

**ROUND HILL TOWN COUNCIL
JOINT PUBLIC HEARING
with the
ROUND HILL PLANNING COMMISSION
and
TOWN COUNCIL REGULAR MEETING MINUTES
October 10, 2019**

A Joint Public Hearing with the Round Hill Planning Commission, and a Regular Meeting of the Round Hill Town Council, were held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, October 10, 2019, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Donald W. Allen
Amy E. Evers (arrived at 7:56 p.m.)
Melissa Hoffmann
Michael B. Hummel (remote attendee)

Planning Commission Members Present

Manuel Mirabal, Chairman
Beth Caseman
Stephan Evers
Michael B. Hummel (remote attendee)

Staff Members Present

Melissa Hynes, Town Administrator/Zoning Administrator
Rob Lohr, Project Specialist
Maureen Gilmore, Town Attorney
Martha Mason Semmes, Deputy Zoning Administrator

Others Present

Patrick Szabo, *Loudoun Now*
Danielle Albright
Meghan Cantrall
Jeremy Kendall
Michael Davis
Jill Lannon
Robert Kenner
Ryan Stanton
Patrick Vogelsans
Alison Sinisgallo
Matt Bowe
Mike Lannon
Juan Restrepo
Marlene Schaefer

Al Van Huyck
Wes Cantrall
Donna Crisp
Linda Kendall
Brenda Lee Best
Brock Miele
Evan McCarthy
Brian McMullen
Jim Sinisgallo
John Harris
Paul Smith
Dell Nunaley
Andy Rider
Todd Heron

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey thanked those present for their attendance at this evening's public hearing and meeting, and asked that speakers keep their comments to three minutes, due to the large number of attendees who may wish to provide comments. The Mayor also provided a brief review of the format for the meeting. Mayor Ramsey called the meeting to order at 7:37 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

IN RE: ROLL CALL

Mayor Ramsey noted that Councilperson Hummel was absent, but was participating remotely; additionally, he noted that Councilperson Evers was expected to arrive during the meeting. The Mayor stated that, with Councilpersons Allen and Hoffmann, Vice-Mayor Graham, and himself present, a quorum was established.

Chairman Mirabal requested a call of the roll for the Planning Commission, and noted that, with all members of the Commission, except Commission Member Hummel, in attendance, a quorum was established.

Both the Town Council and the Planning Commission were officially called to order, for the purpose of the Joint Public Hearing, at 7:40 p.m.

IN RE: JOINT PLANNING COMMISSION & TOWN COUNCIL PUBLIC HEARING

a. CPAM-2019-01 – Amendment to Chapter 12 – Greater Round Hill Area

Planning Commission Chairman Mirabal explained how the Public Hearing will proceed, noting that the purpose of the hearing this evening is to receive public comment on an amendment to the *Town of Round Hill Comprehensive Plan*, under *Chapter 12 – The Greater Round Hill Area*, adopted on January 10, 2017. Mr. Mirabal then read the public notice into the record (attached). Town Administrator/Zoning Administrator Hynes welcomed attendees to the meeting, and noted that this evening's Public Hearing was duly advertised in the newspaper *Loudoun Now* and on the Town's website. Town Administrator/Zoning Administrator Hynes then provided background information on the Town's Comprehensive Plan, and this potential amendment, including the following:

- The Round Hill Comprehensive Plan provides for affordable housing, regulates density, provides for responsible land use and maintaining the "small-town feel" in any future development, and recognizes one parcel which has been set aside for a future commercial use.
- That the Joint Land Management Area (JLMA) is an area outside the current boundaries of the Town, and is cooperatively managed by both the Town and the County. County zoning regulates the JLMA. A map of the JLMA was provided to attendees.
- A build-out map was provided for review, with it being noted that Round Hill is nearing the point of being built-out inside the Town's boundaries.

- Goals for ensuring that new and/or multi-family dwellings look similar to existing homes in Round Hill.
- The necessity of ensuring that Round Hill possesses adequate water and sewer capacity to serve any additional growth.
- That a chapter was added to the Town's Comprehensive Plan to provide guidelines on the types of development which may occur outside the Town's limits.
- That a "greenbelt" has been provided for in the Comprehensive Plan, which assures a naturalized area at the outskirts of Round Hill.
- That only the three lots noted in the CPAM are under consideration for service extension, and that the CPAM provides parameters for any potential development of those parcels.

