

Minutes reflect both verbatim comments and a summary of discussions.

**Town of Round Hill
Planning Commission Meeting
May 3, 2011
7:30 p.m.**

A regular meeting of the Town of Round Hill Planning Commission took place Tuesday, May 3, 2011 at 7:30 p.m. at the Town Office, 23 Main Street, Round Hill, Virginia.

Planning Commission Members in Attendance

Sarah Etro, Chair
Jennifer Grafton-Theodore, Vice Chair
Betty Wolford

Staff Members in Attendance

Rob Kinsley, Town Planner and Zoning Administrator
Susanne Kahler, Recording Secretary

Members of the Public in Attendance

Jordan Dimoff, Representative for Lake Ridge Estates
John Andrews, Andrews Investment Corporation

IN RE: CALL TO ORDER

Chairperson Sarah Etro called the meeting to order at 7:35. A roll-call was taken and it was determined that there was a quorum present.

IN RE: PLEDGE OF ALLEGIANCE

Vice-Chair Jennifer Grafton-Theodore led those present in the Pledge of Allegiance.

IN RE: PUBLIC COMMENT

None

IN RE: APPROVAL OF THE AGENDA

Commissioner Betty Wolford moved that the agenda be approved as presented with one change: that item #8A. Old Business – Lake Ridge Preliminary Plat, 3rd Submission be moved to directly follow item #5 – Disclosures and Commissioner's Comments. Vice-Chair Jennifer Grafton-Theodore seconded her motion. **The motion passed unanimously, 3-0-0.**

IN RE: DISCLOSURES AND COMMISSIONER'S COMMENTS

None

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IN RE: LAKE RIDGE PRELIMINARY PLAT, 3RD SUBMISSION

Town Planner and Zoning Administrator Rob Kinsley provided background on the project. He stated that the applicant had obtained conditional approval of their plat three years ago, utilizing a gravity-flow sewer system design at the time. “There were just a couple items that needed to be changed on the plat itself and the proffer payment made in order to have it fully approved. The applicant has resubmitted their most recent plan, which instead is designed utilizing a grinder pump sewage system. Initially the Town of Round Hill’s Utilities Department didn’t want to hear about any thing other than a gravity sewer for any subdivision within the corporate limits of the Town”, Mr. Kinsley said. He continued, “At this point, after waiting to have something done with the West Lake project – (nothing has been done in three years), the applicant is trying to move forward on their own. With the topography in that area – they feel that it is better to use a force main system with grinder pumps in the individual houses rather than a gravity system. At this point in time, our current consulting engineers for the utility system have looked into the matter and they also feel that in this particular case, this might be the best system. Then you will recall that we came across the stumbling block that we didn’t have that in the Ordinance. So the Utility Committee met and discussed this issue a couple of times and put forth a text amendment to that ordinance which was adopted in April by the full Town Council. So I reviewed this plat again against the checklist and there were just a couple corrections that had to do mainly with the listing of adjoining properties. Those have been made so at this point I feel that we are ready to give this a final review. They still have to go to the Town Council to get approval of the grinder pump system, but we could, at this point, give them conditional approval based on the approval of that system and the payment of proffers.”

Mr. Kinsley also suggested that the Planning Commission add a 3rd condition and that is the conditional approval expires within 90 days. Mr. Kinsley said that, “He also asked Jordan (Dimoff) if he would come and make a presentation too because I realize that two out of the three of you Commissioners have not seen this before and might have some questions.”

John Andrews, representing the applicant, then walked the Planning Commission through the plan. He stated that this was the same preliminary plan that was approved in November of 2008. The only changes being made were the sewer system design using grinder pumps instead of gravity flow and the names of some of the adjacent landowners. Mr. Andrews pointed out the following features: The main road follows a utility corridor. Houses front on 719 with porches and a stone wall will be relocated along 719 to continue the Town. Architectural covenants include shutters on three sides of the homes to try to continue what is in the Town. The cul-de-sac design is more family friendly. There is no inter-parcel connector with Lerner. There is an existing pond that they are saving and a tree save area of open space. An alleyway will provide access to garages not fronting 719. Conceptually there is no substantial change from the plan that was approved previously – other than Lerner never started their sewer. The Town requested

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an 8 foot wide trail to eventually interconnect with other trails. We have sidewalks along both sides and along Airmont Road. The lots are nice size lots, ½ acre – ¾ acre lots.

Mr. Dimoff said that along the utility corridor, Maureen Gilmore (Town Attorney) had asked for some revisions to the deed they submitted a long time ago. They went back and forth with their own attorney and submitted them to her and are still waiting for her approval before they can submit a signed copy. Mr. Andrews said they will also dedicate a place for a “Welcome to Round Hill” entrance sign.

The Commissioners asked for clarification between a gravity flow sewer system and a force main. Mr. Dimoff said that an ejector pump pushes sewage up and into the sewer on a community-wide basis where each house pushes into the line using its own grinder pump and check valves are placed consistently en route so that nothing backflows.

Mr. Andrews noted that condition #3 (90 day expiration of the conditional approval) was financially unfeasible.

