Register report is a good starting point, as well. Chairman Mirabal noted his feeling that Objective “b,” Strategy “1” in

the Heritage Resources chapter may not fit in with the language of this chapter, and asked for its origin. Town Planner/Zoning Administrator Hynes explained that this Objective/Strategy came from the County Historic Preservation plan; in addition, she felt it fit in here because of economic reasons. Ms. Hynes noted that she is not happy with the specific language, either, and is still working on better language. It was explained that this issue may be clarified, re-written, or deleted. Chairman Mirabal explained his concerns regarding issues which could occur with the use of historic properties, by-right as commercial properties (specifically as restaurants), due to the link this Objective/Strategy provides in this chapter. Mr. Mirabal noted that this needs to be carefully thought out. Town Planner/Zoning Administrator Hynes stated that this item could be moved to the Economic Development chapter. Ms. Hynes also reported that she is still working with the County regarding the difference between a “conservation district” and a “historic district.” The discussion then moved to the Housing and Community Development chapter. Town Planner/Zoning Administrator Hynes noted that the Planning Commission had previously asked that Strategy #2, regarding accessory dwellings, be revised; she is waiting for feedback from the Town Council regarding this, and explained that the word *aging* may be omitted from the Strategy. Town Planner/Zoning Administrator Hynes explained that the Land Use Committee felt that Objective “a,” located at the top of page two of this chapter, is too broad, and asked that it be revised or replaced. Ms. Hynes explained that the concept contained in this objective is relevant, as there is very little vacant land within the Town’s limits. On page four, Strategy #2 was questioned by both the Planning Commission and the Land Use Committee, with Ms. Hynes noting that the term *maintenance program* or *maintenance code* was not favored; this has been preliminarily revised. Town Planner/Zoning Administrator Hynes explained that a Maintenance Code review is being undertaken, and that this objective will “flesh out” over time as the review goes forward. Ms. Hynes reported that she has spoken with County representatives regarding the Town’s adoption of a Maintenance Code, and has been told that the County would provide the “people power” in the enforcement of such a code – conducting inspections, writing letters, providing regulation and setting fines. The demolition of a house would provide the rare scenario whereby the Town/Town Attorney would be more directly involved. Chairman Mirabal asked to clarify that this would apply only inside the Town’s limits, not in the Joint Land Management Area; Ms. Hynes stated that that is correct. Town Planner/Zoning Administrator Hynes explained that, at present, neither the Town nor the County has any authority to address problems with properties which are a hazard or are in disrepair. Ms. Hynes further explained that problems which pose a health hazard may be treated differently; discussion ensued regarding the historic Hammerly House in Town, and whether disrepair at that property constitutes a maintenance issue or a health hazard. It was also noted that the County differentiates between a blighted property and property issues which are dealt with by their Maintenance Code. Town Planner/Zoning Administrator Hynes explained that the property at 17 Bridge Street has helped to fuel these discussions, and that the goal is to not have this issue arise again. Ms. Hynes also explained that her concern is for the safety of fire/rescue staff, noting issues such as floors rotting due to being exposed to the elements and the possibility of blocked doors, at these derelict properties. Commission Member Hummel questioned why these issues would not be the responsibility of the County; Ms. Hynes explained discussions

she has held with the County Attorney, who pointed out differences between a building code and a maintenance code, and stated that the County only has jurisdiction inside the Town's limits over issues covered by the building code. Ms. Hynes also explained that the County, through their Memorandum of Understanding with Round Hill, has the authority to cap the number of cases with which they deal each year. Further discussion regarding issues surrounding the 17 Bridge Street property ensued, including consideration of the rights of the property owner, the hazard posed by the property in its present condition, and circumstances under which the County would be willing to take action. Town Planner/Zoning Administrator Hynes noted that maintenance code enforcement is a "headache." Ms. Hynes stated that she will forward a copy of a maintenance code to Commission Members for their review, and explained that the actual adoption of such a code is a Council decision.