Town Administrator/Zoning Administrator Hynes explained that the Comprehensive Plan Amendment under consideration does not provide for approval of any proposal for development. Mayor Ramsey stated that the purpose of the Public Hearing is to take comments, not to hold a question-and-answer session, and noted that he and the Town Administrator/Zoning Administrator would be happy to take any questions following the Public Hearing.

IN RE: PUBLIC COMMENT

Mayor Ramsey provided guidance on how the Public Comment portion of this evening's meeting would proceed, asking those who wish to speak to do so from the lectern at the front of the room, and to endeavor to keep their comments to three minutes. Mr. Ramsey also asked that those making comments provide his/her name and address for the record. A summary of the comments provided follows:

Mr. Al Van Huyck, Appalachian Trail Road, Round Hill – noted that the newly adopted County Comprehensive Plan calls for 40,000 housing units with no additional building to take place in the western portion of the county; additionally, Mr. Van Huyck noted, a large recreation center is under consideration for construction on the east side of Round Hill. He stated that the CPAM is well intentioned, but not well thought out, and suggested that it be tabled, noting that the Town's criteria are vague, and that it may create a precedent for additional development.

Mr. Wes Cantrall, 17771 Airmont Road, Round Hill (Fantasy Farm) – stated his belief that additional building on this property will undermine the character/historic nature of the Town, noting that "development is like water – water will find a way." Mr. Cantrall read from a letter from a relative of the Draisey family (original owners of the Fantasy Farm property) stating the desire that the property be kept as it currently is.

Mr. Jeremy Kendall, 35631 Windover Hill Lane, Round Hill – spoke of the wildlife currently existing in the area under consideration and the concern that development will ruin the habitat for that wildlife. Mr. Kendall also spoke of the loss of value for his property if the adjacent land is

developed. Finally, he expressed his concern regarding the traffic which may be generated if an assisted living facility is built, as well as the safety of the elderly residents of the facility.

Mrs. Jill Lannon, 17520 Tedler Circle, Round Hill – noted that she and her husband have attended all of the meetings held by the Town regarding this amendment, at which it was not supported by their neighbors, and asked that the CPAM not be approved.

Mr. Brock Miele, 35356 Greyfriar Drive, Round Hill – stated that he moved here four years ago, and likes the area because of its country feel. Mr. Miele reviewed the proposed uses for the subject properties, and noted that some, such as an assisted living facility, seem more commercial in nature. Mr. Miele also stated, "why extend water and sewer, unless the property will be developed." Finally, he noted that, if the Town needs to keep changing its Comprehensive Plan, "how comprehensive is it," and that those wanting more development don't seem to care about those already here.

Mr. Robert Kenner, 17711 Cleveland Park Drive, Round Hill – stated that any additional building will create problems with traffic, and asked that the amendment not be passed.

Mr. Evan McCarthy, 17304 Cedar Bluff Court, Round Hill – spoke on behalf of the Piedmont Environmental Council (PEC), stating that the organization encourages the Town to first consider development inside the Town's limits, expressed concerns regarding possible development outside the Town's "greenbelt," and asked that Round Hill meet existing demand first – inside the Joint Land Management Area (JLMA). Mr. McCarthy suggested that Round Hill work inside of the Coalition of Loudoun Towns (COLT) *Ten Principles*.

Mr. Ryan Stanton, 19 Braeburn Court, Round Hill – expressed his concern that adopting this amendment will lead to additional development, and asked the Council not to adopt.

Mr. John Harris, 35688 Kelsey Hill Court, Round Hill – noted that he and his wife live adjacent to Land Bay 7, and agree with the sentiments already expressed. Mr. Harris stated that he is against any further development, and are opposed to adoption of the amendment.

Mr. Matt Bowe, 17472 Tranquility Road, Purcellville – noted that he is a builder, and a member of the Board of the Loudoun Habitat for Humanity; Mr. Bowe stated that he appreciated the Planning Commission's effort to provide affordable housing in the area, and would support this effort.

Mr. Paul Smith, 19312 Washburn Lane, Bluemont – representative of Tree of Life Ministries, stated that he is appreciative of the Town's efforts to meet unmet housing needs. Mr. Smith explained how Tree of Life endeavors to meet housing needs for seniors and special needs adults, and noted that specific requirements would be put in place for potential residents of the development proposed by his organization.

Mr. Mike Lannon, 17520 Tedler Circle, Round Hill – noted that his property is adjacent to Land Bays 8 and 9, and that he has been involved in this process for quite a while. Mr. Lannon stated that the Planning Commission has been very receptive to public comment regarding this

amendment. Finally, Mr. Lannon noted that the two speakers in favor of this amendment have commercial interests.

