

Town of Lovettsville

Planning Commission Minutes of Regular Meeting, March 3, 2010

Chairwoman Bushway called the Regular Monthly Meeting of the Lovettsville Planning Commission to order at 7:30 P.M. on March 3, 2010.

Present at Meeting

- Mayor Elaine Walker
- Chairwoman Mari Bushway
- Commissioners Lorraine Bauer, Jack Burden, Elaine Fischer, Rodney Gray, Aaron Kahn, Joseph Mueller
- Town Manager Keith Markel
- Zoning Administrator Steve McGregor
- Town Clerk Judy L. Kromholz

Absent

- none

Present In the Audience

Among those present in the audience were Bing Lam, Tiffany Carder, Dr. Peter Pruckowski, and Councilman Scott Dockum

Additions/Deletions/Modifications to the Agenda

Chairwoman Bushway called for changes to the agenda. Zoning Administrator McGregor stated that Action Item B is being postponed because the Virginia Department of Transportation has requested that the applicant make some modifications. There were no other changes to the agenda.

Public Comment (Attachment I: Speaker Signup Sheet)

Chairwoman Bushway called for public comment.

Dr. Peter Pruckowski introduced himself to the Commissioners. He explained that he is a small animal veterinarian who has left a Purcellville clinic after nine years and is hoping to establish a small animal practice in the Lovettsville area. He is interested in the old post office property and wants to determine what, if any, zoning changes would need to be made. He noted that he is not planning any outdoor kennels or animal boarding.

Councilman Dockum told the Commissioners that he appreciates their work on the Comprehensive Plan Advisory Committee. He attended tonight's meeting to let them know that he is taking the lead on Oktoberfest 2010. He stated that he is working with the core group of volunteers from last year and is asking the Commissioners to volunteer to work on Oktoberfest.

Mr. Fred George stated that he is here to introduce Dr. Pruckowski. He noted that he worked with him in 1995 on a different property, but they were unable to make that property work as a veterinary clinic. He stated that this is the type of business we want in Lovettsville.

The Commission had no questions for the speakers at this time.

Approval of Planning Commission Minutes

Planning Commission Meeting – January 6, 2010

Motion: To approve the minutes of the January 6, 2010 Planning Commission Meeting as amended.

By: Commissioner Mueller

Second: Commissioner Gray

Aye: Commissioners Bauer, Burden, Bushway, Fischer, Gray, Kahn, Mueller
Nay: None
Abstain: None
Absent: None

Staff Reports

Administrator McGregor presented his written reports for December 2009 and January 2010. Commissioner Burden asked if the issuance of an Occupancy Permit equates to a unit sold. Administrator McGregor reported that historically the developers only apply for zoning permits when they have sold a unit.

Commissioner Mueller asked for a status update on violation enforcement. Administrator McGregor explained that some of the existing text confuses the role of the Zoning Administrator, the police, and the Town's attorney. He is working with Attorney Whiting and Manager Markel to clarify enforcement roles.

Commissioner Kahn asked for background information on the development at 34 South Loudoun Street. Administrator McGregor explained that the developer is trying to subdivide one parcel into four contiguous lots and only one house currently exists on the property. He is working with the developer to design a plan that will include public access to all four lots, which is a VDOT requirement.

The Commissioners had no further questions.

Action Items

A. LVZA 2010-0002/LVSA 2010-0001 Fees

Administrator McGregor presented this item. He explained that when specific dollar amounts for development fees are listed in the Zoning and Subdivision Ordinances it requires an ordinance amendment when the Town Fee Schedule changes. It is less costly for the Town Council to establish a Fee Schedule and have the ordinance requirement for application fees refer to whatever the Town's current fee is. Many other Northern Virginia jurisdictions, including the Town of Purcellville, require fees in their ordinances for development related applications and reference the jurisdiction's Fee Schedule for the specific dollar amount.

When the specific dollar amount is removed from Article 11 Fees, Sec. 11-1 of the Zoning Ordinance, there is no good reason to have Article 11 in the ordinance. It is more reasonable to add it to Article 10 Administration and Enforcement, as it is in the Subdivision Ordinance.

Removing specific dollar amounts for different types of applications from the ordinance does not mean that there is any reason to remove the requirement for paying fees for the services incurred by the Town for the review of an application by the Town Attorney, the Town Engineer and any other consultant services needed for the appropriate review of the application.

It would provide more uniformity if the titles of the sections on fees in both ordinances use the same terminology.

Commissioner Mueller asked if the fees are currently set by Council during the budget process and Manager Markel said that they were and went on to explained that the fees have held fairly constant, but a few years ago the Town changed processes to include staff time in the fees, so that there were no surprises at the end of the process for the applicant.

Chairwoman Bushway polled the Commission for additional comments; they all stated that this is sensible idea.

Administrator McGregor stated that the Public Hearing would probably be before the next Planning Commission meeting on April 7, 2010.

Motion: I move that the Planning Commission schedule a public hearing on item LVZA 2010-

0002/LVSA 2010-0001 Fee Amounts in the Zoning and Subdivision Ordinances and its recommendations.

By: Commissioner Bushway
Second: Commissioner Kahn
Aye: Commissioners Bauer, Burden, Bushway, Fischer, Gray, Kahn, Mueller
Nay: None
Abstain: None
Absent: None

B. Lovettsville Town Center Section 2 Construction Drawings Revision
Consideration of this item was postponed.

Information Items

There were no information Items on the agenda.

Comments from the Mayor and Commissioners

Chairwoman Bushway called for comments from the Mayor and the Commissioners.

Mayor Walker had no comments at this time.

Commissioner Bauer asked for an explanation of the process for consideration of Dr. Pruckowski's application. Chairwoman Bushway explained the steps of the process for the Commissioners. Administrator McGregor noted that the Town's Comprehensive Plan calls for that land area to be developed as a unit; an issue which will be addressed during the process.

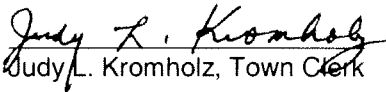
Commissioner Gray asked about the status of the Sign Ordinance. Administrator McGregor stated that he is reviewing Attorney Whiting's comments and plans to get back with her before this comes back before the Commission. Manager Markel stated that he hopes this will come to the Commission in April.

Adjournment

Motion: To adjourn the Planning Commission meeting of March 3, 2010
By: Commissioner Mueller
Second: Commissioner Fischer
Aye: Commissioners Bauer, Burden, Bushway, Fischer, Gray, Kahn, Mueller
Nay: None
Abstain: None
Absent: None

The Meeting was adjourned at 8:05 P.M.

Respectfully submitted,


Judy L. Kromholz, Town Clerk

Date Approved: May 5, 2010

Attachment I: Speaker Signup Sheet

Town of Southville

Speaker Sign - Up Sheet

Planning Commission Monthly Meeting - March 3, 2010

Please Print.

Name and Association	Address	Topic	Email Address (Optional) ¹
PETER BRUCKENSKI DVM		Veterinary Clinic	BMDogDoc.com
Scott Dockum	9 South Main	CET Breakfast	
Fred George	Law Hill	Vet	FLGeorge3

Each speaker will be limited to no more than three (3) minutes.

¹ If you provide your email address, you will be added to the Town Council & Planning Commission Meetings Notification List.