Chairperson Etro queried, “So the purpose of #3 Rob, is just to ensure that there is a sunset on the conditional approval? It might be that we can take off the last part of that clause if that is the intent. Why don’t they just set the conditional approval for one year? You’re saying that a conditionally approved plat does not have the status as an approved plat?”

Mr. Kinsley said, “That is correct. To be honest with you, in 40 years of working, this is the first place that has something that says you can conditionally approve the plat.

Usually you either meet all the requirements of the plat or you don’t. And it’s signed or it’s not. I just put a figure in there so we can discuss it.

All three Commissioners agreed to strike condition #2 out since the terms are already stated in the proffers.

“I think what Rob’s issue might be, is that we are sort of in this weird position,” Etro said, “where the Town Planning Commission, although not us at the time; where we have a conditionally approved preliminary that has gone through review but it is still on the table and it will be our names that are on it - we will ultimately be the ones that approve it but we haven’t gone through the review and I think Rob’s trying to come up with a way so that doesn’t happen to another Commission – either get it done within an ‘X’ number of time or start all over again.”

Commissioner Wolford asked for some clarification. “On the plat you show the open space 5.59 acres – I am assuming the Town is going to be responsible for maintaining that since there is no HOA there. Should that be shown on the plat that the Town is going to maintain this?” She also asked if the Town’s insurance company had been contacted about liability concerning the existing pond. Mr. Andrews said they would be giving that to the Town. Commissioner Wolford asked if the proffers should be listed on the front page of the plat. She also asked if they had contacted the Town’s insurance company about liability regarding the existing pond and if there would be a fence around it. The applicant had not.

“The Town is responsible for the maintenance of the open space, sidewalks, trails, trash pickup and electricity for the street lights,” Mr. Kinsley noted.

Commissioner Wolford said the main roadway is 40’ – which met VDOT standards. Mr.

Dimoff noted that, “Except for the alley, VDOT will maintain all cul-de-sacs.

Homeowners will maintain the shared driveway. The rest of the streets are all VDOT.

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Maintenance of the sidewalks will be the responsibility of the Town,” Mr. Dimoff concluded.

Chairperson Etro asked Town Planner Mr. Kinsley how the landscaping and zoning ordinance related to the subdivision plat. Rob said that it met all the subdivision plat requirements. Mr. Kinsley said he has reviewed it to make sure it met all R-2 requirements.

“I just wanted to restate that for all intensive purposes we are starting over with this preliminary and I appreciate that the Commission has taken the time to review it and ask questions because none of us were here during the original discussions so it will be our vote and our names – my name on the plat,” Chairperson Etro said, “I appreciate where you all are coming from because you did take the time to go through an extensive review with a Commission but because the preliminary has been sort of ‘stale’ for three years, it puts us in the position of having to do the approval. We are saying it is an amended preliminary. Are you all ready to look at the sample motions again and see if we can get it worked out?”

Commissioner Grafton-Theodore said that she felt they didn’t need to put a time limit on the conditional approval.

“I can support just having the condition be that the Town Council must approve the use of the grinder pump sewer system in the subdivision. The one thing I would add is a clause at the end, ‘in accordance with the Town’s sewer policy,’ which makes it clear that that it is not our decision,” said Chairperson Etro, “Do you have a strong objection to that Rob?”

Mr. Kinsley replied, “No.”

Chairperson Etro said, “I move that the Planning Commission conditionally approve SBPL-2007-01 Lake Ridge Estates Preliminary Plat, Third Submission, as shown on the plat dated May 17, 2007 and revised through April 29, 2011, with the following condition: the Town Council must approve the use of the grinder pump sewer system in accordance with the Town sewer policy.”

Vice Chair Jennifer Grafton-Theodore seconded her motion. **The motion passed unanimously 3-0-0.**

IN RE: APPROVAL OF MINUTES FROM APRIL 5, 2011

Betty Welford said she had two minor changes. On page one, under Approval of Minutes, “meeting” should be a capital M. Under “Old Business” on page 2, the last line should have a period.

Commissioner Welford moved that the minutes of April 5, 2011 be approved with the two minor changes. Vice Chair Grafton Theodore seconded the motion. **The motion passed unanimously 3-0-0.**

IN RE: TOWN PLANNER AND ZONING ADMINISTRATOR’S REPORT

There were no further questions or comments about the report.

IN RE: NEW BUSINESS

None

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IN RE: OTHER BUSINESS

Chairperson Etro said she would like to comment that next Tuesday, May 10th, 2011 at 5:30 p.m. they had their next B-1 committee meeting at the Town Office.

IN RE: DRAFT AGENDA FOR JUNE 7, 2011 MEETING

Commissioner Wolford suggested they start on the B-1 review at the Commission level. Chairperson Etro said that if they did not have any pressing business she would suggest cancelling the meeting.

IN RE: ADJOURNMENT

With no further questions or comments the meeting was adjourned at 8:40 p.m.

Respectfully submitted:

Sarah Etro, Planning Commission Chair

Susanne Kahler, Recording Secretary