Mr. Dell Nunaley, 331 West I Street, Purcellville – noted that he is associated with Tree of Life Ministries, and thanked the Planning Commission and Council for their support of unmet housing needs in Loudoun County. Mr. Nunaley provided information on the organization and its impact on the people it serves. Finally, Mr. Nunaley noted that only cottages are under consideration for construction on the subject property.

Mr. Juan Restrepo, 17243 Old Ingleside Drive, Round Hill – noted that he appreciates the effort the Town has put into this process. Mr. Restrepo echoed the sentiments of others opposed to the extension of utilities, and asked that the amendment not be approved.

Mr. Andy Rider, 35762 Heron Mallow Lane, Round Hill – stated that he hopes this isn't a sham with the Planning Commission and Town Council having already made a decision on the amendment. Mr. Rider stated that building additional homes is preposterous and asked that this not be allowed.

Ms. Marlene Shaefer, 17437 Tedler Circle, Round Hill – spoke to the dangers she is concern about, if the proposed facility is built.

Mr. Todd Heron, Hill High Court, Round Hill – reiterated the illustration of "water finding a way," in relation to development, stated by an earlier speaker, and encouraged developers to develop existing properties. Mr. Heron stated his opposition to the amendment.

IN RE: CLOSE OF JOINT PLANNING COMMISSION & TOWN COUNCIL PUBLIC HEARING

Mayor Ramsey and Chairman Mirabal closed the Joint Public Hearing at 9:03 p.m., and thanked those who provided comments this evening.

IN RE: ADJOURNMENT OF THE ROUND HILL PLANNING COMMISSION

Chairman Mirabal adjourned the Round Hill Planning Commission at 9:04 p.m.

Mayor Ramsey stated that, as the Planning Commission did not move the Comprehensive Plan Amendment forward, the Town Council would not take up the issue at this evening's meeting.

Mayor Ramsey called for a recess of the Town Council's Regular Meeting at 9:06 p.m. Councilperson Allen left the Town Council meeting at 9:18 p.m. Councilperson Hummel disconnected from the meeting.

Mayor Ramsey reconvened the Town Council meeting at 9:20 p.m., noting that Councilperson Allen had left the meeting and that Councilperson Evers had arrived, and that a quorum, therefore, still existed.

IN RE: ADOPTION OF REGULAR MEETING AGENDA (Amendments & Deletions)

Vice-Mayor Graham made a motion **that the Agenda be approved, with the following changes: open the Regular Meeting with *Public Comment*; move *Business Items "d", Proposed Boundary Line Adjustment (Discussion of Short-Term Area)* to be the first item presented; to delete *Action Item "a," Resolution 2019-01: Intent to Amend Comprehensive Plan*; and, add a *Closed Session*, to consult with the Town Attorney on pending mediation with Round Hill Investors regarding the Consent Decree.** Councilperson Evers seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 3-0, with Councilpersons Allen and Hummel absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Absent
Donald W. Allen	Absent
Melissa Hoffmann	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye

IN RE: PUBLIC COMMENT

There was no public comment provided during the regular meeting.

IN RE: BUSINESS ITEMS

d. Proposed Boundary Line Adjustment (Discussion of Short-Term Area)

Mayor Ramsey presented this item, noting that the purpose of the discussion this evening is to "reboot" this process, which includes bringing new Council Members up-to-speed on the project and deciding how to move forward. Mr. Ramsey explained that information regarding the Boundary Line Adjustment (BLA) effort may be found on the Town's website. Mayor Ramsey noted that his goals in moving forward with the BLA process is to increase the population eligible for participation in volunteer positions, such as the Town Council, Planning Commission and Board of Zoning Appeals, and to lessen feelings of division within the community. Mr. Ramsey further noted that the process provides financial benefits for both Town residents and incoming residents. The Mayor referenced public input sessions which were held in 2017, and noted that the reception of the idea at that time was mixed. Mr. Ramsey also noted that it was decided, at that time, that the BLA process should be undertaken gradually. Mayor Ramsey reported that the Round Hill Owners' Association (RHOA) has stated that, if it decides that its properties should come into the Town's boundaries, it wishes for all properties to do so at one time; Mr. Ramsey suggested that the RHOA areas be considered at a later date. Mayor Ramsey also provided some of the reasons this effort was placed on hold following its initial 2017 launch, including the opening of Sleeter Lake Park, work on the on-going Main Street Enhancement/Franklin Park Trail Project, and multiple staff changes.

