

# TOWN OF SCOTTSVILLE

## *Mayor*

R. Stephen Phipps

## *Town Council*

Lillian M. Copeland

Heinz H. Gadiant

James P. Hogan

Jeannette E. Kerlin

Robert C. Mellow

Craig N. Stratton

*Town Attorney:* Lindsay G. Dorrier, Jr.

*Town Administrator:* Barry J. Clark

*Town Clerk:* Amy E. Moyer

The Scottsville Town Council meets in Regular Session on the third Monday of each month at 7:00 p.m. (on Tuesday if that Monday is a state holiday).

Town Council Work Sessions are held at 7:00 p.m. on the second Monday of each month (on Tuesday if that Monday is a state holiday).

Speakers during the **Public Forum** are asked to limit their comments to three minutes in duration.

## MINUTES REGULAR SESSION ~ March 15, 2004

1. CALL TO ORDER – Mayor R. Stephen Phipps called the meeting to order at 7:00 p.m.
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL of Town Council – Clerk of Council Amy Moyer called the roll. All members were present, with the exception of Mr. Stratton. Also in attendance were Town Administrator Barry Clark, Town Attorney Lindsay Dorrier, and many members of the community.
4. CONSENT CALENDAR
  - 4.1. Financial Report for February 2004 (Tab 1.5)
  - 4.2. Approval of Agenda
  - 4.3. Minutes of Regular Town Council Meeting of February 17, 2004 (Tab 5.1)

Upon a motion by Mr. Hogan, seconded by Mr. Mellow, the consent calendar was approved by voice vote.

## 5. MAYOR'S REPORT

Mayor Phipps announced that the potential developers of the former Hurt property would hold a community information meeting on March 31. The Bruce Park dedication ceremony is scheduled for 11:00 a.m., June 12.

## 6. PUBLIC FORUM

No one rose to speak during the public forum.

## 7. REMARKS AND AWARDS BY LISA JONES, PRINCIPAL OF SCOTTSVILLE ELEMENTARY SCHOOL

Ms. Jones thanked Mayor Phipps and Mr. Hogan for their partnership in the book-buddies program and for the use of the theater. She noted the recent technology advances at Scottsville Elementary, as well as the fifth-grade fundraising efforts for Habitat for Humanity. Students Will Ahrens and Tyler Moneymaker gave a multimedia presentation on the school newspaper, and Mayor Phipps presented the newspaper staff with certificates of recognition.

8. PRESENTATION BY MARSHALL PRYOR OF 20<sup>TH</sup> CENTURY MERCHANTS FOUNDATION

Mr. Pryor presented a \$4,000 contribution to the Streetscape project on behalf of the 20<sup>th</sup> Century Merchants Foundation.

9. PUBLIC HEARING ON CLOSURE OF MOON STREET FROM INTERSECTION OF UNDEVELOPED MAIN STREET NORTHWARDS APPROXIMATELY 390 FEET TO SOUTHERN BOUNDARY OF PARCEL 6A

Mr. Mellow explained that closure of this undeveloped right-of-way was recommended by the Planning Commission in order to develop the townhouses on the former Rittenhouse tract. Mayor Phipps then opened the public hearing.

Mr. Tim Small rose to raise questions as to how well the townhouse development would serve the needs of Scottsville's people. He stated that the major changes to the terrain would present erosion concerns and set a precedent heretofore discouraged by the comprehensive plan. Mr. Small questioned whether these units constitute affordable housing, as the average projected cost of the units would exceed the \$100,000 median value of existing homes in the town. He also queried whether the expense to the Town of providing services to additional residents would be offset by an increase in revenues, as real estate and personal property taxes would go to Fluvanna County rather than to the Town. Mr. Small reiterated neighbors' concerns for impacts on quality of life, safety, privacy and wildlife, and stated that the comprehensive plan presents a consistent theme of preservation. He encouraged the Town Council to determine its position on the development before considering the closing of Moon Street.

Planning Commission member Michael Phelan commented that Mr. Small had voiced these same concerns previously in a white paper. He stated that Mr. Small had voted for the townhouse development at the December 27 meeting, and that concerns with sedimentation, slope, and density had all been discussed at meetings Mr. Small chaired. Mr. Small spoke from the audience to clarify that, as Planning Commission chair, he did not vote.

Ms. Angela Kreider, of 580 Holman Street, then rose to speak. She stated that she and Jewel King were among the neighbors who signed the petition stating concerns regarding the proposed development. Ms. Kreider questioned how a site plan could be approved when based on a survey with unresolved questions concerning rights-of-way. She remarked that a

Town Council decision now would be based on a problematic document and its accompanying deed of sale, and that she opposes closure of Moon Street until these right-of-way issues are resolved and assurance is made to adjacent property owners and neighbors that their interests, as well as those of HYMK, are represented in this process.