**b. Housing Policies & Existing Land Use**

Town Planner/Zoning Administrator Hynes briefly discussed the current zoning in Round Hill, noting that the majority of lots fall into the following categories: R-6, R-4, R-2 and AR-1; it was noted that there are several homes in Round Hill which are on lots which are less than ½ acre, and that R-2 is defined as a house on a ½ acre lot. Ms. Hynes pointed out that there are also houses in Town, zoned R-2, but are on lots greater than ½ acre. It was noted that R-4 most accurately describes the existing lot sizes in Town. Town Planner/Zoning Administrator Hynes spoke about a discussion she had recently with a property owner in Town, regarding the possibility of subdividing his/her ½ acre lot, in order to more accurately mimic the lots already existing on the street in question; this also pointed to the possibility that other lots could be subdivided in the future. Discussion of the definition of the AR-1 zoning designation ensued; it was noted that this designation applies to 12,000 square foot lots. There was also discussion of the Town's zoning ordinance as compared to the County's; Town Planner/Zoning Administrator Hynes noted that the ordinances are essentially the same. Ms. Hynes explained that, at the last Town Council meeting, the request was made that the County's housing forecast be reviewed for use in these housing discussions. The types of future housing desired by both Planning Commission members and Town Council members were discussed, with it being noted that housing appropriate for young people/families, just starting out, as well as "empty-nesters" are desired by Town representatives. Town Planner/Zoning Administrator Hynes briefly explained how the County's housing study is conducted, noting that particular attention is paid to "in-commuters." The County's most recent study showed that the following categories made up the majority of those who commute into the County to work, but do not live here: construction, local government, transportation, and retail. It was noted that the goal is to provide for diversity in the County's population. Ms. Hynes explained that this report was produced in 2005; an updated report is not expected until next year, after completion of the Town's Comprehensive Plan update, however, it can still be used as a talking point. The County reports that it expects a 17% increase in housing stock, to house these workers, and that much of that housing will be multi-family or single-family attached units. Ms. Hynes noted that, obviously, Round Hill cannot fill this need, but that it will play a role. Chairman Mirabal noted, in connection with this discussion, that the amount of developable land in Round Hill is small; Town Planner/Zoning Administrator Hynes noted that that is correct. Mr. Mirabal stated that

he is unsure the Town “should be driven” in its planning by the County’s predictions, and noted that he questions if doing so would properly reflect the Town’s goal of maintaining the “look” of Round Hill. Ms. Hynes noted that this issue was discussed by the Town Council, with the consensus being that new housing of any type blend in with the existing houses in Town. Town Planner/Zoning Administrator Hynes explained that Round Hill’s capacity for new homes is approximately 200; she also explained the types of homes which could be constructed on the Town’s existing properties, in order to provide for more diversity in housing stock. Ms. Hynes explained that, using the 17% number, the following types of housing could be built: ten small houses, eight townhouses (two rows of four houses each), four duplexes, and three apartment houses each containing four units. Using this formula, the twenty-five available lots would provide for thirty-eight additional dwelling units; this would still be far under the 200 unit cap the Town has set for itself. Town Planner/Zoning Administrator Hynes stated that she also supports the creation of one assisted-living facility, either inside the Town’s limits or inside the JLMA; it was noted that such a facility would support the Town’s elderly population, and would provide employment opportunities. Ms. Hynes stated that providing for these various types of housing would help bring diversity, which does not currently exist, to Round Hill’s housing stock. Town Planner/Zoning Administrator Hynes noted the concern expressed by some that Round Hill will become more like Ashburn; she explained that that would not occur due to the small amount of land available for additional homes to be built. Commission Members then reviewed maps depicting lots which are either vacant or over two to three acres and could be subdivided, along with an In-Town Land Use Study document. Circumstances which would make building on some of these lots unlikely or impossible were discussed, as were creative uses for some of the lots which are unusually shaped or sited.