Mayor Ramsey led a review of the information in Council packets, noting that the purpose of boundary line adjustments is not to grow the Town further, but to bring into the Town's limits existing and currently planned homes. Mayor Ramsey highlighted items which could be affected by the proposed boundary line adjustments, including participation in Town elections, positive effects on the Town's finances, and the redirection of State taxes from the County to Round Hill.

A map of the study areas was reviewed by Council, with information provided regarding the number of houses in each area. Neighborhoods which have expressed an interest, and those which have seemed mixed or negative regarding the proposal, were discussed, including Fallswood, Mystic Lane, West Loudoun Street, Hillwood Estates, the Stoneleigh Golf and Country Club, and the Hill High parcel. Mayor Ramsey reported that a proffer provided as a result of the rezoning of the Brentwood Springs neighborhood allowed for its annexation, but noted that residents of that subdivision would have an opportunity to weigh in on the proposal. Mr. Ramsey also noted that he has spoken with Supervisor Buffington regarding the proposed BLA, and that he seems generally supportive. Mr. Buffington indicated that he would like a robust public engagement regarding the proposal, with a majority of residents in support of the boundary line adjustments. Finally, Mayor Ramsey noted that the final objective of the project is to bring into the Town's boundaries the entire Joint Land Management Area.

Mayor Ramsey reported that, at a population of 3,500, the Town would be required to assume maintenance of the roads (which VDOT currently provides); additionally, most, if not all, road projects would be subject to the Virginia Public Procurement Act, which is a full-bid process. Mayor Ramsey noted that, if all areas except the RHOA properties were brought into the Town's limits, the population would be at approximately 2,000.

Mayor Ramsey stated that, if the Council is interested in taking up this project again, public information sessions for the various neighborhoods should be held, followed by a survey of residents; the subject would then come to the Council in the spring for further review. It was noted that this effort will be discussed again, briefly, at the upcoming Strategic Planning Session.

A resident in attendance thanked the Council for its transparency in this process; Council Members thanked the resident for his attendance and comment.

IN RE: MONTHLY REPORTS FROM COMMITTEE & SPECIAL PROJECT CHAIRS

a. Utility Operations

Vice-Mayor Graham reported that the Utility Committee/Staff meeting will be held next Thursday, beginning at 10:00 a.m.; a full report from this meeting will be provided at the October 24, 2019 Town Council meeting. Ms. Graham also reported that the Stoneleigh work has been completed, with the leaking valve repaired.

Town Administrator/Zoning Administrator Hynes reported that there was a water line break this past Friday; Ms. Hynes stated that the Utility staff did a phenomenal job in handling the emergency, and thanked Project Specialist Lohr for his assistance; Mayor Ramsey also thanked the Utility staff and Mr. Lohr, noting that their actions prevented the problem from becoming much more serious.

b. Capital Projects & Parks

There was no report.

c. Administration, Communication & Technology

There was no report.

IN RE: APPROVAL OF MINUTES

a. Town Council Work Session of September 5, 2019

Vice-Mayor Graham noted that, on page two, in line three, the reference to the *Weona Villa* property is incorrect; the correct reference should be to the *Fantasy Farm* property. Vice-Mayor Graham asked if the aerial photographs of the Town, as referenced on page eight, have been taken; Project Specialist Lohr reported that they have not, as yet, but that plans for completing that project continue. Vice-Mayor Graham then moved **that the minutes be approved, with the correction noted**; Councilperson Evers seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 3-0, with Councilpersons Allen and Hummel absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Absent
Donald W. Allen	Absent
Melissa Hoffmann	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye

IN RE: BUSINESS ITEMS

a. Town of Round Hill Lapel Pins

Vice-Mayor Graham reported that updated designs have been completed, and will be forwarded to the Council for review.

b. FY2020 Capital Improvement Projects Update

Project Specialist Lohr stated that he will defer his report on this item until the Strategic Planning Session of October 30, 2019. Mr. Lohr noted that the Town has made progress on every project, with eight of twenty-six projects closed out.

c. Rt. 9 Traffic Management Plan (Hillsboro Project in Relation to Round Hill)