Mr. Larry Barnett, of Barnett Real Estate, rose to speak, noting that Kevin White and Mary Alexander had met with concerned citizens 18 months ago. Mr. Barnett commented that this group was composed only of 6-8 people who were immediate neighbors to the project, suggesting that the majority of people in town are not opposed to the project. He noted that his wife, who owns adjoining property, is in favor of the development. Mr. Barnett defined affordable housing as up to a sales price of \$170,000 in Albemarle County and about \$160,000 in Fluvanna County, noting that a large portion of the units would be below this price. Mr. Barnett served on Fluvanna County housing and economic development task forces which recommended increased density around village areas. He spoke on the difficulties of finding affordable housing in the area and remarked that the same small group has fought the project from the start with the same arguments.

Mr. Kevin White rose to speak on behalf of HYMK Real Estate Development. He presented a response to a question raised at the Town Council Work Session as to how the closure of Moon Street would benefit the Town of Scottsville. Mr. White remarked that the Moon Street right-of-way was solely for the benefit of the Moon Street subdivision, the 31 lots created in 1921 with the intention to develop residential sites. He proposed that this development would fulfill the original intentions for the property. Mr. White stated that the Moon Street right-of-way needs to be closed because the King/Kreider house sits in the right-of-way, which could create a legal problem for the Town should anyone in the public request use of the right-of-way. He asserted that, if the section within the HYMK property were closed, no one could request use of Moon Street to get through to the other side, thereby preventing possible condemnation of Ms. King and Ms. Kreider's home. Mr. White also maintained that the closure of Moon Street would bring no loss to the Town, as new water and sewer lines would be constructed and the corresponding easements granted. The infrastructure improvements would also include fire hydrants along the new water line, increasing fire-suppression ability, as the water pressure is currently inadequate.

Ms. Jewel King rose to state that she and Ms. Kreider prefer to speak for themselves on this issue, and have already done so.

The public hearing was then closed, with the matter to be considered during the April Work Session.

#### 10. RESOLUTION OF INTENT TO AMEND ZONING ORDINANCE SECTION 4.14 "SIGNS"

Mayor Phipps read the resolution of intent to amend Zoning Ordinance Section 4.14. He explained that recommendations would be sought from the Planning Commission to amend provisions regarding sign size and the length of time signs are displayed after a sale. Ms.

Kerlin motioned to accept the resolution as read. Mr. Mellow seconded the motion, and a roll-call vote ensued.

Ms. Copeland	<u>Yes</u>	Mr. Hogan	<u>Yes</u>	Mr. Mellow	<u>Yes</u>
Mr. Gadiant	<u>Yes</u>	Ms. Kerlin	<u>Yes</u>	Mr. Stratton	<u>NP</u>

The motion passed 5-0.

#### 11. APPOINTMENT OF SUSAN CAROL BROWNING TO THE PLANNING COMMISSION FOR A TERM ENDING AUGUST 1, 2007

Mr. Hogan motioned to appoint Susan Carol Browning to the Planning Commission for a term ending August 1, 2007. Mr. Mellow seconded the motion, and a roll-call vote ensued.

Ms. Copeland	<u>Yes</u>	Mr. Hogan	<u>Yes</u>	Mr. Mellow	<u>Yes</u>
Mr. Gadiant	<u>Yes</u>	Ms. Kerlin	<u>Yes</u>	Mr. Stratton	<u>NP</u>

The motion passed 5-0.

#### 12. REPORTS OF CHARTERED COMMITTEES AND PLANNING COMMISSION

*Government Services:* Ms. Kerlin reported that her committee would review segregation of cash receipt and accounting duties at its next meeting; trash billing is to be examined, as well.

*Economic Development:* Mayor Phipps reported that the CDBG application was successful; the \$10,000 in funding is to be used for a business consultant. The Town intends to apply for an Innovation Grant of up to \$100,000 to further this endeavor. Mayor Phipps thanked Rose Farber for her help with the grant application.

*Quality of Life:* Mr. Hogan reported that construction of the Jackson Street parking lot is scheduled to commence April 1, with a targeted completion date of May 25. Temporary directional signage for parking has been requested from VDOT, with design work for permanent signage in progress.

*Tourism:* Mr. Gadiant reported that the new website would be online upon receipt of the editing software. The Charlottesville-Albemarle Visitors Guide advertisement has been published.

*Historic Preservation:* Ms. Copeland reported that work is ongoing for the ARB's inventory publication.

13. TOWN ATTORNEY'S REPORT – Mr. Dorrier had no report.

14. TOWN ADMINISTRATOR'S REPORT

Mr. Clark gave the Treasurer's Report for the month of February. Monthly revenues were \$52,516.65 and expenditures were \$50,504.21, for net income of \$1,780.44. As of February 29, 2004, the fund balances were as follows:

General Fund	\$207,295.26	Victory Hall Theater	\$4,159.06
Caldwell Fund	\$50,475.99	JamesFest	\$913.00
Canal Basin Square	\$130,734.92	Farmers' Market	\$4.83
Streetscape Fund	\$106,881.23	Total	\$500,464.29

15. ADJOURNMENT – The meeting was adjourned at 8:00 p.m.

Respectfully submitted:

Approved:

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Clerk of Council

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Mayor