### **c. Land Use Bays**

Town Planner/Zoning Administrator Hynes stated that this topic has been presented to both the Land Use Committee and the Town Council, and is now back to the Planning Commission. Areas included in the Joint Land Management Area were pointed out on a map, with it being noted that this includes some 50 acre lots. Town Planner/Zoning Administrator Hynes stated that she learned, from discussions with the Mayor and representatives of the County, that the original rezoning of this land stipulated that these lots must remain at 50 acres; in addition, they presently have a conservation easement over them. Therefore, as of today, these lots may not be developed. Ms. Hynes asked the Mayor what could occur if, in the future, it was decided to undertake proffer amendments and the removal of the conservation easements on these parcels; Mayor Ramsey explained that the goal is to maintain a “green belt” around the Town, and that the Comprehensive Plan should include language to ensure this. Town Planner/Zoning Administrator Hynes then pointed out parcels on the northwest side of Town, which total approximately 172 acres, and noted that they are all owned by the proprietor of a vineyard who has planted grape vines on the property; thus, it likely will not be available for development. The inclusion of this land, with the parcels discussed previously, would provide for the desired “green belt.” Town Planner/Zoning Administrator Hynes then discussed three parcels, totaling thirty-five acres, on the west side of Town. Ms. Hynes has held discussions with the owner of the largest amount of

this land, and explained that he would like to see the land used for smaller (approximately 1,200 square feet) houses, to help provide homes for senior citizens, young professionals, and/or young families. It was noted that this vision is very in-line with the Town's vision for future housing. Ms. Hynes explained that this property is inside the JLMA, which would provide for more ease in effecting a boundary line adjustment. In light of these factors, the update of the Comprehensive Plan should include language which would support this use of these parcels. A twenty acre parcel, comprised of three lots and south of Town, was discussed next. It was noted that this parcel is along the Town's boundaries, but is not in the Town's service area. Town Planner/Zoning Administrator Hynes stated that our Comprehensive Plan should reflect the Town's future hopes for this land, as this land is currently under the auspices of the County, and the County would have to approve its inclusion inside the Town's boundaries. Ms. Hynes noted that the current owner of the property is amenable to the possible future sale of the land. Ms. Hynes stated that, as this land is across the street from the Lake Ridge Estates development (which is inside the Town's limits), it makes sense to include it in order to "fill out the Town." Four lots located along Yatton Road were discussed next, with it being noted that the cost of providing water and sewer service to them is prohibitive due to the fact that only four homes could be built there. Town Planner/Zoning Administrator Hynes explained that one of the lot owners would like to purchase the other lots, in order to provide for one potential building project. The possible uses for this land were briefly discussed. The eight acre parcel on the east side of Airmont Road was then discussed, with Town Planner/Zoning Administrator Hynes explaining the connection between this land owner and the building of Sleeter Lake. Ms. Hynes explained that the owner of this parcel does not want the land to be subdivided, and that language could be included in the update of the Comprehensive Plan which would assure that outcome. To summarize, Town Planner/Zoning Administrator Hynes stated that there is very little land on the outskirts of the Town which could be developed; the parcels which could most easily be developed are the twenty acres to the south and the thirty-five acres to the west. Ms. Hynes further explained that this acreage would provide for the building of approximately fifty homes, which is well under the Town's limit of 200 additional homes.

#### **d. Land Use Chapter**

Town Planner/Zoning Administrator Hynes asked Commission Members to review this chapter, and to read the Commercial District information most carefully, as it contradicts the Comprehensive Plan. Ms. Hynes noted that most Planning Commission and Town Council members are comfortable with boundary line adjustments, that discussion of acceptable housing types is still ongoing, and that common ground was found regarding Historic Preservation; however, there is still not a unified voice on the difference between "downtown" and the "Commercial District." Commission Members were asked to provide their thoughts on the Central Commercial District (the downtown area) and the Eastern Commercial District. Town Planner/Zoning Administrator Hynes stated that Commission feedback is sought regarding the Central Commercial District boundary lines, and possible uses for this district to be noted in the Comprehensive Plan. The zoning for this area was also discussed.

The Planning Commission discussed possible dates for a future Public Input/Work Session, during which the work being done on the Comprehensive Plan update will be presented to the public and input will be sought from the attendees. Town Planner/Zoning Administrator Hynes reported that six residents have shown an interest in serving on a committee to address the update of the Comprehensive Plan; these committee meetings will be open to the public, as well. Chairman Mirabal asked for a copy of the report from the previous Joint Work Session, for use in review of the Land Use Chapter; Ms. Hynes will e-mail this to Commission Members.

#### **IN RE: ACTION ITEM**

##### **A. Elect Planning Commission Chair, Vice-Chair and Secretary**

Chairman Mirabal noted that the Commission had previously talked about receiving background information on the process for election of officers; Town Planner/Zoning Administrator Hynes noted that the Commission is required to appoint a chair and vice-chair, and that she serves as secretary. Commission Member Wolford stated that the policy requires that the chair and vice-chair be appointed by the Planning Commission, and that this be done in January. Commissioner Hummel asked if nominations were being sought; Chairman Mirabal stated that they were. Commission Member Wolford noted that, previously, this election had not been held as the goal was to have the Commission as a whole in attendance. Town Planner/Zoning Administrator Hynes stated that her goal was to hold the election when the Chair and the Vice-Chair are in attendance at the same time, and that that has not happened in the last five months. Following discussion, it was decided to table the election until the July Planning Commission meeting. Commission Member Wolford made a motion **to postpone the election of Planning Commission officers until the July 2015 meeting**; Commission Member Hummel seconded the motion. The motion was approved by a vote of 4-0, with Commission Member Evers absent. The vote is recorded as follows:

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
Manuel Mirabal	Aye
Stephan Evers	Absent
Michael Hummel	Aye
Christopher Prack	Aye
Elizabeth Wolford	Aye

#### **IN RE: LAND USE COMMITTEE REPORT & TOWN PLANNER/ZONING ADMINISTRATOR'S REPORT**

Town Planner/Zoning Administrator Hynes reported that the report for the Main Street Enhancement Project was sent to VDOT last summer, and their comments were just returned to the Town last month. A new VDOT lead has been assigned to the project, and was unaware of work done by the previous lead; thus he returned 150 comments to the Town. Those comments have been reduced to eleven. Town Planner/Zoning Administrator Hynes reported that, during the County's Public Hearing for the Creekside development, Supervisor Clarke opted to vote against approval, due to issues at the Main Street/Greenwood Drive intersection; Supervisor Clarke's hope was that the Creekside developers would address these issues. It was determined that the problems at this intersection would take \$4 million to correct, and that this is not Creekside's problem to correct. Town Planner/Zoning Administrator Hynes reported that she provided a list of possible storm water projects in the Round Hill area to Supervisor Clarke's office; in response to this, Ms.



Clarke's office contacted the Head of Maintenance for VDOT and he met with Ms. Hynes and visited areas where maintenance/remediation is needed. One result of this meeting is that the culvert problems at 36 Main Street will be addressed, and a grate will be installed. The Creekside development was approved by the Board of Supervisors; as of the date of Ms. Hynes' report, the developer had not received its EMS permit due to issues with the retention pond off of Evening Star Drive. Ms. Hynes contacted the representative of the entity responsible for the pond; the issues at the pond will be addressed. The location of this pond, on Evening Star Drive near the townhouses, was pointed out on a map of Round Hill. Town Planner/Zoning Administrator Hynes reported that Wormald (the Creekside developer) now has the needed permit. In addition, they will be widening Evening Star Drive; blasting in connection to this work will commence next week. Nearby residents have been notified, and this will be posted to the Town's website. Town Planner/Zoning Administrator Hynes reported that the Community Assistant visit by FEMA recently took place, and that Round Hill met most of its requirements and is eligible for the program. The Town has until December 15<sup>th</sup> to implement its Flood Plain Ordinance; Ms. Hynes will train to be the coordinator. Town Planner/Zoning Administrator reported on violation notices, and reported that she is trying to determine if she has the authority to issue a violation notice regarding the number of people living in a house who are unrelated. Chairman Mirabal asked for an update on the status of 7 Main Street; Town Planner/Zoning Administrator Hynes explained that the sign has been removed and the advertising has been corrected. Ms. Hynes reported that the neighbors of the house at 17 Bridge Street are becoming increasingly upset; Commission Member Prack reported that the property owner seems to have no interest in dealing with the problem.

**IN RE: NEXT MEETING**

The next meeting of the Planning Commission will be held on July 7, 2015 at 7:00 p.m.

**IN RE: ADJOURNMENT**

Chairman Mirabal adjourned the meeting at 8:52 p.m.

Respectfully submitted,

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Manuel Mirabal, Chairman

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Debra McDonald, Recording Secretary