Mayor Ramsey presented this item, noting that the Town of Hillsboro has reached an agreement with VDOT regarding its proposed traffic calming project; this project will go

out to bid a second time, as the original bids were all well over budget and beyond the time allotted for completion. Mayor Ramsey further reported that he and members of the Staff have met with representatives of both Hillsboro and VDOT regarding this project, specifically regarding detour routes to be provided during the work; additionally, a letter was sent to both entities, noting Round Hill's support of the project and the general plan. Comments were provided regarding detour routes, in an effort to ensure that those routes are signed properly, specifically the detour along Evening Star Drive to Business Route 7 and the by-pass. Additionally, Round Hill has requested that no through truck traffic be allowed on Main Street. Mayor Ramsey noted that this may be a good time to again request of VDOT that the "no through truck" ban on Main Street be made permanent. Mayor Ramsey reported that it is possible a temporary traffic signal could be installed at the intersection of Evening Star Drive and Business Route 7 (East Loudoun Street), and that the Round Hill Owners' Association (RHOA) is in favor of placing the signal there. Mayor Ramsey reported that Round Hill's Main Street Enhancement/Franklin Park Trail Project likely will occur at the same time as the project in Hillsboro. Mayor Ramsey noted that traffic still must flow, and that the goal is to manage that traffic movement as efficiently as possible, with Route 9 being closed all day for a sixty-day period during the project. Mr. Ramsey reported that the Town is now in good communication with VDOT regarding the impacts of this project on Round Hill.

Project Specialist Lohr reported that VDOT will be paving, as part of their regular schedule, in Hillsboro and on Route 719 south; Mr. Lohr noted that Staff will endeavor to inform residents that this is not part of the Main Street Enhancement Project. Mr. Lohr noted that this paving, when it occurs in Round Hill, will help with the issue of the many large potholes on Main Street.

IN RE: REPORTS

1. Planning Commission Report

Town Administrator/Zoning Administrator Hynes reported that she hopes to hire a new Town Planner soon. Additionally, Ms. Hynes reported that she recently attended the Virginia Municipal League (VML) Conference, which was informative, and at which problems with recycling were discussed. Ms. Hynes thanked the Council for allowing her to attend the conference. Mayor Ramsey noted that a number of western Loudoun towns are planning a joint Request for Proposal (RFP) for trash service, with Mr. Danny Davis taking the lead on this effort.

2. Mayor's Report

Mayor Ramsey noted that he has already presented the information that would be included in his report.

IN RE: COUNCIL COMMENTS

Vice-Mayor Graham asked if there is a candidate for the vacant position on the Town Council; Town Administrator/Zoning Administrator Hynes reported that a citizen is interested, but has not

yet submitted a letter of interest or an application. Vice-Mayor Graham reported that the 540-area code, currently in use in Round Hill, will be exhausted by 2022, although all existing customers will retain their current area code; a new code will be instituted with public hearings held.

Councilperson Evers reported that there has recently been a great deal of "hate speak" on Facebook, especially regarding milling and paving; Ms. Evers stated that, although she tries to keep her social media presence low, she did post a comment on Facebook to let residents know of all the good work the Town's Staff does, and that the milling and paving project took the Town by surprise.

IN RE: EXECUTIVE SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council recess its open meeting and convene a closed session to discuss legal matters, as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(7), with the Town Attorney and the Town Administrator invited to attend; the purpose of the Closed Session is to consult with legal counsel regarding the Consent Decree between Round Hill Investors and the Town of Round Hill, in Case Number 19-11-07 – Loudoun County Circuit Court.** Councilperson Evers seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 3-0, with Councilpersons Allen and Hummel absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Absent
Donald W. Allen	Absent
Melissa Hoffman	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye

Mayor Ramsey declared that the Town Council is now in Executive Session, and called for a recess at 10:48 p.m.

IN RE: ADJOURN CLOSED SESSION AND RECONVENE OPEN MEETING

Vice-Mayor Graham moved **that the Round Hill Town Council adjourn its Closed Session and reconvene its open meeting;** Councilperson Evers seconded the motion. There was no discussion. A voice vote was held; the motion was approved 3-0, with Councilpersons Allen and Hummel absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Absent
Donald W. Allen	Absent
Melissa Hoffman	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye

Mayor Ramsey stated that the Town Council is now in Open Session

IN RE: CERTIFICATION OF CLOSED SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council certify that, while in Closed Session, only those matters that were contained in the motion by which the Town Council convened its Closed Session were discussed;** Councilperson Evers seconded the motion. There was no discussion. A voice vote was held; the motion was approved 3-0, with Councilpersons Allen and Hummel absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael B. Hummel	Absent
Donald W. Allen	Absent
Melissa Hoffman	Aye
Mary Anne Graham	Aye
Amy E. Evers	Aye

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 11:30 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary